

**Uneasy Intimacies: Race, Family, and Property in Santiago de  
Cuba, 1803-1868**

**by**

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**A dissertation submitted in partial fulfillment  
of the requirements for the degree of  
Doctor of Philosophy  
(Anthropology and History)  
in the University of Michigan  
2016**

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To Paul

## **Acknowledgments**

One of the great joys and privileges of being a historian is that researching and writing take us through many worlds, past and present, to which we become bound—ethically, intellectually, emotionally. Unfortunately, the acknowledgments section can be just a modest snippet of yearlong experiences and life-long commitments.

Archivists and historians in Cuba and Spain offered extremely generous support at a time of severe economic challenges. In Havana, at the National Archive, I was privileged to get to meet and learn from Julio Vargas, Niurbis Ferrer, Jorge Macle, Silvio Facenda, Lindia Vera, and Berta Yaque. In Santiago, my research would not have been possible without the kindness, work, and enthusiasm of Maty Almaguer, Ana Maria Limonta, Yanet Pera Numa, María Antonia Reinoso, and Alfredo Sánchez. The directors of the two Cuban archives, Martha Ferriol, Milagros Villalón, and Zelma Corona, always welcomed me warmly and allowed me to begin my research promptly.

My work on Cuba could have never started without my doctoral committee's support. Rebecca Scott's tireless commitment to graduate education nourished me every step of the way even when my self-doubts felt crippling. Through her work ethics, one of

the subtle lessons that she imparted has been that as historians we owe the stories that we collect to the people whom we research. This sense of responsibility and urgency has been one of the forces driving me throughout archival research and writing. Jesse Hoffnung-Garskof helped me refine my conceptual framework and taught me when to be skeptical of my own work and when to look forward. His comparative thinking, analytic breadth, and rigor improved my research discipline and writing. I thank him for not giving up on me. Paulina Alberto taught the first graduate course that I signed up for at the University of Michigan. Her ability to constructively transform the writings of a confused graduate student, like myself, into coherent narratives taught me how to carefully and patiently look for the kernel of any text. Gillian Feeley-Harnik taught me how to think about anthropology as a sensibility. Learning about the history of anthropology from her turned into a model for how to be both a historian and an anthropologist. Jean Hébrard had a lot of faith in me at a time when I did not know where I was heading. His intellectual range, curiosity, energy, and creativity taught me that what we do as historians can have an existential edge that we should embrace. Jean also taught me that one could still be both an academic and an intellectual even in this age of hyper-professionalization. His generosity has been endless. I had admired Martha Jones from a distance for many years before finally getting the courage to ask her to be on my committee. Throughout my encounters with her and by hearing her questions and comments at talks and learning about her commitment to teaching and service at the University of Michigan, she has been a role model. She has taught me how to think about

the work that we do as historians as part of a larger world whose structures and underlying assumptions we should tirelessly question.

María de los Angeles Meriño Fuentes and Aisnara Perera Díaz have an absolutely contagious love of the archive, and especially of those collections that are hardest to navigate. Their knowledge of the Cuban National Archive and of Santiago history in particular, which they shared with me in their Bejucal home during the weekends, helped me become a better historian. They taught me a lot more than I would have been able to learn by myself or than I could reciprocate. In Santiago, Olga Portuondo Zúñiga generously opened her home and shared with me insights about Santiago that made me fall in love with the region's history. Marial Iglesias Utset listened to me patiently as I was trying to find the main thread for my research. Sharing with her some of the worlds that we both went through in Eastern Europe was unforgettable. Reinaldo Funes Monzote at the Fundación Antonio Núñez Jiménez provided essential institutional support. Orlando García Martínez opened his home generously and provided advice at an early stage of my research. In Spain, Consuelo Naranjo, María Dolores Gonzálo-Ripóll, and Luís Belmonte answered my questions patiently when I was still learning how to navigate the archives.

My Michigan family included many History and Anthro-History friends and colleagues. One can only come across a friend like Robyn d'Avignon once in a lifetime. We shared our self-doubts, fears, and frustrations, as well as writing, ideas, and plans for the future. Her profound commitment to research in West Africa inspired me, while her ability to reach out for the best in everyone has been an important lesson. Davide Orsini's

analytic sharpness and high-class cooking skills kept many of us afloat (conceptually and physically); I thank him for not giving up on me as a friend. Nafisa Essop Sheik and Stephen Sparks welcomed me in their home as they were going through many transitions. Angela Pérez-Villa has been a kind and generous colleague without whom coursework would not have felt the same. Andrés Pletch taught me how to stop worrying and keep going. Edgardo Pérez-Morales's gift for story-telling is unparalleled. So has been his kindness. I am privileged to have him as a colleague.

Krisztina Fehervary saw in me an Anthro-Historian at a time of profound self-doubt. Without her, my journey at the University of Michigan would have never started. At the University of Michigan, I also very fortunate to be able to take classes from: John Carson, Judith Irvine, Christian de Pee, Krisztina Fehervary, Paul Johnson, Stuart Kirsch, Alaina Lemon, Bruce Mannheim, Erik Mueggler, Douglas Northrop, Leslie Pincus, Rudolph Ware, as well as my dissertation committee members. The Eisenberg Institute's workshop and noon lunches, and the Anthro-History program were essential to my intellectual trajectory. It has been extremely rewarding and humbling to be surrounded by so many people with deep commitment to sharing work and to engaging in rigorous exchanges about it. Alaina Lemon and Paul Johnson, as directors of the Anthro-History Program, provided essential support.

In Cuba and Spain, I met many people whose love of archives and friendship sustained me. Beyond those already mentioned, I would also like to thank Waldomiro Lourenço da Silva Junior. His sharpness and ability to talk his way out of all kinds of situations in Havana made our time together unforgettable. I thank him for sharing his

love of archives and conversation with me. Iacy Maia Mata and Fabio Nogueira introduced me to Havana and helped me get oriented. Iacy's research discipline inspired me. Elena Schneider's humor, research and writing discipline, and acute intellect have been an example. With Jorge Felipe and Romy Sánchez I shared lunches and unforgettable conversations while doing archival research in Havana.

I am grateful to several institutions for financial support: the University of Michigan, in particular the Rackham Graduate School, the International Institute, the Anthro-History program, the Latin American and Caribbean Studies Center, and the Gutiérrez family. Casa de Velázquez offered me financial and lodging support while in Madrid. The Social Science Research Council and the Conference on Latin American History provided financial resources that were essential for my archival research. Beyond Michigan, several scholars have asked pointed questions or provided helpful commentary throughout my time in graduate school at talks, workshops, or conferences. I would like to thank: Trevor Burnard, Matthew Casey, Louis Pérez Jr., Lara Putnam, Jean-Frédéric Schaub, Christopher Schmidt-Nowara, whom we greatly miss, Stuart Schwartz, Natalie Zemon Davis, and Michael Zeuske. I would also like to thank Sarah Barber at the University of Lancaster, Lauric Hennenon at the University of Versailles, Susanne Lachenicht at Bayreuth University, Nadja Durbach at the University of Utah, and Clément Thibaut at the University of Nantes for welcoming me at workshops that nourished this project.

My family has a profound love for story-telling. I thank them for instilling it in me, for teaching me how to listen carefully, and for readily learning about the challenges

of academic life in the U.S. Paul Buchholz did not know how stormy the waters were going to be when we took off together almost ten years ago. He was not afraid to learn about life as an immigrant and to assume all the challenges that it entailed, while also doing his own research, writing, and teaching. His humor, ability to notice the absurd, impeccable social ethics, boundless empathy, and endless love of travel and story-telling have added indescribable depth to our journeys together. For making the life of heart and the life of mind worth living, I dedicate this dissertation to him.



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## **List of Abbreviations**

AASC: Archivo del Arzobispado de Santiago de Cuba

AGA: Archivo General de la Administración (Madrid)

AGI: Archivo General de Indias (Seville)

Cuba: Fondo Papeles de Cuba

SD: Fondo Audiencia de Santo Domingo

Ultramar: Fondo Ultramar

IG: Fondo Indiferente General

AHN: Archivo Histórico Nacional (Madrid)

Estado: Fondo Estado

Ultramar: Fondo Ultramar

AHPSC: Archivo Histórico Provincial de Santiago de Cuba

ATO: Fondo Audiencia Territorial de Oriente

Actas Capitulares: Fondo Actas Capitulares

Contaduría: Fondo Contaduría

GP: Fondo Gobierno Provincial

Hipotecas: Fondo Andotaduría de Hipotecas

JPI: Fondo Juzgado de Primera Instancia

PN: Fondo Protocolos Notariales

ANC: Archivo Nacional de Cuba

AP: Fondo Asuntos Políticos

ASC: Fondo Audiencia de Santiago de Cuba

BE: Fondo Bienes Embargados

CCG: Fondo Correspondencia de los Capitanes Generales

CM: Fondo Comisión Militar

GG: Fondo Gobierno General

GSC: Gobierno Superior Civil

ME: Fondo Miscelánea de Expedientes

RCJF: Fondo Real Consulado y Junta de Fomento

MN: Museo Naval (Madrid)

National Archive of the United Kingdom (Kew)  
FO: Foreign Office

NOPL: New Orleans Public Library

UNO: University of New Orleans  
SCLC: Supreme Court of Louisiana Collection

Leg: legajo (bundle)

Exp.: expediente (record number)

## **Abstract**

The Cuban War of Independence from Spain (1868-1898) redefined the meaning of social equality in what had been one of the wealthiest slave societies of the Western Hemisphere. In the eastern province of Santiago, the insurgency depended on a large cohort of Afro-descendant soldiers who, along with white allies, rallied around a leadership largely comprised of men of color. These forces invoked an idea of unified nationhood that was stronger than color-based solidarities. This dissertation examines Santiago in the six decades prior to the rebellion, using legal, economic, and demographic sources to understand the milieu from which the Afro-descendants who joined the insurgency emerged. It argues that the insurgents' wartime vision of social identities that could transcend race actually developed out of Santiago's earlier competing ideologies of status.

During the first half of the nineteenth century, in Santiago, color status was far from fixed. Largely outside sugar's dominion, this area was situated at the intersection of Atlantic and local currents of commerce and culture. French-Haitian, Spanish, and West African ideas about status inflected local contests over color-based identities. The rise of



a coffee plantation economy and its subsequent demise allowed families of varying degrees of African ancestry to shift in and out of different color statuses. Bureaucrats, political elites, slaves, free people of color, and slave owners competed over the meaning of status through property, kinship, and documentary practices. Their antagonisms gave rise to an unstable hierarchy situated at the interstices of vernacular and official repertoires. Individuals sought to modify their status or lose associations with color terms altogether by creating expansive networks of dependents and patrons, by owning slaves, and by asserting multi-generational distance from slavery. Perhaps most remarkably, by the middle of the nineteenth century, local notaries increasingly recorded persons without mentioning color. This thesis argues that the networks of social dependency through which actors destabilized color-based identities became avenues for cross-racial mobilization during the independence movement. Moreover, the newly emergent social identities that did not openly reference race laid the background for the insurgents' vision of a raceless Cuba.

## Introduction

In December 1869, a military court condemned *in absentia* a group of 95 pro-independence insurgents, most of them property-less men, for attacking two plantations near the city of Santiago, on the eastern side of the island. The insurgents' action, part of a larger effort to separate Cuba from Spanish colonial control, targeted slavery and the plantation as key symbols and centers of that control.<sup>1</sup> A year earlier, Carlos Manuel de Céspedes, a small-scale sugar planter and cosmopolitan lawyer from the nearby eastern province of Manzanillo, had issued a call for an independent Cuban republic (the *Grito de Yara*) that has come to be seen as the epic beginning of the Cuban War of Independence from Spain (1868-1898). Indeed, by many measures, the 1869 events in Santiago were components of the larger independence movement that the insurgency in Manzanillo had triggered. But unlike the 95 insurgents who attacked Santiago's plantations under the leadership of the brothers Antonio and Marcos Maceo in 1869, Céspedes' initial followers in Manzanillo had been, for the most part, identified as white:

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<sup>1</sup> ANC, BE, leg. 182, exp. 29: "Expediente de embargo, incautación de bienes de D. Marcos Maceo."

members of the professional classes, merchants, rural property owners or employees in the colonial bureaucracy.<sup>2</sup> Their overall political goals had also been cautious. They supported gradual emancipation with owner indemnification, but only once the war was over and independence achieved.<sup>3</sup> It was the Santiago insurgents and fugitives from slavery themselves who pressured the central revolutionary junta to shift its position and adopt a more radical approach to freedom and citizenship.<sup>4</sup>

Mere color terms, however, cannot capture the complexity of the social groups involved in each of these two dimensions of the independence movement. Indeed, colonial scribes' attempts to fit the Santiago insurgents into the established colonial tripartite classification system white/brown/black crumbled in the face of witness testimonies.<sup>5</sup> While some individuals were described by witnesses as *moreno*, *pardo*,

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<sup>2</sup> Approximately 3% of the 110 insurgents in Manzanillo were people of color, and very few were *de campo* (living and working in the rural areas). "Relación nominal de los vecinos de esta jurisdicción que consta notoriamente se hallan comprendidos en la insurrección," *Boletín del Archivo Nacional de Cuba* 5 (Nov.-Dec. 1906): 81-112; Ada Ferrer, *Insurgent Cuba: Race, Nation, and Revolution, 1868-1898* (Chapel Hill: University of North Carolina Press, 1999), 22-23. A list of 228 participants from Puerto Príncipe was drawn up in June 1869. As in Manzanillo, most participants were professionals or property owners and only 23% were *de campo*. *Boletín del Archivo Nacional de Cuba* 16 (1917): 55-61.

<sup>3</sup> "Manifiesto de la Junta Revolucionaria de la Isla de Cuba," October 10, 1868, in Hortensia Pichardo Viñals, *Documentos para la historia de Cuba* (Havana: Editorial de Ciencias Sociales, 1971), 1:361.

<sup>4</sup> Carmen Barcia, *Burguesía esclavista y abolición* (Havana: Editorial de Ciencias Sociales, 1987), 138-139; Ferrer, *Insurgent Cuba*, 26; Emilio Roíg de Leuchsenring, *La guerra libertadora cubana* (Havana: Oficina del Historiador de la Ciudad, 1952), 67-68.

<sup>5</sup> These descriptors became part of official taxonomies as early as the sixteenth century, when the Spanish Crown imposed tribute payments onto free people of African ancestry, on grounds that Africans had paid tribute in Africa. Free white individuals were exempt from such a tribute. See, for instance, the "Real Cédula ordenando que los negros y mulatos ahorrados paguen tributo," April 27, 1574, in Richard Konezke, *Colección de documentos para la historia de la formación*

*blanco* or *Don*, almost a third remained unclassified through the use of color-based descriptors.

In Santiago, notaries and census-takers had long allowed a large stratum of individuals of some African ancestry who had been born in Cuba and were several generations away from slavery to list themselves in official documents without using any color terms, though they did not as a result receive the courtesy title *Don*. They were neither *morenos*, nor *pardos*, nor *Dones*. Vernacular taxonomies, with their multiple forms of address, seem to have seeped into official forms of identification, eroding them at the edges. The scribes compiling the incriminating list of rebels seem to have faltered as they sought to convey this vernacular system that lay behind official taxonomies.

Classificatory practices might appear to be less radical or fundamental forces of social change than guerrilla attacks on slave plantations. Indeed, our understanding of Cuban independence and of the ideology of “racial confraternity” associated with it is generally refracted through the lens of the thirty-year long insurgency against Spanish colonial control, its pace and transformation marked by successive shifts in strategy, tactics, and recruitment to the movement. Insurgent leaders at the time and later anchored

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*social de Hispanoamérica* (Madrid: CSIC, 1953), 1:112. The Crown introduced a range of other laws mandating the differential treatment of individuals described as *moreno* or *pardo* throughout the sixteenth century. Some of these regulations were reiterated throughout the colonial period, including prohibitions on the right to bear arms, on personal adornment, on the use of public space. Civilian militias were also organized according to the tripartite structure white/*moreno*/*pardo*. Herbert Klein, “The Colored Militia of Cuba, 1568-1868,” *Caribbean Studies* 6.2 (1966): 17-27. The first legal code in Cuba, the Ordenanzas de Cáceres (1574 and approved by the Crown in 1640), also included laws mandating the differential treatment of people of African ancestry. This code referred to people of African ancestry using the umbrella term “*negro*.” “Ordenanzas para el cabildo y regimiento de la Habana y las demas villas y lugares de esta isla de Cuba que hizo y ordenó el Ilustre Sr. Dr. Alonso Cáceres,” Hortensia Pichardo, *Documentos para la historia de Cuba* (Havana: Editorial de Ciencias Sociales, 1971), 1:102-119.

the vision of a transracial Cuba in the *esprit de corps* that black and white soldiers developed during the war. This particular account has been one of the most resilient aspects of Cuban nationalism for more than a century. Its most eloquent telling is attributed to the nationalist intellectual José Martí, long canonized as a leading and radical figure of Cuban and Latin American thought, and to Antonio Maceo, whose intellectual contribution was nonetheless long overshadowed by his military one.<sup>6</sup>

*Uneasy Intimacies* shifts the lens away from the War of Independence as the main locale for the development of a vision of a transracial Cuba to recapture an alternative social taxonomy that resonated with Martí's model of "racial confraternity," but that was regionally specific and closely linked to the process of mobilization for independence. In the province of Santiago, men and women from the popular sectors had over generations forged networks of social interdependency and vernacular taxonomies that complicated established colonial color-based categories. It was through these networks that mobilization took shape in 1868, and insurgent and politicized people of African and mixed ancestry came to voice political choices well before the black press and

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<sup>6</sup> Some former insurgents who became historians put forth the idea of a transracial Cuban national identity as the outcome of wartime military experiences. See, for instance, Bernabé Boza, *Mi diario de la guerra* (Havana: Veloso, 1924). Later historians of the war also embraced this particular insight. Ramiro Guerra y Sánchez, *La guerra de los diez años* (Havana: Editorial de Ciencias Sociales, 1972), 1:11; Roíg, *La guerra libertadora*; Manuel Moreno Friginals, *Cuba/España, España/Cuba* (Barcelona: Crítica, 1998), 245-6, 255. For a commentary on the origins of some of these narratives, see Ferrer, *Insurgent Cuba*, chapter 5. On the relation of José Martí to Cuban independence, Lillian Guerra, *The Myth of José Martí: Conflicting Nationalisms in Early Twentieth-Century Cuba* (Chapel Hill: University of North Carolina Press 2005), chapters 1 and 2; Gerald Poyo, *With All and for the Good of All: The Emergence of Popular Nationalism in the Cuban Communities of the United States, 1848-1898* (Durham: Duke University Press, 1989), chapters 4 and 6.

associational culture became widespread in west-central Cuba.<sup>7</sup> *Uneasy Intimacies* captures the piecemeal making of this pre-war vernacular system of classification out of daily efforts that involved ordinary women, men, children, families, and official scribes (notaries and census-takers). It argues that popular taxonomies that emerged out of everyday politics and social practices served as the foundation for a racial ideology that would acquire national prominence and that, in its late 1890s iteration, did not capture the complexities of Santiago's social worlds. Understanding social taxonomies that antedated the war also helps us to better grasp why Afro-descendants supported a political movement whose guiding ideology also sought to silence race-based claims.

#### Martí's "Racial Fraternity"

"[T]he white man who says 'my race' is being redundant, and the black man who says 'my race' is also redundant. Anything that divides men from each other, that separates them, singles them out, or hems them in, is a sin against humanity," wrote José Martí in 1893.<sup>8</sup> This was not the first time that Martí was disavowing race as a category. Two years earlier, in a paean to Latin America, Martí had posited "the native mestizo" as a symbol of the continent, "the natural man" who towered above an "artificial

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<sup>7</sup> Oilda Hevia Lanier, *El Directorio Central de las sociedades negras de Cuba (1886-1894)* (Havana: Editorial de Ciencias Sociales, 1996).

<sup>8</sup> "My Race" was published in *Patria* on April 16, 1893. José Martí, *Selected Writings*, Esther Allen, ed. and transl. (NY: Penguin, 2002), 318.

intelligentsia” that preferred imported values.<sup>9</sup> But the transracial Cuba that Martí envisioned in his piece “My Race” was distinct from the mestizo Latin America he had invoked in “Our America.” Penned for *Patria*, the official organ of the Cuban insurgency, “My Race” was supposed to mend the divisions within the independence movement: to appease fears that the leadership of color would be taking it over while also recognizing the central role played by the people of African descent in mobilization. “Our America”’s main audience had been Mexican liberals and a wider Latin American readership following closely the Cuban struggle for independence. According to “My Race,” a transracial Cuba would not emerge out of *mestizaje*, but out of the military *esprit de corp* that had developed among men who treated each other as equals by choice:

[i]n Cuba there is no fear whatsoever of a race war. ‘Man’ means more than white, more than mulatto, more than Negro. ‘Cuban’ means more than white, more than mulatto, more than Negro. On the battlefields, the souls of whites and blacks who died for Cuba have risen together through the air. In that daily life of defense, loyalty, brotherhood, and shrewdness, there was always a black man at the side of every white.<sup>10</sup>

As historian Ada Ferrer has evocatively pointed out, this model left little if any room for women. Moreover, blacks and whites were treated here as separate and easily identifiable groups that did not mix through kinship.<sup>11</sup>

The arguments that Martí espoused in “My Race” emerged out of contradictory currents of thought that percolated throughout the independence movement and that

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<sup>9</sup> Martí, *Selected Writings*, 290.

<sup>10</sup> Martí, *Selected Writings*, 319.

<sup>11</sup> Ferrer, *Insurgent Cuba*, 126-127.

Martí was trying to reconcile.<sup>12</sup> These contradictions would persist long after independence. For many of his readers, Martí's vision of a transracial Cuba was not a reality: it was a future-oriented promise that all sectors of society should help bring to fruition. In this vein, race-based discrimination still had to be eradicated. For others, however, Martí's vision indicated an objective reality—invoking race-based differences and hierarchies, even as a way of critiquing them, only helped to generate divisions, they argued. In this second equation, silence on the issue of race was the best way to move forward.<sup>13</sup>

Since the late nineteenth century, Martí's statements have been part of a Latin American intellectual cannon touting the continent's idiosyncratic and, supposedly, inclusive racial ideologies that came to be known under the umbrella term *mestizaje* or racial democracy.<sup>14</sup> Aspects of this canon also became institutionalized as state rhetoric.

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<sup>12</sup> Guerra, *The Myth of José Martí*, chapters 1 and 2; Poyo, *With All and for the Good of All*, chapters 4 and 6.

<sup>13</sup> On contradictory interpretations of “racial fraternity” during and after the war, Alejandro de la Fuente, *A Nation for All: Race, Inequality, and Politics in Twentieth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2001); Ferrer, *Insurgent Cuba*, chapters 5-7; Lillian Guerra, *The Myth of José Martí: Conflicting Nationalisms in Early Twentieth-Century Cuba* (Chapel Hill: University of North Carolina Press 2005), chapter 4.

<sup>14</sup> At the end of the nineteenth century, intellectuals across Latin America disputed social Darwinist ideas according to which miscegenation resulted in degeneration. Many suggested that racial mixing could uplift and whiten the population. They emphasized the role of culture, geography, and social factors in a nation's human stock, thereby shifting the emphasis away from genetics. However, these visions still assumed that large portions of the national population were inferior, that the white/European stock was superior, and that homogenization was necessary. By the 1930s, national ideologies touting racial mixing (or *mestizaje*) became adopted as state ideology across the continent under populist governments. The emphasis on whitening declined or became more subtle. Paulina Alberto, *Terms of Inclusion: Black Intellectuals in Twentieth-Century Brazil* (Chapel Hill: University of North Carolina Press, 2011), chapter 1; Dain Borges, “Puffy, Ugly, Slothful, and Inert:” Degeneration in Brazilian Thought, 1880-1940,” *Journal of*



The U.S. often served as a counterpoint for nationalist intellectuals across Latin America: Jim Crow policies and lynching were evidence of the moral failures and hypocrisies inhering in a society that promoted itself as the archetypical liberal democracy in the Western Hemisphere.<sup>15</sup> Indeed, throughout the twentieth century, many US intellectuals, political activists, and ordinary people looked hopefully toward Latin America as proof that the ideological underpinnings of the Jim Crow US South were not universal. Alternatives, they believed, were possible, and Latin America might provide them. Many disappointments did, however, ensue.<sup>16</sup>

Across Latin America, in contexts in which ideologies of racial democracy became incorporated into nation-building projects, mobilization along color lines did not occur on a large scale. Revisionist historians have argued that even when such mobilization did occur, it remained unsuccessful because of the elites' power over the

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*Latin American Studies* 25.2 (1993): 235-256; Alan Knight, "Racism, Revolution, and *Indigenismo*: Mexico, 1910-1940," in Richard Graham, Thomas Skidmore, Alan Knight, eds., *The Idea of Race in Latin America, 1870-1940* (Austin: University of Texas Press, 1990); George Reid Andrews, *Los afroargentinos de Buenos Aires* (Buenos Aires: Ediciones de la Flor, 1989[1980]) and *Blacks and Whites in São Paulo, Brazil, 1888-1988* (Madison: University of Wisconsin Press, 1990), 54-89; Nancy Leys Stepan, *The Hour of Eugenics: Race, Gender, and Nation in Latin America* (Ithaca: Cornell University Press, 1991); Winthrop Wright, *Café con leche: Race, Class, and National Image in Venezuela* (Austin: University of Texas Press, 2013). See also, Laura Gotkowitz, ed., *Histories of Race and Racism: The Andes and Mesoamerica from Colonial Times to the Present* (Durham: Duke University Press, 2011), especially Parts II and III.

<sup>15</sup> See, for instance, Martí's writings on lynching in the U.S.: "A Town Sets a Black Man on Fire" (published in *El Partido Liberal*, Mexico City, February 23, 1892), Martí, *Selected Writings*, 310-313.

<sup>16</sup> Frank Guridy, *Forging Diaspora: Afro-Cubans and African Americans in a World of Empire and Jim Crow* (Chapel Hill: University of North Carolina Press, 2010).

political process.<sup>17</sup> Others have suggested that elites used models of racial democracy to coopt the popular sectors or to simply silence color-based claims.<sup>18</sup>

This study shifts attention away from the war and from military elites, and focuses instead on the colonial background preceding 1868. It recuperates social taxonomies that did not always align with official forms in the area of the island where the war would later become radicalized—Santiago de Cuba. These taxonomies suggest that the flexibility in the use of color-based categories in this area reflected kin, economic, and social networks that cut across color and status lines, and might help explain political mobilization across official color lines at the beginning of the war.<sup>19</sup>

By focusing on highly localized processes of social classification, this study also suggests that racial ideologies were closely connected to regional political economies and patterns of emancipation, rather than being an offshoot of nationalist models emanating

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<sup>17</sup> Aline Helg, *Our Rightful Share: The Afro-Cuban Struggle for Equality, 1886-1912* (Chapel Hill: University of North Carolina Press, 1995).

<sup>18</sup> Examples of critiques of Latin American nationalist ideologies of racial inclusion for silencing race-based claims and for their exclusionary content appear in Michael Hanchard, *Orpheus and Power: The Movimento Negro of Rio de Janeiro and São Paulo, 1945-1988* (Princeton: Princeton University Press, 1994); Lillian Guerra, *Popular Expression and National Identity in Puerto Rico: The Struggle for Self, Community, and Nation* (Gainesville: University of Florida Press, 1998); Helg, *Our Rightful Share*; Francisco Scarano, "The *Jíbaro* Masquerade and the Subaltern Politics of Creole Identity Formation in Puerto Rico, 1745-1823," *American Historical Review* 51.5 (1996): 1398-1431.

<sup>19</sup> Post-revisionist scholars of post-slave societies have shown that Afro-descendants mobilized politically but not necessarily around race-based issues or along color lines during the early twentieth century. They have argued that we should not approach such forms of mobilization as a manifestation of false consciousness. George Reid Andrews, "Black Workers in the export Years: Latin America, 1880-1930," *International Labor and Working-Class History* 51 (1997): 7-29; Jesse Hoffnung-Garskof, "To Abolish the Law of Castes: Merit, Manhood, and the Problem of Colour in the Puerto Rican Liberal Movement, 1873-1892" *Social History* 36.3 (2011): 312-342; Melina Pappademos, *Black Political Activism and the Cuban Republic* (Chapel Hill: University of North Carolina Press, 2011).

out of a political center.<sup>20</sup> For this reason, *Uneasy Intimacies* also narrates the emergence of a large free population of African descent at a time when local coffee and sugar plantations went through booms, busts, and one new small boom. Attention to such localized processes can enable us to better grasp the role that Afro-descendants and other subalterns played in the making of local taxonomies and hierarchies, rather than take their cooptation to particular political causes or silencing for granted, or treat their stories as secondary to (or as mere illustrations of) larger systemic shifts or structures.<sup>21</sup> Santiago's

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<sup>20</sup> Several recent works have taken distance from a nation-centered approach to racial ideologies and have focused instead on the role of regional features, such as the idiosyncrasies of slavery as an institution, patterns of slave trading and of other migrations, and Afro-descendants' political activism to the making of racial ideologies. Alberto, *Terms of Inclusion*; Nancy Appelbaum, *Muddied Waters: Race, Region, and Local History in Colombia, 1846-1948* (Durham: Duke University Press, 2003); Barbara Weinstein, *The Color of Modernity: São Paulo and the Making of Race and Nation in Brazil* (Durham: Duke University Press, 2015). Scholars of law and slavery in the Americas have long paid attention to the idiosyncrasies of emancipation in the Iberian Atlantic. Tannenbaum noted the higher manumission rates in Iberian slave societies and argued that people of African ancestry there had greater opportunities for upper social mobility than people of African descent have in Anglo-America. According to Tannenbaum the Spanish laws of slavery can explain this (slaves had the right to get baptized, to marry, and to buy their freedom). This argument has been criticized for approaching the law as legal doctrine, rather than as a dynamic and contentious terrain. Frank Tannenbaum, *Slave and Citizen: The Negro in the Americas* (NY: Knopf, 1946). For critiques of Tannenbaum, see Maria Elena Díaz, "Beyond Tannenbaum," *Law and History Review* 22.2 (2004): 371-376; Herbert Klein, *Slavery in the Americas: A Comparative Study of Virginia and Cuba* (Chicago: University of Chicago Press, 1967). For a recent re-evaluation of the early comparative literature on slavery in the Americas and on law, Alejandro de la Fuente and Ariela Gross, "Comparative Studies of Law, Slavery, and Race in the Americas," *Annual Review of Law and Social Science* 6 (2010) and Alejandro de la Fuente, "From Slaves to Citizens? Tannenbaum and the Debates on Slavery, Emancipation, and Race Relations in Latin America," *International Labor and Working Class History* 77 (2010): 154-173.

<sup>21</sup> On how a regional focus can provide us with a better sense of the role of subaltern groups in the making of racial categories in Latin America, see Marcela Echeverri, "Race, Citizenship, and the Cádiz Constitution in Popayán," in *The Rise of Constitutional Government in the Iberian Atlantic World*, eds. Scott Eastman and Natalia Sobrevilla Perea (Tuscaloosa: University of Alabama Press, 2015), 91-110. Also, Sinclair Thomson, "Was There Race in Colonial Latin America? Identifying Selves and Others in the Insurgent Andes," in *Histories of Race and Racism*, 72-94. By capturing different perspectives on local racial ideologies, historians have also

population of African descent had very diverse political and economic interests, some of them aligning with those of elite plantation owners, others being closer to those of slaves.<sup>22</sup> When the initial mobilization for independence did occur in Santiago, economic

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been better able to point to the conflicts involved in the making of such ideologies. On the role of conflict as a key part of ideology building, see, for instance, Marixa Lasso, *Myths of Social Harmony: Race and Republicanism during the Age of Revolution, 1795-1831* (Pittsburgh: University of Pittsburgh Press, 2007); Helg, *Our Rightful Share*. On narrating dynamic causal relations within slave societies in ways that do not subsume Afro-descendants' experiences to an assumed bounded system: Rebecca Scott, "Small Dynamics of Large-Scale Processes," *American Historical Review* 105.2 (2000): 472-479.

<sup>22</sup> Several scholars have shown that subaltern groups in Latin America did not necessarily consistently rally to the side of liberal anti-colonial or anti-slavery elites during the first half of the nineteenth century. Marcela Echeverri, "Popular Royalists, Empire, and Politics in Southwestern New Granada, 1809-1819," *Hispanic American Historic Review* 91.2 (2011): 237-269; David Sartorius, *Ever Faithful: Race, Loyalty, and the Ends of Empire in Spanish Cuba* (Durham: Duke University Press, 2014). The literature on the diverse political and economic positions occupied by free people of color in American slave societies is vast. Saint-Domingue has attracted considerable attention because of the role that free people of color played in initiating events that came to be known as the Haitian Revolution. Some of these individuals had themselves been planters. John Garrigus, *Before Haiti: Race and Citizenship in French Saint-Domingue* (NY: Palgrave Macmillan, 2006); Stewart King, *Blue Coat or Powdered King: Free People of Color in Pre-Revolutionary Saint-Domingue* (Athens: University of Georgia Press, 2007); Dominique Rogers, "Les libres de couleur dans la capitale de Saint-Domingue: fortune, mentalité et intégration a la fin de l'Ancien Régime, 1776-1789" (PhD thesis, University of Bordeaux III, 1999). Scholars have also pointed to contexts in which the free population of color did align its interests with those of slaves, oftentimes in complex ways. On the mobilization of slaves and free people of color in Cartagena and the role of maritime culture in spreading knowledge about Haiti, see Edgardo Pérez Morales, *El gran diablo hecho barco: corsarios, esclavos y revolución en Cartagena y el Gran Caribe, 1791-1817* (Bucaramanga: Universidad Industrial de Santander, Colombia, 2012). Also on Cartagena and on the politics of the free population of color and its alliance with slaves in the Age of Revolution, Marixa Lasso, *Myths of Social Harmony*. On dense networks of kinship connecting slaves and free people and their impact on the experiences of emancipation, see Christine Hünefeldt, *Paying the Price of Freedom: Family and Labor among Lima's Slaves, 1800-1854* (Berkeley: University of California Press, 1994). A large body of the historiography on free people of color in Spanish America has focused on the role of the militia system in the formation of a rights consciousness among free people of African descent. Kimberly Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham: Duke University Press, 1997); Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies* (Palo Alto: Stanford University Press, 2015); Ben Vinson III, *Bearing Arms for His Majesty: The Free Colored Militia in Colonial Mexico* (Palo Alto: Stanford University Press, 2003).

interests appear to have been stronger guides for the first insurgents than color-based alliances.

### Santiago and Free Afro-Descendants, 1803-1868

At the turn of the nineteenth century, Santiago was situated at the interstices of Atlantic world networks. A “focalized Caribbean borderland,” its political and economic geography was marked by a disjuncture between the imperial state’s territorial claims and their effective reach.<sup>23</sup> As in other similar peripheral areas, a mobile polyglot population with often divided political loyalties lived here. Through contraband trade, Santiago remained more deeply connected to the English and French Caribbean than to the rest of the island or to other Spanish possessions well into the first decade of the nineteenth century. Yet, the city was too strategic a port to be left unruled, even though the amount of investment in fortifications and policing paled in comparison to Havana’s. It could too easily serve as a backdoor to west-central Cuba, which is why the Crown still maintained some official presence there. Notwithstanding its status as the second largest city on the island and the seat of the Eastern Department (*Departamento Oriental*) beginning in 1607, countless official visitors and royal administrators described it as “poor and miserable,” barely a “village” (*aldea*), and a ruin (*ruina*) well into the nineteenth

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<sup>23</sup> Lara Putnam, “Borderlands and Border Crossers: Migrants and Boundaries in the Greater Caribbean, 1840-1940,” *Small Axe* 18 (2014): 7-21. On the idea of a “focalized borderland” and its applicability to Santiago, see pages 10-11. See also, Charles Carnegie, “Reaching for the Border,” *Small Axe* 10 (2006): v-ix.

century.<sup>24</sup> Santiago was not too different from other small peripheral cities within Spanish America at the time. One key feature did, however, stand out: its location in the shadow of important centers of political and economic power (west-central Cuba, Jamaica) whose splendor was built on sugar-generated wealth. Laws and policies designed to support plantation agriculture in west-central Cuba that were applied here could therefore seem exceedingly harsh, inadequate, or simply ring hollow. It was in this space of disjuncture that politics occurred locally.

Santiago was home to the largest free population of color in Cuba throughout the nineteenth century.<sup>25</sup> Largely outside sugar's dominion, the local social geography was marked by multiple spaces of freedom. During the first half of the nineteenth century, through contact with the area in West Africa that we now call the Bight of Biafra, with west-central Africa, Jamaica, and Haiti, Santiago's free people of color developed family structures and practices of slaveholding with long-lasting implications. In 1803, Santiago received almost 20,000 refugees from revolutionary St-Domingue. The wealthier among them used capital that they had accrued through contraband trade and commerce in slaves to establish coffee plantations that reached their economic peak in the late 1820s (chapter 1). Coffee planting also enabled many of them to remove their associations with Saint-

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<sup>24</sup> Alejandro de la Fuente, *Havana and the Atlantic in the Sixteenth Century* (Chapel Hill: University of North Carolina Press, 2008), 50; "Informe de Bernardo Urrutia sobre el oriente de la isla de Cuba, 1750," in Olga Portuondo Zúñiga, *El Departamento Oriental en documentos* (Santiago de Cuba: Editorial Oriente, 2012), 1:270; AGI, Ultramar, leg. 34, exp. 2: "Expediente del ilustre Ayuntamiento en respuesta al discurso del provisor y vicario Juan Bernardo O'Gavan, en la Sociedad Económica de La Habana," February 1, 1819.

<sup>25</sup> In the 1860s, census takers counted 40% of the local population as free and of color. Centro de Estadística, *Noticias estadísticas de la isla de Cuba en 1862* (Havana: Oficina del Gobierno, 1862).

Domingue and appear less suspicious to the local authorities. Many of them also acquired privileges associated with whiteness relatively swiftly, aided by their planter status and by their passage across different Caribbean sites (chapter 2).

Given their more limited access to capital compared to planters in west-central Cuba, coffee producers in Santiago accessed secondary markets for contraband captives in sub-Saharan West Africa (especially in the Bight of Biafra). As a result, a large number of slaves arriving here were children and women, and the slave population on the local coffee plantations was more gender balanced relative to other parts of the island. Indeed, by accessing dense familial networks, many slaves in this region managed to manumit themselves or to arrange more flexible working and living conditions once coffee entered a period of decline in the late 1840s. Some turned for support to a new group of godparents: recently freed people of color who now lived in the rural areas near the coffee plantations. In the 1820s, at the height of the coffee plantation system wealthy planters of African ancestry and other slaves had more commonly served as godparents (chapter 3). Informal ownership also emboldened some slaves to come before the courts and ask for more rights. Surprisingly, the courts acknowledged such requests and occasionally fulfilled them, giving recognition to customary practices. Informal ownership therefore not only served as a ramp toward freedom or as a mechanism to expand and solidify family networks. It also made enslaved individuals more vocal about other customary rights tangentially associated with ownership (chapter 4).

Some Afro-descendants who freed themselves during the 1840s and 1850s turned to land- and slave ownership to consolidate their free status. The growth of the tobacco

industry and increasing tobacco prices on the global markets provided economic opportunities for people with little capital. Indeed, many individuals who lived in the city after obtaining their freedom bought or rented farmland in the rural areas to take advantage of the tobacco boom. However, some of them, especially women born in the Bight of Biafra, eroded the institution of slavery even as they became slave owners themselves. They tended to manumit more of their slaves than white owners or creole Afro-descendants while, nevertheless, creating new structures of dependency through financial redistribution and godparentage that turned former slaves into clients (chapter 5). Throughout this localized process of gradual emancipation from below, free Afro-descendant men, women, and families developed, in collaboration with colonial bureaucrats, a system of social rank that depended on genealogical distance from slavery, place of birth, slave ownership, and social dependency rather than color or other markers of “race.” Within it, status (including color status) was not fixed, but could change over a lifetime and over generations (chapter 6).

By the 1860s, however, some of the opportunities for social mobility that had opened up during the 1840s were shutting down. Sugar plantations went through a period of expansion, and coffee planting, even though in decline, shifted to new areas. It is then perhaps unsurprising that the individuals joining the insurgency here were, for the most part, field hands and small tobacco farmers from the very same areas where sugar had been going through a new boost. Many of them would be forming the insurgent lines that would go to war against Spain in 1868 (chapter 7).

#### Sources and Methods



Santiago's vernacular social taxonomy is certainly not unique within Latin America. A vast historiography has long addressed the fluidity of blackness in this part of the world. As Ben Vinson III has pointed out, across Latin America, blackness has been "simultaneously denied, segmented, reluctantly embraced," and, as such, has been approached by historians as a "moving target."<sup>26</sup> The goal of this work is then not just to reveal this phenomenon once again. Rather it is to cast light on how such fluidity mattered when it came to the formation of political identities.

Studies of colonial Spanish America have long explored how unsystematic metropolitan ideas about social difference consolidated into colonial and post-colonial models of racial difference by the early seventeenth century.<sup>27</sup> The *casta* system hierarchized individuals of indigenous and African ancestry according to a seemingly precise logic.<sup>28</sup> But these bureaucratic models did not resonate with the daily life of

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<sup>26</sup> Ben Vinson III, "Introduction: African (Black) Diaspora History, Latin American History," *The Americas* 63.1 (2006): 1-18. Recently, historians of nineteenth-century US have also questioned the long-standing assumption that Anglo-North America operated according to a strict black/white divide during the period covered in this study. Ariela Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge: Harvard University Press, 2008). The fluidity of Latin American racial categories had traditionally been juxtaposed to allegedly more rigid such categories in the Anglo-Saxon North. Gross' work shows the untenability of this dichotomy.

<sup>27</sup> See for instance the following for the emergence of the category Indian: Irene Silverblatt, *Modern Inquisitions: Peru and the Colonial Origins of the Civilized World* (Durham: Duke University Press, 2004); Steve Stern, *Peru's Indian People and the Challenges of Spanish Conquest: Huamanga to 1640* (Madison: University of Wisconsin Press, 1982); Nancy van Deusen, *Global Indios: The Indigenous Struggle for Justice in Sixteenth-Century Spain* (Durham: Duke University Press, 2015). On the meaning of blackness in New Spain and the transfer of ideas from the metropole, see María Elena Martínez, *Genealogical Fictions: Limpieza de sangre, Religion, and Gender in Colonial Mexico* (Palo Alto: Stanford University Press, 2008).

<sup>28</sup> On the emergence of the *casta* system, Magnus Mörner, *Race Mixture in the History of Latin America* (Boston: Little Brown, 1967).

colonial subjects across the empire.<sup>29</sup> Economic status and relations of dependency could play a more important role in how historical actors saw each other.<sup>30</sup> In Santiago, the categories that emerged out of daily social practices often trumped official categories, even as notaries themselves would be involved in their making, especially in relatively peaceful contexts and in situations involving property ownership by individuals of

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<sup>29</sup> For an early observation of this mismatch, see Gonzalo Aguirre Beltrán, *La población negra de México: Estudio etnohistórico* (Mexico City: Fondo de Cultural Económica 1972[1946]).

<sup>30</sup> See for instance, Douglas Cope, *The Limits of Domination: Plebeian Society in Colonial Mexico City, 1660-1720* (Madison: University of Wisconsin Press, 1994). When scholars first studied the Spanish *casta* system, they assumed that the color-based hierarchy reflected the division of labor: according to this line of thought, whites served as officials, those of partial white descent occupied an intermediary role (shopkeepers, tenants etc.), Afro-descendants were urban laborers, and Indians were peasants. Lyle McAlister, “Social Structure and Social Change in New Spain,” *Hispanic American Historic Review* 43.3 (1963): 349-370; Magnus Mörner, “The History of Race Relations in Latin America: Some Comments on the State of Research,” *Latin American Research Review* 1.3 (1966): 17-44. Already in 1971, David Brading argued that this model did not fit the realities of Guanajuato, where a more complex hierarchy was in place, with *mestizos* lacking a particular occupational niche. David Brading, *Miners and Merchants in Bourbon Mexico, 1763-1810* (NY: Cambridge University Press, 1971), 254-259. Through a study of Antequera, Chance and Taylor showed that creoles, mulattos, and mestizos did not have a fixed position within the local division of labor; they also tended to marry outside their group more frequently than other groups. The authors suggested that, by the end of the colonial period, class-based categories were becoming more important than estate/*casta* status. John Chance and William Taylor, “Estate and Class in a Colonial City: Oaxaca in 1792,” *Comparative Studies in Society and History* 19 (1977): 454-487. Using the same data, McCaa, Schwartz, and Grussebich disputed Taylor and Chance’s findings: they argued that mestizos and mulattos appeared to be more likely to be artisans or servants and less likely to be in the professions; they also argued that the tendency to intramarry was similar across all groups—in other words, that *casta*/estate status might have still been quite important even in the late eighteenth century. These works focused on urban areas and relied primarily on census data. Robert McCaa, Stuart Schwartz, and Arturo Grubessich, “Race and Class in Colonial Latin America: A Critique,” *Comparative Studies in Society and History* 21.3: 421-433. While these authors all showed that social hierarchies were becoming more mutable (even though they disagreed over the degree of mutability) by the end of the colonial period, they nevertheless did not focus on how the very categories in the census were constructed or how vernacular taxonomies operated in practice. For approaches that pay closer attention to these aspects, Cope, *The Limits of Racial Domination*; Joanne Rappaport, *The Disappearing Mestizo: Configuring Difference in the Colonial New Kingdom of Granada* (Durham: Duke University Press, 2014), Twinam, *Purchasing Whiteness*. See also Andrew B. Fisher and Matthew D. O’Hara, eds, *Imperial Subjects: Race and Identity in Colonial Latin America* (Durham: Duke University Press, 2009).

African ancestry. By reading serialized data (such as manuscript census returns, baptismal and matrimonial records, freedom papers) alongside documents that contain personal narratives (testaments, criminal and civil court records), this study aims to show how individuals went in and out of certain categories and tries to explain why that might have happened, and how the very process of classification occurred. It therefore approaches classification with an ethnographic eye (i.e., as a transactional process that occurred within a specific time and place), and thinks of social status as *calidad*, a feature that one acquired by virtue of property ownership, generational distance from slavery, and reputation.<sup>31</sup> All of these parameters left *calidad* open to public debate, contestation, and subject to revision, which is why the context of definition and redefinition is so important.

Santiago's notarial, ecclesiastical, and judicial archives of the nineteenth century also bring to light the role of women in the creation of networks of support and property transmission among people of African descent within Santiago. These sources can reveal how women and the politics of everyday were key to forging social and political identities in the long term. In a context in which emancipation was gradual and from below (i.e., in the absence of any laws of gradual emancipation), property ownership and

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<sup>31</sup> On *calidad* and the importance of public debate to its definition, María del Carmen Baerga, *Negociaciones de sangre: dinámicas racializantes en el Puerto Rico decimonónico* (San Juan: Ediciones Callejón, 2015); Richard Boyer, "Negotiating *Calidad*: The Everyday Struggle for Status in Mexico," *Historical Archaeology* 31.1 (1997): 64-73; Joanne Rappaport, "'Así lo paresçe por su aspecto': Physiognomy and the Construction of Difference in Colonial Bogotá," *Hispanic American Historical Review* 91.4 (2011): 601-31, esp. p. 607; Patricia Seed, "Social Dimensions of Race: Mexico City, 1753," *Hispanic American Historical Review* 62.4 (1982): 569-606.

other family members were crucial to one's manumission.<sup>32</sup> The accounts contained within notarial records and the efforts to have them registered and save them with the local authorities also show us how people of African descent used the bureaucratic system toward their own ends, rather than simply being subsumed by it.<sup>33</sup>

By untethering Santiago's trajectory from that of the rest of the island, *Uneasy Intimacies* suggests that the story of racial ideologies here cannot be fully understood within an imperial or island-wide framework. Santiago lay at the intersection of West African, Francophone, Anglophone, and Spanish socio-cultural repertoires. Its history is essentially Atlantic and Caribbean in nature and can illustrate how actors who were removed from large centers of power navigated the turbulent waters surrounding them.<sup>34</sup>

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<sup>32</sup> On women participation in processes of emancipation across slave societies of the Atlantic world, Pamela Scully and Diana Paton, eds., *Gender and Slave Emancipation in the Atlantic World* (Durham: Duke University Press, 2005); David Barry Gaspar and Darlene Clark Hine, eds., *More than Chattel: Women and Slavery: Black Women and Slavery in the Americas* (Bloomington: Indiana University Press, 1996) and *Beyond Bondage: Free Women of Color in the Americas* (Urbana: University of Illinois Press, 2004).

<sup>33</sup> On this point, see also Kathryn Burns, *Into the Archive: Writing and Power in Colonial Peru* (Durham: Duke University Press, 2010); Graham T. Nessler, "'They always knew her to be free': Emancipation and Re-enslavement in French Santo Domingo, 1804-1809," *Slavery and Abolition* 33.1 (2012): 87-103; Rebecca Scott and Jean Hébrard, *Freedom Papers: An Atlantic Odyssey in the Age of Emancipation* (Cambridge: Harvard University Press, 2012).

<sup>34</sup> Debates over the meaning of Atlantic history (methods, chronology, anchoring points, its distinctiveness from imperial history) have been long-standing. Atlantic histories advocate for close attention to circulations that cut across traditional imperial or national boundaries. One of the challenges for social historians is then to find the anchors for these currents within communities. See Phillip D. Morgan and Jack P. Greene, "An Introduction: The Present State of Atlantic History," in *Atlantic History: A Critical Appraisal*, eds. Phillip D. Morgan and Jack P. Greene (NY: Oxford University Press, 2008), 3-34. On the methodological connections between microhistory (which emerged out of critiques of social history, but remained closely connected to social history's commitment to "from below") and Atlantic history, Lara Putnam, "To Study the Fragments/Whole: Microhistory and the Atlantic World," *Journal of Social History* 39.3 (2006): 615-630.

This study therefore aims to be both a social and an Atlantic history in that it shows how circulations of people and ideas became anchored here impacting a wide array of local phenomena, from household dynamics to policing tactics. Adding an Atlantic angle to Santiago's history also allows us to see its trajectory outside of sugar's dominions. An expansive historiography on pre-1868 Cuba has focused on the transformations occurring on the island in the wake of sugar's rise to pre-eminence at the turn of the nineteenth century.<sup>35</sup> Sugar-related politics, while impacting the whole island, nevertheless cannot capture other developmental paths and the social worlds couched within them.<sup>36</sup> Calling

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<sup>35</sup> On the rise of a sugar-based economy in west-central Cuba, Laird Bergad, *Cuban Rural Society in Nineteenth-Century Cuba: The Social and Economic History of Monoculture in Matanzas* (Princeton: Princeton University Press, 1990); Manuel Moreno Friginals, *El ingenio: Complejo económico-social cubano del azúcar* (Havana: Editorial de Ciencias Sociales, 2014[1979]), 3 vols. On how slaves and free people of color tried to create openings in this plantation society: Carmen Barcia, *Los ilustres apellidos: negros en la Habana colonial* (Havana: Editorial de Ciencias Sociales, 2009); Matt Childs, *The Aponte Rebellion in Cuba and the Struggle against Atlantic Slavery* (Chapel Hill: University of North Carolina Press, 2006); Pedro Deschamps Chapeaux, *El negro en la economía habanera del siglo XIX* (Havana: UNEAC, 1971) and *Contribución a la historia de la gente sin historia: cimarrones, propietarios y morenos libres* (Havana: Editorial de Ciencias Sociales, 2013); Aisha Finch, *Rethinking Slave Rebellion in Cuba: La Escalera and the Slave Insurgencies of 1841-1844* (Chapel Hill: University of North Carolina Press, 2015); Michele Reid-Vazquez, *The Year of the Lash: Free People of Color in Cuba and the Nineteenth-Century Atlantic World* (Athens: University of Georgia, 2011).

<sup>36</sup> Juan Pérez de la Riva has called Cuba “an island with two histories” precisely in order to point to the presence of other social worlds that were not dominated by sugar's ascent. This model, however, is economic, and assumes that there was only one alternative to sugar—one based on livestock production. It does not consider the influence of political and cultural factors in the making of a heterogeneous colonial society. Juan Pérez de la Riva, *El barracón: Esclavitud y capitalismo en Cuba* (Barcelona: Editorial Crítica, 1978), 169-179. A reflexive piece on the importance of local/regional history and on the impossibility of subsuming Santiago's trajectory to that of Havana is Julio LeRiverend, “De la historia provincial y local en sus relaciones con la historia general de Cuba,” *Santiago* 46 (1982): 121-136. A reflexive piece that considers how sugar's ascent has shaped history writing as well as chronological imaginaries is Alejandro de la Fuente, “Apuntes sobre la historiografía de la segunda mitad del siglo XVI cubano,” *Santiago* 71 (1988): 59-118. A growing Atlanticist historiography has focused on islands as spaces of entanglement and trans-imperial exchange. This body of literature complements another expansive Atlanticist historiography that has drawn extensively on microhistorical approaches, on

Santiago a Caribbean borderland is thus not just a way of situating it at the margins of the Spanish Empire, but also a means of placing it on the edges of large capital concentrations, usually generated through sugar production, within the Caribbean. Moving away from such areas of capital and power concentration can open up worlds marked by legal pluralism, cultural, social, and economic creativity.<sup>37</sup> The existence of such worlds in eastern Cuba served as the foundation for a struggle against slavery and Spanish colonialism, which, along with the Haitian Revolution and the US Civil War and Reconstruction, would be a key moment in Hemispheric definitions of race and freedom after slavery.

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border crossers, and itinerant actors as agents of political and cultural exchange. The argument in this thesis is that a space does not necessarily have to be an island for such entanglements to be likely. A peripheral position within a larger imperial system or port cities could allow such entanglements and intersecting circuits of people, ideas, and goods to occur. For islands as Atlantic sites, David Hancock, *Oceans of Wine: Madeira and the Emergence of American Trade and Taste* (New Haven: Yale University Press, 2009); Michael Jarvis, *In the Eyes of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World* (Chapel Hill: University of North Carolina Press, 2010); Linda Rupert, *Creolization and Contraband: Curaçao in the Early Modern Atlantic World* (Athens: University of Georgia Press, 2012). Some recent Atlantic histories that draw on microhistorical approaches include: Martha Hodes, *The Sea Captain's Wife: A True History of Race, Love, and War in the Nineteenth Century* (NY: Norton, 2006); Jane Landers, *Atlantic Creoles in the Age of Revolution* (Cambridge: Harvard University Press, 2010); Scott and Hébrard, *Freedom Papers*; Randy Sparks, *The Two Princes of Calabar: An Eighteenth-Century Odyssey* (Cambridge: Harvard University Press, 2004); James Sweet, *Domingos Alvares: African Healing and the Intellectual History of the Atlantic World* (Chapel Hill: University of North Carolina Press, 2011). Also, John Wood Sweet and Lisa Lindsay, eds., *Biography and the Black Atlantic* (Philadelphia: University of Pennsylvania Press, 2014). Historians have long approached port cities and sailor communities as spaces for trans-imperial exchange: Franklin Knight and Peggy Liss, eds., *Atlantic Port Cities: Economy, Culture, and Society in the Atlantic World, 1650–1850* (Knoxville: University of Tennessee Press, 1991); Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000); Julius Scott, “The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution” (PhD dissertation, Duke University, 1986).

<sup>37</sup> On Caribbean borderlands as spaces of political creativity, see Anne Eller, “‘All Would Be Equal in the Effort’: Santo Domingo’s ‘Italian Revolution’, Independence, and Haiti, 1809-1822,” *Journal of Early American History* 1.2 (2011): 105-141.

## Chapter 1: From Privateers to Planters: Eastern Cuba and the Saint-Domingue Refugees, 1791-1808

At the turn of the nineteenth century, the Prussian naturalist Alexander von Humboldt undertook two sojourns in Cuba during his trans-American voyages. His widely acclaimed expedition opened up the little known landscape of Spanish America to an extremely curious European readership.<sup>1</sup> Replete with images of awe-inspiring nature, Humboldt's accounts brought to light the uniqueness and growing importance of the Western Hemisphere to the rest of the world.<sup>2</sup> But unlike his descriptions of Central America and the Andes, Humboldt's rendering of Cuba dwelled on social and economic aspects of the island. It is statistics regarding commodity production, trade, and demography, not descriptions of stunning nature, that make up the bulk of his *Essai Politique sur l'Île de Cuba*.<sup>3</sup> Humboldt clearly realized the economic potential that sugar

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<sup>1</sup> Vera Kutzinski and Ottmar Ette, "Inventories and Inventions: Alexander von Humboldt's Cuban Landscapes," in Vera Kutzinski and Ottmar Ette, eds., Alexander von Humboldt, *Political Essay on the Island of Cuba. A Critical Edition* (Chicago: University of Chicago Press, 2011[1826]), vii-xxiv.

<sup>2</sup> Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation* (NY: Routledge, 1992), chapter 2. The accounts of the different parts of his voyage were included in Alexander von Humboldt and Aimé Bonpland, *Voyage aux régions équinoxiales du nouveau continent, fait en 1799, 1800, 1801, 1802, 1803, et 1804* (Paris: Libraire grecque-latine-allemande, 1816-26).

would have here and was dazzled by the changes that he was witnessing. Yet, his account remained uneven, perhaps as uneven as the island itself was at the time. For Humboldt, Cuba was a “*terra incognita*” beyond the sugar-making areas situated between Havana, Matanzas, Batabanó, and Trinidad.<sup>4</sup> In some of his correspondence, he went so far as to claim that Trinidad was the easternmost point of the island, an egregiously incorrect claim, but perhaps a way for the author to cover up his ignorance. For his hosts, most of whom had vested interests in sugar production, eastern Cuba had so little to offer as to be almost non-existent. They may indeed have discouraged the explorer from venturing beyond the boundaries of the sugar-making zones.<sup>5</sup>

Humboldt and his handlers were not the only ones to see eastern Cuba as an underdeveloped periphery. Captains General of the island, local potentates, and central authorities in the Iberian Peninsula had long decried the state of economic affairs in Oriente (as the east came to be known), or, at best, had simply ignored it, channeling investment into the west-central regions instead. In 1819, almost twenty years after Humboldt’s first visit to Cuba, the clergyman and former deputy to the Cortes of Cádiz Bernardo O’Gavan blamed eastern Cuba’s “backwardness” (*atraso*) and poverty on its

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<sup>3</sup> For a comparison with Humboldt’s other travel accounts of Central America and the Andes, see Alexander von Humboldt, *Political Essay on the Kingdom of New Spain* (NY: Knopf, 1972[1811]); *Vues des Cordillères, et monumens des peuples indigènes de l’Amérique* (Paris: Librairie grecque-latine-allemande, 1816). For an analysis of this distinction, see Pratt, *Imperial Eyes*, chapter 2.

<sup>4</sup> Alexander von Humboldt, *Political Essay on the Island of Cuba*, 8.

<sup>5</sup> Michael Zeuske, “Alexander von Humboldt in Cuba 1800/1801 and 1804: Traces of an Enigma,” *Studies in Travel Writing* 15.4 (2011): 347-358, 350-351.



inhabitants' "stupidity" (*estolidez*) and "apathy" (*apatía*).<sup>6</sup> In fact a combination of political factors, especially the relative power of Havana in capturing state investment in the form of the Mexican silver subsidy (*situado*), had doomed the first efforts to establish sugar plantations in sixteenth-century Santiago. Furthermore, by the late eighteenth century, Santiago had remained consistently marginalized in the official distribution of slaves through the state-controlled *asiento* system. Indeed, throughout most of its colonial existence, eastern Cuba was more deeply connected to the eastern Caribbean (Jamaica in particular) than to the Iberian Peninsula or to the rest of Cuba, with local landholders accessing slaves and manufactures through contraband networks. The relative absence of plantation development opened opportunities for some Afro-descendants, many of whom achieved freedom and thrived economically through small landholding and small-scale slave ownership.

Santiago's elites understood very well that without more expansive slave trading, they would not be able to accumulate the riches that their west-central counterparts were amassing. By the early nineteenth century, access to slave labor could make or unmake large-scale economies in the Caribbean. The fortunes of Santiago's elites began to shift with the outbreak of revolutionary conflict on Hispaniola in the 1790s and the thriving contraband trade and privateering that followed. Santiago's proximity to the revolution on Hispaniola provided local economic elites with the chance to try their hand at plantation agriculture, as the fabulously wealthy plantation system in the French colony

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<sup>6</sup> AGI, Ultramar, leg. 34, exp. 2: "Expediente del ilustre Ayuntamiento en respuesta al discurso del provisor y vicario Juan Bernardo O'Gavan, en la Sociedad Económica de La Habana," February 1, 1819.

entered into crisis, and its fragments filtered into the networks of privateering and contraband that had long been eastern Cuba's life blood.<sup>7</sup> It was this illicit trade during the Age of Revolution, not the Mexican silver subsidy that served as the foundation for plantation entrepreneurship in Santiago. Throughout the 1790s and early 1800s, Saint-Domingue refugees to Cuba would also provide Santiago with the long-called for missing resource to stimulate the coffee economy: captive labor, including men and women reduced to slavery after years of legal freedom in Saint-Domingue. By 1808, many of the French privateers would themselves try to become respectable coffee planters, prominent local figures, and naturalized Spanish subjects, and even participate in the running of the local colonial institutions.<sup>8</sup>

Planting coffee could therefore improve the standing of refugees in the community as well as add to their coffers. At the same time, in spite of their successes, the Saint-Domingue refugee elites did not plant the seeds of a plantation system as deeply as sugar planters in west-central Cuba had though. Even with the rush to import enslaved people in this area after 1790, Santiago would lag behind Havana and remain home to a considerable number of small landholders, including many who were Afro-descendant. It was not just small cultivators who would hang on to this particular way of life. While by the 1790s, Havana elites regarded the plantation as key to economic development, in

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<sup>7</sup> Ada Ferrer, *Freedom's Mirror: Cuba and Haiti in the Age of Revolution* (NY: Cambridge University Press, 2014), chapter 5.

<sup>8</sup> On role of Afro-descendants in the maritime Atlantic world, see Jeffrey Bolster, *Black Jacks: African American Seamen in the Age of Sail* (Cambridge: Harvard University Press, 1997); Julius Scott, "A Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution" (PhD dissertation, Duke University, 1986).

Santiago and other parts of eastern Cuba, some powerful political and ecclesiastical figures still held out the belief that alternative paths to development, based in smallholding, were possible. It was this combination of modest coffee planting and smallholding that Humboldt understood to be a hopeless *terra incognita*. And it was the planter class associated with privateering and the smallholding class comprised of free persons of color that O’Gavan decried as “stupid” and “apathetic.”

#### Santiago and Contraband Trade Networks in the Eastern Caribbean, 1500-1789

As insurgencies began to unfold in Saint-Domingue in 1791, Santiago’s economy was in a precarious position within the system of trade monopolies established by the Spanish Empire. This status went back to the sixteenth century. However, by the eighteenth century, local landholders had started petitioning the Crown

With Havana’s designation as a stopping point for the Carrera de Indias in the 1560s, the Crown channeled most of its investments in Cuba into that city’s fortifications. The fleet system stimulated local trade, access to hard currency, the expansion of Havana’s agricultural hinterland, the rise of a local service economy and of a shipbuilding industry, and, through all of these, the gradual accumulation of capital among local elites.<sup>9</sup> Landholders invested this capital in slaves and a rising sugar industry. By contrast, Santiago’s local economy remained focused on ranching and tobacco cultivation during the sixteenth century.<sup>10</sup>

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<sup>9</sup> Alejandro de la Fuente, *Havana and the Atlantic in the Sixteenth Century* (Chapel Hill: University of North Carolina Press, 2008).

Surprisingly, it was English, not Spanish, policies in the Caribbean that injected some energy into Santiago's relatively lethargic economy. When the English occupied Jamaica in 1655, they initiated a sugar industry that created high demand for meat products and copper (used in the fabrication of sugar cauldrons). Smuggling copper (an abundant resource in Santiago) and cattle to Jamaica provided some residents with the resources to initiate a modest sugar industry in eastern Cuba.<sup>11</sup> However, this industry could not keep up with its Havana counterpart: limited access to hard currency made it difficult for local Santiago sugar producers to buy slaves. The slaves whom they did buy from Jamaica were obtained through barter, an arrangement that English traders were not very keen on.<sup>12</sup> These contraband networks would become key to local development and would persist in spite of the Crown's attempts to bring them to an end.

Tobacco cultivation was another local alternative to sugar production in Santiago that elites and non-elites alike turned to. Tobacco spread throughout the island especially after 1614 and could benefit areas such as Santiago where the ability to buy slaves was more limited.<sup>13</sup> Indeed, a thriving contraband trade in tobacco products between Cartagena de Indias and Santiago developed during the sixteenth century, proving to be

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<sup>10</sup> While the first *trapiches* (animal-operated sugar mills) were located in Santiago, Havana quickly caught up and took over Santiago after 1560. Levi Marrero, *Cuba: Economía y sociedad* (Rio Piedras: Editorial San Juan, 1972), 1:220; Olga Portuondo Zúñiga, *Santiago de Cuba desde su fundación hasta la Guerra de los Diez Años* (Santiago: Editorial Oriente, 1996), chapter 1.

<sup>11</sup> Olga Portuondo Zúñiga, *El Departamento Oriental, 1510-1868: dos temas de historia económica* (Santiago: Ediciones Santiago, 2012), 15-16.

<sup>12</sup> Portuondo, *El Departamento Oriental, 1510-1868*, chapter 1.

<sup>13</sup> Marrero, *Cuba*, 4: 47-48.

more lucrative than the licit tobacco trade between Santiago and Havana or Seville.<sup>14</sup> Tobacco cultivation shaped the social landscape of early Cuba blurring the distinction between the rural and the urban and facilitating the internal colonization of the island.<sup>15</sup> Many tobacco cultivators would spend part of their time on the tobacco farms and part in the city of Santiago. As a result, the edges of the city of Santiago, which had remained unwalled, blended into the countryside, a feature that would persist into the nineteenth century.<sup>16</sup> Unlike sugar production, moreover, tobacco cultivation remained concentrated on relatively small and family-run properties. It was the eighteenth-century reforms of the tobacco industry that would give it a severe blow, especially in eastern Cuba. However, some local farmers would still hold on to tobacco cultivation as an alternative model to the plantation system into the 1790s.

The reforms that the Spanish Crown introduced in the wake of the Treaty of Utrecht (1713) further marginalized Santiago within the available trans-Atlantic slave trading networks. The British used the *asiento* to the Spanish Empire to access Spanish markets and illicitly sell other goods alongside slaves.<sup>17</sup> Havana, where the British

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<sup>14</sup> On the early trade between Santiago and Cartagena, Antonio Vidal Ortega, *Cartagena de Indias y la región histórica del Caribe, 1580-1640* (Seville: University of Seville, 2002), 183-186.

<sup>15</sup> Marrero, *Cuba*, 4: 52-53.

<sup>16</sup> José Luís Belmonte, *Ser esclavo en Santiago de Cuba: espacios de poder y negociación en un context de expansión y crisis, 1780-1803* (Aranjuez: Doce Calles, 2011), 73-83.

<sup>17</sup> According to the *asiento*'s terms, the British-owned South Sea Company was supposed to introduce 144,000 slaves into the Spanish colonies over thirty years. To this end, the company established two *factorias* in Cuba—in Havana and in Santiago. Hubert Aims, *A History of Slavery in Cuba, 1511 to 1868* (NY: G.P. Putnam's Sons, 1907), 20-23. On the illicit trade that the English agents operated alongside the *asiento*, Mercedes García Rodríguez, "Los ingleses en el

established one of their *factorías*, was their main center of operations. While they established a *factoría* in Santiago as well, they did not run the same extensive business there. In Havana, the factors introduced an average of 370 slaves a year between 1715 and 1734; 160 slaves reached Santiago's shores licitly during the same time period.<sup>18</sup>

The vibrant contraband that surrounded the British-held *asiento* stoked Spanish administrators' fears about the vulnerability of Caribbean possessions, key passageways for Spanish silver.<sup>19</sup> Moreover, black markets in the Caribbean and beyond also siphoned mineral wealth out of Spanish coffers, prompting a flurry of political economic writings on ways to curb contraband and to encourage the production of commodities that could be traded licitly.<sup>20</sup> The tremendous success of the sugar and coffee plantation systems in the British and French Caribbean suggested that when put in practice these theories could yield better results than a political economy based on mineral extraction and territorial occupation.<sup>21</sup> In light of this thinking, some administrators started to see the Caribbean dominions as a testing ground for the new economic models. More slaves and more freedom to trade, they hoped, could turn Cuba into an asset as valuable as Saint-

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tráfico y comercio de esclavos en Cuba (1715-1739)," *Ciencias & Letras* (Porto Alegre) 44 (July/December 2008): 189-214; Elena Schneider, *The Occupation of Havana: War, Trade, and Slavery in Eighteenth-Century Cuba* (Princeton University, PhD diss., 2011), chapter 1.

<sup>18</sup> García Rodríguez, "Los ingleses en el tráfico y comercio de esclavos," 201.

<sup>19</sup> García Rodríguez, "Los ingleses en el tráfico y comercio de esclavos."

<sup>20</sup> Sara Almarza, "El comercio en el siglo XVIII: arbitrios a las autoridades," *Revista de Indias* XLV.175 (1985): 13-25.

<sup>21</sup> Gabriel Paquette, *Enlightenment, Governance, and Reform in Spain and Its Empire, 1759-1808* (NY: Palgrave Macmillan, 2008), especially 36-45; Elena Schneider, "African Slavery and Spanish Empire: Imperial Imaginings and Bourbon Reform in Eighteenth-Century and Beyond," *Journal of Early American History* 5(2015): 3-29, esp. 10.

Domingue or Jamaica. It was the English occupation of Havana (1762-1763) and the Seven Years' War that offered an occasion to experiment with more liberal trading policies.

Upon re-taking control of the island, the Spanish royal administration faced two key challenges: it had to regain authority over a relatively disloyal local elite, and it had to improve the militia system, an expensive endeavor that would be partially financed through a higher sales tax. To placate local landholders, the king created openings in the mercantilist trade system. In 1765, he allowed Havana to trade with six other port cities in the Iberian Peninsula, a privilege that Santiago acquired in 1778. Moreover, he increased the *situado* (silver subsidy) that New Spain provided for the island almost 20 times.<sup>22</sup> With access to hard currency, local Havana elites could finally purchase more slaves than had been possible before and employ them in sugar production.

Eastern Cuba did not fit perfectly into the new liberal economic models that Crown administrators were proposing. Local elites had access to less investment that could enable them to start a slave-based plantation economy. Santiago did receive some financial support for its fortifications immediately after the War of Jenkins' Ear, when the English occupied Guantánamo briefly in 1741. Yet, these developments remained too anemic to energize the local economy. The Crown's policy toward tobacco cultivators had also left Santiago's producers completely impoverished. In 1717, as part of its broader policies to hamper contraband, the Crown introduced a monopoly on tobacco,

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<sup>22</sup> Allan Kuethe, *Cuba, 1753-1815: Crown, Military, and Society* (Knoxville: University of Tennessee Press, 1986), 24; Carlos Marichal and Matilde Souto Mantecón, "Silver and *Situados*: New Spain and the Financing of Spanish Empire in the Caribbean in the Eighteenth Century," *Hispanic American Historical Review*, 74.4 (November 1994): 587- 613.

which meant that all tobacco had to be sold directly to the Royal Tobacco Factory at pre-established prices.<sup>23</sup> In spite of an uprising against this measure in the Havana region, the Crown triumphed, with disastrous consequences for the producers.<sup>24</sup> The Mexican silver subsidy, which was used to pay the *vegueros* (tobacco producers), oftentimes arrived late (sometimes as late as two years after the sale) to the provinces outside of Havana, which left the cultivators with large credits on which they would have to pay interest.<sup>25</sup> Moreover, the price that the Crown provided was extremely low and did not increase in line with general inflation.<sup>26</sup> Unsurprisingly, by 1797, the local governor of Santiago, Juan Nepomuceno, described the *vegueros* as an “indigent” population.<sup>27</sup>

With the turmoil in the international commercial relations caused by the Thirteen Colonies’ move toward independence and insurgencies occurring on Hispaniola at the end of the eighteenth century, Spain’s mercantilist control over the slave trade faltered,

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<sup>23</sup> The Spanish Crown tried to emulate the Dutch and British systems of monopoly through the creation of commercial companies that controlled trade. See Gabriel Paquette, “Enlightened Narratives and Imperial Rivalry in Bourbon Spain: The Case of Almodóvar’s *Historia Política de los Establecimientos Ultramarinos de las Naciones Europeas* (1784–1790)”, *The Eighteenth Century* 48.1 (2007), 61–80; Mariano García Ruipérez, “El pensamiento económico ilustrado y las compañías de comercio,” *Revista de historia económica*, 4.3 (1986), 521–548.

<sup>24</sup> José Luís Belmonte, *Ser esclavo en Santiago de Cuba: Espacios de poder y negociación en un contexto de expansión y crisis, 1780-1803* (Madrid: Dos Calles, 2011), 73; José Rivero Muñiz, *Tabaco: Su historia en Cuba* (Havana: Instituto de la Academia de la Historia de Cuba, 1965).

<sup>25</sup> On the belatedness of the *situado* to Santiago, see the local governor’s (Juan Bautista Vaillant) report to the Council of the Indies, February 17, 1789, in Portuondo, *El Departamento Oriental*, 1:335.

<sup>26</sup> AGI, SD, leg. 2002: “Memoria de la decadencia del cultivo de Tabaco en la parte oriental de la isla de Cuba,” 1797.

<sup>27</sup> AGI, SD, leg. 2002: “Memoria de la decadencia del cultivo de Tabaco en la parte oriental de la isla de Cuba,” 1797.



opening the way for Santiago's elites to finally gain access to the bonded labor and hard currency that they had long been clamoring for. The Crown allowed its Caribbean dominions to import flour from Anglo-American merchants and slaves from the French colonies (Spain and France were allies in Europe at the time), so long as it was Spanish merchants who brought slaves into Spanish ports.<sup>28</sup> With the end of North American conflicts, the Crown decided to return to the earlier monopolistic policies, but to little avail given the openings that had emerged and the absence of adequate policing.

Since 1778, when Santiago had opened up to ports in the Iberian peninsula, local producers had accumulated more silver than it had been possible before.<sup>29</sup> Indeed, by the late eighteenth century, Santiago's property holders started petitioning the Council of the Indies directly for temporary rights to trade freely in slaves. They claimed that a direct journey from Santiago to the western coasts of Africa would reduce the extraction of silver out of Spanish dominions by foreign intermediaries.<sup>30</sup> For instance, the local scribe

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<sup>28</sup> James Lewis, "Anglo-American Entrepreneurs in Havana: The Background and Significance of the Expulsion of 1784-1785," in *The North American Role in the Spanish Imperial Economy, 1760-1819* (Manchester: Manchester University Press, 1984), 112-126; Linda Salvucci, "Atlantic Intersections: Early American and the Rise of the Spanish West Indies (Cuba)," *Business History Review* 79.4 (2005): 781-810. For the commercial connections between Saint-Domingue and Philadelphia, see also Manuel Covo, "Commerce, empire et révolutions dans le monde atlantique: La colonie française de Saint-Domingue entre metropole et Etats-Unis (ca. 1778-ca. 1804) (PhD thesis, EHESS, 2013), 133-138; Thomas Doeflinger, *A Vigorous Spirit of Enterprise: Merchants and Economic Development in Revolutionary Philadelphia* (Chapel Hill: University of North Carolina Press, 1986), chapter 6.

<sup>29</sup> Belmonte, *Ser esclavo en Santiago de Cuba*, 54; María de los Angeles Meriño Fuentes, "La red de caminos entre la ciudad de Santiago de Cuba y el valle central: 1800-1868," *Del Caribe* 36 (2001): 70-80.

<sup>30</sup> AGI, IG, leg. 2,822: Carlos Antonio Mustelier to the Council of the Indies, September 16, 1786; leg. 2,821: José García Bustamante to the Council of the Indies, October 18, 1786; leg.

and native of Santander José García Bustamante, who wanted to bring back from Africa 2,000 captives, explained that after a trip to Cádiz, he returned to his properties only to discover that most of his slaves had run away, died, or had bought their freedom. He hoped to use the opportunity to travel to Africa to replenish the labor force available on his properties, while also helping neighboring landholders.<sup>31</sup> This string of petitions culminated with an extended report that the governor of Santiago himself, Juan Bautista Vaillant, filed with the Council of the Indies in 1789. His belief in a slave-based economy as the only way forward for Santiago pervaded his entire account. According to Vaillant, without slaves “there is no agriculture, which is what foment wealth, attracts commerce and increases the population: it is especially painful when in their absence so many good lands remain uncultivated.”<sup>32</sup>

In 1789, Santiago merchants and planters received welcome news. The Spanish Crown designated Santiago (along with a handful of other Caribbean ports) a *puerto habilitado*, which meant that Spanish subjects could introduce African captives freely.<sup>33</sup> British traders grew especially interested in Santiago as a market, given that they had to face less competition there than in Havana. The trade to Santiago benefited further from

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2,821: Juan Francisco Creagh and Nicolas de Rubalcalba to the Council of the Indies, February 23, 1788.

<sup>31</sup> AGI, IG, leg. 2,821: José García Bustamante to the Council of the Indies, October 18, 1786.

<sup>32</sup> AGI, Ultramar, leg. 83: “El Gobernador de Cuba después de representar las importancias del Puerto de esta Plaza y Partido de su Gobernación propone fáciles medios para su fomento,” February 17, 1789.

<sup>33</sup> AGI, IG, leg. 2,821: “Real Cédula de su Magestad concediendo libertad para el comercio de negros con las islas de Cuba, Santo Domingo, Puerto Rico, y Provincia de Caracas, a Españoles y Extranjeros, bajo las reglas que se expresan, 1789.”

revolutionary conflict in Saint-Domingue two years later. British slave traders were on the lookout for alternative markets to the ones on Hispaniola, and eastern Cuba appeared to be ideal. Overall, between 1789 and 1794, 87% of the slave boats arriving in Santiago had initially departed from a Jamaican port.<sup>34</sup> This provided a new source of capital for Santiago traders, who sold a third of the captives reaching the city's shores to buyers in other regions on the island, mainly Puerto Príncipe and Havana.<sup>35</sup> Already by 1792, the increase in the number of slaves was visible in the censuses. The 1778 census listed 7,306 slaves, while in 1792, census-takers counted 14,184 slaves in the jurisdiction. The free population of color also went up significantly: from 10,012 to 15,432 during the same time period. Even as slavery began to expand, the weight of free persons in the total population declined only slightly, from 33% to 31%.<sup>36</sup>

A more significant source of revenue and labor for the Santiago elite would emerge between 1794 and 1804. As the Napoleonic Wars cut Europe off from the American colonies, the local authorities allowed the entry of neutral boats from North America into the port. Desperate for flour, the *santiagueros* could not rely on European supplies and therefore turned once again to North American merchants who were eager to conduct trade in other goods, including in captives, between Santiago and Saint-Domingue.<sup>37</sup> In 1797, the central authorities in Madrid passed a resolution allowing

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<sup>34</sup> Belmonte, *Ser esclavo*, 155, 161.

<sup>35</sup> Belmonte, *Ser esclavo*, 175.

<sup>36</sup> Belmonte, *Ser esclavo*, 43.

<sup>37</sup> Belmonte, *Ser esclavo*, 149-152.

neutral trade, a decision that turned Santiago into a crossroads of sorts: this resolution allowed North American traders to trade inside Spanish ports. Most of these traders were especially interested in commercial exchanges with Saint-Domingue and stopped in Santiago when the US government prohibited them to trade directly with Hispaniola.<sup>38</sup>

Kindelán's ties to Prudencio Casamayor, one of wealthiest refugees from Saint-Domingue to reach Santiago's shores, perhaps illustrates the evolving relationship of local officials to contraband and privateering in the contested waters between Hispaniola, Jamaica, and eastern Cuba. Born in France, Casamayor had moved to Saint-Domingue in 1785 where he became a coffee cultivator. He left Hispaniola in 1793, relocating first to the United States and then to Santiago, along with his family.<sup>39</sup> His partner was Magdalena Brun, a free woman of color from l'Anse à Veau in Saint-Domingue. The daughter of a white planter born in France, she also owned coffee properties.<sup>40</sup> During the late 1790s, Casamayor served as an intermediary in a highly lucrative trade in flour between the United States and Saint-Domingue via Baracoa and Saint Thomas. Toussaint Louverture and the Spanish Crown conducted business with his commercial house.<sup>41</sup> Along with business partners such as Santiago Bonne, who would later be

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<sup>38</sup> Herbert Klein, "North American Competition and the Characteristics of the Slave Trade to Cuba, 1790 to 1794," *William and Mary Quarterly* 28.1 (1971): 86-102.

<sup>39</sup> AGI, Cuba, leg. 1537A: Kindelán to Someruelos, May 11, 1803.

<sup>40</sup> Agustina Casamayor was one of the daughters of Prudencio Casamayor and Magdalena Brun. Her birth certificate is included in her husband's probate. ANC, ASC, leg. 246, exp. 6,416: "Autos testamentarios de Dn. Pedro Adolfo Verdereau, 1852."

involved in the trans-Atlantic slave trade, Casamayor accumulated capital through corsair activities and contraband trade, especially in slaves, flour, and salt.<sup>42</sup> When the U.S. government banned the transportation of goods to Saint-Domingue in 1798, he proposed that he would transport those goods to Baracoa on neutral US boats, move the cargo onto Spanish boats, and then direct the merchandise toward Saint-Domingue.<sup>43</sup> Indeed, as a result of this triangular trade, the port of Santiago went through an unprecedented period of growth: in 1798, the official revenue that the port made stood at 46,097 pesos, but by 1799 it had increased to 76,475 pesos.<sup>44</sup> The arrival of larger waves of refugees would add further resources to the local economy. Throughout the first decade of the nineteenth century, with support from Kindelán, who aided his naturalization, Casamayor would expand his business interests into land and money-lending. In return, Casamayor provided Kindelán with all the resources he needed to become a successful coffee planter.<sup>45</sup>

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<sup>41</sup> Olga Portuondo Zúñiga, “Santiago de Cuba, los colonos franceses y el fomento cafetalero (1798-1809),” Jean Lamore, ed., *Les français dans l’Orient cubain* (Bordeaux: Maison des Pays Ibériques, 1993), 117-118.

<sup>42</sup> On Bonne’s involvement in the trans-Atlantic slave trade, see AHPSC, PN, leg. 254 (Escribanía de Giró): Thomas Creagh’s debt to Juan Santiago Bonne in the amount of 9,189 pesos for slaves brought from Africa, September 20, 1823, f. 179.

<sup>43</sup> AGI, Cuba, Kindelán to Someruelos (includes letter exchange between Casamayor and Kindelán), November 11, 1799.

<sup>44</sup> María Elena Orozco, “Cuba et les îles sous le vent: La course comme facteur identitaire,” *Le monde caraïbe: Defis et dynamiques*, ed. Christian Lerat (Bordeaux: MSHA Pressac, 2005), 2:97-116.

<sup>45</sup> Orozco, “Cuba et les îles sous le vent.”

## The Saint-Domingue Refugees to Santiago

In the midst of this burst of trade, a flood of refugees fleeing the violence in Hispaniola began to arrive in Santiago as early as 1791. As their numbers increased and reached a peak in 1803, the local governor, Sebastián Kindelán, hoped that the arrivals would inject new energy into the local economy of eastern Cuba.<sup>46</sup> Indeed, across the island, economic and political elites greeted the turmoil in Saint-Domingue with a mixture of fear and anticipation. Many landholders hoped that if more slaves could be brought to the island, Cuba would eventually fill the niche that the conflicts in Saint-Domingue opened up in the global sugar markets. As historian Ada Ferrer has shown, the end of slavery in Saint-Domingue inspired the institution's political entrenchment and demographic expansion on neighboring Cuba. Individuals claimed as slaves, landholders, and even plantation implements trickled out of Saint-Domingue and into Cuba throughout the decade-long revolutionary conflict on Hispaniola.<sup>47</sup>

This process mostly benefitted sugar producers in the Havana region, whose dominance over the island's politics and economy only grew in this period. Nonetheless, Santiago's economic trajectory did alter significantly as thousands of refugees from the neighboring colony reached its shores. The émigrés brought with them coffee planting skills and knowledge of the intercolonial slave trade. They raised capital and built local political alliances by participating in the neutral trade and the contraband associated with

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<sup>46</sup> AHN, Estado, leg. 6,366, exp. 81: Marques of Someruelos to the Minister of State, Pedro Cevallos, June 14, 1804. In this letter, Someruelos retrospectively meditated on the reasons why he and Kindelán had granted permission to refugees to settle in Santiago.

<sup>47</sup> Ferrer, *Freedom's Mirror*.

it. They also provided a crucial resource-- captive labor—with which to lay the foundations of the coffee industry in Santiago.

The arrivals tended to be clustered around key events taking place in Saint-Domingue. For instance, armed conflict between Le Cap's Governor Galbaud and the two French commissioners, Sonthonax and Polverel, who had been sent by the revolutionary government in Paris to restore order on the island, culminated in a devastating fire in Le Cap in the summer of 1793.<sup>48</sup> In its wake, thousands fled the island heading especially toward US port cities. Some moved on to Santiago. Another wave of departures occurred in 1798 following the expulsion of the British from southern Saint-Domingue. The British had occupied southern Saint-Domingue in 1793, where they supported the planter class and kept slavery in place. Between 1798 and 1800, many of these planters left Hispaniola, moving with the expelled British troops to Jamaica and/or to Santiago. By fleeing, they must have hoped that they would be able to retain control over the people whom they called their slaves and avoid repercussions for their assent to British rule.<sup>49</sup> Another wave of refugees arrived from the Southern Department in the wake of Toussaint Louverture's defeat of André Rigaud in 1799. Rigaud represented the interests of a large and relatively powerful class of free people of color from the South; in 1798, he challenged Louverture's leadership of the insurgency only to lose to him in 1800. Along with 700 followers, many of whom were reputed corsairs, Rigaud left Saint-

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<sup>48</sup> This wave of refugees looked toward US port cities as their main destination. Gabriel Debien, "Réfugiés de Saint-Domingue expulsés de la Havane en 1809," *Anuario de estudios americanos* 35 (1978): 555-610.

<sup>49</sup> AHN, Estado, leg. 6,366, exp. 4: Someruelos to Pedro Cevallos (Minister of State), March 4, 1800.

Domingue and set his sights on Santiago. Intent on insulating the slave system in Cuba from the unfolding conflict in Saint-Domingue, the Captain General was not eager to welcome a large contingent of armed persons of African descent. He informed the authorities in Madrid that he would detain Rigaud and his followers.<sup>50</sup> Nonetheless, many of Rigaud's men ended up settling in Santiago, where they worked as artisans.<sup>51</sup>

Some of the refugees in Santiago, including Rigaud and some of his followers, joined the expedition sent by Napoleon in 1802 to reassert metropolitan authority and try to reinstate slavery in Saint-Domingue. They hoped that they could reclaim their lost property and return to the status quo ante of the slave colony. The expedition brought unprecedented violence and destruction to Hispaniola, and eventually failed. By 1803-1804, thousands of refugees, the largest wave yet, fled toward Santiago for shelter. Most of them hailed from the southern and western departments of Saint-Domingue.<sup>52</sup> Indeed, across 1803 alone, over 18,000 refugees reached Santiago.<sup>53</sup> The total population of the area had been estimated at 20,761 in 1792, prior to the large immigration waves.<sup>54</sup>

The governor of Santiago, Sebastián Kindelán, could do little to stem the flow of refugees into the Spanish dominions, although many arrived without adequate licenses or passports. Because Spain was allied with France, he was supposed to provide

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<sup>50</sup> AHN, Estado, leg. 6,366, exp. 23: Someruelos to the Minister of Peace, October 8, 1800.

<sup>51</sup> AGI, Cuba, leg. 1537B, exp. 1,023: Kindelán to Someruelos, November 14, 1803.

<sup>52</sup> Ferrer, *Freedom's Mirror*, 177.

<sup>53</sup> AGI, Cuba, leg. 1537B, exp. 1,088: "Extracto de las embarcaciones francesas y demás que han entrado en este puerto con familias de la colonia de Santo Domingo," December 31, 1803.

<sup>54</sup> "Censo del año de 1792," De la Sagra, *Historia económico-política*, 4.



humanitarian help to legitimate refugees, assisting them in resettlement to other parts of the Spanish Empire.<sup>55</sup> But resettlement was not necessarily in the interest of local authorities in Santiago and Baracoa, who explained that many of the refugees had dedicated themselves to highly lucrative pursuits (most notably, coffee cultivation) in the past and therefore could benefit the local economy. The refugees should be allowed to stay, they suggested.<sup>56</sup>

Unsurprisingly, governor Kindelán offered his support to the wealthier refugees. Given how difficult it had been to police the coasts against illegal entries, and given the lack of boats, it would be impossible to oversee the departure of so many undocumented arrivals, the governor argued.<sup>57</sup> Four years after the Captain General had demanded an exhaustive list of all the refugees in Santiago, Kindelán had still not submitted it, even though some data collection had occurred in the interim.<sup>58</sup> The governor was probably right that the task of regulating, documenting, and resettling the influx of refugees was beyond the resources of the state. It is also very likely that he wanted to conceal the extent of the migration waves from Saint-Domingue and the local authorities' tacit assent to the newcomers' economic schemes.

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<sup>55</sup> Someruelos turned down Kindelán's requests for more boats: AGI, Cuba, leg 1537A: Someruelos to Kindelán, July 15, 1803. On illegal entries and the difficulty of policing the coasts, AGI, Cuba, 1537A: Kindelán to Someruelos, June 30, 1803. The letter contains a summary of Kindelán's communications with the lieutenant of Baracoa. Also, AGI, Cuba, leg. 1537A: Kindelán to Someruelos, July 1, 1803.

<sup>56</sup> AGI, Cuba, leg. 1537A: Pedro Celestino Duharte to Someruelos, February 22, 1803.

<sup>57</sup> AGI, Cuba, leg. 1537A: Kindelán to Someruelos, June 25, 1803.

<sup>58</sup> AGI, Cuba, leg. 1541: Someruelos to Kindelán, February 27, 1807.

This accommodation is clearest in the case of the French corsairs such as Casamayor who had begun to use Santiago and Baracoa as a base for their operations several years earlier. Invoking the peace that now reigned between France and Spain, French officials repeatedly asked the Spanish Crown to recognize their agents in eastern Cuba and grant them consular titles. They hoped that these agents could then provide letters of marque to privateers, approve captured prizes, and arbitrate disputes. Already in 1800, 250 registered French corsairs lived in Santiago eager to take advantage of the French-British conflict.<sup>59</sup> In 1804, the Spanish Crown finally recognized the *Agence des Prises de la Guadeloupe*, an official body providing letters of marque to privateers who attacked British ships. Although never recognized as the equivalent of consuls, the agents informally fulfilled various notarial functions—such as recognizing marriage licenses and testaments – becoming de facto administrators among the broader refugee population.

Spanish colonial bureaucrats had several incentives to cooperate with these agents. Twenty six percent of the value of any prize that the French corsairs took was to be automatically awarded to the Spanish authorities. Furthermore, the Spanish Crown also imposed a 6% tax to cover the cost of the procedures through which prizes were legitimated and divided up. Finally, the goods included in the prize were sold on markets in the Spanish dominions, which provided goods to the local population and reduced the siphoning of Spanish silver to import foreign goods from the American colonies.<sup>60</sup> The

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<sup>59</sup> AGI, Cuba, leg. 1534: Census of the French population in Santiago de Cuba, January 28, 1800.

<sup>60</sup> Anne Pérotin –Dumon, “Cabotage, Contraband, and Corsairs: The Port Cities of Guadeloupe and Their Inhabitants,” in *Atlantic Port Cities: Economy, Culture, and Society in the Atlantic World, 1650-1850*, eds. Franklin W. Knight and Peggy K. Liss (Knoxville: University of

agents were responsible to ensure that all international laws were obeyed. They nonetheless accumulated immense fortunes throughout their tenure by not declaring all the prizes or by simply appropriating significant parts of the ones that they did declare. Moreover, they did not hesitate to engage in sleights of hand when it came to registering letters of marque.<sup>61</sup> Indeed, the US government complained repeatedly that the French corsairs in Santiago were seizing US boats that were neutral.<sup>62</sup>

Kindelán's support for the privateers came under criticism from some *santiagueros*. He defended privateering as an employment-generating occupation. Moreover, privateers could also help import resources into a city that had gone through severe scarcity. Santiago quickly ran out of provisions after the large influx of refugees in 1803, the available housing and sanitation systems could not withstand the unprecedented demand, and food prices had increased one and a half times. In the governor's own words, the city had become "a theater of misfortunes" ["un teatro de desdichas"].<sup>63</sup> Yet it is clear too that the interests of privateers and those of the local authorities whose job it was to oversee them were closely aligned. This perhaps explains the reluctance on the part of local officials to implement the directive of Havana authorities to stem the entry

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Tennessee Press, 1991); Agnes Renault, *La communauté française de Santiago de Cuba entre 1791 et 1825* (PhD diss., Université du Havre, 2007), 416; Michel Rodigneaux, *La guerre de course en Guadeloupe XVIII-XIX siècles, ou Alger sous les tropiques* (Paris: L'Harmattan, 2006), 136-137 and 156-167; Rebecca Scott and Jean Hébrard, *Freedom Papers: An Atlantic Odyssey in the Age of Emancipation* (Cambridge: Harvard University Press, 2012), 55.

<sup>61</sup> Renault, *La communauté française*, 415.

<sup>62</sup> AGI, Ultramar, leg. 83, exp. 10: Kindelán to the Minister of State, December 14, 1807.

<sup>63</sup> AGI, Cuba, leg. 1537B: Kindelán to Someruelos, September 12, 1803.

of free people of color from neighboring colonies into Cuba. Many of the privateers were themselves free people of color.<sup>64</sup>

The Captain General had long mandated that free people of color from foreign colonies should not be allowed to enter Cuba, while those who had already entered were to be placed in the military prison and deported.<sup>65</sup> Officials in Havana were deeply concerned about the entry of free people of color from the French colonies, whom they regarded as potential vectors of political “contagion.”<sup>66</sup> Many in Santiago appear to have been especially uncomfortable with the arrival of large numbers of individuals of color involved in maritime activities. According to the lieutenant colonel of the artillery and local historian José María Callejas, the local population perceived most of the privateers as potentially subversive precisely because of their African ancestry.<sup>67</sup> Kindelán seems to have offered little open opposition to regulations coming from Havana, but systematically

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<sup>64</sup> José María Callejas, *Historia de Santiago de Cuba* (Havana: Imprenta La Universal, 1911), 73.

<sup>65</sup> ANC, AP, leg. 6, exp. 38: “Recibos de cantidades distribuidas para socorro a individuos de color con motivo de la evacuación de la Isla de Santo Domingo.” The local governor explains the measures that he took to restrict the freedom of movement of French people of color. AGI, Ultramar, leg. 13, num. 10: “Expediente del Gobernador sobre el crecido numero de familias francesas y gente de color que emigran a los puertos de Cuba,” January 24, 1804.

<sup>66</sup> The authorities used the term “*contagio*” frequently to refer to the spread of subversive political ideas from Haiti to Cuba. See, for instance, MN, Colección Guillén, Mss. 1578, doc. 12: “El Condé de Mopox comunica al secretario del estado, Francisco Saavedra, los riesgos que represenatan par alas colonias de las Antillas la sublevación de los negros de Santo Domingo,” July 2, 1798, fs. 48-52; AHN, Estado, leg. 6,366, exp. 2: “El capitán general comunica las medidas adoptadas para impedir la entrada de negros que no fuesen bozales,” January 27, 1800. In the following petition that Kindelán made on behalf of an émigré from the former Spanish Santo Domingo who wanted to introduce slaves from Hispaniola into Cuba, Kindelán explained that the petitioner’s slaves “nunca han sido tocados del contagio” [had never been affected by the contagion]. AGI, Cuba, leg. 1537A: Don Juan de Porter to the Marqués de Someruelos, August 1, 1803.

<sup>67</sup> Callejas, *Historia de Santiago de Cuba*, 73.

failed to enforce them, with the excuse that he did not have the necessary resources. As late as 1805, the governor called on the French free people of color to come forth, make themselves known, and leave the island within forty days.<sup>68</sup> Yet this had little effect. In 1808, there still were at least 2,341 French free people of color in the city, according to official census takers.<sup>69</sup> Many others must have also been living in the countryside.

Central authorities in Havana and Madrid also took a hard line on “slaves” who reached Cuba from Hispaniola in this time of crisis. The idea that any of the refugees were slaves glossed over the abolition of slavery in the French colony by decree ratified by the National Convention in 1794. This measure was extended to Southern Saint-Domingue with the defeat of the British in 1798. All the arrivals to Santiago from the French colonies were therefore French nationals and, as such, formally free. By accepting the claims of some refugees that other refugees were their property, Cuban officials were complicit in the re-enslavement of people who were legally free. According to the authorities, the danger of contagion derived from experiences in Saint-Domingue over the previous decade. In this light *bozal* slaves, recently brought from Africa, were still allowed to enter Cuba even after having spent time on Hispaniola.<sup>70</sup>

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<sup>68</sup> Ferrer, *Freedom's Mirror*, 175-176.

<sup>69</sup> ANC, AP, leg. 142, exp. 86; Ferrer, *Freedom's Mirror*, 176.

<sup>70</sup> In 1791, the Crown banned the entry of all creole slaves from any foreign colony. Ferrer, *Freedom's Mirror*, 61. The order was re-issued multiple times. In 1796, the captain general Luis de las Casas had reiterated the order and mandated that all slaves who had been introduced from the French colonies after August 1790 and from the English colonies after 1794 should be deported. A copy of the order was included in AHN, Estado, leg. 6,366, exp. 2: “El Marqués de Someruelos comunica las medidas adoptadas para impedir la entrada de negros que no fuesen

Again, Kindelán apparently agreed with the concerns expressed in Havana on the importation of slaves from neighboring Caribbean colonies. “Slaves that now are presumed to be good and loyal for having preferred to flee with their owners to their incorporation with their rebel counterparts are after all still mingled with those pernicious events,” he wrote in a letter to the Captain General of the island. “If now they can be considered to be peaceful, there are many reasons we should remain mistrustful.”<sup>71</sup> Yet, the exception for *bozal* slaves created opportunities for refugees eager to claim “slaves.” Refugees who tried to convert free persons back into property submitted a flurry of petitions to remain in Cuba and to access “slaves” placed in the military prison. Petitioners adamantly referred to these captives as *bozal*. It is impossible from these records to determine whether and how far they stretched the meaning of *bozal*.<sup>72</sup> Eager to increase the number of slaves in the province, Kindelán assented to these claims. He also approved to French slave traders’ petitions to introduce supposedly *bozal* slaves into Santiago.<sup>73</sup> The explanation that the governor gave for allowing such entries was that the refugees needed a means of subsistence and without slaves they would become the

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bozales,” January 27, 1800. For a list of legislation banning the entry of people of color from foreign colonies, see Ferrer, *Freedom’s Mirror*, 63-64.

<sup>71</sup> AGI, Cuba, leg. 1537A: Kindelán to Someruelos, June 30, 1803.

<sup>72</sup> For petitions to remain in Cuba and to access allegedly *bozal* “slaves” whom the authorities had placed in the military prison, see AGI, Cuba, leg. 1782B: “Quaderno de anotaciones para el despacho de memoriales sobre asuntos extranjeros,” 1803-1805.

<sup>73</sup> See for instance, AGI, Cuba, leg. 1536B: Kindelán to Someruelos on the French slaver Dos Amigos, November 30, 1802.

charges of the state. He also made complex legal arguments to support his decision to provide licenses to traders travelling to Saint-Domingue.<sup>74</sup>

Aware that the eastern Caribbean was home to a vibrant traffic in contraband captives, Someruelos berated Kindelán for liberally granting licenses to the refugee corsairs and demanded that he scrutinize all captives arriving to Santiago to make sure that they were *bozales*.<sup>75</sup> This was easier said than done, given the lack of state control over most of the eastern coastline. But it is also clear that, as in the case of privateering, Kindelán's business interests quickly coalesced with those of the most prominent refugees.<sup>76</sup> For example, in 1800, the corsair Prudencio Casamayor petitioned to be naturalized with the overt intention of buying land from the Royal Treasury; three years later his petition was approved, after Kindelán made further inquiries with the Captain General and offered supplementary support.<sup>77</sup> Casamayor then purchased royal land, which he divided into tracts that he sold to other refugees, oftentimes on credit.<sup>78</sup> These land deals created new demand for captive labor, and new rewards for accepting the

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<sup>74</sup> AGI, Cuba, leg. 1536B: Kindelán to Someruelos, November 11, 1802; Someruelos to Kindelán, December 13, 1802; Kindelán to Someruelos, December 29, 1802. When the Captain General of the island berated Kindelán for allowing refugee slave traders to travel to Saint-Domingue to purchase "slaves," he explained that he had based his decision on a Royal Cédula dating back to 1791. According to this document, traders did not have to return with their shipments to their initial port of embarkation; they could sell the captives in other places. By invoking this rule, the governor suggested that the slavers were not returning to Santiago.

<sup>75</sup> AGI, Cuba, leg. 1536B: Someruelos to Kindelán, August 31, 1802.

<sup>76</sup> AGI, Cuba, leg. 1537B: Kindelán to Someruelos, September 16, 1803.

<sup>77</sup> AGI, Cuba, leg. 1537A: Kindelán to Someruelos, May 11, 1803.

<sup>78</sup> Juan Pérez de la Riva, *El barracón y otros ensayos* (Habana: Editorial Ciencias Sociales, 1975), 377, 424.

contention that free French nationals—indeed, “citizens” by some reckoning-- were actually *bozal* slaves. To gain Kindelán’s backing, Casamayor equipped him with a coffee plantation and enslaved laborers.<sup>79</sup> Indeed, in 1807, with 30 slaves, Kindelán’s wife appeared as the largest slave owner and coffee planter in the region of Sierra Maestra.<sup>80</sup> By 1838, Kindelán’s widow owned a coffee plantation in Limones and 126 slaves.<sup>81</sup>

Such transactions put the family in close alignment with the Saint-Domingue refugees who had established properties on the mountain slopes surrounding the city from west to east. In 1800, even before the arrival of the largest wave of refugees, there were 19 coffee and 13 cotton plantations using the labor of 478 African captives in the jurisdiction of Santiago, all owned by French speakers.<sup>82</sup> The number of slaves and properties then rose significantly across the first decade of the nineteenth century. By 1807, 192 coffee plantations used the labor of 1,676 African captives. The sugar industry also benefitted from the presence of the refugees. 1,688 slaves worked on 51 sugar plantations.<sup>83</sup> Refugees preferred coffee because it could be planted on relatively cheap

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<sup>79</sup> María Elena Orozco, “Cuba et les îles sous le vent,” 116, footnote 116.

<sup>80</sup> ANC, RCJF, leg. 92, exp. 3,929: “Espediente instruido con el objeto de fomentar en esta Isla el plantío, cultivo y beneficio del café:” section titled “Estado general de las siembras de café en la jurisdicción de Cuba en este año de 1807,” Sept. 9, 1807, f. 1v.

<sup>81</sup> ANC, GG, leg. 491, exp. 25,168: “Estado de los partidos en que se halla dividido el territorio de Santiago de Cuba,” 1838.

<sup>82</sup> ANC, CCG, leg. 1, exp. 11: “Relación de franceses asentados en Santiago de Cuba,” September 30, 1800.



land that was not used for other purposes. Sugar plantations also required costly technology and more labor.<sup>84</sup> However, the coffee plant's growth cycle did require some capital outlays and access to trading networks that were out of most smallholders' reach. Coffee shrubs start bearing berries only during the fourth year after being planted, reaching full productivity in their eighth year. This meant that plantation owners needed other sources of capital during the first four years of a plantation's lifetime.<sup>85</sup>

By 1807, the most prominent French corsairs had turned into "industrious cultivators," a category that they would invoke in their petitions to naturalize. For instance, in 1806, Santiago Bonne (or Jean Jacques Bonne) and his partner, Honoré Murlot, petitioned the Captain General of the island to naturalize after having served on the privateering boat the *Elk*. According to Kindelán, who supported their application, both petitioners had made "a fortune in maritime business" but were now "dedicated to coffee cultivation." To further promote their application, Kindelán pointed out that "the agreeable picture that the once-wild fields provide now that they are cultivated and the great advantages that their cultivation offers is the defining element of the French presence;" however, without naturalization, the refugees would not have any incentives

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<sup>83</sup> ANC, RCJF, leg. 92, exp. 3,929: "Espediente instruido con el objeto de fomentar en esta Isla el plantio, cultivo y beneficio del café," section titled "Estado general de las siembras de café en la jurisdicción de Cuba en este año de 1807," Sept. 9, 1807, f. 1v.

<sup>84</sup> ANC, RCJF, leg. 92, exp. 3,929: "Espediente instruido con el objeto de fomentar en esta Isla el plantio, cultivo y beneficio del café"

<sup>85</sup> On coffee's lifecycle, see Eric Wolf, "Culture Change and Culture Stability in a Puerto Rican Coffee Community" (PhD diss., Columbia University, 1951), chapter 3. For an estimate of costs involved in establishing a sugar plantation at various points throughout the first half of the nineteenth century, Marrero, *Cuba: Economía y sociedad*, 10:148 and 11:100.

to further cultivate the fields, he argued.<sup>86</sup> By 1809, Bonne owned several coffee plantations and had donated 3,000 pesos to the Royal Treasury in support of Spanish troops.<sup>87</sup> Similarly, Vincent Dallest and Pierre Louis Lay operated a privateering ship in 1803 and would turn into industrious coffee planters as well. Dallest had petitioned to naturalize in 1803, while Lay petitioned four years later.<sup>88</sup> Writing in support of Lay's petition, Kindelán referred to him as "Don Pedro Luís Lay." The use of the respectful term of address Don, generally restricted to individuals who had the reputation of being white, was supposed to convey Lay's higher social standing. But in other documents filed with local authorities at around the same time, Lay appeared as a *pardo francés*.<sup>89</sup> Given Kindelán's supposed fears of the refugees of color, we can assume that he was ready to close his eyes to the refugees' color status when it behooved him.

Other prominent refugees and renowned privateers, such as Louis de Bellegarde or Joseph Lambert, also employees of the *Agence des Prises*, invested in local coffee plantations.<sup>90</sup> Agustín de la Texera, who would become a respectable local landowner, member of the city council and historian, also accumulated wealth through corsair

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<sup>86</sup> AGI, Cuba, leg. 1541: Letter from Kindelán to Someruelos, January 28, 1807.

<sup>87</sup> Renault, *La communauté française*, 422-423.

<sup>88</sup> AGI, Cuba, leg. 1537A: Letter from Kindelán to Someruelos, July 12, 1803; leg. 1541: Letter from Kindelán to Someruelos, April 15, 1807.

<sup>89</sup> Lay acted as a godfather to Maria Luisa Brun in 1807. A copy of the document was included in AGI, Cuba, leg. 1548: Felix Doutré petitions the local governor of Santiago to return to Cuba from New Orleans, April 22, 1812. In it, Lay appeared as a "*pardo francés*."

<sup>90</sup> Renault, *La communauté française*, 423.

activity and contraband trade, and then invested it in land and slaves.<sup>91</sup> In the late 1790s, de la Texera had been a privateer on a Spanish sloop called *Real Combate* which illegally provisioned the English-controlled part of Saint-Domingue with livestock. The Spanish authorities found him to be equipped with both Spanish and English letters of marque: de la Texera was making a windfall by providing the enemy with staples.<sup>92</sup> The summary punishment did not prevent de la Texera to refashion himself into a coffee cultivator. He started small, if we are to believe official census figures: one slave worked on his coffee plantation in Dos Bocas in 1807.<sup>93</sup> By 1823, he owned two plantations in Candelaria and almost 400 slaves.<sup>94</sup> Similarly, Laurent Moussnier, Casamayor's business partner in his triangular trade ventures between Philadelphia, Saint-Domingue, and Baracoa, had amassed 188 slaves by 1822, all of whom worked on his coffee plantations.<sup>95</sup> But just as the transformation of the elite refugees from privateers into industrious cultivators was almost complete, crisis hit the Spanish Empire and with it came another wave of migrations.

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<sup>91</sup> AGI, Cuba, leg. 1541: El doctor Pedro Celestino Duhart to Sebastián Kindelán, May 10, 1806. Texera's local history of Santiago is available in "Santiago de Cuba a principio del s. XIX," *Del Caribe* 13 (1989): 90-96.

<sup>92</sup> AGI, Cuba, 1499B: Don José Whyte to the Royal Navy, January 8, 1797; Testimony on the behavior of de la Texera, March 31, 1797.

<sup>93</sup> ANC, RCJF, leg. , leg. 92, exp. 3,929: "Espediente instruido con el objeto de fomentar en esta Isla el plantío, cultivo y beneficio del café," section titled "Estado general de las siembras de café en la jurisdicción de Cuba en este año de 1807," Sept. 9, 1807, f. 10.

<sup>94</sup> ANC, GG, leg. 490, exp. 25,137: "Estado que manifiesta la agricultura e industria, aldeas y fincas, haciendas de la Candelaria, 1823-1828."

<sup>95</sup> ANC, GG, leg. 491, exp. 25,159: "Estado que manifiesta los lugares, aldeas y fincas de todas clases en sus terrenos con sus nombres propios de cada una y si no tienen la de sus dueños," 1822.

## The Expulsion of the Saint-Domingue Refugees

The Napoleonic invasion of the Iberian peninsula in 1808 was a turning point in the relations between the Spanish metropole and its American colonies. The political turmoil that would ripple out and undermine Spain's control over its American dominions impacted local relations between the Saint-Domingue refugees in Santiago, the Spanish colonial bureaucracy, and the local population.

Commodity producers and local authorities in Cuba found themselves in dire straits. The *situado* from Mexico had been cut off, no shipments of sugar and coffee could be made for lack of transportation and because of the blockade of European markets. As Ada Ferrer has pointed out, rumor and mis-information were rampant in an exploding public sphere. Existing policies against seditious talk, initiated by the Crown at the beginning of the French Revolution, could not contain the new patriotic fervor.<sup>96</sup> Handwritten bills containing political speech (*pasquines*) started circulating across Santiago, as did political *décimas* (poems) and newspapers. Some of this political talk invoked slavery-related metaphors to describe the French occupation of Spain. This language potentially opened a new space for thinking and talking about slavery and equality as well.<sup>97</sup>

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<sup>96</sup> Ferrer, *Freedom's Mirror*, 240-241.

<sup>97</sup> For a similar such phenomenon occurring in the Iberian Peninsula, see Christopher Schmidt-Nowara, "Wilberforce Spanished: Joseph Blanco White and Spanish Antislavery, 1808-1814,"

Given the large number of French-speakers, Santiago was the theater of even more vociferous expressions of patriotism, some of which took the form of episodic violence against the Saint-Domingue refugees. Local competitors used the new political climate to circulate rumors, public statements, and accusations against each other and to orchestrate ad hoc gatherings. Central authorities in Havana were especially concerned about the corsair activities occurring in eastern Cuba and about the dangers that they could pose to an already fragile Spanish sovereignty, given these privateers' French ancestry and uncertain color status. On July 18, 1808, the Captain General ordered that French corsair boats be embargoed.<sup>98</sup> Enemies of the refugees used official fears of the corsairs to stoke further anti-refugee sentiments in Santiago.

Beginning with August 6, 1808, handwritten handbills started circulating through the city calling for the departure of the French and accusing the governor of protecting them despite the danger that they posed. At first, the bills were nailed to the houses belonging to public officials and to local churches.<sup>99</sup> Most such handbills forewarned the local authorities of impending violence. The authors often applied the term "brigand," which had been used to refer to non-white rebels in Saint-Domingue, to the refugees.<sup>100</sup> Through this rhetorical move, they associated all the refugees with the insurgents of color in order to stoke fears of a potential insurgency occurring in Cuba similar to the one in

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Josep Maria Fradera and Christopher Schmidt-Nowara, eds, *Slavery and Anti-Slavery in Spain's Atlantic Empire* (NY: Berghahn Books, 2015), 158-176.

<sup>98</sup> AGI, Cuba, leg. 1782B: Someruelos to Kindelán, July 30, 1808.

<sup>99</sup> AGI, Cuba, 1782B: Kindelán to Someruelos, August 21, 1808.

<sup>100</sup> Ferrer, *Freedom's Mirror*, 70.

Haiti. For instance, one patriotic anti-French poem referred to Sebastián Kindelán, the protector of the French, as a “brigand.” The poem proclaimed “Oh! Sublime noble Cuba!.../You’ve been sold/By the brigand that is oppressing you/What’s happening with the French?/ Who is their protector?/They say that it is the governor...” It concluded on an anti-Semitic line that referred to Kindelán as Jewish: “I believe it without seeing you/Because he is of the same birth/As the man who betrayed Christ.”<sup>101</sup>

Kindelán blamed the archbishop Joaquín de Osés and his minions for the spread of anti-French and anti-authority sentiments.<sup>102</sup> Osés had long opposed the refugees’ presence in the jurisdiction, the spread of plantations, and Kindelán himself. He was especially suspicious of the refugees’ moral standing, lack of commitment to matrimony, and support for the plantation system. He had long accused the refugees of not practicing “the true religion,” a claim that recurred in some of the *pasquines* and the anti-Semitic popular songs against the French. In 1794, Osés had penned a report for the Crown in which he advocated commercial liberalization, the division of large landholdings, and the colonization of rural areas. He hoped that Cuba would one day become a colony

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<sup>101</sup> AGI, Cuba, leg. 1782B: Kindelán to Someruelos, January 29, 1809.

<sup>102</sup> ANC, AP, leg. 209, exp. 86: “Documento que se refiere a la correspondencia muy reservada del Gobernador al Capitan General, fecha Santiago de Cuba, 30 de octubre de 1808, sobre las denuncias hechas por la carta pastoral del Ilmo Sr. Arzobispo;” exp. 103: “Documento que se relaciona con la correspondencia reservada del gobernador al Capitan General, fecha Santiago de Cuba, 25 de noviembre de 1808, sobre los papeles anónimos sediciosos hechos circular por el Arzobispo;” leg. 114: “Documento que se refiere a la correspondencia muy reservada del Gobernador al Capitan General, fecha Santiago de Cuba, 30 de noviembre de 1808, sobre las dificultades producidas por la conducta del Arzobispo;” exp. 122: “Documento que se refiere a la correspondencia reservada del Gobernador al Capitan General, fecha Santiago de Cuba, 14 de diciembre de 1808, sobre los papeles sediciosos circulados por el Arzobispo.” See also, Olga Portuondo Zúñiga, *Cuba: Constitución y liberalismo (1808-1841)* (Santiago: Editorial Oriente, 2008), 1: chapter 1.

consisting of small landholders. Plantation slavery could not allow the country to prosper according to Osés. How could an economy flourish, he wondered, “between the anger stoked by desperation and the menace posed by the use of force?”<sup>103</sup> His vision of small tobacco farming was profoundly racialized, but peculiarly so. In his calculation, white migration would be the only solution to slavery’s social impact—it would result in a whitening of the population. In fact, a large population of free people of color or of ambiguous color status lived and made a home for themselves in the rural areas by cultivating tobacco. Osés associated this population with whiteness, perhaps because he mapped slavery and the plantation system onto blackness. He may have hoped that the universal hatred of Napoleon could serve as a new opportunity to mount an attack on Kindelán and his planter allies.

In response to the spread of anti-refugee sentiments, Kindelán organized a well-publicized get-together between prominent refugees and the local authorities in order to make a public display of the harmony reigning among local elites. However, the three figures present would, most likely, not have quieted down the anti-corsair sentiments that the archbishop and his acolytes were spreading. Bellegarde, who had been the head of the *Agence des Prises* between 1805 and 1809, Casamayor, and Saint-Gême had all amassed fortunes through privateering and contraband between Saint-Domingue, Cuba, and the U.S.<sup>104</sup> These meetings did not put an end to the handbills and the seditious rumors.

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<sup>103</sup> AGI, Ultramar, leg. 387: Joaquín de Ozés to Pedro Cevallos, October 24, 1803. The letter includes the earlier report, filed on November 30, 1794.

<sup>104</sup> On Bellegarde, AGI, Cuba, leg. 1541: Doctor Pedro Celestino Duhart to Kindelán, May 10, 1806. On St-Gême, David Head, *Privateers of the Americas: Spanish American Privateering*

Slaves and free people of color also got drawn into the conflicts between the ecclesiastical and civil branches of government. The governor reported episodic violence against the French that he believed were perpetrated by people of color. Kindelán therefore emphasized the prominence of people of color in the social disorders that Osés and his followers were spreading through the town as a way of portraying himself and his allies as upholders of the local social order. For instance, according to one such account, on December 15, in the early morning, the free woman of color Nicolasa Ángulo and her infant son walked through the city crying out loudly. She was allegedly saddened to learn about the fate that the royal family in the Iberian Peninsula had at the hands of the French occupiers. She shared the news that she had learnt from the archbishop with the clientele of a local tavern and then continued her loud public display of suffering along Santiago's streets. Kindelán claimed that these were "crocodile tears" and set out to reveal the secret connection between the archbishop and Angulo. Upon further research, the governor learnt that Angulo had been a slave to a woman known as Manuela Angulo. In a report on her character, Kindelán explained that she had run away multiple times when she had been a slave; neighbors had seen her being brought back covered in irons and in whip marks. After freeing herself, she worked hard and saved enough money to become a slave owner. Perhaps eager to give as negative a portrait of Nicolasa Angulo as he could, the governor further explained that she was treating her slaves with the same strictness that she had once experienced herself as a slave. The governor could not establish any

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*from the United States and the Influence of Geopolitics in the Early Republic* (Athens: University of Georgia Press, 2015), 134. On Casamayor, Portuondo, "Santiago de Cuba, los colonos franceses y el foment cafetalero (1798-1809)," in *Les français dans l'Orient cubain*, ed. Jean Lamore (Bordeaux: Maison des Pays Ibériques, 1993), 115-128.



connection between her and the archbishop, though. However, he was clearly eager to portray in as negative a light as possible the groups or individuals who opposed the refugees: people of color who were inclined toward disorders or rowdy lower sectors.

Eight days after Angulo's public display, a group of young men organized a patriotic dance, which ended with a prolonged stoning of refugees' housing. A special target was the property owned by a certain Don Canfran in whose house prominent refugees met to exchange news and to read the newspapers that they could get from sailors.<sup>105</sup> Other acts of violence soon followed. On January 2, 1809, a group of people identified as being of color killed a Frenchman in El Caney, the coffee-making region, likely with the intention to rob him, according to the governor.<sup>106</sup> A free man of color and member of the *pardo* militia forcefully broke into a Frenchman's house under the pretext of looking for a runaway slave. Upon further investigation, the militiaman turned out to be the brother of a certain Miguel Creagh who had earlier spread a false rumor alleging the clandestine disembarkation of a large number of Frenchmen near Santiago in order to stir up panic.<sup>107</sup> In all these events, Kindelán carefully pointed to the key role that slaves or free people of color had in the spread of rumors and public tensions. The subtext was clear: the French and the plantations that they facilitated were not to blame for the disorders in the jurisdiction; rather it was the poorer sectors and the free people of color who could be easily swayed and controlled by the archbishop.

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<sup>105</sup> Renault, *La communauté française*, 575.

<sup>106</sup> AGI, Cuba, leg. 1782B: Diario reservado de Kindelán, January 2, 1809.

<sup>107</sup> AGI, Cuba, leg. 1782B: "Diario reservado de Sebastián Kindelán," January 4, 1809.

Indeed, in his communiqués with Someruelos, Kindelán emphasized the refugees' contributions and relations to the local community. Casamayor had allegedly forewarned the Spanish government of attempts by the British to occupy eastern Cuba; a certain Carlos Preval had married a Spanish aristocrat; and Saint-Gême had himself advised Kindelán to confiscate the corsairs' property.<sup>108</sup> But sometimes such praise could backfire. In November 1808, Someruelos expressed dismay at the ongoing involvement of the French in local commerce after Kindelán had pointed out how key they had been in the local commercial networks and some had petitioned to remain in Cuba. Someruelos had allowed the refugees to naturalize only so long as they would dedicate themselves to agricultural pursuits and stay out of commerce. Commercial activity made refugees suspect, since it could entail breaking Spanish mercantile laws. Someruelos asked Kindelán to immediately have them removed.<sup>109</sup>

Given the tense atmosphere and the risk of being subjected to violence, some of the refugees decided to leave the island in 1808. Fearing that their estates might end up being embargoed, some fled with the people whom they held as slaves and thus rescued their most valuable property. The main destination was US port cities (Charleston, New

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<sup>108</sup> ANC, AP, leg. 209, exp. 132: "Documento que se refiere a la correspondencia del Gobernador al Capitan General, fecha Santiago de Cuba, 27 de diciembre de 1808, sobre las denuncias anónimas que se han hecho a dicha autoridad superior."

<sup>109</sup> ANC, AP, leg. 209, exp. 102: "Documento que se refiere a la correspondencia del Capitán General al Gobernador de Santiago de Cuba, fecha Habana, 23 de noviembre de 1808, relativa a los franceses salidos de Baracoa y Santiago de Cuba;" exp. 126: "Documento que se refiere a la Correspondencia del Capitan General al Gobernador de Santiago de Cuba, fecha Habana, 17 de diciembre de 1808, relativa a la salida de franceses de Baracoa."

York, New Orleans).<sup>110</sup> Eventually, the captain general passed an expulsion decree on April 10, 1809, on grounds that only such an extreme measure would bring the violence to a halt. According to the decree, those refugees who had been naturalized and had behaved well could remain on the island. By that point, a Junta de Vigilancia had been established and was ready to review petitions to remain on the island.<sup>111</sup> Indeed, many coffee planters sought to stay and petitioned the Junta de Vigilancia to allow their family members or plantation administrators to stay as well. Eventually, however, even the wealthiest among them decided to leave, perhaps fearing for their lives and for the most precious property that they held—slaves. Their fear was not misplaced. On July 4, 1809, the Captain General embargoed all the properties owned by the refugees and other French citizens. Many soon scrambled to exit the island clandestinely smuggling slaves out. For instance, the wealthy privateer Santiago Bonne left with 47 slaves.<sup>112</sup>

Many of these refugees, especially the most prominent, such as Bonne, would return when the Spanish dominions opened up to the Atlantic economy once again in 1814. By that point, the terms on which coffee planters would be conducting their business in Santiago would be much more favorable. With the riches that flowed to them,

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<sup>110</sup> AGI, Cuba, leg. 1782B: “Noticias de los individuos franceses a quienes se les ha dado pasaportes para los Estados Unidos por disposición del Sor Gobernador sin fianzas por no tenerlos,” July 1808-October 1808.

<sup>111</sup> Some of the petitions filed with the Junta de Vigilancia in Santiago can be found at ANC, AP, leg. 210, exp. 73; Alain Yacou, “L’expulsion des français de Saint-Domingue réfugiés dans la région Orientale de l’île de Cuba (1808-1810),” *Cahiers du monde hispanique et luso-brésilien* 39 (1982): 49-64.

<sup>112</sup> ANC, AP, leg. 210, exp. 46: “Documento que se refiere a la correspondencia del Capitan General sobre los franceses y sus negros que han huido al extranjero abandonando las haciendas,” September 12, 1809.

came symbolic capital-- a silence about their corsair past and their African ancestry, if they had any.

### Conclusion

Despite its early promise, Santiago was quickly relegated to the status of a periphery within the Spanish Empire. Havana's better location as a port and its improved access to the Mexican silver subsidy allowed local elites to accumulate capital on a larger scale than *santiaguera* elites could. By the mid-eighteenth century, Spanish administrators in the metropole became more open to economic models that touted agriculture and commerce as generators of value. Given the success of Jamaica and Saint-Domingue, some started to approach slavery-based plantation agriculture and more liberal commercial laws as an answer to the Empire's economic ailments. West-central Cuba would become a laboratory for this economic model; its elites could more easily implement it because of the greater availability of silver there. According to a succession of governors in Santiago, the *santiaguero* landholders were simply watching from the outside as west-central Cuba was quickly refashioning itself into a sugar producer. They too wanted to access slaves and envisioned the plantation as the surest path to economic development. However, other voices could also be heard in a chorus that called for Santiago's economic reform; such voices touted the benefits of smallholding and of tobacco cultivation. In this equation, slavery and plantation agriculture introduced social evils with negative implications in the long term.

The influx of slaves did not occur through extensive government support and more silver subsidies. Instead, the independence movement in the British mainland colonies, and the Haitian Revolution provided the background for a more open and more intense trade in Santiago's port. The Saint-Domingue refugees' privateering activities laid the groundwork for Santiago's coffee industry by supplying the captive labor that local landholders had long clamored for. But the privateers would not just add more captive labor into the local economy. Some would also blur clear-cut definitions of color status and would connect Santiago to neighboring colonies and, in the late 1810s, to Africa.

Even with the rise of the coffee industry, many colonial bureaucrats, such as Bernardo O'Gavan, who would become a deputy for Santiago in the Cortes of Cádiz still regarded eastern Cuba as a pariah. Santiago's rate of growth would never reach that of sugar-dominated areas even when coffee production reached unprecedented heights during the 1820s and early 1830s. The spread of maroonage also reinforced the racialized vision of the island's geography among Havana's elites, with the east as a disorderly space that could not even be mapped properly. But Santiago was unique because of the multiple spaces of freedom and because of the wide range of social positions that people of African descent could occupy, a range that emerged precisely because a large-scale plantation economy did not take root. While many Afro-descendants had been coerced to work as slaves, others became corsairs, planters, local councilmembers, members of the anti-maroon rural guards, artisans, or slaveholders. They would lay the foundation for the

versatile yet fundamentally unequal system of social classification that this work explores.

## **Chapter 2: Coffee on the Rise: Propertied Free People of Color and the Coffee Boom in Santiago, 1817-1846**

When the two siblings Isabel Chéry Rigaud Macarty and Bartolomé Macarty passed away in 1844 and 1854, the local scribes listed them as white in Santiago's church registers.<sup>1</sup> The siblings had crossed the waters of the Gulf of Mexico in search of economic opportunities and peace during the first half of the nineteenth century. The Macartys' geographic mobility also allowed them to move through distinct, albeit related, systems of racial classification. Born in New Orleans of a mother of African ancestry and a white father, Isabel Chéry married Étienne Rigaud, a Saint-Domingue refugee living in Louisiana, while Bartolomé Macarty married a New Orleans native, María Josefa Tabony. By the early 1820s, both couples had left Louisiana for Santiago de Cuba, where they tried to start coffee plantations.

In Santiago, they associated themselves with the local coffee planting elite, for the most part identified as white, who, along with their father back in New Orleans, supplied them with slaves and lines of credit. Their plantation efforts, somewhat successful at first, ended in debt once coffee entered a period of crisis in the region in the mid-1840s. If in

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<sup>1</sup> ANC, ASC, leg. 264, exp. 6,684: "Testamentaria de Dna Isabel Rigaud," 1844.

New Orleans, notaries and scribes had identified the two siblings as people of color, in Santiago, they described them as white. While the Macartys shifted status as they moved from one locale to another, other families of known African ancestry had changed social “color” status in their own transition from Saint-Domingue to Santiago. Their African ancestry was not necessarily a secret, and might occasionally appear in notarial documents, even as they were identified with respectful terms of address associated with whiteness.

This chapter explores how a group of propertied francophone people of African ancestry, most of whom were returning Saint-Domingue refugees, shaped Santiago’s racial ideologies through plantation and slave ownership and social patronage during the 1820s. These refugees adopted some distinct strategies compared to other free people of African descent living in the jurisdiction. As coffee planters, they often held larger numbers of workers as slaves and tended to be connected through family and patronage ties with members of the region’s white elite. Their direct economic investment in slavery was greater than that of poorer people of color who might have acceded to freedom within their lifetime, whose numbers increased across the 1840s.

Between 1814 and the late 1860s, most elite families of African descent consisted of French-speaking settlers who had been able to put down roots in Santiago during coffee’s brief economic success. French-speaking families coming or returning to eastern Cuba from Louisiana, such as the Macarty brother and sister, took advantage of coffee’s economic rise. Unlike sugar, coffee required smaller capital investment, and the soaring global prices provided considerable returns. Moreover, coffee made it profitable to open



up land that could not be used for other cultigens and that was relatively cheap.<sup>2</sup> Their successful economic ventures also enabled some of the refugees of mixed European and African descent to enjoy privileges associated with white status that would become increasingly difficult to acquire in a place such as Louisiana by the 1830s. Moreover, the presence of large maroon communities in eastern Cuba encouraged the state to welcome newcomers, like the Saint-Domingue refugees, who might create bulwarks against maroon incursions. The authorities came to regard any new settlers who were ready to dedicate themselves to agricultural pursuits as a boon, regardless of their color status. Yet, throughout the first half of the nineteenth century, these new coffee planters had to contend with various challenges to their status in Santiago as well.

Francophone families of mixed descent tended to own smaller properties than their white counterparts. They also lived in the rural areas, which made them personally more vulnerable to maroon attacks than wealthier absentee planters. Yet, wealth and French cultural capital attenuated or, in some cases, even removed the stigmas associated with a degree of African ancestry. Through investment in rural policing and in relationships of patronage with their slaves, many planters of color consolidated their status among their social inferiors as well. At the same time, through kinship relations with the white elite, they became safely ensconced among the higher echelons of local society. Indeed, throughout the first half of the nineteenth century, in spite of widespread concerns about Haitian expansionist politics in the Caribbean, local authorities allowed

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<sup>2</sup> Coffee could be cultivated on mountainous terrain and could benefit from the abundant rainfall in such areas. It was also more adaptable to different topographies and environmental conditions than sugar. Michel-Rolph Trouillot, *Peasants and Capital: Dominica in the World Economy* (Baltimore: Johns Hopkins University Press, 1988), 53.

local planters of color who had come from Saint-Domingue to settle in the area, gradually coming to see them as positive agents of change.

The refugees' socio-economic strategies did yield results. Many families of African or mixed descent reclassified themselves within the local taxonomy and acquired privileges associated with whiteness. In doing so, they not only increased their respectability in the local community, but they also reduced the authorities' suspicions toward them. At the same time, while the refugees' strategies for upward social mobility show that local color categories were malleable, they still reproduced the fundamental tripartite structure of that hierarchical classificatory system (black/brown/white).<sup>3</sup> It was only with the post-1840s expansion of the class of free people of color that this official taxonomy would come under greater strain.

#### Saint-Domingue Refugees and Coffee Planting in Santiago de Cuba

The Saint-Domingue refugees' story of social and economic ascent in Santiago was fundamentally intertwined with the consolidation of the coffee plantation system after 1815. The refugees and the people whom they claimed as their slaves had established the foundation for these coffee ventures between 1803 and 1809. However, plantation owners had not had time to fully benefit from their initial investment because coffee

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<sup>3</sup> Several scholars have argued that the power of race lies in its "mercurial nature," such that even when racial categories might be malleable, they can have a determining power. Martha Hodes, "The Mercurial Nature and Abiding Power of Race: A Transnational Family Story," *American Historical Review* 108.1 (2003): 84-118. Ann Stoler has critiqued the idea that understanding the instability of racial categories might challenge racism. Ann Stoler, "Racial Hierarchies and Their Regimes of Truth," *Political Power and Social Theory* 11 (1997): 183-206.

plants took, on average, four years to start producing fruit. By 1809, when the Captain General expelled French nationals from the island for fear that they might act as Napoleonic agents, many, including the wealthiest ones, had to put their ambitions on hold, as the Spanish Crown embargoed their properties. Some, who had naturalized, remained in the jurisdiction, but the vast majority, over 9,000 individuals, left for Louisiana.<sup>4</sup>

In 1814, the end of the Continental Blockade and of the Anglo-American War ushered in a new era of economic growth for Santiago. The Crown, local colonial bureaucrats, and planter elites introduced a range of liberal reforms, which, coupled with the high prices for American produce on the global markets, translated into an economic bonanza for sugar and coffee planters across the island. During the Napoleonic occupation of the Iberian Peninsula, the sugar and political elites on the island had shown strong loyalty to the Spanish Crown. As a result, upon returning to the throne, Ferdinand VII eyed the island as an ideal place from which to launch campaigns against the pro-independence armies in Venezuela and New Granada. To this end, he invested heavily in the military in Cuba, while also providing the elites on the island with economic incentives that would ensure their long-term loyalty. Political appointments were key to this process. The new captain general of the island, José Cienfuegos Jovellanos, the new intendant, Alejandro Ramírez, and the advisor in perpetuity to the Council of the Indies, Francisco Arango y Parreño, were the protagonists in Cuba's transformation into an "ever faithful isle," home to a sugar industrial behemoth that consolidated in the midst of a

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<sup>4</sup> Emilio Bacardí, *Crónicas de Santiago de Cuba* (Madrid: Breogán, 1972), 2:65; Ashli White, *Encountering Revolution: Haiti and the Making of the Early Republic* (Baltimore: Johns Hopkins University, 2010), 182.

disintegrating empire. Even though sugar remained marginal to Santiago's economy, some of the policies that these colonial figures steered fundamentally shaped the rise and fall of the coffee economy in the area, as well as the ability of the Saint-Domingue refugees to return to eastern Cuba.

Born in a family with strong commitments to liberal economics, José Cienfuegos Jovellanos was a believer in free trade and private land ownership. His uncle, Gaspar Melchor de Jovellanos, author of the influential "Informe sobre el expediente de la ley agraria" (1795), had argued that agricultural production was key to the creation of a society's wealth. Inspired by Adam Smith, Melchor de Jovellanos suggested that dividing up common lands and large corporate estates (such as the ones belonging to the Catholic Church) and making them available for private ownership would generate growth. In Cuba, Jovellanos' closest follower, besides his own nephew, was Francisco Arango y Parreño, a strong and successful advocate of free trade, especially in slaves, to the island. His 1789 petition to remove restrictions on the slave trade had convinced the Crown to eliminate the state-controlled monopoly. While Arango was partially responsible for this policy, his efforts had also aligned with protracted imperial reforms that had been long in the making, since at least the English occupation of Havana.<sup>5</sup>

By the mid-to-late 1810s, the Cuban sugar elite and their political representatives picked up the pace of liberal reforms that had been halted during the Napoleonic occupation of the Iberian Peninsula, and tried to see through further policies designed to

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<sup>5</sup> Elena Schneider, "African Slavery and the Spanish Empire: Imperial Imaginings and the Bourbon Reform in Eighteenth-Century Cuba and Beyond," *Journal of Early American History* 5 (2015):3-29; Dale Tomich, "The Wealth of Empire: Francisco Arango y Parreño, Political Economy, and the Second Slavery," *Comparative Studies in Society and History* 45.1 (2003): 4-28.

advance agricultural production. In 1815, the Crown allowed agricultural producers to cut and sell wood on their property as they saw fit, ending a protracted dispute between sugar and coffee planters and the Royal Navy and shipping industry (the latter had had vested interests in maintaining hardwood forests, traditionally property of the Crown).<sup>6</sup> On February 10, 1818, Cuban patricians convinced the Crown to allow free trade with foreigners. A year later, in 1819, a royal order helped consolidate private property on the island. Until 1819, much of the potential agricultural land had belonged to the Crown. Users only had usufruct rights, which made the division, transfer, and sale of landed property difficult. The new royal order recognized the concessions that the Crown had made to any user until 1729 as legitimate titles. Moreover, if a user did not have paperwork registering the royal concession, he could still claim ownership if he had continually possessed the land for forty years.<sup>7</sup> The policy facilitated mortgaging and was a key measure that would help expand the agricultural sector. Nonetheless, sugar producers' chief priority was labor, not land. Land, however, when mortgaged could provide resources to buy African captives.

A plentiful and cheap labor force that would keep up with the pace of growth became especially urgent after 1817. In that year, the British Crown managed to force the Spanish to sign a treaty declaring the slave trade to the island to be unlawful. In the midst

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<sup>6</sup> Reinaldo Funes, *From Rainforest to Cane Field in Cuba: An Environmental History since 1492* (Chapel Hill: University of North Carolina Press, 2008), 15-18, and chapter 3.

<sup>7</sup> Ramiro Guerra, *Azúcar y población en las Antillas* (Havana: Editorial de Ciencias Sociales, 1970[1927]), 45-50; Ramiro Guerra, *Manual de historia de Cuba desde su descubrimiento hasta 1868* (Havana: Editorial de Ciencias Sociales, 1971), 252-254; Juan Pérez de la Riva, *Origen y régimen de la propiedad territorial en Cuba* (Havana: El Siglo XX, 1946).

of debates preceding the abolition of the trade, the intendant of Cuba, Alejandro Ramírez, called for a population census. This census, like most other colonial censuses of the island (except perhaps the censuses taken after 1861), yielded a relatively unreliable measurement of the population. Many slave owners likely underrepresented the number of slaves whom they owned for fear of having to pay more taxes.<sup>8</sup>

Reliable or not, the 1817 census did prompt new policies that directly affected the Saint-Domingue refugees who had departed for Louisiana. It revealed that the weight of the white population had declined compared to the previous census (conducted in 1792), from 49% to 43% of the island's total population. In response and especially in light of the need for more laborers, the authorities created a Junta de Población Blanca, an organization financed by the Real Consulado y Junta de Fomento, and designed to attract free white immigrants to the island. Any white immigrant to Cuba, whether Spanish or foreign, would receive a small plot of land, tax relief, and expedited naturalization. The decree was published in the US press, attracting the attention of the Saint-Domingue refugees in New Orleans.<sup>9</sup>

Already, in 1811, seven years before the Spanish Crown had passed the decree intended to increase the laboring population on the island, many free people of color

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<sup>8</sup> Kenneth Kipple, *Blacks in Colonial Cuba, 1774-1899* (Gainesville: University Press of Florida, 1976); Carlos Venegas, *Cuba y sus pueblos: censos y mapas del siglo XVIII y XIX* (Havana: Centro de Investigación Juan Marinello, 2002).

<sup>9</sup> The census data is available in Ramón de la Sagra, *Historia económico-política y estadística de la Isla de Cuba* (Havana: Arazoza y Soler, 1831), 4-5. The royal order was passed on October 21, 1817. A copy available in AGA, leg. (10)26 54/7729: The Havana intendant to the Spanish consul in Philadelphia, April 1, 1820. On immigration schemes and whitening, Consuelo Naranjo Orovio and Armando García González, *Racismo e inmigración en Cuba en el siglo XIX* (Madrid: Doce Calles, 1996).

living in Louisiana had already decided to return to eastern Cuba.<sup>10</sup> In 1814, with the end of the Continental Blockade in Europe, which opened up new economic opportunities for American producers interested in exporting their goods across the Atlantic, the number of immigrants to Cuba increased further.<sup>11</sup> The prospect of the British invasion of New Orleans and rumors that the Spanish were extending an invitation to free people of color apparently convinced many Saint-Domingue refugees of African ancestry to take off. Worsening conditions for the population of color in New Orleans may have been another reason.<sup>12</sup>

Cuban authorities did not initially welcome the returning refugees of color. Indeed, the Captain General of the island wrote to the Spanish consuls in the United States repeatedly, asking them to dispel rumors that the Spanish Crown was welcoming

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<sup>10</sup> ANC, CCG, leg. 446, exp. 3: “Relación de los extranjeros que existen en la fecha en el cuartel 9o del que soy Comisario con expresión de clase y naciones,” 1811.

<sup>11</sup> AGA, leg. (10)26.54/7717: “Al Sr. Ministro Plenipotenciario de S.M.C. cerca de estos Estados Unidos, Don Jacobo Mulvey, avisando haber salido dos goletas para Baracoa con 50 o 60 pasajeros franceses sin pasaporte,” Charleston, October 31, 1814.

<sup>12</sup> Caryn Cosse Bell, *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana, 1718-1868* (Baton Rouge: Louisiana State University Press, 1997), 54. Lists of boats arriving in Santiago and petitions to naturalize in February and March 1814, AHPSC, *Actas Capitulares*, leg. 27, f. 36, f. 44v, fs. 49-49v, f. 52. A growing number of legal restrictions on the free population of color were passed by the Louisiana legislature. Cosse Bell, *Revolution*, 75-81. Also, Paul Lachance, “The 1809 Immigration of Saint-Domingue Refugees to New Orleans: Reception, Integration and Impact,” *Louisiana History* 29.2 (1988): 109-141. On the impact of restrictive laws on women of color from Saint-Domingue and the relations between Saint-Domingue refugees of color and people of color who lived in New Orleans prior to 1809, see Emily Clark, *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World* (Chapel Hill: University of North Carolina Press, 2013), chapters 2 and 3. Clark shows that many women of color from Saint-Domingue had few options for marriage by the 1820s, which stigmatized them. For a list of legal restrictions on free people of color passed by the Louisiana legislature during the 1820s, Louisiana Supreme Court, *The Louisiana Digest Embracing the Laws of the Legislature of a General Nature Enacted from the Year 1804 to 1841* (New Orleans: Benjamin Levy, 1841), 220-223.

people of color.<sup>13</sup> The Santiago municipal council nonetheless permitted the entry of the returnees, and agreed to naturalize some French citizens of color in 1814, despite ongoing prohibitions on the presence of French citizens inside the Spanish dominions.<sup>14</sup> For instance, Juan Aucoin and Andres Beson, carpenters and men of color, received naturalization papers in February 1814, as did additional men of color.<sup>15</sup> Retailers who had already returned were placing large orders for wine, silk, and jewelry in Bordeaux, in the hope that all refugees would soon come back to take advantage of the rising global price for coffee.<sup>16</sup> The royal order issued in 1817, designed to increase the size of the population on the island, did not allow the entry of Afro-descendants. Yet, the Spanish consuls in the United States had to be reminded about the particular mandate multiple times, which suggests that they were not following the letter of the law.<sup>17</sup>

Between 1817 and 1818, additional individuals of color started to arrive in Santiago with travel permits in good order.<sup>18</sup> In 1818, perhaps in response to petitions,

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<sup>13</sup> AGA, (10)26 54/7699: Juan Ruíz de Apodaca, Captain General of Cuba, to Don Luíz de Onís, Spanish Consul in Philadelphia, complaining that many French nationals were coming to Cuba without the required travel permits issued by the Spanish embassy, April 23, 1815.

<sup>14</sup> AGI, Ultramar, leg. 84: Correspondencia del Gobernador de Cuba, August 12, 1813.

<sup>15</sup> AHPSC, *Actas Capitulares*, leg. 27, f. 15 and f. 32v; AGI, Ultramar, leg. 84: Correspondencia del Gobernador de Cuba, August 12, 1813.

<sup>16</sup> AHN, Estado, leg. 6,368, exp. 24, no. 1: Judicial case against Carlos Lamerens. On the same topic, AGI, Ultramar, leg. 155, exp. 51.

<sup>17</sup> AGA, leg. (10)26.54/7729: Don Joaquín Bernardo de Campuzano, regente in the Audiencia de Puerto Principe, to Don Luíz de Onís, Spanish consul in Philadelphia, July 12, 1818; Alejandro Ramírez, Captain General of Cuba, to Don Luíz de Onís, Spanish consul in Philadelphia, March 28, 1819; ANC, AP, leg. 125, exp. 9: “Instancias remitidas por el consul de Nueva Orleans sobre la introducción en Cuba de libres de color,” November 19, 1818.



the intendant of Havana agreed to make some concessions to individuals of color who had lived on the island for ten years prior to their return, were married to Spanish subjects, or owned land and would be involved in agriculture, allowing them to naturalize.<sup>19</sup> Few refugees had spent such a long continuous time on the island, but apparently the central authorities were ready to pretend that they had. Colonial agents, both in Santiago and in Havana, were ambivalent about an iron-clad racialized policy on migration. The returning refugees were coming with capital and individuals whom they claimed as their slaves, and were therefore seen as possible agents of economic development in an area that was relatively sparsely settled. Rural regions had been subject to attacks by growing maroon communities, and settlement might provide a line of defense.

It is impossible to gauge the exact number of settlers from Louisiana, and the proportion of Saint-Domingue returnees among them. Some families, such as the Macarty clan, included only one Saint-Domingue refugee, in this case Étienne Rigaud. During their time in Louisiana, the Saint-Domingue refugees had to some extent become part of a larger francophone population of color, and some of the families coming to Santiago after 1817 also comprised French-speakers who had been born in New Orleans. The only data that we have that can give us some hints into the changing demography of Santiago after 1814 are the local censuses. Indeed, the local population increased

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<sup>18</sup> For a sample of such passports, see NOPL, Louisiana Division, AA420, Office of the Mayor: Record book of licenses, bakers' declarations, and statements of public works, 1812, and passports, 1818-1831.

<sup>19</sup> ANC, AP, leg. 125, exp. 7: "Comunicación del Brigadier Sr. José Ricardo O'Farrill al Intendente, fecha Habana 11 de septiembre 1818, accediendo la Comisión de Población blanca a conceder ciudadanía a personas libres de color," September 11, 1818.

significantly between the census of 1810, taken when the refugees had departed, and that of 1827, after the first wave of returns and new arrivals from Louisiana. The figures suggest a doubling of the population identified as free and of color. The slave population increased more than six times, a phenomenon that would have occurred as a result of the unprecedented importation of captives, mainly through contraband networks.

**Table 1 Population in Santiago de Cuba in 1810 and 1827<sup>20</sup>**

Year	White	Free People of Color	Slaves	Total
1810	9,421	8,202	6,804	24,427
1827	15,676	16,807	38,039	71,419

The arrivals invested heavily in coffee once again, a crop that had a low entry cost. Indeed, throughout the 1820s, coffee production and export rates reached an all-time high, partially as a result of the expansion of the US market; production rates peaked in 1827.<sup>21</sup> Cuba remained the main supplier of coffee to the United States into the late 1830s, ahead of Haiti and Brazil.<sup>22</sup> By that point, the amount of capital invested in coffee

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<sup>20</sup> ANC, RCJF, leg. 184, exp. 8,329: “Estado de la población del Departamento Oriental, según calidad, sexo y condición civil,” 1810. Data on Santiago de Cuba. Dionisio Vives, *Cuadro estadístico de la siempre fiel isla de Cuba correspondiente al año 1827* (Madrid: Arazoza y Soler, 1829).

<sup>21</sup> Coffee exports from Cuba increased at a rate of 8% per annum. Import in the U.S., Cuba’s main export market, also increased significantly. Between 1821 and 1825, the U.S. imported 33.8 million pounds of coffee. Between 1826 and 1830, it imported 50 million pounds. In Cuba, in 1827, 2,067 coffee plantations produced 72 million pounds of coffee, of which 50 million were exported. Levi Marrero, *Cuba: Economía y sociedad* (Madrid: Editorial Playor, 1984), vol. 11: 109.

<sup>22</sup> In 1827, Cuba supplied 44.6% of the coffee imported into the U.S., the equivalent of 22.3 million pounds. Haiti and Brazil were the second largest exporters to the U.S., with 13.9 million pounds and 4.8 million pounds respectively. By 1838, Cuba’s share of the US coffee imports had declined to 30.9%. However, with its 15.9 million pounds exported to the U.S., Cuba was still ahead of Brazil (14.6 million pounds) and Haiti (11.1 million pounds). Marrero, *Cuba*, 11:109.

was almost identical to the amount dedicated to sugar, and the number of slaves working on *cafetales* was similar to the number of slaves on sugar plantations, even though the *cafetales* tended to have fewer slaves per property than *ingenios* did. Two thirds of all coffee production was coming out of west-central Cuba (the Havana region mainly, followed by Matanzas).<sup>23</sup> Even though Saint-Domingue coffee planters set their sights on Santiago and invested in this cultigen, they still did not have the resources that west-central planters had. Moreover, for coffee planters, whether in west-central or eastern Cuba, profits still lagged behind those that could be accrued from sugar cultivation.<sup>24</sup>

While we do not have exhaustive data on the francophone families who lived in Santiago in the early 1820s, some manuscript censuses do point to their prominence in the coffee planting regions of the jurisdiction. Between 1822 and 1828, local lieutenants compiled data on the rural economy around Santiago. The manuscript census returns provide us with insights into the heads of families who owned coffee plantations, information that got lost once this data was centralized in the 1827 census. At the same time however, the archives in Havana do not contain the census returns from all the local *partidos*; so we are left with an incomplete picture. However, the returns that did survive in the archive suggest the prominence of francophone coffee planters in this area. For instance, in 1822, in Paz de los Naranjos (which was part of the *partido* named Limones),

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<sup>23</sup> In 1830, the amount of capital invested in sugar stood at 83.8 million pesos. 85.8 million pesos were invested in coffee. Marrero, *Cuba*, vol. 11:109.

<sup>24</sup> The total island-wide revenue from coffee was estimated at 4.3 million pesos (5% of total investment) and from sugar 8.9 million pesos (10.6% of total investment). Ramón de la Sagra, *Historia económico-política y estadística de la isla de Cuba* (Havana: Imprenta de las viudas de Arazoza y Soler, 1831), 126-127.

all the 14 coffee plantations were owned by individuals with francophone names. Over 1,200 slaves worked on these properties.<sup>25</sup> That year in the remaining parts of the *partido* Limones, there were 21 coffee plantations in the ownership of individuals with French last names.<sup>26</sup> In 1823, individuals with French last names owned 13 of the 32 properties in the *partido* of Güira.<sup>27</sup> That same year, of the 82 heads of households in the *partido* of Candelaria, 20 were described as “French.” All planted coffee.<sup>28</sup> In 1826, in Coralillo, 36 individuals with French last names cultivated coffee.<sup>29</sup>

In 1838, the local authorities conducted another census of the 12 wealthiest heads of household in every village within the jurisdiction. Of the 456 wealthiest rural property owners, 82 were described as “French,” even though many had been naturalized Spanish by this point. 75 of these individuals owned coffee plantations. Only three did not receive the respectful term of address Don/Doña, which was supposed to mark a higher status: Juan Barthelemy, Maria Josefa Piron, and Pedro Guibert. Each of these three individuals owned over 50 slaves and was therefore relatively wealthy. Barthelemy had been born in

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<sup>25</sup> ANC, GG, 491, leg. 25,159: “Estado que manifiesta los lugares, aldeas y fincas de todas clases en sus terrenos don sus nombres propios de cada una y si no tienen la de sus dueños, 1822-1828 [Paz de los Naranjos].”

<sup>26</sup> ANC, GG, leg. 490, exp. 25,151: “Estado que manifiesta los lugares, aldeas y fincas de toda especie que contiene su población [Armonía de Limones], 1822.”

<sup>27</sup> ANC, GG, leg. 490, exp. 25,156: “Partido de la Güira dividido en cuarterones que contienen cafetales, ingenios y estancias con el nombre de sus dueños, 1823.”

<sup>28</sup> ANC, GG, leg. 490, exp. 25,137: Estado que manifiesta la agricultura e industria, aldeas y fincas, haciendas de la Candelaria. 1823-1828.”

<sup>29</sup> ANC, GG, leg. 490, exp. 25,142: “Expediente que manifiesta las haciendas, cafetales, estancias del Padron de Coralillo, con el nombre de sus dueños, 1826.”

Saint Marc and had lived in New Orleans prior to returning to Santiago. In 1826, he owned 100 slaves, two coffee plantations, and an orange grove. By 1838, he owned 200 slaves and two plantations.<sup>30</sup> Five years after the 1838 census, Barthelemy's daughter Carlota Efigenia appeared listed with the respectful term of address Doña in the city's mortgage books, as did Barthelemy himself.<sup>31</sup> Maria Josefa Piron bought her coffee plantation in 1818. In the sales act, she appeared listed as a French woman, with no references to her color.<sup>32</sup> The 1838 census does not refer to a color status, but simply denies Piron the privilege of being a Doña. That same year, an undercover Havana official sent to inspect the potential connection between a group of slave rebels and the Haitian government noted that the number of planters of color of French descent in the rural areas north of Guantánamo but connected to Santiago was particularly striking.<sup>33</sup>

There is further evidence that Saint-Domingue returnees to Santiago were a key part of the local economy. Between 1832 and 1834, of the 102 testaments filed by individuals of African ancestry in Santiago, 24 belonged to filers who had been born in

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<sup>30</sup> Clark, *Strange Career*, 61; AHPSC, leg. 372 (Escribanía de la Hacienda): Testament of Juan Barthelemy, February 3, 1826, fs. 35v-37; ANC, GG, leg. 491, exp. 25,168: Estado de los partidos en que esta dividida esta jurisdicción," 1838.

<sup>31</sup> AHPSC, Hipotecas, leg. 36: "Hipoteca de la hacienda de café San Bartolomé, en el partido La Paz de los Naranjos, de D. Juan Barthelemy," April 29, 1844; leg. 38: "Hipoteca del cafetal San Miguel del partido Paz de los Naranjos, de D. Juan Barthelemy," September 15, 1854; "Hipoteca del cafetal Santa Isabel, situado en el partido del Ramón, de Da Carlota Efigenia Barthelemy y de D. Alfredo Clemenceau, su consorte," October 28, 1854.

<sup>32</sup> AHPSC, PN, leg. 364 (Escribanía de la Hacienda): Land sale by Mr. Gaillard to Maria Josefa Piron, (illegible date) May 1818, f. 118.

<sup>33</sup> ANC, AP, leg. 134, exp. 14: "Informe acerca de las ramificaciones que pudiera tener la conspiración de negros descubierta en los partidos de Santa Catalina y los Tiguabos," January 3, 1838.

Saint-Domingue. Fifteen years later, of the 184 such testaments filed between 1845 and 1847, 21 belonged to Saint-Domingue refugees.<sup>34</sup> The percentage was clearly falling as the refugee population was aging.

Falling prices on the global markets were partially responsible for coffee's contraction in the mid-1830s. Indeed, beginning with 1828, the *Real Sociedad Económica* began issuing warnings that coffee would not be a lucrative crop in the long term.<sup>35</sup> During the 1820s, the average price per pound was 18 pesos, while during the 1830s, it stood at 10 pesos.<sup>36</sup> By the mid-1830s, the revenue from coffee decreased so significantly that coffee became a less profitable crop than tobacco.<sup>37</sup> Moreover, the US Congress placed tariffs on Cuban coffee products in 1834 in response to tariffs on flour imported into the Spanish dominions from the U.S., which left Cuban coffee producers at a competitive disadvantage relative to their Brazilian counterparts.<sup>38</sup> Indeed, by the 1860s, the value of coffee produced in Cuba was 18% of what it had been in the early 1820s, while that of sugar was 545% of the value of sugar produced in 1820s.<sup>39</sup> A third factor that contributed to coffee's decline was the sale of slaves from the *cafetales* to the sugar

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<sup>34</sup> See methods section in the Appendix for a list of testaments consulted.

<sup>35</sup> Marrero, *Cuba*, vol. 11:112.

<sup>36</sup> Marrero, *Cuba*, vol. 11:109.

<sup>37</sup> Liquid income from tobacco farming constituted 6% of the total capital invested in this crop, while the liquid income from coffee stood at 2.5% of total capital investment in 1835. Marrero, *Cuba*, vol. 11:116.

<sup>38</sup> Francisco Pérez de la Riva, *El café: historia de su cultivo y explotación en Cuba* (Havana: Jesús Montero, 1944).

<sup>39</sup> David Eltis, *Economic Growth and the Ending of the Transatlantic Slave Trade* (NY: Oxford University Press, 1987), 190.

plantations throughout the 1830s and 1840s. Given sugar's higher profit margin, sugar planters had more capital in hand to invest in increasingly more expensive enslaved laborers than did coffee producers.<sup>40</sup> According to an official inquiry, 38,000 slaves (or a third of the slave population working on coffee plantations in 1841) were transferred from *cafetales* to *ingenios* between 1846 and 1848.<sup>41</sup>

Yet while in west-central Cuba coffee declined precipitously and was quickly replaced with sugar, in eastern Cuba its demise was much more protracted. In Santiago, coffee production levels declined from nearly 14 million pounds in 1827 to just under 10 million in 1846, to a little less than 9 million pounds in 1862.<sup>42</sup> Export data suggest that most of this coffee was exported. In 1865, some six million pounds was shipped out from Santiago, and 900,000 pounds left from the port of Guantánamo (which serviced the areas of Santa Catalina and Tiguabos).<sup>43</sup>

The falling coffee prices brought many prominent producers to a standstill in Santiago. Throughout the early 1830s, several creditors and large planters went bankrupt. Most notably, the Crown allowed two French financiers to take possession of coffee plantations that they had invested in and that now belonged to naturalized Spanish

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<sup>40</sup> Eltis, *Economic Growth*, 191.

<sup>41</sup> Eltis, *Economic Growth*, 191.

<sup>42</sup> Vives, *Cuadro estadístico*, 1827; Leopoldo O'Donnell, *Cuadro estadístico de la siempre fiel isla de Cuba, correspondiente al año 1846* (Havana: Imprenta del Gobierno y de la Capitanía General, 1847); Comisión Estadística, *Noticias estadísticas de la isla de Cuba en 1862* (Havana: Imprenta del Gobierno, 1864).

<sup>43</sup> National Archive of the United Kingdom (Kew), FO 453/9: Statement of export from St. Jago de Cuba and from Guantánamo, 1<sup>st</sup> January to 31<sup>st</sup> December, 1865, f. 571.

subjects. The Lestapis brothers had loaned considerable resources to several prominent local planters throughout the 1820s. For instance, in the early 1820, they had forwarded 100,000 pesos to Prudencio Casamayor to buy royal lands that he carved out into individual lots that would then be turned into plantations. As French citizens, the Lestapis brothers could not take over properties that belonged to Spanish subjects without the Crown's permission, which they received.<sup>44</sup> By the mid-1840s, Prudencio Casamayor and his associates had gone bankrupt, as did Pedro Rivery, another major coffee producer in the jurisdiction.<sup>45</sup> Although coffee production would recover slightly in the late 1850s and 1860s, never again did it recoup its lost strength.

### Coffee Planting, Slavery, and Maroonage

“One question lingers with us as we reach the coffee plantations suspended at the top of steep mountain slopes: how could the thought of setting up a home and one's entire fortune in such a spot have possibly crossed a human mind?”<sup>46</sup> Born in 1819 in Guadeloupe of a French creole family, Jean-Baptiste Rosemond de Beauvallon had studied in Paris, where he became a journalist. Embroiled in metropolitan debates over

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<sup>44</sup> AGI, Ultramar, leg. 50: Adrian Pedro and Pedro Severino Lestapis to the Spanish Crown, January 16, 1833.

<sup>45</sup> AGA, leg. (10)51 54/03983: Governor of Santiago de Cuba to the Spanish consul in Jamaica, August 6, 1846. Nicolas Theodore Macarty et al. v. Eulalie Mandeville, fwc, UNO, SDCL: Evidence for the defendant, letter from Bartolme Macarty to his father, Eugene Macarty, Santiago de Cuba, September 1, 1845, fs. 174-177.

<sup>46</sup> Jean-Baptiste Rosemond de Beauvallon, *L'île de Cuba* (Paris: Dauvin et Fontaine, 1844), 455 [my translation].



the abolition of slavery, he wrote articles that defended the reputation of Caribbean creole slaveholders. Between 1841 and 1843, a few years before the second general emancipation in France, he traveled throughout Cuba with the goal of capturing creole slave owners' character and proving to his French metropolitan audience that slave ownership did not taint it. Rosemond de Beauvallon's portrayals of a desolate and sparsely inhabited eastern Cuba, where nature overwhelmed the human senses, aimed to bring to the fore the Saint-Domingue refugee families' ostensible courage, hard work, and self-sacrifice. His description resembled that of colonial agents. Two years before de Beauvallon published his travel account, the head of an anti-maroon expedition had described isolated villages surrounded by rugged terrain and by roads that became useless during the rainy season when they could easily flood.<sup>47</sup> The author of this anti-maroon activity log was, however, more aware than de Beauvallon of the existence of a secret geography that maroons navigated with savvy.

The Saint-Domingue families' economic ascent was fundamentally entangled with the expansion and consolidation of the institution of slavery in eastern Cuba. Coffee's brief ascent in Santiago could not have occurred without the sustained importation of African captives throughout the late 1810s and 1820s, despite the formal ban on the Atlantic trade. The mountainous terrain of eastern Cuba and the limited policing offered opportunities for slaves eager to flee plantation labor. Indeed, Santiago's maroon communities expanded along coffee's trail. But coffee planters also had to face

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<sup>47</sup> ANC, AP, leg. 41, exp. 35: "Itinerario descriptivo y diario de operaciones que ha llevado el teniente coronel de infanteria y ayudante de campo del excmo sr capitán general D. Casimiro de la Muela y Chacón, en las operaciones ejecutadas contra los negros cimarrones en la parte del este del departamento Oriental de esta isla, 1842."

another challenge, besides Oriente's dense forests. Maroon communities proliferated at around the same time that the Haitian president Pierre Boyer expanded Haitian power into what had been Spanish Santo Domingo (1822-1844). In this context, both local and central authorities came to regard settlements of runaways not only as an economic liability and a social nuisance, but also as a potential threat to Spanish sovereignty. What if the maroons were to establish alliances with the Haitian government and invite Boyer and his troops to Oriente? Would the slaves of Santiago, some of them speakers of French or Creole, be eager to join Boyer's advancing army, if given the chance?

The fears of an expansionist Haiti prompted different reactions among the local and central authorities. For the local authorities, the free French-speaking population of African descent posed few if any threats. Its members participated in anti-maroon raids and could easily be incorporated into an expanding militia of color that might be used to defend a relatively underpopulated part of the island. When the local governor issued calls for financial and military support from the central government, it was mostly out of concern with slave unrest and with eastern Cuba's under-resourced defense, rather than with the free population of color. The central authorities in Havana and Madrid, expressed greater suspicion of free people of African ancestry. Local authorities nonetheless conducted their business as they saw fit, and the French-speaking coffee planters became safely ensconced in the local Santiago society through family networks and ties of patronage.

In 1817, the Spanish Crown signed a treaty with the British ostensibly prohibiting the slave trade to its dominions after June 30, 1820.<sup>48</sup> Cuban planters, facing high prices for coffee and sugar on the global markets, responded to rumors about the potential abolition of the slave trade with a frantic race to amass slave imports. Between 1815 and 1820, one of “the most tragic eras” of the trade to the island, over 100,000 African captives crossed the Atlantic, many of them on Spanish ships. The number of arrivals exceeded those that had occurred over the previous twenty-five years.<sup>49</sup> Equipped with technology and know-how that English slavers had been transferring to them after 1808, Spanish captains overfilled their ships with captives with impunity. The list of horrors collected by the doctor Tomás Romay for the *Real Consulado y Junta de Fomento* was endless: most poignantly, on the ironically named frigate *Amistad*, only 188 of the 733 captives survived the voyage from subs-Saharan west Africa to Havana.<sup>50</sup>

Santiago planters did not have as much access to hard currency, credit lines, and slave trading networks as their western counterparts. The number of African captives reaching eastern Cuba’s shores thus reflected Santiago’s relative marginality within the slave trade and in Cuba’s plantation economy. Of the over 100,000 recorded as captives arriving in Cuba between 1815 and 1820, perhaps about a tenth disembarked in

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<sup>48</sup> On the abolition of the slave trade to Cuba, see David Murray, *Odious Commerce: Britain, Spain, and the Abolition of the Cuban Slave Trade* (Cambridge: Cambridge University Press, 1980), 50-71.

<sup>49</sup> <http://www.slavevoyages.org/tast/database/search.faces> and Manuel Moreno Fraginals, *El ingenio: Complejo económico-social cubano del azúcar* (Havana: Editorial de Ciencias Sociales, 2014), 2: 325.

<sup>50</sup> On the British transfer of know-how to Spanish slavers, see Moreno Fraginals, *El ingenio*, 1:323.

Santiago.<sup>51</sup> Recorded imports of captives to the east peaked in the 1820s, when captives were being introduced through contraband trade networks, primarily in the hands of Saint-Domingue refugees.<sup>52</sup> Yet, by that point, a pattern appears to have crystallized: based on the fragmentary data that we have, we can estimate that only about a tenth of all captives coming to Cuba were sold as slaves in Santiago. Yet, even though Santiago received considerably fewer slaves than Havana, the number of new African captives reaching eastern Cuba was unprecedented. In the 1820s, despite the prohibitions on the slave trade, the number of arrivals increased.<sup>53</sup>

The coffee plantation belt that the labor of African captives helped expand surrounded the city through the Sierra Maestra mountain, starting from the western side and going toward the east. A second hub, north of Guantánamo Bay, between Tiguabos and Santa Catalina, which had remained small during the first decade of the nineteenth

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<sup>51</sup> According to Spanish official correspondence, 7,901 slaves arrived on sanctioned carriers between 1815 and 1817, more than twice as many as in the previous seven-year period. The Transatlantic Slave Trade Database includes only one voyage for the 1818-1820 period, bringing to Santiago 159 slaves. ANC, CCG, leg. 447, exp. 2: “Relación que manifiesta los buques que han entrado en este Puerto procedentes de la Costa de Africa desde el año de 1808.”

<sup>52</sup> On the role St.-Domingue refugees in the creation of contraband trading networks (involving slaves and flour, in particular) between Haiti, eastern Cuba, and the U.S., see Olga Portuondo Zúñiga, “Santiago de Cuba, los colonos franceses y el fomento cafetalero,” in *Les français dans l’Orient cubain*, ed. Jean Lamore (Bordeaux: Maison des Pays Ibériques, 1993), 118.

<sup>53</sup> According to the Trans-Atlantic Slave Trade Database, throughout the 1820s, at least 15,500 captives reached Santiago’s shores, while throughout the 1830s, the numbers went down to 3,857, and then to 2,967 in the 1840s. In the 1850s and 1860s, fewer than 1,500 captives arrived to this area. The figures on the contraband slave trade are fragmentary though and, most likely, underestimate the number of slaves reaching Santiago.  
<http://www.slavevoyages.org/tast/database/search.faces>.

century, grew into the 1850s and would become the foundation for an incipient sugar industry during the 1860s.<sup>54</sup>

Unlike Havana, Santiago did not witness large-scale uprisings or conspiracies during coffee's economic ascent and in the wake of the Haitian occupation of Santo Domingo.<sup>55</sup> Throughout the 1820s and into the late 1830s, local planters did complain about an increasingly disobedient slave population, but unrest on Hispaniola could not directly be faulted for it, despite the local authorities' claims of a possible connection.

Local councilmen attempted to insulate eastern Cuba from its neighbor's influences by prohibiting the entry of boats arriving from Hispaniola after 1822. The Captain General did not interfere with this decision, leaving it up to local authorities to decide how to proceed.<sup>56</sup> The anxious governor of Oriente warned the Spanish Crown of

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<sup>54</sup> Olga Portuondo, "La región de Guantánamo: de la producción de consumo a la de mercancía," *Santiago* IV.10 (1987): 3-22.

<sup>55</sup> On Haiti's free soil policy, according to which any person of color touching Haitian soil would immediately be declared to be Haitian, and therefore free, regardless of civil status in other societies, see Ada Ferrer, "Haiti, Free Soil, and Antislavery in the Revolutionary Atlantic," *American Historical Review* 117.1 (2012): 40-66. In the late 1810s, just as the coffee plantation system was surging in eastern Cuba, Pétion was capturing boats carrying African captives to this area and freeing them by taking them to Haitian soil. See, also, for instance, ANC, AP, leg. 124, exp. 66: "Comunicación del Gobernador de Santiago de Cuba, al primer Secretario del Estado, fecha 8 de octubre de 1816, dándole cuenta de la captura del corsario insurgente "La Margariteña" por el mercante español Santa Isabel." On the absence of large-scale uprisings or of suspected conspiracies in the Santiago region compared to Havana, Ada Ferrer, *Freedom's Mirror: Cuba and Haiti in the Age of Revolution* (NY: Cambridge University Press, 2014), chapter 5.

<sup>56</sup> ANC, AP, leg. 113, exp. 105: "Copia del Acta de la sesión de muy Ilustre Ayuntamiento Constitucional de Santiago de Cuba, fecha 1o de julio de 1823, en que se acordó negar la entrada a buques y personas procedentes de Santo Domingo;" leg. 117, exp. 89: "Comunicación del Gobernador de Cuba al Capitán General, fecha 15 enero 1825, sobre la llegada a Baracoa de tres individuos huyendo de Santo Domingo."

the possibility that the Haitian president might be eyeing Santiago as his next stop in his expansionist forays and that he might be pursuing alliances with pro-independence factions from Tierra Firme.<sup>57</sup> He called for more resources to expand the army's presence along the shore, but to little avail, even when he forewarned of the dangers of a possible (yet unproven) collaboration between maroon communities and Pierre Boyer's corsairs. Indeed, isolated Haitian corsair attacks on Spanish boats and on eastern farms in Cuba had become relatively common.<sup>58</sup> During the apprehension of a Spanish boat, the corsairs apparently told one of the Spanish crewmembers of color of the advantages that, as a person of color, he could accrue in Haiti. The captors also advised the captive to spread the word among those "of his class" once back in Cuba [*"pues no han dejado de aconsejarle a un español de color natural de aquí y perteneciente a la tripulación de dicho buque, diese noticia del sistema de allá a los de su clase, con otras muchas cosas que a la penetración de V.S. no puede escaparsele."*].<sup>59</sup>

During the 1820s, tempers were running high in the rural areas, where overseers and local planters remained alert to slaves' behaviors or refusal to do certain things,

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<sup>57</sup> ANC, AP, leg. 113, exp. 8: "Comunicación del Capitán General al Intendente de Hacienda, fecha Havana, 14 de agosto de 1822, trasladando la petición del Comandante de Armas de Baracoa, sobre la necesidad de guarnecer dicho punto por la proximidad a la parte occidental de la Isla de Santo Domingo que pertenece a la Francia;" exp. 100: "Comunicación del gobernador militar de Santiago de Cuba al intendente de provincia, fecha 18 de junio de 1823, solicitando auxilios pecuniarios para Baracoa, que según informes está amenazada por los enemigos de Santo Domingo y Costa Firme."

<sup>58</sup> Gabino La Rosa Corzo, *Runaway Slave Settlements: Resistance and Repression* (Chapel Hill: University of North Carolina Press, 2003), 111-112.

<sup>59</sup> ANC, AP, leg. 113, exp. 104: "Comunicación del Comandante Militar al Gobernador de Santiago de Cuba, fecha Baracoa, 30 de junio de 1823, pidiendo resfuerzos militares en vista de la amenaza de un ataque por parte de Haití."

sometimes seeing rebellion in the exchanges of a heated argument. On May 26, 1823, for example, a large (unspecified) number of slaves fled Manuel Justiz Ferrer's plantations without causing any damage. On November 4, 1823, overseer Santiago Dubois called in the military when slaves stopped obeying him, though no violence or flight had occurred.<sup>60</sup> In May 1824, the local captain responsible for the area known as Armonía de Limones wrote to the governor calling in military troops to put an end to an ostensible slave revolt. The governor responded promptly.<sup>61</sup> Worried, the local planters supplemented these troops with the recently established rural guards.<sup>62</sup> In 1823, the councilmen had voted to create an ad hoc police force and military commission with limited powers that local slave owners would fund through voluntary contributions. The two institutions would dissolve after a year of operations.<sup>63</sup> It turned out that the reported rebellion was in fact a single slave's act of disobedience: the enslaved man in question had refused to return his machete to the overseer.<sup>64</sup> In September of the same year, the

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<sup>60</sup> ANC, AP, leg. 117, exp. 66: "Comunicación del gobernador de Cuba al comandante militar de Santa Catalina, fecha 4 de noviembre 1823, sobre queja de Santiago Dubois de faltarle a la obediencia la esclavitud de la hacienda La Esperanza."

<sup>61</sup> ANC, AP, leg. 28, exp. 8: "Comunicación fecha Puerta de la Güira, cafetal Favorito, dirigida por el Capitán del Partido al Gobernador y Capitán General participandole que los negros de aquel cafetal se han sublevado y las medidas por él tomadas para reducirlos a la obediencia," May 29, 1824.

<sup>62</sup> ANC, AP, leg. 117, exp. 27: "Comunicación del capitán de partido de Limones al gobernador de Santiago fecha 10 de junio de 1824 dando cuenta de las medidas tomadas contra levantamiento de negros."

<sup>63</sup> AHPSC, Actas Capitulares, leg. 37, January 1, 1823—March 22, 1823: February 17, 1823, fs. 68v-69; March 15, 1823, f. 101v.

<sup>64</sup> ANC, AP, leg. 117, exp. 51: "Comunicación del capitán de partido de Limones al gobernador de Santiago."

authorities banned all gatherings of slaves in the province of Santiago after rumors arose that slaves were planning a revolt for the following Easter. The rumor had supposedly reached the son of a coffee planter, who passed it on to a friend who eventually told the governor.<sup>65</sup>

Sometimes local authorities did have evidence of francophone armed men roaming through Oriente's countryside.<sup>66</sup> However, the numbers of such intruders was far from the thousands of soldiers whom the governor imagined might try to orchestrate a take-over. For instance, in 1824, the rural guards captured two French speakers carrying weaponry in a forested area, where maroons had been sighted before.<sup>67</sup> Two years later, in 1826, the authorities captured a Saint-Domingue refugee of color who was rumored to be planning a slave uprising. Salvador Lafontaine had supposedly told three runaway slaves with whom he was sharing a maroon settlement that he was coming to Cuba on behalf of the Spanish Crown to implement a royal decree instituting the freedom of all slaves. The local elites had supposedly kept this decree secret, but with their help and

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<sup>65</sup> ANC, AP, leg. 117, exp. 53: "Comunicación de Francisco Llano al Gobernador de Santiago de Cuba fecha 16 de septiembre de 1824, dando cuenta del proyecto de sublevación de los negros en Guajamá o Guananicum."

<sup>66</sup> When describing language use in Santiago, the authorities referred to what likely was Haitian kreyól as French throughout the nineteenth century.

<sup>67</sup> ANC, AP, leg. 117, exp. 14: "Comunicación del juzgado del alcalde 2o de Santiago de Cuba, al gobernador de la plaza, fecha 1o de abril de 1824, con sentencia de los franceses aprehendidos en Baracoa con municiones de guerra, Agustín Amable Angamar, Luis Bernal y Juan Silvestre."



with the support of 300 other runaway slaves coming from Baracoa under the leadership of another “French” captain, they would make it public.<sup>68</sup>

Lafontaine’s alleged promise had a politically eclectic quality, and perhaps the potential for a widely resonating and compelling appeal. His belief in and desire for freedom remained couched within royalism, a relatively common tactic among slave rebels and conspirators in Cuba and other Caribbean slave societies of the time.<sup>69</sup> Palma Soriano, where the three runaways had built their *palenque* (runaway slave community), was close to the village of El Cobre, the home of former royal slaves whom the Spanish Crown owned directly and who had received their freedom by royal decree twenty years earlier.<sup>70</sup> It might therefore have come as no surprise that other slaves who lived in the area hoped that they might aspire to a similar grant of freedom. The allusion to French-speaking military figures of color said to be at large in the mountainous and forested

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<sup>68</sup> ANC, AP, leg. 31, exp. 16: “Procedimiento contra Salvador Lafontaine, negro francés y otros negros esclavos de esta ciudad,” Casimiro’s testimony, folios 3-4v, March 28, 1826.

<sup>69</sup> In conspiracies that became associated with the Aponte rebellion, some of the participants claimed that the king of Kongo, king of Spain, and King of England had granted them freedom. See Matt Childs, *The 1812 Aponte Rebellion in Cuba and the Struggle against Atlantic Slavery* (Chapel Hill: University of North Carolina Press, 2006), 155-173. On slaves’ royalism in other slave societies during the same time period, see Marcela Echeverri, “Popular Royalists, Empire, and Politics in Southwestern New Granada, 1809-1819,” *Hispanic American Historic Review* 91.2 (2011): 237-269; Malick Ghachem, *The Old Regime and the Haitian Revolution* (Cambridge: Cambridge University Press, 2012).

<sup>70</sup> María Elena Díaz, *The Virgin, the King, and the Royal Slaves of El Cobre: Negotiating Freedom in Colonial Cuba, 1670-1780* (Palo Alto: Stanford University Press, 2000); Olga Portuondo Zúñiga, *La virgen de la Caridad del Cobre: símbolo de cubanía* (Santiago de Cuba: Editorial Oriente, 1995).

highways of eastern Cuba, spreading seditious rumors among slaves, put the authorities on high alert.

Salvador Lafontaine was an intriguing figure. About 45 years old, he had lived as a tobacco cultivator in Santa Catalina across the previous four years. He had travelled extensively and had a detailed knowledge of Cuban politics. His cosmopolitan background and political vocabulary only added to the suspicions of the court. Born in Port-au-Prince prior to the Haitian Revolution, he had made a living working as a carpenter, field hand, and sailor. When he first came to Cuba, he disembarked in the central region (in Trinidad) where he made friends with a maroon, Domingo, who promised to cure him of his rheumatic pains. After taking lessons from Domingo, he himself became a *curandero* (healer) in a *palenque* near Trinidad. Leaving the community of runaways, Lafontaine moved to Sancti Spiritus, then worked as a sailor on a boat carrying sugar and tobacco to Providence, Rhode Island; he returned to Cuba yet again as a sailor on a boat that carried salt to Holguín, in eastern Cuba. From there he went on to Martinique, and finally, to Cuba. He now owned his own tobacco farm in Santa Catalina and claimed that he had decided to embrace a settled life.

In his defense, Lafontaine claimed that would have never called on slaves and free people of color to rally to his side, nor would he have called himself a general or captain because he did not want to live the wretched life of a vagabond (“vivir en hesa vida vagabunda y arrastrada”). If he was caught with the maroons, that was because his rheumatism was putting him in a lot of pain and he was looking for someone who could

cure him.<sup>71</sup> There was a strikingly defiant undertone in this claim: Lafontaine suggested that he did not stir up political trouble in the Cuban countryside because he simply could not take the trouble to do so (it would have entailed a “wretched life”), rather than because he was committed to the existing social order.

We do not know what came of Salvador Lafontaine, since the document ends with his testimony. If the story that the runaways from slavery told was indeed true, Lafontaine had a vivid political imagination, though his power to sway others apparently remained somewhat limited. If it was not true, it suggests that the three maroons knew how to draw the authorities’ attention away from their act of maroonage toward a crime that would make theirs appear less pernicious.

The case embodied some of the authorities’ worst nightmares: a free French-speaking man of color with a vast political vocabulary and the intent of reaching out to plantation slaves through maroon communities. Nevertheless, the case contained no evidence that Lafontaine was in touch with anyone in the Boyer administration. Tensions in eastern Cuba peaked during the 1830s, when larger numbers of refugees from Santo Domingo were arriving in local ports, a new round of negotiations between the Spanish authorities and the Haitian presidency had failed, and maroonage had become an endemic problem. At this point, local authorities started portraying a Haitian attack against Santiago as imminent, using supposed unrest as evidence for it.<sup>72</sup> But aside from isolated

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<sup>71</sup> ANC, AP, leg. 31, exp. 16: Testimony of Salvador Lafontaine, folios 11v-13.

<sup>72</sup> ANC, AP, leg. 215, exp. 88: “Documento que se refiere a la correspondencia del gobernador al comandante general del Departamento Oriental, fecha Santiago de Cuba, 18 de diciembre de 1830, sobre la entrada en el puerto de un barco ingles, conduciendo emigrados de la Isla de Santo

incidents, such as Lafontaine's case, there was no evidence to suggest that the maroons of eastern Cuba had created extensive networks of communication with Haitian corsairs.<sup>73</sup>

In eastern Cuba, maroonage had traditionally provided one path to a de facto freedom that did not have to confront the risks of rebellion or the obstacles to judicial claims. Maroon communities had become deeply rooted in the local social landscape years earlier and their existence owed little to the unrest on Hispaniola. It was the intensification of the slave regime rather than circum-Caribbean revolutionary currents that drove the expansion of the settlements. Throughout the colonial period, eastern Cuba's mountainous and sparsely populated terrain had become home to the most numerous maroon communities on the island. With the arrival of coffee planters, these communities could interact with more plantation slaves, while also facing the challenge of being more closely policed. When the Saint-Domingue refugees arrived in large numbers in 1803, people whom they had tried to claim as their slaves established new communities of runaways in the Sierra Maestra. The terrain itself revealed "a palimpsest": the maroons looking for shelter in the forests surrounding the city of

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Domingo;" exp. 89: "Documento que se refiere a la correspondencia del Departamento Oriental al Gobernador, fecha Santiago de Cuba, 18 de diciembre de 1830, transcribiendo la del Capitan de Puerto Rico, sobre la intención del gobierno de Haiti de revolucionar esta isla;" exp. 97: "Documento que se refiere a la correspondencia del comandante la 2a sección Oriental al comandante general del Departamento, fecha Bayamo, 23 de diciembre de 1830, sobre las intenciones del gobierno de Haití de cubrir de espías las islas de Cuba y Puerto Rico;" leg. 34, exp. 16: "Real Orden, fecha Madrid August 24, 1829, acerca de las instrucciones que se deben practicar para volver la Isla de Santo Domingo al Gobierno de S.M" and exp. 41: "Comunicación dirigida al Capitán General de Cuba y firmada por el Conde de Villanueva, fecha Habana 10 mayo 1830, que se refiere a la commission conferida a D. Federico Alvarez Simadel para acordar las medidas oportunas con motivo de las noticias recibidas sobre el aspecto que ha tomado el gobierno de Haiti después de la negativa a la entrega de la parte española de Santo Domingo."

<sup>73</sup> Ferrer, *Freedom's Mirror*, 230; La Rosa Corzo, *Runaway Slave Settlements*, 111-112.

Santiago could find the material traces of their predecessors, including ceramics, money, shells, and palisades.<sup>74</sup> They themselves were no newcomers to maroonage either: running away had long been a well-known form of resisting the violence of plantations back in Saint-Domingue.<sup>75</sup>

The maroon communities developed during the nineteenth century closely followed coffee's trail. In 1808, on the eve of the refugees' departure from Spanish territories, a group of planters from El Caney filed a petition with the governor to complain about the faulty policing of the plantation areas. The planters appealed to the colonial state for protection and support in capturing runaway slaves. They claimed that every plantation owner in the area had at least one slave who was on the run.<sup>76</sup> During the first two decades of the nineteenth century, seven new maroon communities developed around Gran Piedra, home to half of all coffee farms in the province prior to the refugees' expulsion.<sup>77</sup> The number of *palenques* might have increased following the refugees' evacuation of Spanish dominions in 1809. By 1815, the governor of Santiago was desperate for an end to maroon attacks on local properties. On several occasions, he tried to negotiate with the *apalencados*, but made little headway.<sup>78</sup>

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<sup>74</sup> Ferrer, *Freedom's Mirror*, 225.

<sup>75</sup> Carolyn Fick, *The Making of Haiti: The St-Domingue Revolution from Below* (Knoxville: University of Tennessee Press, 1990).

<sup>76</sup> ANC, RCJF, leg. 12, exp. 45.

<sup>77</sup> Pérez de la Riva, *El café*, 29.

<sup>78</sup> Ferrer, *Freedom's Mirror*, 232.

In 1816, the local authorities orchestrated several attacks on the largest *palenques* in the mountains of Toa, near Baracoa, trying to disperse the largest of them, known as El Frijol. During one of these attacks, the 400 mounted men captured only three of the runaways in a settlement that was home to at least 70 maroons. As they planned a second attack, the local governor advised the troops not to destroy any of the property or fields that runaways had established. He intended to use the money made through the sale of the sugar, tobacco, coffee, and grain that the runaways had cultivated to pay the military troops.<sup>79</sup> While the troops claimed to have brought the settlement to an end, the local councilmen in Havana complained when Oriente's governor wrote to them to ask for financial and military help. Three years after the first attack, El Frijol was said to have grown from its original 70 members to 314 members. Havana planters were worried that its negative influences would spread westwards.

The formation of *palenques* and the government's desperate attempt to smother them continued throughout the 1820s and 1830s, as fears of Haitian expansionist designs were reaching a peak. In 1824, a group of 30-40 maroons in Yateras had supposedly formed a settlement complete with *bohíos*.<sup>80</sup> In 1827, three new ones were reported in Aguadores, in Baracoa, in the far east, in Sevilla, north of Guantánamo Bay, and in

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<sup>79</sup> AHPSC, GP, leg. 554, exp. 1: "Expediente manuscrito contentivo de varias denuncias de colonos contra esclavos y apalencados que les saquean sus establecimientos y viviendas," June 10, 1816. On the cultivation of the land inside the Palenque, see especially folio 23; exp. 2: "Expediente que contiene comunicaciones manuscritas que tratan de la batida general contra los negros cimarrones y apalencados," June 2, 1816.

<sup>80</sup> ANC, AP, leg. 117, exp. 22: "Comunicación del capitán del partido de Santa Catalina al Gobernador de Santiago de Cuba, fecha 19 de mayo de 1824, sobre una reunión de negros apalencados en Yateras Arriba."

Bayamo, to the west of the city of Santiago.<sup>81</sup> In 1830, the *palenques* in the mountains of Toa near Baracoa had developed a symbiotic relationship with the farming and fishing communities nearby. The investigator suspected complicity, for why else would isolated households, whose inhabitants had to be away for work during the day, not have been ransacked?<sup>82</sup>

In 1831, a settlement known as Bayamito, which consisted of 45 small houses that served as homes to 160 runaways, developed to the west side of the city, in the Sierra Maestra.<sup>83</sup> In 1832, the local government tried to take control of the situation once again, organizing two ambitious military operations against the *palenques* in Tiguabos and in the mountains of Toa. The militiamen claimed to have captured the leadership, to have massacred many other runaways, and to have convinced some of them to return to their former owners.<sup>84</sup> Indeed, the number of runaway slave communities declined throughout the 1840s, but surged up again at the beginning of the 1850s. These new communities were distinct, however: they appear to have been considerably less self-reliant, since they took food from nearby farms more frequently, a practice that had not been as common in the past. The last large-scale attack on a maroon settlement took place near El Cobre in

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<sup>81</sup> La Rosa Corzo, *Runaway Slave Settlements*, 129.

<sup>82</sup> AGI, Cuba, leg. 2064A: The Military Commander of Oriente to the Captain General of the Island, October 5, 1830.

<sup>83</sup> La Rosa Corzo, *Runaway Slave Settlements*, 129.

<sup>84</sup> AHPSC, GP, leg. 554, exp. 4: “Comunicaciones manuscritas que tratan de la persecución de los negros cimarrones por tropas de la guarnición,” March 7-November 22, 1832.

1864.<sup>85</sup>

Historian Ada Ferrer has argued that the growth of maroonage in eastern Cuba during the first decade of the nineteenth century bore significant resemblances to the establishment of independent Haiti, “a sovereign maroon state writ large.”<sup>86</sup> In 1816, Aléxandre Pétion stipulated that all Afro-descendants and Indians who stepped on Haitian soil would instantly become Haitian, and therefore free. Haiti was now the “metaphorical metropole of the Black Atlantic.”<sup>87</sup> Many enslaved people working on coffee plantations in Santiago were apparently aware of Haiti’s emancipationist politics. Unsurprisingly, some maroons tried to escape to Haiti, rather than to the nearby forests.

In 1827, twelve slaves fled to Haiti from a coffee plantation north of Guantánamo Bay, providing inspiration to other slaves to follow suit. Indeed, in 1831, two slaves from a neighboring plantation attempted to flee to Hispaniola, but were caught. Their owner explained that slaves on his plantations appeared to be well aware that once in Haiti they would gain their freedom.<sup>88</sup> The court forced the owner of the one surviving slave to sell him abroad. The judge acknowledged that this might have appeared to be an excessive measure, but it was argued that it was nevertheless prudent on the grounds that similar

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<sup>85</sup> La Rosa Corzo, *Runaway Slave Settlements*, 215-217.

<sup>86</sup> Ferrer, *Freedom’s Mirror*, 231.

<sup>87</sup> Ferrer, *Freedom’s Mirror*, 232.

<sup>88</sup> AHPSC, JPI, leg. 380, exp. 2: “Criminales seguidos contra los negros José Antonio del Rosario, esclavo de D. Miguel José Rodríguez, vecino de la ciudad de Baracoa, y José Luís de Mlle Adele Dulup, por cimarrones y haber intentado pasar a la colonia francesa de Santo Domingo, 1834.”



such cases of runaway slaves occurred in Baracoa daily. Curtailing avenues for the passing of dangerous knowledge to slaves was essential.<sup>89</sup>

Some owners claimed that slaves used the general state of tension that the maroons had caused in the province as the background for bringing more freedom suits to the courts, in the hope that judges would be more likely to listen to their claims. When the enslaved woman Gertrudis came before the courts asking to be freed on the grounds that her current owner, Fillette Barberousse, was maltreating her, Barberousse accused her of trying to exploit a politically volatile situation and the widespread fear of slave rebellion. Barberousse argued that such freedom suits only worsened the political climate in the province by encouraging disobedience.<sup>90</sup> Barberousse equated court action with disobedience and maroonage, and, indeed, Gertrudis lost the law suit.

Despite widespread maroonage in the province, local authorities did not place supplementary burdens on the free population of color. Many St-Domingue refugees of color who owned rural properties provided significant resources for anti-maroon campaigns, as did artisans of color born in Cuba. Moreover, the militias of color participated in large numbers in the anti-maroon campaigns.<sup>91</sup> The local authorities

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<sup>89</sup> AHPSC, JPI, leg. 380, exp. 2: "...por la facilidad que ofrece la corta distancia de Baracoa a la isla de Santo Domingo, cuya circunstancia ecsige con imperio la adopción de esta medida, ya aunque a primera vista rigurosa y escorbitante, se estima prudente en atención de los ejemplares de esta naturaleza, que cada día se presentan en Baracoa con daño irreparable del buen orden de la esclavitud."

<sup>90</sup> ANC, ASC, leg. 582, exp. 13,438: "El Síndico Procurador reclama la libertad de la esclava Gertrudis de Madame Fillet Barberousse, 1833."

nonetheless advised caution. When, in 1826, the metropole inquired about the possibility of expanding number of troops of color, Oriente's military commander advised against pursuing such a policy. The Wars of Independence in the neighboring Spanish dominions and the example of Santo Domingo had "awakened in the people of color an ambitious longing for equality that is so determined that the Government should remain mistrustful of them," he argued.<sup>92</sup> Some St-Domingue refugees of African descent sought to overcome that mistrust and the stigmas associated with African ancestry by seeking to shift their position within the local classificatory system.

### Shifting Color Status

Planters of African descent originally from Saint-Domingue had long established plantations alongside Cuban-born planters of color. As early as 1803, some of the wealthier refugees, such as Prudencio Casamayor and Antonio Tomás, had bought large tracts of royal land that they subdivided and sold to other refugees interested in beginning coffee plantations. These developments were interrupted by the large-scale expulsion in 1809. The process of settlement picked up again in 1814, as some refugee families began returning to eastern Cuba.

Colonial authorities rarely identified designated planters who had come from Saint-Domingue using color-based appellatives. Only one manuscript census, from Corallillo, dated 1826, registered color status. 51 coffee planters designated as white

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<sup>91</sup> For a list of donors for the 1819 expedition, see AHPSC, GP, leg. 554, exp. 4: "Expediente manuscrito que trata sobre los donativos hechos para los gastos de las batidas contra negros cimarrones."

<sup>92</sup> AGI, Cuba, leg. 2,062, exp. 36: Military Commander of Oriente to the Captain General of the Island, July 22, 1826.

owned properties alongside 15 designated *pardo* and 13 designated *moreno*. *Pardo* and *moreno* planters tended to own fewer slaves and their plantations were smaller than those of their white counterparts. For instance, planters identified as white owned, on average, six slaves, *pardo* planters owned on average two, while *moreno* planters owned about one slave each. Many *pardo* and *moreno* property owners supplemented slave labor with the labor of free people of color, and indeed, on the properties of free people of color, there were more free laborers of African descent than there were slaves.<sup>93</sup> For instance, on Manuel Isac's property, eight slaves worked alongside eight free people of color. On Magdalena Acourt's, five slaves worked alongside six free people of color. Their arrangements were common.

Very frequently, notaries identified Saint-Domingue refugees of African ancestry who filed testaments using the respectful terms of address Don/Doña, longstanding markers of having the reputation of being white. When notaries did attach a color appellative to particular names, the individual in question might have been a slave in his or her lifetime and had relatively small properties.

Sometimes, scribes dropped individual planters' color-based labels across the planter's lifetime, as they became wealthier and closer to established white elites. Take, for instance, Luisa Josepha Dele, from Jacmel. She had little money when she reached Santiago at an unspecified date, according to her testament. She saved resources with her husband, Luis Premiot, bought eight slaves and a small coffee plantation, and little by

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<sup>93</sup> ANC, GG, leg. 490, exp. 25,142: "Expediente que manifiesta las haciendas, cafetales, estancias del Padrón de Coralillo, con el nombre de sus dueños, 1826."

little their labor increased her wealth. When she filed her testament in 1837, the couple owned 52 slaves. Their two plantations were worth a small fortune amounting to close to 40,000 pesos. We only learn that she had *pardo* lineage from the marriage certificate that her husband included in the inventory. In that document, Luisa Josepha Pompé, soon-to-become Dele, was said to be the legitimate daughter of two *pardos libres* from Jacmel.<sup>94</sup>

For individual planters who had themselves been enslaved at some point, acquiring the respectful term of address Don/Doña was more difficult, yet not necessarily impossible. When he filed his testament in 1850, Luis Callard provided no hints about his tortuous journey across the Caribbean more than four decades earlier. He told the notary that he was the legitimate son of Adrien and Maria Renot and that he owned an unspecified number of slaves and a coffee plantation. Luis Callard had come to Cuba from Saint-Domingue at the beginning of the 1800s. Upon reaching Santiago, one Claude-Marie Cordier listed him in his property inventory as his slave. In Santiago, however, Callard made quick strides up the social ladder. After working as a slave driver and administrator on Cordier's plantations, he was appointed, by Cordier, as his universal heir, inheriting a medium sized plantation and slaves.<sup>95</sup> During the late 1810s, he frequently participated as a godfather in the baptism of slaves belonging to his white patrons, a favor that white patrons would never reciprocate, which suggests

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<sup>94</sup> AHPSC, JPI, leg. 593, exp. 5: Testament of Luisa Josepha Dele, 1837.

<sup>95</sup> Agnes Renault, *La communauté française de Santiago de Cuba entre 1791 et 1825* (Université du Havre, PhD thesis, 2007), 347

that the gesture was meant symbolically to reinforce unequal relations.<sup>96</sup> During such occasions, church scribes listed him as Don Luis Callard in the parish registers, even though his mother, María Regina Renot, appeared as a *morena libre*. In his own testament, Callard made no mention of Renot's or his own African ancestry. However, there were moments when Callard's status as a "Don" became less secure, as when other prominent white planters were also present and Callard was being measured against them. For instance, in 1822, when census-takers took a count of the slaves owned by different coffee planters in the jurisdiction, Luis Callard, with a property that was relatively small compared to that of his white neighbors (20 slaves as opposed to 70-150 slaves), lost the respectful term of address attached to his name. His name was also placed in a column at the bottom of the list, alongside the names of other smaller-scale planters who were also deprived of the label "Don" by the state official.<sup>97</sup>

Unlike Callard, Hilario Sillegue was identified with the tag *moreno liberto* throughout his life. He had belonged to Juan Bautista Sillegue, a cousin of Prudencio Casamayor's, and did not know his parents. Juan Bautista Sillegue had made his fortunes through the slave trade to Santiago and increased his wealth further by investing in coffee planting. In 1822, he owned a coffee plantation and 70 slaves in the *partido* titled

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<sup>96</sup> AASC, Libro de bautismos de pardos y morenos de San Luís del Caney, number 1 (1814-1821), see for instance baptismal entries 51, 52.

<sup>97</sup> ANC, GG, leg. 490, num. 25,151: "Estado que manifiesta los lugares, aldeas y fincas de toda especie que contiene su población [Limonas]," 1822-1826-1828.

Limones, where Luis Callard would have been his neighbor.<sup>98</sup> It is unclear when Hilario Sillegue acquired freedom from slavery. However, when he filed his testament in 1828, he owned a small coffee plantation and two slaves, Lorenzo and Susana. With Susana, he had fathered two children whom he had freed upon birth and whom he appointed as his heirs. He planned for Susana's manumission papers as well, but only upon his death. Moreover, he appointed a good friend of his former owner, rather than the children's mother, as the children's curator: Margarita Brun, who would become the third largest slave owner in the jurisdiction of Santiago de Cuba by the 1860s.<sup>99</sup> Hilario Sillegue was clearly aware that relations of patronage could be key to his children's success. He shared with the Brun sisters a history of displacement from St-Domingue, but he also remained on an inferior social rung compared to them.

The five sisters Brun acquired extensive privileges associated with whiteness after becoming extremely successful coffee planters with a large retinue of social subordinates, both enslaved and free. Like Étienne Rigaud, Isabel Chéry's husband, the Brun family came from Petite Goave, where their father and brother had owned several coffee plantations worth about 25,000 francs.<sup>100</sup> Upon reaching Santiago, the sisters were identified by Crown officials as women of color. When one of the sisters, Olympie Brun,

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<sup>98</sup> ANC, GG, leg. 490, num. 25,151: "Estado que manifiesta los lugares, aldeas y fincas de toda especie que contiene su población [Limones]," 1822-1826-1828.

<sup>99</sup> AHPSC, PN, leg. 21 (Escribanía del Cabildo), Testament of Hilario Sillegue, March 21, 1828.

<sup>100</sup> France, *Etat détaillé des liquidations opérées a l'époque du 1er janvier, 1834*, pgs. 492-493, properties of François Brun and of Jean-Baptiste Brun.

married in 1804, her marriage was registered in the parish book assigned to people of color.<sup>101</sup> Her children's baptisms were also registered in such a book.<sup>102</sup>

In 1805, Margarita Brun bought 52 acres of land and twelve slaves on behalf of the entire family.<sup>103</sup> She may have used a loan from Prudencio Casamayor to buy coffee plants; the five sisters registered a mortgage with Casamayor the following year.<sup>104</sup> By 1807, the sisters owned the fourth largest coffee plantation in the village of Limones, one of the fastest growing coffee areas.<sup>105</sup> When the 1808 decree expelling French nationals had been issued, the sisters were naturalized Spanish subjects, yet they still decided to depart to New Orleans.<sup>106</sup> Some of them petitioned to return as early as 1812, clearly eager to pick up their business where they had left off.<sup>107</sup> By 1822, they were settled back

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<sup>101</sup> AASC, Libro de matrimonios de pardos y morenos de la parroquia de la Catedral, number 4, October 15, 1804, 209.

<sup>102</sup> Marriage and baptismal records filed in AGI, Cuba, leg. 1548, exp. 536: Felix Doutré's petition to the Captain General of Cuba to go to New Orleans to bring his family back to Santiago, April 22, 1812. The family claimed that they had departed for New Orleans for health reasons, since they would have had the right to remain in Santiago as naturalized Spanish subjects.

<sup>103</sup> AHPSC, PN, leg. 237 (Escribanía de Antonio Giró): Sale document notarizing the transfer of land from Juan María Le Roy and María Caridad to the six Brun sisters, April 9, 1805, f. 66v.

<sup>104</sup> AHPSC, PN, leg. 238 (Escribanía de Antonio Giró): Mortgage document notarizing the debt of the Brun sisters to Prudencio Casamayor in the amount of 4,000 pesos, February 6, 1806, f. 22.

<sup>105</sup> ANC, RCJF, leg. 92, exp. 3,929: "Expediente instruido con el objeto de fomentar en esta isla el plantío, cultivo y beneficio del café," 1796.

<sup>106</sup> AGI, Cuba, leg. 1541: Kindelán to Someruelos: "Relación de los expedientes de naturalización que existen en mi oficio y paso a la Secretaria del Gobierno según lo mandado."

<sup>107</sup> AGI, Cuba, leg. 1548, exp. 536: Felix Doutré's petition to the Captain General of Cuba to go to New Orleans to bring his family back to Santiago, April 22, 1812.

in Limones, owned 68 slaves, and had the Macartys as their neighbors.<sup>108</sup> Other neighbors included wealthy refugees who had played key roles in the local coffee planting industry and the slave trade, such as François Robert, Lorenzo Moussnier, and Prudencio Casamayor.

The sisters received a fresh injection of capital in their ventures right at the time when coffee planting in Santiago was being hit by declining global prices. In the mid-1830s, the Haitian government was obliged to pay an indemnity to France, which then paid out funds to some former Saint-Domingue planters and their descendants, compensating them for loss of property in the time of revolution in the colony. The Brun sisters benefitted from it.<sup>109</sup> By the late 1830s, Margarita Brun, the most enterprising of the five sisters, owned 84 slaves and two plantations, and lived on her property in Limones.<sup>110</sup> By the 1850s, she started diversifying into sugar and expanding her planting operations into the Santa Catalina area, which became part of a separate jurisdiction in the 1840s (Saltadero/Guantánamo). With 157 slaves still in Santaigo, Margarita Brun remained the third largest local slaveholder in that province.<sup>111</sup>

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<sup>108</sup> AHPSC, GG, leg. 491, exp. 25,159: “Estado que manifiesta los lugares, aldeas y fincas de todas clases en sus terrenos, Paz de los Naranjo en el pueblo del Caney,” October 10, 1822.

<sup>109</sup> France, *Etat Détaillé des liquidations opérées a l'époque du 1er janvier, 1834* (Paris: Ministère des Finances, 1828-1834), 492-493. Their father had owned a coffee plantation worth 15,245 francs. Their brother had owned a coffee plantation worth 10,000 francs.

<sup>110</sup> ANC, GG, leg. 491, exp. 25,168: “Estado de los partidos en que se halla dividida esta jurisdicción, 1838.”

<sup>111</sup> AHN, Ultramar, leg. 3,553: “Distribución de los esclavos rurales por propietarios, en las principales áreas azucareras,” December 31, 1857.



Like Hilario Sillegue, the Brun sisters had long understood that finding elite patrons who could protect them economically and politically was essential. Kinship ties were a helpful resource for expanding such networks. Magdalena Brun, the oldest sister, shared a home with Prudencio Casamayor with whom she also raised their four children.<sup>112</sup> Magdalena's sister Margarita Brun shared a home and raised four children with Pedro Andrés Daudinot, one of Casamayor's business partners since 1814. Daudinot had been born in Madrid and had initiated his own coffee plantation, the value of which was estimated at 32,000 pesos in 1829.<sup>113</sup> The couple never married, perhaps fearing that their marriage petition would be turned down on account of the Brun sisters' widely known African ancestry. Or perhaps Margarita Brun wanted to retain full control of her businesses, which marriage would have imperiled, since married women needed permission from their husbands to enter contracts.

Like other planters of color, the sisters patronized a whole array of individuals who occupied a lower social station. Hilario Sillegue was one of their clients, but so were their slaves and the slaves of neighboring planters. Planters designated as of African ancestry were considerably more likely to serve as godparents to African captives or to slave children born in their property than white planters. Indeed, as is analyzed in the next chapters, godparentage was a tool for producing color- and status-based hierarchies. Between 1814 and 1821, the Brun sisters served as godmothers to 32 African captives

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<sup>112</sup> A marriage certificate in which Agustina Casamayor's parents were listed appears in ANC, ASC, leg. 246, exp. 6,416: "Autos testamentarios de Dn. Pedro Adolfo Verdereau, 1852."

<sup>113</sup> AHPSC, PN, leg. 410 (Escribanía de la Real Hacienda): Testament of Margarita Brun, February 10, 1864, 59v-61.

and to six newborn slaves in their property. This would have been more than half the slaves they owned, according to a census drawn up in 1822.<sup>114</sup> In 1815, Luis Callard served as a godparent to six African captives working on his plantation; seven years later, he appeared as the owner of 20 slaves.<sup>115</sup> Occupying this role might have helped the Bruns and the Callards to secure authority over their slaves. However, as maroonage became rampant in the jurisdiction, neither of these families hesitated to invest in the rural guards and in more violent means of control as well.<sup>116</sup>

By 1815, Callard managed to acquire the respectful term of address Don in many official documents. Some of the sisters Brun had appeared listed as *pardas libres francesas* in local parish books before the 1809 expulsion decree. However, one of them, Magdalena Brun, Prudencio Casamayor's partner, was able in 1804 to have the birth of their children listed in the parish registers reserved for white people.<sup>117</sup> In the mid-1810s, upon their return from New Orleans, they still appeared as *pardas francesas*.<sup>118</sup> In the mid-1820s, notaries listed them without any color terms, but also without respectful

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<sup>114</sup> AASC, Libro de bautismos de pardos y morenos de San Luís del Caney, number 1 (1814-1821); ANC, GG, leg. 491, exp. 25,159: "Estado que manifiesta los lugares, aldeas y fincas de todas clases en sus terrenos con sus nombres propios de cada una y si no tienen la de sus dueños [Limonas]."

<sup>115</sup> ANC, GG, leg. 490, exp. 25,151; AASC, Libro de bautismos de pardos y morenos de San Luís del Caney, number 1 (1814-1821).

<sup>116</sup> AHPSC, GP, leg. 554, exp. 4: "Expediente manuscrito que trata sobre los donativos hechos para los gastos de las batidas contra negros cimarrones, 1819."

<sup>117</sup> Renault, *La communauté française* 342.

<sup>118</sup> See, for instance, AASC, Libro de bautismos de pardos y morenos de San Luís del Caney, number 1 (1814-1821), partida 58, February 13, 1815.

courtesy titles.<sup>119</sup> By the 1830s, however, local officials referred to Margarita Brun as Doña Brun, a title that she retained throughout other official documents from then on. The other sisters appear to have acquired the privileges associated with whiteness as well. For instance, when Felicité Brun, known as a *parda francesa* in 1805, passed away in 1842, her death was registered in the parish book reserved for white people.<sup>120</sup> While Margarita Brun became an important planter in the area of Tiguabos--Guantánamo, where she had expanded her investments in the 1850s, by the 1870s, she had left Cuba as an impoverished individual. She passed away in Bordeaux.<sup>121</sup>

The Macarty family used a different tactic to ensconce themselves in Santiago's elite society. Even though of mixed European and African ancestry, they never appeared listed as *mulatos* or *pardos* in official documents, and therefore did not have to erase any color-based appellatives from their names. Isabel Chéry and her brother, Bartolomé Macarty, moved from New Orleans to Santiago de Cuba around 1820. The two siblings came along the same trail that their white father—Eugene Macarty—had taken back in the 1790s, when he had attempted to establish a coffee plantation in Santiago, though he had failed and had returned to New Orleans. Etienne Rigaud, Isabel Chéry's spouse, was

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<sup>119</sup> AHPSC, PN, leg. 17 (Escribanía del Cabildo), Freedom papers for Carlota, María Ursula, María Rosa, Agustín, Andrés, and Amable Lindor, fs. 154-156v.

<sup>120</sup> Death certificate included in ANC, ASC, leg. 245, exp. 6,392: "Intestado de Da Felicita Brun, 1843."

<sup>121</sup> Four slaves claimed their freedom on grounds that Brun had fraudulently taken possession of them, even though their previous owner had freed them in his testament. By this point, Margarita Brun had left Cuba as an impoverished person and had passed away, according to her son. ANC, ASC, leg. 744, exp. 17,022: "Información de insolvencia por la representación de Da Margarita Brun, 1874."

from Petite Goave, in the southern department of Saint-Domingue and might possibly have had knowledge of how to cultivate coffee. Before the Haitian Revolution, the Southern Department had been home to the largest concentration of coffee producers of color, the wealthiest people of African descent in the colony.<sup>122</sup> He would have been the only member of the extended family who could have had any coffee planting savvy upon reaching Santiago.

Isabel Chéry and Bartolomé Macarty's mother was a wealthy and well-reputed woman of color in New Orleans—Eulalie de Mandeville. The daughter of the count Pierre Philippe Mandeville de Marigny and of Marie Jeanne, a family slave, de Mandeville received her freedom from her paternal grandparents who also provided her with land and slaves. In the early 1790s, she was running her own dairy farm. She gradually accumulated a small fortune as a retailer: she bought goods on the docks of New Orleans and sold them through a network of *marchandes* in the rural areas.<sup>123</sup> Encouraged by her brother and paternal grandmother, she entered a *plaçage* relationship with Eugene Macarty.<sup>124</sup> The couple had five children, who, according to a friend of the

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<sup>122</sup> John Garrigus, *Before Haiti: Race and Citizenship in Saint-Domingue* (London: Palgrave MacMillan, 2006).

<sup>123</sup> UNO, SCLC, Nicolas Theodore Macarty v. Eulalie Mandeville, fcl, Docket no. 626, N.O., 1846-1861 (1846:81); Rebecca Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery* (Cambridge: Harvard University Press, 2005), 15.

<sup>124</sup> *Plaçage* was a term used to describe informal living arrangements for couples that crossed the ostensible racial line. Traditionally, *plaçage* relationships, usually involving women of color and white men, could last for decades, and consisted of property transfers and extensive familial networks. In Saint-Domingue, any informal relationships akin to marriage had been called *plaçage* regardless of the racial category in which the members of the couple had been placed officially. In New Orleans, such relations tended to become more transient in the 1820s and 1830s, when more immigrant white men arrived in New Orleans and did not have the same

family, were known as “mulatto” and were well ensconced in the local New Orleans society of color.<sup>125</sup> Two of the five siblings, Bartolome and Isabel, decided to leave the city for a Spanish borderland, likely at the beginning of the 1820s.

In Santiago, Isabel Chéry and her St-Domingue refugee husband established two plantations. By the mid-1840s, when she passed away, experts evaluated these farms at close to 30,000 pesos. The 57 enslaved laborers who worked for the family were evaluated as comprising more than half of the entire estate. Throughout the decline of the coffee industry, the family had accumulated debt that by the end amounted to more than two thirds of their worth (21,000 pesos). Some of the loans came from Isabel Chéry’s deceased’s brother, Bartolomé Macarty. Some of it came from Chery’s father, who had injected capital in his children’s coffee ventures repeatedly throughout the 1830s and 1840s.<sup>126</sup> Local creditors had also issued them considerable loans as well. In 1842, Chéry and her husband had mortgaged one of the plantations only to pay the loan back by taking a mortgage on their other plantation the following year.<sup>127</sup>

Bartolomé Macarty had been somewhat more successful than his sister. He had started out his coffee venture in the 1820s with a small plantation and 25 enslaved

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understanding of the institution and the long ties to the local community. Emily Clark, *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World* (Chapel Hill: University of North Carolina Press, 2013), especially chapter 3.

<sup>125</sup> UNO, SCLC, Nicolas Theodore Macarty et al v. Eulalie Mandeville, fcl, Docket no. 626, N.O., 1846-1861.

<sup>126</sup> UNO, SCLC, Nicolas Theodore Macarty et al v. Eulalie Mandeville, fcl, Docket no. 626, N.O., 1846-1861.

<sup>127</sup> AHPSC, Hipotecas, number 36, May 31, 1842 and May 9, 1843.

laborers. By 1854, when he filed his testament, he owned two properties and 103 slaves worth approximately 60,000 pesos. His economic success was nonetheless built on a shaky foundation. In his letters to his father in the 1830s and 1840s, he complained about coffee's low profit margins. In 1847, he had taken out a mortgage on one of his properties and had tried to sell his other property, but no buyer had turned up. He had his slaves clear more forested land in order to cultivate tobacco, which was becoming a more lucrative crop than coffee.<sup>128</sup>

The two siblings had formed strong relations with the local Saint-Domingue refugee elite through credit lines and ties of patronage and godparentage. Santiago Bonne had served as godparent to one of Isabel Chéry's children. Bonne claimed to have been born in Curaçao, but his genealogy remained shrouded in mystery: he alleged Dutch pedigree only in 1809, when all French nationals were expelled from the Spanish dominions.<sup>129</sup> A planter and privateer who shipped flour from the US and coffee to Cuba, he commanded considerable capital, four coffee plantations, and extensive social networks.<sup>130</sup> For the Macartys, having Bonne as a godparent to one of their children may have provided some access to some of these networks.

In official documentation in Santiago, the Macarty-Rigauds, their children, spouses, and their mother, Eulalie Mandeville all received the treatment that was reserved

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<sup>128</sup> ANC, ASC, leg. 456, exp. 10,731: Testament of Don Bartolome Macarty, 1854; AHPSC, Hipotecas, number 36, September 1, 1845.

<sup>129</sup> Renault, *La communauté française*, 250.

<sup>130</sup> ANC, ASC, leg. 466, exp. 10,976: "Diligencias promovidas por Angela Denis sobre que la albacea de Mr Santiago Bonne le entregase un documento," 1828.

for white elites. They had acquired privileges associated with whiteness, even though other refugees with ties to New Orleans would have likely known that they had some African ancestry.<sup>131</sup> Like the Brun sisters, the Macarty-Rigauds disappear from the record by the early 1870s. The cadastral register of 1866 did not include any of these families as property owners.<sup>132</sup> Like the Brun sisters and their children, some of the Macarty family also departed for France. In 1860, Antonio Enrique Macarty, Bartolome's son, died in an accident in the Dordogne. His mother was still in Santiago.<sup>133</sup>

Shifting color status did not alleviate the economic problems that these planter families had to confront, but it may have allowed them to reduce the suspicions of the colonial authorities. When the Captain General of the island sent two undercover investigators to probe the possible communication networks between the coffee planting regions and Haiti, he was surprised to discover how many planters in the area were free people of color.<sup>134</sup> But color here was clearly in the eye of the observer: for the investigators coming to this area from Havana, these planters did not bear the insignia of whiteness that the sugar planting society carried on the other side of the island. However,

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<sup>131</sup> The children's baptismal records appear in ANC, ASC, leg. 456, exp. 10,731: Testament of Don Bartolome Macarty, 1854. Eulalie de Mandeville appears as "*Doña*."

<sup>132</sup> AHPSC, *Contaduría*: "Copia del padrón formado por el el Muy Illo. Ayuntamiento de Santiago de Cuba para el cobro del impuesto de fincas rústicas cuyo ejercicio principió en primero de julio de mil ocho cientos sesenta y seis."

<sup>133</sup> ANC, ASC, leg. 455, exp. 10,717: "Diligencias promovidas para examinar el intestado de Dn Antonio Enrique Macarty," 1860.

<sup>134</sup> ANC, AP, leg. 134, exp. 14: "Informe acerca de las ramificaciones que pudiera tener la conspiración de negros descubierta en los partidos de Santa Catalina y los Tiguabos. 3 de enero de 1838."

for the Santiago society and the local authorities, the Brun sisters and the Macarty-Rigauds had proven that they could occupy a higher social status and that they could be trusted politically. After all, local authorities rarely wrote about them to complain about the dangers that they might pose.

### Conclusion

During the first half of the nineteenth century, Santiago's economic growth offered multiple opportunities from which free people of African or mixed ancestry could seek to profit. The population of perceived (or occluded) African ancestry encompassed individuals with varying degrees of investment in the institution of plantation slavery, and varying degrees of social connection to the white planter class. The rise of coffee planting enabled a small group of elite Afro-descendants from Saint-Domingue to acquire privileges associated with whiteness and to become safely ensconced in the planter class. The desolate countryside, scarcity of slaves and free laborers, and fears of widespread maroonage had convinced the local authorities in eastern Cuba to accept returning Saint-Domingue refugees of African descent who had departed for Louisiana in 1809. Santiago's local council welcomed such refugee families before central authorities finally passed laws allowing their return from Louisiana. The refugees' greatest fortunes were made and unmade between the mid-1810s and the 1840s, through coffee's swift boom and bust. Despite coffee's downturn, however, many of the Saint-Domingue families successfully acquired privileges associated with whiteness. Santiago local authorities advised ongoing caution toward people of color, especially during the Haitian occupation



of Santo Domingo. Therefore, for many elite planters of African descent, becoming associated with the planter elite might have been a way of deflecting political suspicions, among other motives. Even though their efforts and personal success point to the malleable quality of local color categories, their tactics reproduced established systems of classification and power relations associated with the plantation economy.

### **Chapter 3: Slave Families on Santiago's Coffee Plantations, 1828-1865: From Social Control to a Resource for Freedom**

When Don José Révé passed away in late 1845, his affairs were in disarray. Global competition from Brazilian producers, Spanish-US tariff wars, and increasing slave prices had left Révé and other Santiago coffee planters like him bankrupt. The city notaries discovered multiple mortgages on the estate and had to contend daily with new claimants to a share of the Révé property daily. Complicating the matters further, some of Révé's own slaves, who had initially appeared in the testament and estate inventory, now proffered receipts that confirmed that they had actually paid for their freedom. Exasperated, lawyers acting in the creditors' interests reminded the judges that they had priority over slaves. Until their own claims had been settled, slaves petitioning for freedom would have to be working and living inside the public jail.<sup>1</sup>

Francisco Martin, the father of one of the slaves petitioning for her freedom (Enriqueta), did not regard himself or his daughter as "low priority." He "had not paid for his daughter's freedom so that she should be spending time in prison, working harder than she had on Révé's own property," he told the *síndico* ("*el padre le [to the síndico]*

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<sup>1</sup> ANC, ASC, leg. 585, exp. 13,504: "Incidente al concurso de acreedores de D. José Eugenio Révé promovido por el Síndico Procurador General sobre la libertad de los negros Pireau y Enriqueta," 1846.

*decía que él no había dado su dinero para que su hija estuviese en el depósito de la cárcel y pasando más trabajo que lo que pasaba en la hacienda de Révé”).* By reminding the court that he was himself one of deceased’s creditors, Martin placed himself on a par with the wealthier claimants in the probate. While the courts were stalling, Martin found a more efficient way of getting his daughter to come home with him. Relying on the *síndico*’s patronage, he simply removed Enriqueta from jail on his word of honor. The judge decided retrospectively that, given the freedom payments and the paternal tie, the *síndico* and Martin could not be faulted, even though the law was on the larger creditors’ side.

Enriqueta’s case signals the ways in which, for slaves working on the coffee plantations around Santiago, having a free relative could be key to gaining freedom or greater autonomy. As the coffee plantation system suffered repeated blows throughout the 1830s and 1840s, free people of color could more easily buy freedom for enslaved family members. But the case also suggests that *síndicos* could and did invoke family ties to convince the courts to rule in their clients’ favor. Sometimes, as in Enriqueta’s case, swayed by sentimentalism, judges deviated from the letter of the law, giving priority to familial relations. Francisco Martin’s resources alone did not suffice in the struggle for his daughter’s freedom; his savvy navigation of the legal system and of the local networks of patronage were equally important.

This chapter explores the politics surrounding enslaved families in the rural areas of Santiago de Cuba between 1815 and 1846. It shows that, within the political economy of Santiago, for many cash-strapped landholders with limited access to policing and

contraband slave trading networks, slave families were key to their plantation endeavors. They relied on women's reproductive power to replenish the labor force and on godparenting networks to reproduce color and status hierarchies. The very same slave families that were supposed to serve as mechanisms of economic and social control nonetheless could serve as points of intense longing, knowledge transmission, and financial bequests that disrupted planters' agendas.

For many slaves and former slaves, debates over the limited set of rights that the Crown had formally granted, included that of forming a family, did not occur in the abstract. They were instead the stuff of everyday life, only occasionally reaching the courts. A letter from a long-lost father, who had once been a runaway captive but had reached Haiti, freeing himself in the process, or an owner's refusal to allow visitation rights to a slave spouse could galvanize such everyday politics. While the coffee plantation system was still thriving, slaves had only very limited room to negotiate with their owners. As the coffee industry started to falter in the 1840s, at around the time when R ev 's will was in probate, slaves' kinship networks became a bridge between the countryside and the city, between the plantation and the cash economy, and between slavery and freedom. Fathers such as Francisco Martin, as well as mothers, brothers, sisters, and godparents brought slaves out of plantation labor with increasing frequency. After the mid-1840s, when coffee went through a period of economic crisis, free kin served as pivots between remote areas and city courts. As a consequence, through both judicial and economic resources, slave families helped unravel the very system that the planters had once hoped that they would buttress.

## The Economics of Slave Women's Reproductive Power

In 1817, the Spanish Crown signed a treaty with the British that prohibited the importation of African captives to its dominions after June 30, 1820.<sup>2</sup> The timing was especially unfortunate for Cuban planters. When the Continental Blockade came down in 1815, global coffee and sugar prices reached an all-time high, triggering a productive frenzy throughout the Caribbean. Partially also coaxed by new property laws and commercial freedoms, many Cuban planters began to expand their operations. But such efforts could not prosper without access to a cheap slave labor force.

Perhaps owing to Santiago's peripheral status in the trans-Atlantic slave trade, local planters imported more women captives from Africa than their Havana counterparts between 1815 and 1820. They may have been cash-strapped and unable to pay as high a price for prime age male slaves as sugar producers in the west. Or, they may have only been able to access areas on the West African coasts—particularly the Bight of Biafra—where more slave women were available.<sup>3</sup> Indeed, between 1814 and 1821, parish scribes identified 59% of the African captives who received the sacrament of baptism in the

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<sup>2</sup> On the abolition of the slave trade to Cuba, see David Murray, *Odious Commerce: Britain, Spain, and the Abolition of the Cuban Slave Trade* (Cambridge: Cambridge University Press, 1980), 50-71.

<sup>3</sup> According to the Trans-Atlantic Slave Trade Database, 36% of the captives disembarking in ports other than those of eastern Cuba were female between 1815 and 1820. Between 1814 and 1821, 44% of the approximately 1,393 *bozal* slaves baptized in the area of El Caney, where most coffee plantations around Santiago were concentrated, were female. AASC, *Libro primero de bautismos de pardos y morenos de San Luis del Caney (1814-1821)*. On the prominence of women captives in the slave trade out of the Bight of Biafra, see G. Ugo Nwokeji, *The Slave Trade and Culture in the Bight of Biafra: An African Society in the Atlantic World* (NY: Cambridge University Press, 2010), 144-177.

coffee region of El Caney as *carabalí*, *viví*, or *igbo*, ethnonyms that did not map onto these captives' lived experiences in West Africa, but that traders and bureaucrats associated with the Bight of Biafra.<sup>4</sup> Indeed, a considerable proportion of baptismal entries in Santiago's parish registers were for African slave girls around 1820.<sup>5</sup> In Brazil, coffee planters did not shy away from child and female labor; perhaps Santiago planters' managerial techniques anticipated those of their Brazilian counterparts.<sup>6</sup>

There is evidence to suggest that Santiago's planters relied on women's reproductive power to increase the labor force. Census takers in the 1820s established

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<sup>4</sup> Oscar Grandío Moráquez, "The African Origins of Slaves Arriving in Cuba, 1780-1865," in David Eltis and David Richardson, eds., *Extending the Frontiers: Essays on the New Transatlantic Slave Trade Database* (New Haven: Yale University Press, 2008), 176-201; Aisnara Perera Díaz and María de los Angeles Meriño Fuentes, *El cabildo carabalí viví de Santiago de Cuba: familia, cultura y sociedad (1797-1909)* (Santiago: Editorial Oriente, 2013). On the difficulties of mapping ethnonyms onto linguistic or cultural groups, especially in a highly decentralized region such as the Bight of Biafra, see David Northrup, "Igbo and Myth Igbo: Culture and Ethnicity in the Atlantic World," 1600-1850, *Slavery and Abolition* 21.3 (2000): 1-20.

<sup>5</sup> 39% of all enslaved women born in Africa and receiving the sacrament of baptism in El Caney between 1814 and 1821 were less than 12 years old. By contrast, only 14% of the male slaves born in Africa were under 12. AASC, *Libro primero de bautismos de pardos y morenos de San Luis del Caney (1814-1821)*. The number and percentage of slave children in the trans-Atlantic slave trade increased throughout the second half of the nineteenth century (52% of the captives aboard of slave ships between 1826 and 1850 were defined as children-- less than 13 years old or less than 4 foot and 4 inches tall). Markets in Sierra Leone, the Bight of Biafra, and west-central Africa, on which Cuban and Brazilian planters relied heavily, had larger numbers of children than other markets in sub-Saharan West Africa. See David Eltis and Stanley Engerman, "Fluctuations in Age and Sex Ratios in the Transatlantic Slave Trade, 1664-1864," *Economic History Review* 46 (1993): 257-272; Paul Lovejoy, "The Children of Slavery—The Transatlantic Phase," *Slavery and Abolition* 27.2 (2006): 197-217; Paul Lovejoy, *Transformations in Slavery: A History of Slavery in Africa* (NY: Cambridge University Press, 1983), 6-8, 64-67, 142-3, 175-6, 239-248, 277-8; Joseph Miller, *Way of Death: Merchant Capitalism and the Angolan Slave Trade, 1730-1830* (Madison: University of Wisconsin Press, 1988), 348. G. Ugo Nwokeji, "African Conceptions of Gender and the Slave Traffic," *William and Mary Quarterly* 58.1 (2001): 47-68.

<sup>6</sup> On the use of child labor in coffee bean picking on Brazilian coffee plantations, see Paul Lovejoy, "Children of Slavery," 207.

that approximately 40% of the enslaved labor force in the coffee areas around the city of Santiago (known as El Caney) consisted of women, a figure that also matches baptismal records from this region.<sup>7</sup> By contrast, a survey of 14 sugar mills in western Cuba suggests that between 15-30% of the labor force consisted of male laborers.<sup>8</sup> By the 1840s, women's share in the enslaved labor force in Santiago increased to 43-47% [see Appendices].<sup>9</sup> Ten years later, on many plantations, the sex distribution of the enslaved labor force would become even more balanced.<sup>10</sup> In 1862, in El Cobre, for instance, where coffee took an upturn just as it was disappearing from El Caney, there were 2,260 enslaved women and 2,320 enslaved men working on plantations.<sup>11</sup>

In sugar zones, most planters seem largely to have regarded slave women as labor units of lower productivity whose advantage lay in their reproductive capacity. Prior to the 1820s, when slave prices had still been relatively low, this capacity was not highly valued.<sup>12</sup> Many planters estimated that to purchase an African captive was, overall,

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<sup>7</sup> Calculation based on manuscript census returns from the following *partidos*: Amistad, Demajayabo, Güira, Limones, Hongolosongo from 1823-1828: ANC, GG, leg. 491, exp. 25,158; leg. 490, exp. 25,141; leg. 490, exp. 25,156; leg. 490, exp. 25,151; leg. 490, exp. 25,146.

<sup>8</sup> Moreno Friginals, *El ingenio*, vol. 2, 34. See also *Cuadro estadístico de la siempre fiel isla de Cuba correspondiente al año de 1846* (Havana: Imprenta del Gobierno, 1847), 29, 34.

<sup>9</sup> Capitanía General, *Cuadro estadístico de la siempre fiel isla de Cuba, correspondiente al año 1846* (Havana: Imprenta del Gobierno y de la Capitanía General, 1847).

<sup>10</sup> See also Juan Pérez de la Riva, *El barracón y otros ensayos*, 415.

<sup>11</sup> Jacobo de la Pezuela, *Diccionario geográfico, estadístico, histórico de la isla de Cuba* (Madrid: Imprenta del establecimiento de Mellado, 1863-1866), 2:7.

<sup>12</sup> Between 1821 and 1835, following the abolition of the slave trade, slave prices increased sharply. Laird Bergad, Fe Iglesias, and María del Carmen Barcia, *The Cuban Slave Market, 1790-1880* (Cambridge: Cambridge University Press, 1995), 21.

cheaper than to raise a creole slave to adulthood on their plantations. One of the most prominent advocates of the free slave trade to Cuba and representative of the Cuban planters' interests to the Spanish Crown, Francisco Arango Parreño coldly summarized this particular position:

The pregnant slave woman is useless for many months, and during this period, the slave owner must pay for her victuals, which also have to be in greater amounts and of higher quality. [...] The owner must also accept the risks that infant and mother are exposed to, and all this results in such expenditure for the owner, that the creole slaves ends up costing more by the time that he can work than the slave of the same age that can be bought at the market.<sup>13</sup>

And yet, despite this assessment, Arango relied heavily on enslaved women at his sugar plantation in western Cuba, *La Ninfa*, where, at the turn of the nineteenth century, women cut the entire sugar cane harvest and constituted almost half of the entire workforce.<sup>14</sup>

The number of children on the property (17% of the slaves were creoles less than 7 years old) might provide some insight into why Arango supported this particular arrangement and why he later became an ardent supporter of larger imports of female slaves. By the 1830s, Arango started to hope that Cuba would one day have a self-reproducing slave population and that planters' efforts would no longer depend on the trans-Atlantic slave trade, itself vulnerable to abolitionist interventions.

In western Cuba, Arango's model of a gender-balanced sugar plantation remained idiosyncratic until the 1840s, when slave prices began increasing. At that point, more

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<sup>13</sup> Francisco Arango Pareño, *Obras*, 2:161.

<sup>14</sup> Moreno Friginals, *El ingenio*, 2:11.



western planters made more sustained efforts to increase reproductive rates.<sup>15</sup> The percentage of enslaved women working on sugar plantations doubled from the 1800s to the late 1840s.<sup>16</sup> In eastern Cuba, however, coffee planters had been forced to turn toward female slaves, both as workers and as mothers, earlier. In doing so, they exploited these women's productive and reproductive labor, as well as their affective attachments.<sup>17</sup> Census returns, planters' testaments, and plantation inventories suggest that, by the 1820s already, creole slave children had become a fixture both on small and large plantations. In the region of Güira, for instance, a fifth of all the slaves were creole children less than 14 years old by 1828.<sup>18</sup>

Besides drawing economic benefits from the slave family, coffee planters encouraged family formation as a way of better controlling slaves socially and of reducing maroonage. As key pivots inside families, who were very often responsible for caring for others, slave mothers might be less likely to attempt flight than childless women. As a mode of discipline, owners could stoke parents' fears of family

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<sup>15</sup> Manuel Moreno Franginal, *El ingenio*, 2: 87-91.

<sup>16</sup> If between 1791 and 1822, women formed 15% of the enslaved labor force on the Havana sugar plantations, by 1844, they constituted a third. Manuel Moreno Franginal, *El ingenio*, 1:86-87.

<sup>17</sup> On the gendered experience of slavery and the slave owners' exploitation of enslaved women's reproductive labor, Hilary Beckles, *Natural Rebels: A Social History of Enslaved Women in Barbados* (New Brunswick: Rutgers University Press, 1989); Jennifer Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004).

<sup>18</sup> ANC, GG, leg. 490, exp. 25,156: "Estado que manifiesta los lugares, aldeas, fincas de toda especie que en el contiene (Güira), 1828." According to Manuel Moreno Franginal, between 1823 and 1844, in the Havana region, 12% of the population on sugar plantations was less than 14 years of age. See Manuel Moreno Franginal, *El ingenio*, 2:87-88.

disintegration. This was a commonly used tactic in most American slave societies, which suggests that slave families did not just have economic potential for owners; they were also social management mechanisms. Women were also part of extensive family networks and were under greater social pressure to stay put and care for others. Furthermore, they were likely to be less knowledgeable about the local geography than men were, which might have deterred them from using maroonage as a tactic.<sup>19</sup> Enslaved men accompanied the mule trains to the ports and moved between plantations as artisanal laborers more frequently. Indeed, in Santiago, only about a tenth of all runaways were women.<sup>20</sup> When women with children did flee, they occasionally attempted to take their children along, which could thwart their escape. For instance, in 1848, twenty-five-year old Juana Francisca fled with her nine-month old son. In the newspaper announcement, the owner did not shy away from providing information regarding the deep whip scars on Juana Francisca's back as an identificatory marker.<sup>21</sup> During the first six months of 1848, Coleta was the only enslaved woman to flee a plantation; she was accompanied by a male

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<sup>19</sup> On mule trains and the roles of enslaved men on coffee plantations, see Samuel Hazard, *Cuba with Pen and Pencil* (Hartford: Hatford Publishing Company), 464-466.

<sup>20</sup> For a discussion of this point with reference to US plantation slavery, see Stephanie Camp, "'I Could Not Stay There': Women, Truancy, and the Geography of Everyday Forms of Resistance in the Antebellum Plantation South," *Slavery & Abolition* 23.3 (2010): 1-20; Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988), 219-220; Deborah Gray White, *Ar'n't I a Woman? Female Slaves in the Plantation South* (NY: Norton, 1999[1985]), chapter 2. John Hope Franklin and Loren Schweninger have shown that women formed a small percentage of runaways in Louisiana (29%). See *Runaway Slaves: Rebels on the Plantation* (NY: Oxford University Press, 1999), 98, 234. Of the 36 announcements for runaway slaves that owners placed in the main local newspaper, *El Redactor de Santiago de Cuba*, between January 3 and June 28, 1848, only 4 (11%) were for women. Only one had escaped from a rural plantation; the rest had been urban slaves.

<sup>21</sup> *El Redactor de Santiago de Cuba*, June 14, 1848, section "Esclavos Prófugos," p. 4.

slave who served as her guide in the city. The man was apparently known to be “passing for free” in the nearby village of Limones, going into the city frequently, where he liked to spend time in the *Plaza de Marte* (a relative periphery and a less policed public space than the *Plaza de la Catedral*, where the government offices were located). When the announcement was posted, Vicente had been on the run for eight months, and Coleta for less than a week.<sup>22</sup>

While planters encouraged slave family formation, they nevertheless made it difficult for slaves to get married, perhaps fearing that they might use marriage to claim freedom. Indeed, official marriage among slaves remained extremely rare throughout Santiago during the first half of the nineteenth century. For instance, in El Cobre, between 1818 and 1846, there were only eighty-one slave marriages recorded in the church’s registers. At the same time, however, marriage rates among other sectors of local society were also low.<sup>23</sup> In Morón, the local priest recorded only 18 marriages that involved an enslaved spouse between 1848 and 1851 (in a total of 461 marriages).<sup>24</sup>

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<sup>22</sup> “Habr  como 8 meses que ha fugado de la hacienda de su due o un negro llamado Vicente de 25 a 28 a os de edad, de estatura regular, habla franc s y se sabe positivamente que est  pasando por libre en el partido de Limones y que acostumbra venir muy a menudo a la ciudad, descansando en la Plaza de Marte. Tambi n ha fugado desde el d a 30 del Diciembre, una negra de 25 a 30 a os, llamada Coleta, de estatura regular, habla franc s [...]; dicha negra es compa era del negro Vicente...” *El Redactor de Santiago de Cuba*, January 3, 1848.

<sup>23</sup> In El Cobre, there had been 195 marriages among free people of color, 55 marriages among whites, and one marriage between a white person and a free person of color between 1818 and 1846. In 1846, census takers counted 5,174 residents in El Cobre. Leopoldo O’Donnell, *Cuadro estad stico de la siempre fiel isla de Cuba correspondiente al a o de 1846* (Havana: Imprenta del Gobierno, 1847), 224. AASC, *Libro 2o de Matrimonios de Santiago del Prado, Reales Minas del Cobre, 1795-1846*.

<sup>24</sup> AASC, *Libro 2o de Matrimonios (de Color) del Mor n, 1844-1881*. In 1846, census-takers counted 2,323 residents in Mor n, but the church attracted visitors from surrounding areas.

Getting married was costly, and the benefits relatively limited for non-elite members of society. Among the elite, marriage could help organize and expand property by consolidating the interests of two separate families. Marriage also secured the flow of property to legitimate descendants. Slaves may have had fewer incentives to get married, given that they had access to limited amounts of property and, for those working on coffee plantation, churches were far away.<sup>25</sup>

Besides the church fees, slaves seeking to marry had to supply Church officials with a license confirming that the master had approved of the marriage. This requirement, which emerges from Santiago's matrimonial registers, was at odds with stipulations on slave marriage in *Las Siete Partidas*, according to which slaves could choose their spouses as they wished and could go as far as to ignore their owners' opinions. Owners could in practice withhold approval of marriage between their own slaves and slaves who belonged to other owners or between a slave and a free person, in order that their authority not be undermined. Indeed, in El Cobre, of the 81 marriage certificates issued for slave marriages between 1818 and 1846, only one was for spouses who belonged to different owners. Perhaps owners feared that married slaves whose spouses lived on different properties might not make themselves available at all times of day and would need time to travel back and forth between their home and their spouses'. Being married to a spouse who lived elsewhere could be used as a claim to geographic mobility, which

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Capitanía del Gobierno, *Cuadro estadístico de la siempre fiel isla de Cuba correspondiente al año de 1846* (Havana: Imprenta del Gobierno, 1847), 224.

<sup>25</sup> There were four main churches in rural Santiago: one in El Cobre (14 miles from the city of Santiago); one in El Morón (13 miles from the city of Santiago); one San Anselmo de Tiguabos (14 miles from Santiago); and one in San Luis del Caney (18 miles from the city of Santiago).

placed social pressures on owners to grant married slaves more rights. Luisa Montaña almost lost her life and was left with permanent scars after her owner, Luis Gervet, decided that her regular visits to her husband's home were subversive. When brought before the courts under the accusation of excessive cruelty, Gervet referred to Montaña's stays at her husband's home as maroonage, rather than as a right. Gervet nonetheless lost the case and had to sell Montaña to another owner.<sup>26</sup>

Even though marriage among slaves was indeed rare, when it did happen, we can detect that planters tried the best they could to shape its social ends. The following entry shows how local color-based hierarchies informed marriage registration:

In the year of the Lord 1837, I, Don Francisco Ramón de Vega y Mustelier, prelate at the church of Santiago del Prado, in El Cobre, after conducting the required extra-judicial investigation and issuing a public statement three times as disposed by the Council of Trent, in the absence of any impediment, and after reviewing the owner's license, following confession and the verbal expression of mutual consent of the parties involved, I officially wedded José with Teresa, and Juan Bautista with Madalena, all people of color born in Africa and slaves of Dn Antonio Antonmarchí. Present were the following witnesses: Dn Antonmarchí, María Trinidad Mustelier, Dn José María Díaz, and Isidoro de Castro...<sup>27</sup>

This entry included two couples. Yet, marriages among free people were always listed in separate entries, even when they might have occurred on the same day and those involved might have known each other. Antonio Antonmarchí, the owner, and a cousin of Napoleon's own physician who eventually moved to Santiago, clearly took an active role:

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<sup>26</sup> ANC, ASC, leg. 606, exp. 13,897: "Expediente promovido por el Síndico Procurador General contra Luis Gervet por el cruel castigo que dio a su esclava Luisa Montaña," 1811.

<sup>27</sup> AASC, *Libro 2o de Matrimonios de Santiago del Prado, Reales Minas del Cobre, 1795-1846*, partida 128, f. 125.

not only did he provide the license, but he also served as a witness.<sup>28</sup> The other witnesses were free people of color as well as one other white person. Owners often participated in their slaves' marriage ceremonies, and some, such as Antonio Antonmarchí, seem to have eagerly encouraged slaves to get married, since their names appear in the church registers frequently. Antonmarchí himself reaped substantial economic benefits from his pro-marriage policy: by the late 1850s, more than ten years after this particular wedding, he was relying on slaves' reproductive capacity to increase his labor force. Between 1857 and 1862, thirty-five infants belonging to Antonio and Aurelia Antonmarchí received the sacrament of baptism.<sup>29</sup> By 1866, Antonmarchí owned 140 slaves and was the second largest slave owner in El Cobre, an area where coffee plantations had an average labor force of twenty-seven slaves at that time.<sup>30</sup>

One question remains: why did some owners encourage slaves to get married? After all, allowing informal unions could help slave reproductive rates and would have certainly cost the owners less. While slave owners might have been motivated by a commitment to Catholicism, there probably were political considerations at work as well. Planter paternalism might reduce investment in coercive policing strategies, especially among those planters who felt most vulnerable to slave subversion. Participating in

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<sup>28</sup> Henry D. Thomason, *Napoleon: The First Emperor of France: From St. Helena to Santiago de Cuba. Being a summary of facts concerning the latter days of Dr François Antonmarchí, the last physician to his imperial majesty* (Hudson, 1910).

<sup>29</sup> AASC, *Libro 12o de bautismos del Cobre, 1856-1870*.

<sup>30</sup> ANC, GG, leg. 265, num. 13,521: "Padrón formado por el Muy Ilustre Ayuntamiento de Santiago de Cuba para el cobro del impuesto de fincas rústicas cuyo ejercicio principió en 1o de junio de 1866."

slaves' kinship networks was also a way for planters to strengthen bonds with their slaves, as part of a display of paternalistic largesse.

Marriage and reproductive politics on plantations were only one of the kinship-based tools through which planters sought to control the enslaved population. They also turned toward another more flexible (because less regulated) form of kinship-- spiritual parenthood—which resulted in a dense and hierarchical social structure within Santiago's rural hinterland.

### Spiritual Parenthood in El Caney and El Cobre

Within the Spanish Empire, as in other predominantly Catholic polities, baptism had several purposes. It inserted African slaves into the Catholic faith, and thus served as ideological justification for the institution of slavery. Slaves were supposed to receive the baptismal sacrament within a year after birth or after arriving in Cuba. Slaves born in Africa also had to receive religious instruction.<sup>31</sup> Baptism also inscribed slaves into a rich textual-bureaucratic apparatus that helped the state identify taxable property. From the perspective of slaveholders, baptismal records gave greater weight to their property

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<sup>31</sup> See “Royal decree and instructional circular for the Indies on the education, treatment, and work regimen of slaves,” May 31, 1789, in García, *Voices of the enslaved*, 47-54. An example of a catechism written for plantation slaves, with guidelines on how planters should dispense religious instructions is: Antonio N. Duque de Estrada, *Explicación de la doctrina Cristiana acomodada a la capacidad de los negros bozales por un presbiterio de la Congregación de la Habana* (Havana: Oficina de Boloña, 1823[1797]). On how baptism/Christianity served as an ideological justification for enslavement: Debra Blumenthal, *Enemies and Familiars: Slavery and Mastery in Fifteenth-Century Valencia* (Ithaca: Cornell University Press, 2009), 9-45; Aurelia Martín-Casares and Marie-Christine Delaigue, “The Evangelization of Freed and Slave Black Africans in Renaissance Spain: Baptism, Marriage, and Ethnic Brotherhoods,” *History of Religions* 52.3 (2013): 215-235.

claims in specific slaves, forestalling other such competing claims. But, for this to work, baptismal records had to individuate the slaves described while, at the same time, still treating them as property. The tension between the simultaneous treatment of slaves as subjects and as objects, which both slaves and planters tried to exploit toward their own ends, becomes visible in the selective deployment of bureaucratic formulae.<sup>32</sup>

Slaves born in Africa received the least social recognition in the baptismal entries. For instance, multiple captives born in Africa would be included in a single baptismal entry, despite the Church's prohibitions on such practices.<sup>33</sup> Collective entries reduced the baptized slaves' individuality and were convenient, especially since many different planters might decide to organize a large baptismal ceremony on the same day, thereby placing pressures on the Church's scribes:

On the year of the Lord 1815, on January 14, I, the undersigned, vicar of the parish church of San Luis del Caney, baptized and anointed Manuel, Vicente, Marcos, Felipe, Pablo, Maria, and Juana, seven blacks from Africa who belong to Mr. Prudencio Casamayor, resident of this village. The following served as godparents: of the first and the second who must be around 20 years of age, Mr. Henrique Lescaille, Frenchman; of the third one, who must be around 22, Casimiro and Maria Sirena; of the fourth, who must be 40, Alfonso and Luisa; of the fifth, who must be 20, Edouardo; of the sixth, who must be 25, Juan Bautista and Lucía; of the seventh, who seems to be 18, Maria Rosa, all of them also slaves of Mr. Prudencio Casamayor.<sup>34</sup>

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<sup>32</sup> On this point, see Jean Hébrard, "Esclavage et dénomination: Imposition et appropriation d'un nom chez les esclaves de la Bahia aux XIX siècle," *Cahiers du Brésil contemporain* 53-54 (2003): 31-92. Kathleen Higgins has also commented on how slaves and slaveholders interpreted "the worldly outcomes of baptisms" differently in Minas Gerais, showing the tensions at the heart of this process. See Kathleen Higgins, *'Licentious Liberty' in a Brazilian Gold-Mining Region: Slavery, Gender, and Social Control in Eighteenth-Century Sabará, Minas Gerais* (University Park: PSU Press, 1999), 124.

<sup>33</sup> On the prohibition, see Aisnara Perera and Maria de los Angeles Meriño Fuentes, *Nombrar las cosas: aproximación a la onomástica de la familia negra en Cuba* (Guantánamo: El mar y la montaña, 2006), 47.



By leaving out last names, this baptismal entry also suggested a truncated genealogy, which was supposed to mark slaves out and distinguish them from free people. Having an approximate age was also an indicator of inferior status.

The higher the social status of the slave to be baptized, the more likely it was that the baptismal entry would include indications that he or she belonged to a more extensive social network. For instance, creole slaves who had a legitimate lineage (their parents were married) were more likely to have their birth dates listed and to have two godparents; creole slaves in general, whether of legitimate or illegitimate birth, were more likely to have two godparents. Gender too made a difference in how extensive the social network fostered through godparentage would be. For instance, *bozal* women were more likely to have two godparents than *bozal* males.<sup>35</sup>

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<sup>34</sup> AASC, *Libro Primero de Bautismos de Pardos y Morenos de San Luis del Caney* (1814-1821), baptismal record number 9, January 14, 1815. Prudencio Casamayor was one of the wealthiest land and slave owners in Santiago in the late 1810s. He purchased from the Royal Treasury (Real Hacienda) forested state lands, and from local ranchers large unused tracts, amassing 33,550 hectares by 1803. He then proceeded to divide this land into lots which he rented out or sold to St-Domingue refugees. He was also involved in wheat and slave trading between the U.S., Santiago, and the French Caribbean, and provided the governor of eastern Cuba with a coffee plantation and slaves, in his efforts to naturalize. On Casamayor's initiatives to cultivate coffee, AGI, Cuba, leg. 1537A, Report from Sebastián Kindelán (governor of eastern Cuba) to the Marqués de Someruelos (captain general of Cuba), May 11, 1803. His naturalization papers, extolling and listing his contributions to the local economy are in AGI, Cuba, leg. 1541, Letter from Kindelán to Someruelos, June 15, 1807. Gabriel Debien, "Les colons français réfugiés a Cuba," *Revista de Indias* 1 (1953): 559-605; Ada Ferrer, *Freedom's Mirror: Cuba and Haiti in the Age of Revolution* (Cambridge: Cambridge University Press, 2014), 173-183; Juan Pérez de la Riva, "La implantación francesa en la cuenca superior del Cauto," in *El barracón y otros ensayos* (Havana: Editorial de Ciencias Sociales, 1975); Portudondo, "Santiago de Cuba, los colonos franceses y el fomento cafetalero," 118.

<sup>35</sup> 36% of all enslaved males born in Africa and baptized in El Caney between 1814 and 1821 had two godparents. During the same time period, 43% of the enslaved women born in Africa had two

If slave owners might have used baptisms as a means of reproducing color- and birth-based social hierarchies, for slaves, they could be occasions to expand social networks. From a religious perspective, godparents served as guides into the Catholic faith. But godparents also had a variety of other socio-economic functions: they could provide information, legal and bureaucratic savvy, and material resources. For slaves born in Africa, godparents might be the first additions to an emerging family. Economically too, godparents were often under pressure to provide resources for their godchildren. Some godparents confessed to not wishing to serve the role precisely because they did not have the necessary resources to help them, and disliked being associated with them. Such was the case of a free man of color by the name of José Brioso who had accepted to serve as a godfather to a girl named Bruna Brígida thinking that she was free, since he “did not want to baptize slaves.”<sup>36</sup>

Between the mid-1840s and the mid-1860s, a quarter of all free people of color who had been born in Africa and who filed testaments bequeathed money or goods upon godchildren.<sup>37</sup> A tenth of all testators born in Africa provided for godchildren who were enslaved. For instance, Ignacio Jaen, carabalí, owner of a slave and a tobacco farm, left 25 pesos to each of his three godchildren, one of whom, by the name of Manuel Wright,

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godparents. AASC, *Libro Primero de Bautismos de Pardos y Morenos de San Luis del Caney* (1814-1821).

<sup>36</sup> ANC, ASC, leg. 826, exp. 19,422: “Cuaderno de audiencia de la demanda promovida por el Caballero Síndico Procurador General seguido contra Da María Josefa Franco reclamando la libertad de la mulata Bruna Brígida, 1860.”

<sup>37</sup> This argument is based on the study of 542 testaments filed by individuals identified as being of color who filed testaments between 1845-1847, 1853-1855, and 1862-1865. See appendix 11 for methods and sources.

was a plantation slave.<sup>38</sup> Maria Dolores Trespalacios, also carabalí, and owner of a city home and of two slaves, bequeathed 150 pesos upon three enslaved godchildren.<sup>39</sup> Secundina Salazar, mandinga, left an equivalent amount of resources to her granddaughter and to three slaves belonging to Da Maria Gertrudis Carbonell, her goddaughters.<sup>40</sup> By contrast, free people of color who had been born in the Americas only rarely made bequests to godchildren. For instance, in 1845 and 1846, of 138 testaments filed by creole free people of color, only three contained provisions for godchildren. None of the godchildren was a slave. This discrepancy in bequests to slave godchildren suggests that African-born godparents had a somewhat different conception of their reciprocal obligations. Individuals born in Africa who had been forcefully removed from kin networks may have approached godparenting as a means of extending networks of responsibility and perhaps of recreating family.

Between the late 1810s and the 1830s, in Santiago, religious sponsors were ranked according to the color-based social hierarchy. We cannot be certain that plantation slaves were responsible for choosing their own (if they had been born in Africa) or their children's godparents. However, some shifting patterns suggest that family members had more of a say over who would serve as a godparent for a creole child than an Africa-born slave might have had over who might be his or her own godparents. Godparents tended to

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<sup>38</sup> AHPSC, PN, leg. 392 (Escribanía de la Hacienda): Testament of Ignacio Jaen, March 27, 1846, f. 88v-89v.

<sup>39</sup> AHPSC, PN, leg. 392 (Escribanía de la Hacienda): Testament of Maria Dolores Trespalacios, October 6, 1846, f. 282-282v.

<sup>40</sup> AHPSC, PN, leg. 529 (Escribanía Ramírez): Testament of Secundina Salazar, February 10, 1846, f. 24-25v.

occupy a position one step above that of the person undergoing baptism, but one step below that of their owners. Very rarely did slave owners in Santiago de Cuba act as godparents to African-born slaves or creole slave children.<sup>41</sup> The occasional cases that occur seem to come from favors that owners of color decided to make to their slaves, as we have seen in the previous chapter.<sup>42</sup>

The coffee plantations' color-based hierarchies permeated the hierarchies at the heart of godparentage. White children invariably had white spiritual sponsors, *pardo* children had white and *pardo* (people of mixed descent) sponsors, and black children and adults had white, *pardo*, and black sponsors. This particular distribution replicated the planters' own policy of godparentage, most likely to be revealed in the distribution of godparents for slaves born in Africa. These individuals were more likely to have had less of a say in the choice of a spiritual patron than creole slaves.

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<sup>41</sup> In El Cobre, between 1817 and 1821, only 20 slaves out of 276 undergoing baptism (that is, 7%) had their owners serve as their godparents (all of them had been born in Africa). AASC, *Libro 7o de bautismos de Santiago del Prado, Reales Minas del Cobre, 1817-1826*. Between 1856 and 1864, only 24 slaves out of 958 (2%) undergoing baptism had their owners act as their godparents. AASC, *Libro 12o de bautismos de Santiago del Prado, Reales Minas del Cobre, 1856-1870*. Stuart Schwartz and Stephen Gudeman have noted a similar pattern in the sugar-dominated region of Recôncavo, in Bahia in the late eighteenth century, and have used this insight to question the Portuguese slave owners' proverbial paternalism. Stephen Gudeman and Stuart Schwartz, "Cleansing Original Sin: Godparentage and Baptism of Slaves in Eighteenth-Century Bahia," in Raymond T. Smith, ed., *Kinship Ideology and Practice in Latin America* (Chapel Hill: University of North Carolina Press, 1984), 35-58. In his instructional manual for how to teach slaves the key principles of Catholicism, Antonio N. Duque de Estrada advised strongly against owners' serving as godparents on grounds that the practice would undermine their power. Nicolás Duque de Estrada, *Explicación de la doctrina cristiana: acomodada a la capacidad de los negros bozales* (Havana: Ediciones Bachiller, 2006 [1823, third edition]).

<sup>42</sup> On the Brun family in St-Domingue, British National Library, Government of France, *État détaillé des liquidations opérées a l'époque du 1er janvier, 1834*, 492-493; on their connection to Saint-Félix Doutre, AGI, Papeles de Cuba, leg. 1548, num. 536: Félix Doutre's petition to go to New Orleans to bring his family back to Santiago, April 22, 1812; on their godparenting practices between 1817 and 1821, AASC, *Libro 1o de bautismos de pardos y morenos de San Luis del Caney, 1814-1821*.

By the mid-1840s, free people of color participated with growing frequency in the baptism of slaves. If in the late 1810s, they had served as godparents in about a third of all baptisms of slave children. The other godparents were slaves who occupied a slightly higher status on the plantation. By the 1850s, free people of color constituted more than two thirds of all the godparents to slave children.<sup>43</sup> This pattern suggests increasingly more dense networks connecting slaves and free people of color in an area which boasted the largest coffee plantations of the Santiago province during the 1820s and 1830s, but entered a period of decline in the 1840s. This shift in godparent choices suggests that the slaves working on the plantations might have been able to have a say about who could serve as their spiritual sponsor.

Stephen Gudeman and Stuart Schwartz have argued that, during the eighteenth century, a hierarchized system of godparentage existed both in the sugar plantation areas of Bahia (Recôncavo) and in livestock-centered Curitiba (Paraná), where the free population of color far outnumbered the slave population.<sup>44</sup> Between 1735 and 1772, in Arecibo, Puerto Rico, a ranching area with a large population of free people of color, godparenting tended to be vertically structured as well: slave parents preferred free people as godparents to their children.<sup>45</sup> This generalized pattern suggests that perhaps

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<sup>43</sup> AASC, *Libro 5o de bautismos de pardos y morenos libres y esclavos de la parroquia de San Luis del Caney*.

<sup>44</sup> Stephen Gudeman and Stuart Schwartz, "Cleansing Original Sin: Godparentage and Baptism of Slaves in Eighteenth-Century Bahia," in Raymond T. Smith, ed., *Kinship Ideology and Practice in Latin America* (Chapel Hill: University of North Carolina Press, 1984), 35-58.

<sup>45</sup> David Stark, "Ties that Bind: Baptismal Sponsorship of Slaves in Eighteenth-Century Puerto Rico," *Slavery and Abolition* 36.1 (2015): 84-110.

the political economy and the local demography did not necessarily overdetermine slave parents' understanding of spiritual parenthood: in both plantation and non-plantation economies, parents might still approach godparenting as a manifestation of paternalism. However, small shifts, such as the one in El Caney, can be extremely revelatory about the relationship between slaves and free people of color. Slaves were clearly turning increasingly more to free people of color for support by mid-century.

The last names of some of the free people of color who served as godparents suggest another shift. We can assume that godparents who were free people of color and had the same last name as prominent local planters might have once been slaves to those planters, or were the descendants of slaves/former slaves. For instance, on September 18, 1850, Cayetano and Maria Dolores Ivonet served as godparents to Mariana Caridad who belonged to Dn Santiago Peireau.<sup>46</sup> Gabriel, Eduardo, and Eusebio Ivonet were prominent coffee planters in the area known as La Amistad; in 1827, according to a local census, they had relied on the labor of 97 slaves.<sup>47</sup> Neither Maria Dolores, nor Cayetano Ivonet appeared in the baptismal registry as having a second last name. Legitimate children of free parents customarily had second last names (a mother's last name, along with a father's last name). We can therefore conclude that it is quite possible that the Ivonets were either first- or second-generation free people of color. They clearly participated in a

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<sup>46</sup> AASC, *Libro 5o de bautismos de pardos y morenos libres y esclavos de la parroquia de San Luis del Caney, que empieza el once de agosto de 1840*, September 18, 1850.

<sup>47</sup> A third of the godparents in the baptisms taking place in 1850, 1852, 1853, and 1859, in El Caney were free people of color with the same last name as that of prominent local planters. On the Ivonet planters, ANC, *Correspondencia de los Capitanes Generales (CCG)*, leg. 449, exp. 1: "Padrón de los mayores y contramayorales empleados en las haciendas del Partido de La Amistad," 1827.

local social network that had expanded well beyond that of their former owner or their parents' owner and their coffee plantations. The records are replete with other similar such instances: on June 30, 1856, Eusebio and Serafina Despaigne served as godparents to Miguel, slave of Dn Juan Despaigne; or, in September, 1858, Gaston and Rosilleta Despaigne were godparents to a child who belonged to Dn Eugenio Despaigne.<sup>48</sup>

In the 1850s, in El Caney, a third of all of the godparents were free people of color with the same last name as that of a prominent planter. By contrast, in the 1820s, the free people of color who served as godparents tended to be wealthy planters, described as *pardos libres franceses*. Some of these godparents had acquired the term of respect “Don” or “Da” by the 1850s: the Brun sisters, Luis and Pierre Callard, or Genoveva Dubois are just a few examples. This suggests that, between the 1820s and 1850s, the kinds of free people of color offering spiritual sponsorship in El Caney were less prosperous and had a very recent memory of slavery. While they occupied a slightly higher social standing than the individuals whom they baptized, they nevertheless could develop a better understanding of their godchildren, as well as stronger social bonds by virtue of their proximity to them.

### The Slave Family and the Judicial System

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<sup>48</sup> AASC, *Libro 5o de bautismos de pardos y morenos libres y esclavos de la parroquia de San Luis del Caney, que empieza el once de agosto de 1840*, June 30, 1856. On the Despaigne family and some information on the Ivonet family, see Marial Iglesias Utset, “Los Despaigne en Saint-Domingue y Cuba: narrative microhistórica de una experiencia Atlántica,” *Revista de Indias* 71.251 (2011):77-107.

Slaves and slaveholders occasionally debated the meaning of the universal right to marriage and parenting in freedom suits inside the courtroom. Enslaved women with children were the most successful at swaying the judges to rule in their favor in freedom suits when they invoked motherhood.<sup>49</sup> Faced with greater obstacles in the courtroom, some enslaved men invoked the principle of patriarchal authority to gain freedom or certain rights.<sup>50</sup> But the slave family posed idiosyncratic questions that the Crown's jurists, colonial administrators, and Catholic ecclesiasts often tackled differently. In most court cases in which the right to form a family came up, the underlying issue was whether or not the sanctity of marriage was transcendental to the economic and political hierarchies of slavery. For instance, did a slave father/mother or the slave owner have the final authority over an enslaved child? How could an enslaved mother/father assert control and make provisions for a child who was freed upon birth? How could slaves from different properties have a conjugal life without restricting the slave owners' supposedly unlimited access to them?

Various colonial authorities disagreed on the reasons why they supported the slave family: the Church saw in slave marriage possibilities for missionizing; the Crown approached family rights as a tool for maintaining social order by reducing conflict

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<sup>49</sup> Camilla Cowling has argued that the laws of slavery in Cuba were gendered, providing enslaved women with more opportunities to gain freedom through legal means, especially when invoking the obligations that mother had toward their children and how slavery prevented them from fulfilling them. See *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro* (Chapel Hill: University of North Carolina Press, 2013), esp. chapters 2 and 3.

<sup>50</sup> On the recognition of patriarchy as an organizing principle of slave families, see Bianca Premo, *Children of the Father King: Youth, Authority, and Legal Minority in Colonial Lima* (Chapel Hill: University of North Carolina Press, 2005), introduction.



between slaves and slaveholders; and, as we saw, occasionally, planters regarded slave families as a mechanism of social and biological reproduction. The conflict between the Crown's policy of prudential humanitarianism and planters' demands for more male slave laborers (which reduced the possibilities for slave family formation) is most evident in the Crown's early and repeated calls to slave traders to bring more African women to the Americas. These calls suggest that buyers had pressured traders into bringing more men, making the Crown concerned about the outcome of the demographic tilt in favor of a male slave population.<sup>51</sup>

By the late eighteenth century, when British abolitionism was acquiring global proportions, slaves' reproductive potential and ability to form families became measuring sticks for the humanity and sustainability of slavery as an economic system. While abolitionists argued that planters prevented slaves from forming families, pro-slavery lobbyists blamed slaves' low reproductive rates on the slaves' ostensible cultural inferiority and lewdness.<sup>52</sup> In the face of British abolitionist attacks on the slave trade and slavery in Cuba, the Spanish Crown reiterated its commitment to the slave family multiple times between 1789 and 1868.<sup>53</sup> Cuban planters were not unique in embracing

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<sup>51</sup> "Real partida mandando casar los esclavos y que se lleven la mitad de mujeres en los cargamientos", Valladolid, May 11, 1527. *Recopilación de las leyes de Indias* (RLI), libro 7, tit. 5, ley 5. On the Spanish Church's commitment to marriage and the adoption of the Tridentine decrees that marriage was a sacrament that any Catholic had the right to, see Fifth and Sixth constitutions of the Sínodo Diocesano in José María Zamora y Coronado, *Biblioteca de Legislación Ultramarina* (Madrid: Imprenta de Martín Alegría, 1845), 4:242.

<sup>52</sup> On debates between pro-slavery and abolitionist circles regarding slave family formation and reproduction in the British Empire, see Seymour Drescher, *The Mighty Experiment: Free Labor versus Slavery in British Emancipation* (NY: Oxford University Press, 2002), 34-53.

prudential policies in the face of abolitionist attacks; such turns had already occurred during the Age of Revolutions. However, by mid-century, humanitarian policies became more frequent, even if many of them remained unimplemented.<sup>54</sup>

Slaves and free people of color sometimes exploited the conflicts between different colonial power figures, using a tactic similar to what Steve Stern has described as “pluralization-of-patriarchs” (with reference to late colonial New Spain). Slave claimants would invoke a higher authority to their owner as an arbiter of their rights in order to short-circuit planters’ control over them.<sup>55</sup> For instance, they would refer to the sanctity of marriage, thereby seeking the Church’s or the Crown’s support, when their owners might refuse to allow them family visitation rights or the right to get married. This is what hundreds of slaves did when the Archbishop Antonio Claret organized a

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<sup>53</sup> “Royal decree and instructional circular for the Indies on the Education, Treatment, and Work Regimen of Slaves,” May 31, 1789, in Gloria García Rodríguez, *Voices of the Enslaved in Nineteenth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2011), 47-54. The code was suspended in 1794 in response to criticism by planters from Cuba and Venezuela. “Reglamento de Esclavos” (1842), especially art. 29, 30, and 31, in Hortensia Pichardo, *Documentos para la historia de Cuba* (Havana: Pueblo y Educación, 1989), 322-323; “Reglamento para las sindicaturas en la presentación de quejas de los esclavos contra sus amos,” January 28, 1863 (art. 9 prohibited the sale of a child less than seven years of age), in Manuel Lucena Salmoral, *Leyes para esclavos* (Madrid: Fundación Histórica Tavera, 2000), 1295-1297.

<sup>54</sup> On colonial authorities’ “policy of prudence” in the French Caribbean, see Malick Ghachem, “Prosecuting Torture: The Strategic Ethics of Slavery in Pre-Revolutionary Saint-Domingue,” *Law and History Review* 29.4 (2011): 985-1029; Gordon K. Lewis, *Main Currents in Caribbean Thought: The Historical Evolution of Caribbean Society in Its Ideological Aspects* (Lincoln: University of Nebraska Press, 2004), 165-168. Lewis uses this particular phrase. In the Spanish colonies, one such prudential policy was the “Royal decree and instructional circular for the Indies on the Education, Treatment, and Work Regimen of Slaves,” passed May 31, 1789. Gloria García Rodríguez, *Voices of the Enslaved in Nineteenth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2011), 47-54. The Crown withdrew it two years later, following the planters’ ire. See “Statement from Havana’s ingenio owners to the king”, January 19, 1790, in García, *Voices of the Enslaved*, 55-73.

<sup>55</sup> Steve Stern, *The Secret History of Gender: Women, Men, and Power in Late Colonial Mexico* (Chapel Hill: University of North Carolina Press, 1997), introduction.

marriage campaign in rural Santiago in 1851; marriage rates among slaves increased significantly.<sup>56</sup>

Sometimes slaves' legal counsel would complain that prohibiting slaves access to their families would radicalize the population at a time of growing political tension. In 1864, in a Santiago de Cuba courtroom, a recently freed woman of color by the name of Quintina Granda petitioned for the freedom of her still enslaved sons. Quintina Granda's lawyer argued that the three men had been owned by a certain Ramón Granda who, upon his death, had allegedly freed them and their mother. However, Ramón Granda's deathbed wishes had not been fully fulfilled by his wife or by their descendents. While Quintina Granda was freed, her sons were sold or given away to other family members. In her petition, Quintina Granda and her lawyer emphasized the importance of freedom for those who had endured enslavement and a mother's desire to protect and be with her sons. Their argument did not take them very far. Moreover, even though the syndic was supposed to help Quintina Granda and her sons, his stalling suggests that he might not have had the litigants' best interests at heart. The syndic went so far as to accuse her of lacking a clear understanding about the institution of slavery in Cuba and how well slaves could do within it. He then refused to pursue her case any further inside the courts. But Granda did not give up. She filed a petition with the local governor in which she complained about the syndic, while also alluding to the Emancipation Proclamation in the U.S.: "Now ... the syndic has issued a statement in which he glorifies slavery on the island of Cuba [...], a statement that parodies ideas that are being debated

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<sup>56</sup> Francisco de Asís Aguilar, *Vida del excmo. e illmo. sr. Antonio María Claret* (Madrid: Conesa, 1871).

with the force of arms in our neighboring nation founded by the immortal Washington.” Granda suggested that she was not interested in discussing the institution of slavery as a whole; she merely wanted that her sons be freed or allowed to change their owners, a right embedded in the law of 1842. Yet, at the same time, she alluded to other paths to freedom, that could be more violent and far more prejudicial to slaveholders than her freedom suit. She also informed the courts of her knowledge about events taking place in the North.<sup>57</sup> It remains unclear if she won her sons’ freedom.

Cases such as the Grandas’ were rare. A survey of 86 freedom suits from Santiago de Cuba between 1811 and 1867 suggests that, in the courtroom, invoking family-related rights was less effective than providing proof of (partial) freedom payments or evidence of an owner’s extreme violence. And yet, while invoking familial rights might not yield freedom, it could still provide access to other rights – for instance, one could perhaps garner access to a larger plot of land or to some geographic mobility (through visitation rights if the spouse lived on another property). However, of all the familial bonds, the mother-child or father-child relationship was the most convincing in swaying the courts in the petitioners’ favor. Sometimes, such women were plantation slaves who had freed themselves and had learned to navigate a complex legal landscape. For instance, in 1863, Desideria Mirthil appeared before the courts claiming that she had bought her and her son’s freedom for 800 pesos; yet, her owner had sold the entire plantation and included her and her son in the inventory. In return for her payment, she had received a very informal freedom letter. The new buyer doubted its authenticity, especially since

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<sup>57</sup> This freedom suit was part of a larger property partition lawsuit. ANC, ASC, leg. 622, exp. 124,246: “Demanda establecida por Don Agustín Vera contra Don Agustín Fernández,” 1864.

Desideria Mirthil had remained on the plantation after gaining her freedom. In collaboration with the syndic, she appealed to the court's paternalism: she claimed that she had been an ignorant plantation slave and a mother who had worked hard to save money for her and her son's freedom. The courts granted her freedom.<sup>58</sup> Another father who had paid for the freedom of his two children traveled all the way from Saltadero to Santiago to get the freedom papers issued. Like Révé, the indebted planter mentioned at the beginning of the chapter, the owner of the two children, Gaspar Planchet, also had several mortgages on his property. The father, Vidal Planchet, invoked his hard work and long journey from Saltadero to speed up the issuing of the letters.<sup>59</sup> This case was also decided in the petitioner's favor.

A slave litigant's relation to a free person might be logistically pivotal to having a freedom suit to begin with. Because they had more access to urban institutions, free mothers, fathers, siblings, or godparents might bring a freedom case before a court or request that urban authorities review the treatment of their enslaved relatives living in rural areas.<sup>60</sup> In 1837, María Josefa Herrera went directly to the Provincial Governor to

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<sup>58</sup> AHPSC, JPI, leg. 393, exp. 2: "Diligencias promovidas por el Sor SP General sobre libertad de la negra Desideria y su hijo" (1863).

<sup>59</sup> ANC, ASC, leg. 296, exp. 7,219: "El Caballero Síndico Procurador General de esta ciudad reclama libertad de esclavos," 1846.

<sup>60</sup> ANC, ASC, leg. 1,176, exp. 39,891: "Cuaderno de Audiencia de los autos seguidos por el Síndico Procurador General contra D. Juan Beltrán Cautre sobre la libertad de una mulata y sus hijos," 1826. AHPSC, JPI, "Diligencias promovidas por Maria Josefa Herrera contra D. José Fabié por haverle este castigado a su hijo José Trinidad quien es esclavo," 1837. ANC, ASC, leg. 341, exp. 8,043: "D. José Nicolás Serrano sobre libertad de una esclava" (1844). AHPSC, JPI, leg. 391, exp. 2: "Información de insolvencia promovida por Caridad Renand para representar la demanda que sigue contra Maria Asunción Joanny sobre la promesa que le hizo de darle libertad a su hijo por la cantidad de 300 pesos."

complain that José Fabié had castigated her son, who was his slave, very violently. She also told the governor that the Songuito lieutenant could not be trusted: he was a good friend of Fabié's. Herrera was living in the city, but clearly traveled frequently to rural Songuito, where she learnt about her son's travails.<sup>61</sup> In 1840, a free woman of color by the name of Amelie informed the syndic in Santiago that a relative of hers from El Cobre, a certain Juan Bautista, was going to be sent to the mines, even though his deceased owner had wished his freedom. Amelie pointed out that Juan Bautista was too old and almost blind to be mining.<sup>62</sup> In 1862, Josefa Andrial, another free woman of color, came before the provincial governor to complain that the administrator had punished her son excessively. She wanted his freedom, but, in this instance, it was not granted: there was no sufficient proof of extreme violence.<sup>63</sup>

Other petitioners used the ambiguous formulation of a law in *Las Siete Partidas* to claim full freedom (not just greater autonomy) on grounds that they were married to a free person. These efforts, however, like other efforts of claiming more rights based on marriage were not very effective. *Las Siete Partidas* stipulated that slaves could gain their freedom by marrying a free person if the owner were present at the wedding and did not oppose the union. However, the law did not stipulate that the owner had to straightforwardly assert that he or she was freeing the slave. The owner's silence during

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<sup>61</sup> AHPSC, JPI, leg. 381, exp. 3: "Diligencias promovidas por Maria Josefa Herrera contra D. José Fabié por haverle este castigado a su hijo José Trinidad quien es esclavo," 1837.

<sup>62</sup> ANC, ASC, leg. 717, exp. 16,613: "El Caballero Síndico Procurador General demanda a Mr Eduardo Pauvert por la libertad del negro Juan Bautista."

<sup>63</sup> AHPSC, GP, leg. 559, exp. 19: "Expediente relativo al castigo del esclavo de D. José Francisco Garcia, 1862."

the wedding was supposed to be the only indication of his or her assent to the marrying slave's freedom: "*Casando sieruo alguno con muger libre, sabiendolo su señor, e non lo contradiziendo, fazesse el sieruo libre porende. Esso mismo dezimos que sería, si cassasse la sierua con ome libre.*"<sup>64</sup> Beginning with the early sixteenth century, the Crown had been issuing repeated clarifications of this law, explaining that, in fact, marriage to a free person could not be a path to freedom.<sup>65</sup> And yet, many petitioners still appealed to this law even as late as the nineteenth century. For instance, in 1824, Manuel de Jesús Sánchez claimed his wife's freedom on grounds that he had thought that she was free at the time of their marriage; his wife's former owner, Paula Salazar, had acted as a witness at their wedding ceremony and as a godmother to their first born.<sup>66</sup> Given her silence on his wife's status, it made sense to assume that *Las Siete Partidas* should apply. Salazar, however, provided a different account: she claimed that she had granted Manuela de Jesús conditional freedom in 1813, which would come into effect upon Salazar's death only. The syndic eventually turned toward the law of freedom by prescription, claiming that Manuela de Jesús had behaved as if she were free since 1813. Invoking family rights did not work in the petitioner's favor in this case. Other similar cases came before the

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<sup>64</sup> *Las Siete Partida*, Partida Quarta, Título XXII, Ley V (Madrid: Imprenta de la Publicidad, 1848), vol. II, p. 523. Translation from Robert Burns, ed., *Las Siete Partidas*: "If a slave marries a free woman and his master is aware of it and offers no opposition, the slave becomes free for this reason" (p. 982).

<sup>65</sup> "Real Cédula reiterando para Nueva España que el matrimonio con libre no manumite esclavo," Valladolid, July 10, 1538, in Lucena Samoral, *Regulación de la esclavitud negra*, 55-56. A similar clarifying point was issued for Lima in 1541 and in Santo Domingo in 1527. Lucena Salmoral, *Regulación de la esclavitud negra*, 26.

<sup>66</sup> ANC, ASC, leg. 717, exp. 16,335: "Diligencias promovidas por Manuel de Jesús Sánchez reclamando la libertad de su esposa Manuela de Jesús, esclava de Paula Salazar," 1824-1837.

court.<sup>67</sup> When the petitioners succeeded, it was primarily by shifting attention away from the laws regarding marriage to laws regarding freedom by prescription clauses. The onus then fell on them to provide as much evidence as possible that they had been treated “as if” free for over ten years. Marriage to a free person might be one such piece of evidence, but definitely not sufficient. Sometimes, the courts granted them freedom even though they were treated “as if” free for less than ten years.

The laws protecting the slave family did not by themselves bring that many slaves into freedom, but they nevertheless provided a language of rights that both slaves and freed people of color eagerly adopted. When Gerónimo explained that he should be granted the right to work for himself and his wife, he argued that being a slave did not necessarily reduce him to the status of an object. After all, his experience of slavery in the city of Santiago had confirmed to him that he could have both some rights as a person and be owned at the same time. Such claims to rights opened up, little by little, crevices into the institution of slavery.

## Conclusion

For those held in slavery, families were nodes at which legal knowledge and resources could build up. While planters tried to use slave families to expand and control a restive laboring population in their control, some slaves used kin to expand their social networks,

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<sup>67</sup> AHPSC, JPI, leg. 379, exp. 8: “José Portes demanda a Dna Ana Maria Llamas para que se le entregue dos hijos suyos que le retiene nombrados Maria Dolores y Casto,” (1833). ANC, ASC, leg. 716, exp. 16,309: “Demanda seguida por el Caballero Síndico Procurador General contra María Trinidad La Mota sobre libertad de la negra Petronila y sus hijos,” (1862).



to gain access to the courts, and to expand their rights. The presence of a large class of free people of color, the planters' ongoing reliance on slaves' natural population growth, frequent manumissions, which will be explored in the following chapter, coupled with a weak coffee economy created instability in Santiago's social hierarchies. In this context, free kin became a key resource for buying one's freedom.

In Santiago, families could also be repositories of historical memory and longings whose political undertones might remain unnoticed to the official eye precisely because they could be concealed within sentimental narratives about kinship. In 1842, José Inocencio Rizo, a free man of color and a tailor, embarked upon a journey to Jamaica to purchase fine English cloth for his elite clientele. However, once in Kingston, he arranged with the English captain to continue his journey onwards to Haiti's Le Cap.<sup>68</sup> These were not the best of times for a free man of color born in the Spanish dominions to travel to Haiti, a nation-state suspected of abolitionist international politics. An overt enemy of the Spanish Crown, the Republic of Haiti had occupied Spanish Santo Domingo in 1822, passing an emancipation decree with immediate effect.<sup>69</sup> The event made the Spanish authorities wonder about the Haitian president's broader political agenda: might Pierre Boyer be eyeing eastern Cuba as his next stop?

When, upon his return, Rizo was brought before the governor, he explained that familial reunion, rather than revolutionary politics or business, had motivated his journey. His father, Martín Almonaci had been held as a slave in the home of a certain Da Antonia

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<sup>68</sup> ANC, AP, leg. 137, exp. 12: "El Gobernador de Cuba hace referencia a un pasaporte dado al negro José Inocencio Rizo para Jamaica y lo uso para Santo Domingo," December 7, 1842.

<sup>69</sup> Frank Moya Pons, *La dominación haitiana, 1822-1844* (Santiago: Universidad Católica Madre y Maestra, 1972).

Almonaci, a St.-Domingue refugee, between the early 1800s and 1810s. When José Inocencio was still an infant, his father returned to Haiti, where he became a cobbler in Port-au-Prince. Rizo had received a letter from Martín Almonaci in 1841, and, as soon as his owner granted him his freedom, he started planning his voyage to Port-au-Prince. Moved by Rizo's account of his encounter with his father, the governor decided to let him go.

José Inocencio Rizo's odyssey suggests that the memory of the Haitian Revolution and its aftermath loomed large over Santiago's families. Rizo was clearly aware that one path to freedom was maroonage to Haiti and was curious to know what the neighboring society looked like. He returned to Santiago with a bagful of letters sent by Haitians who were trying to get in touch with family members in Santiago. During his journey, he would have also encountered Haiti's emancipationist politics. While Rizo's might have been an extraordinary case, it does suggest that, after the Age of Revolution, families around the Caribbean, fragmented and dislocated as they might have been, framed individual perceptions of the meanings of freedom and the different avenues available to obtain it. In Santiago, it was perhaps also inside such families, who had undertaken tortuous journeys around the Caribbean and across the Atlantic, that individuals learnt that slave kinship was the ground upon which planters and colonial official had built and now sought to defend the economic and political edifice of slavery. Yet, with coffee's crisis, families became the resource through which enslaved individuals chipped away at this crumbling edifice.

#### **Chapter 4: “She Treated Me like an Animal”: Manumission and Slaves’ Informal Ownership, 1820s-1860s**

In 1849, Margarita López, an enslaved woman living in the city of Santiago de Cuba, came before the courts demanding that she be granted access to the inheritance that her godmother, Basílica Echevarría, had bequeathed her.<sup>1</sup> The deceased had promised López 400 pesos, her full manumission price, with no strings attached, an arrangement formalized in Echevarría’s testament. However, Echevarría’s son and universal heir had apparently quickly exhausted his inheritance. Instead of giving López the promised 400 pesos, he offered her 200 pesos and access to the labor of two of his slaves for as long as she needed to save the remaining amount. The court agreed to this arrangement.

Apparently, the judges did not think that giving a slave temporary usufructury rights in two other slaves was contradicting the laws of slavery.<sup>2</sup> The court’s decision aligned

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<sup>1</sup> ANC, ASC, leg. 322, exp. 7,711: “Margarita López, esclava de D. Manuel del mismo apellido en reclamo de lo que le dejara su madrina Basílica Hechevarría,” 1849.

<sup>2</sup> For similar practices of slaves substituting themselves through the use of other slaves in Brazil, see Kátia de Queiros Mattoso, *To Be a Slave in Brazil, 1550-1888* (New Brunswick: Rutgers University Press, 1986), 158; Mieko Nishida, “Manumission and Ethnicity in Urban Slavery: Salvador, Brazil, 1808-1888,” *The Hispanic American Historic Review* 73.3 (1993): 361-391; Stuart Schwartz, “The Manumission of Slaves in Colonial Brazil: Bahia, 1684-1745,” *Hispanic*

itself with other customary arrangements that slaves and masters across the Spanish Empire had practiced throughout the colonial period, providing slaves with limited access to resources that they could claim as their own. Most notably, slaves had had a customary right to a *peculium*, monies that they held with owners' consent, a disciplining mechanism that was supposed to discourage them from maroonage and to pressure them to work harder. Poorly formalized, though, the right to a *peculium* could allow the master an inordinate amount of power over resources that slaves saved through hard work.

This chapter explores the social networks through which slaves informally accumulated and passed on resources, often with the aim of buying freedom. It therefore unearths a vernacular economy centering on informal possession that slave owners and colonial authorities tacitly allowed. Slaves were eager participants in the local market culture: they understood how the slave market worked and did not hesitate to negotiate with their owners resource-saving arrangements or their manumission price. Slaves and masters, however, did not necessarily always draw on a commodity-based ideology of ownership, according to which property is primarily an individually owned good whose value is established by the forces of demand and supply.<sup>3</sup> Slaves' customary practices of possession diverged from existing legal codes and relied on other social relations to

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*American Historic Review* 54.4 (1974): 603-635, page 626. Outside Brazil, the practice was not very common. Dominique Rogers provides some cases from eighteenth-century St-Domingue. Dominique Rogers, "Les libres de couleur dans la capitale de Saint-Domingue: fortune, mentalité et intégration a la fin de l'Ancien Régime, 1776-1789" (PhD thesis, University of Bordeaux III, 1999), chapter 3.

<sup>3</sup> Gregory Alexander, *Commodity and Propriety: Competing Visions of Property in American Legal Thought, 1776-1970* (Chicago: University of Chicago Press, 1997), 2-4; Carol M. Rose, *Property and Persuasion: Essays on History, Theory, and Rhetoric of Ownership* (Boulder: Westview, 1994), especially 47-70.

stabilize the blurry boundaries of ownership.<sup>4</sup> These relations, most notably the family and patronage and dependency, cut across racial and status distinctions, even though they could, at the same time, reinforce aspects of hierarchy. Slaves' informal ownership practices could depart from the letter of the law, but, if the litigants' kin had informally possessed those goods in the past, judges were more likely to secure them and pass them on to future generations. Margarita López's spiritual kinship tie to Echevarría through godparenthood paid dividends inside the court: the judges swiftly decided in her favor, knowing about Echevarría's close connection to her godchildren. Not only did the judges recognize slaves' informal ownership practices, they also acknowledged slaves' familial networks through which property had been amassed, even when such families were not official.

Informal ownership and knowledge of the market also exposed slaves to legal and political debates among slaveholding elites, in which they occasionally participated as well. Through the courts, slaves sought to formalize and expand their rights to own, along with other rights, such as the right to move or to refuse to work on a specific plantation.

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<sup>4</sup> For examples of similar processes occurring in other slave societies, see Ira Berlin and Phillip Morgan, eds., *Slaves' Economy: Independent Productions of Slaves in the Americas* (Portland, 1991); Philip Morgan, "The Ownership of Property by Slaves in Mid-Nineteenth-Century Low Country," *Journal of Southern History* 49.3 (1983): 399-420; Dylan Penningroth, *The Claims of Kinfolk: African-American Property and Community in the Nineteenth-Century South* (Chapel Hill: University of North Carolina, 2003). The struggle over productive resources has been an especially important topic in the literature on post-emancipation societies in the Americas; slaves' practices of ownership under slavery surfaced in the archival record only after emancipation. See Rebecca Scott, "Reclaiming Gregoria's Mule: The Meanings of Freedom in the Arimao and Caunao Valleys, Cienfuegos, Cuba, 1880-1899," *Past and Present* 170 (2001): 181-216; Rebecca Scott and Michael Zeuske, "Property in Writing, Property on the Ground: Pigs, Horses, Land, and Citizenship in the Aftermath of Slavery," *Comparative Studies in Society and History* 44.4 (2002): 669-699; Thomas Holt, *The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832-1938* (Baltimore: Johns Hopkins University Press, 1992).

More than any other relations that enslaved individuals engaged in and even though informal, property provided expansive opportunities to overcome the disabilities associated with the slave civil status. As such, property was not just a material good or a ramp toward freedom. It allowed enslaved individuals to negotiate customary rights associated with ownership. During the mid-1840s, with the contraction of the coffee plantation system in this area, enslaved individuals had greater opportunities to expand such customary rights than at any earlier point after the arrival of the St-Domingue refugees to Santiago.

### Paying the Price of Freedom

Many nineteenth-century observers and travelers in Cuba suggested that slaves' ability to "own" property was an important pillar of the system of slavery on the island. They suggested that slave owners tolerated it because it provided them with tangible benefits: by allowing slaves to keep vegetable gardens and livestock, masters could reduce the amount of food that they had to provide, while encouraging slaves to work harder and save resources that they might then use to buy their freedom. But many foreign and educated commentators writing about these practices were under the sway of Cuban planters who hosted and entertained them and who used their guests to pursue their own agendas. Since the second half of the eighteenth century, planters in Cuba had emphasized the leniency of Spanish slavery in order to convince the Spanish Crown that importing more slaves from Africa would not result in political violence on the island, an argument that they felt compelled to make more vocally especially after the Haitian

Revolution. To make their case, planters and their intellectual coterie deployed a sophisticated arsenal of comparative demographic and juridical evidence that foregrounded Cuba's paternalistic slave system, supposedly unique among the sugar islands of the Caribbean. Concern for slave families was one piece of evidence that Spanish planters were more benign than their neighbors, they argued. Besides the right to not being treated cruelly, two other slave rights stood out, they said: the right to get married and to own property that could be used to buy one's and/or one's family's freedom.

Travelers such as Alexander von Humboldt, Abiel Abbot, or John Wurdeman all paid heed to slaves' economic activities and family life throughout their journeys on the island during the first half of the nineteenth century. However, their insights clearly bore the imprint of their guides, who tended to be planters themselves. Unlike his other descriptions of South America, which consisted primarily of nature writings, Humboldt's *Political Essay on the Island of Cuba* did not try to capture a mythic and primal nature. Instead, he presented Cuban society through statistical, demographic, and social analysis. He was clearly aware that the island was undergoing radical economic refashioning at the turn of the nineteenth century, which his quantitative analysis sought to capture. Francisco Arango y Parreño, a planter and strong advocate for a plantation economy and for the free trade in slaves, served as Humboldt's host. He shared with Humboldt his own statistical and economic research on the island, which resurfaced in Humboldt's own

writing.<sup>5</sup> And yet, in spite of his handler, Humboldt still dedicated an entire chapter to a condemnation of slavery that many publishers subsequently pulled out.<sup>6</sup>

While not exactly a hot-blooded radical abolitionist, Humboldt supported gradual emancipation. However, concurring with Arango, he used a comparative analysis of different systems of slavery in the Americas to conclude that, even though there was still some room for improvement, Spanish laws and the economic context in Cuba had created better conditions for slaves than neighboring imperial powers had. Even though Humboldt disagreed with Arango over the future of the institution, he still conceded that slavery under Spanish rule in Cuba was idiosyncratic. For instance, he pointed, slaves in Cuba had been allowed to purchase themselves and to informally “own” property. His evidence was the considerably larger population of free people of color in Cuba compared to the British or French Caribbean. Such practices, he argued, reduced social tension on the island, and, with it, the likelihood of slave rebellion. Indeed a decade earlier, Francisco Arango y Parreño had similarly suggested that the liberalization of the

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<sup>5</sup> Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation* (NY: Routledge, 1992), 131; Alexander von Humboldt, *Ensayo político sobre la isla de Cuba* (Paris: Jules Renouard, 1827); Ada Ferrer, “Speaking of Haiti: Slavery, Revolution, and Freedom in Cuban Slave Testimony,” in *The World of the Haitian Revolution*, eds. Norman Fiering and David Geggus (Bloomington: Indiana University Press, 2009); Josep M. Fradera, “Moments in a Postponed Abolition,” in Josep M. Fradera and Christopher Schmidt-Nowara, eds., *Slavery and Anti-Slavery in Spain’s Atlantic Empire* (NY: Berghahn, 2013), 258; Michael Zeuske, “Alexander von Humboldt in Cuba, 1800/1801 and 1804: Traces of an Enigma,” *Studies in Travel Writing* 15.4 (2011): 347-358. On Arango’s defense of slavery and free slave trade to Cuba, see “Primer papel sobre el comercio de negros” (1789) and “Discurso sobre la agricultura de la Habana y medios de fomentarla” (1793) in Francisco Arango y Parreño, *Obras* (Havana: Dirección de Cultura, 1952), 1: 79-84 and 175-203. Arango reiterated these rights in his defense of slavery in the liberal Cortes: “Representación de la ciudad de la Habana a las Cortes,” in Arango y Parreño, *Obras*, 2: 145-187.

<sup>6</sup> For instance, an 1856 North American version left out his chapter 7, “*De la esclavitud.*” The first Spanish-language edition (in 1827), published in Paris, which included chapter 7, was banned in Cuba.



slave trade to the island would not result in slave rebellions because slaves were better treated in Cuba than anywhere else in the Caribbean:

Those who have not travelled to the other Caribbean islands will not grasp the full import of this social diversity [of people of color in Cuba]. The gradual improvement of one's status in Cuba, even among slaves, is possible: because of slave owners' wealth and the possibility of earning through labor, 80,000 slaves have moved to the city; furthermore, because of lenient laws that have favored manumission, there are more than 130,000 free people of color.<sup>7</sup>

Writing about his visit to coffee plantations in Matanzas during the 1820s, Abiel Abbott, like Humboldt, emphasized that slaves had "certain privileges: as much land as they choose to till well, and the whole produce to sell in corn or pork, or what they please. I have myself seen a negro's hog worth \$50."<sup>8</sup> Supposedly, slaves increased "the variety of their food by the product of their own land. They raise *malanga* [...]. We saw lucerne and guinea grass for cattle. [...] We saw [...] I know not how many species of flowering trees and shrubs." In fact, Abbott suggested naively, purchasing one's freedom was within easy reach. Slaves "make money, and some save and bury it"; "at an early period in life" some may even "buy their freedom. This very week, a splendid funeral was made for a black woman who paid for her freedom, and has left behind her \$100,000, collected by her industry, and also an amiable and respectable character."<sup>9</sup> Abbot's hosts, planters and their families, clearly shaped his views of manumission. He portrayed slaves' customary rights to save resources as instilling discipline in people whom he thought would be

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<sup>7</sup> Humboldt, *Ensayo*, 266. [My translation.]; Arango, "Discurso sobre la agricultura."

<sup>8</sup> Abiel Abbot, *Letters Written in the Interior of Cuba* (Boston: Bowles and Dearborn, 1829), 57.

<sup>9</sup> Abbot, *Letters*, 28, 97.

prone to misbehavior on account of being born in Africa. Yet, despite his bias, Abbot captured the presence and importance of the slaves' provisioning grounds and livestock in rural Cuba. Twenty years later, F. Wurdeman, a South Carolina doctor, struck a familiar comparative note after a stay at a coffee plantation in the west-central province of Matanzas: slaves in Cuba seemed to him to be happier than the northern free poor of his home country: "Well fed, with sufficient time allowed them for rest and the care of their own live stock of fowls and hogs, compared to the destitute of even our northern states, they are happier; and many are enabled to save enough money to purchase their freedom, which is not unfrequently done."<sup>10</sup>

The possibilities for freedom that slaves had depended on the plantation system's productivity and on global prices for agricultural staples, something that Humboldt, Abbot, and Wurdeman did not notice. To the east, the state of the coffee industry constrained access to manumission for most slaves, whether or not they worked on plantations, since the price of freedom depended on the cost of slave labor. As coffee plantations were shrinking, the rates of manumission went up in this area. Comparatively, by the early 1860s, Santiago's manumission rates were higher than those of other plantation societies in the Americas, but they were still lower compared to societies where plantations had not taken root.

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<sup>10</sup> F. Wurdeman, *Notes on Cuba* (Boston, 1844), 145.

**Table 2 Change in manumission rates in the jurisdiction of Santiago de Cuba<sup>11</sup>**

	Total no. of manumission letters for the year cluster	Average number of manumissions per annum	No. of slaves in the jurisdiction of Santiago de Cuba	Manumission rate per 1,000 slaves per annum
1828-1830	206	69	41,792	1.6
1845-1847	549	183	35,444	5.1
1862-1865	606	202	32,255	6.3

Slaves were supposed to pay a freedom price that was equivalent to their market price. They had to right to access the services of an expert who estimated their value.<sup>12</sup> And yet, manumission prices were rarely the same as the market prices. Manumission prices tended to be higher than market prices, which suggests that planters managed to eschew existing laws.

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<sup>11</sup> I computed the manumission data on Santiago drawing on 2,205 freedom letters included in local notarial offices over the following years: 1828-1830, 1832-1834, 1845-1847, 1853-1855, and 1862-1865. See appendix 11 for sources and methods. Vives, *Cuadro estadístico*, 1827; Leopoldo O'Donnell, *Cuadro estadístico de la siempre fiel isla de Cuba, correspondiente al año 1846* (Havana: Imprenta del Gobierno y de la Capitanía General, 1847), 220; Comisión Estadística, *Noticias estadísticas*, 1862. By comparison, in the British Caribbean, the average manumission rate was 1.975/1,000 slaves/per annum. Barry Higman, *Slave Populations of the British Caribbean, 1807-1834* (Mona: The Press University of the West Indies, 1995[1984]), 381. In Rio de la Plata, the manumission rate stood at 13/1,000 slaves/annum. On Argentina, Lyman Johnson, "Manumission in Colonial Buenos Aires, 1776-1810," *Hispanic American Historic Review* 59.2 (1979): 258-279, rate listed on page 277.

<sup>12</sup> This right was attached with another right—to *coartación* (to buy oneself in instalments), which the Spanish Crown started to formalize beginning with 1768, a process that culminated in 1862. Alejandro de la Fuente, "Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*," *Hispanic American Historical Review* 87.4 (2007): 659-692; Manuel Lucena Salmoral, "El derecho de coartación del esclavo en América española," *Revista de Indias* 59.216 (1999): 357-374.

**Table 3 Average price for slaves aged 15-40 in the jurisdiction of Santiago de Cuba<sup>13</sup>**

	1828-1830	1832-1834	1845-1847	1853-1855	1863-1865
Manumission price	335	330	360	398	617
Santiago market price	300	300	354	453	523
Havana market price	Unavailable	Unavailable	402	537	684

The price of manumission depended on the individual's place of birth, age, and gender, as well as the demands of individual owners. Creole slaves were a lot more likely to be able to buy their freedom or to obtain it graciously. Moreover, this group was also more likely to have their freedom purchased by a third party, kin, friends or patrons. Throughout the decades, women were consistently more likely to manumit themselves: more than half of freedom letters (58%) issued in Santiago between 1828 and 1865 were for enslaved women. Moreover, an increasingly creolized slave population could more easily access family networks to save resources and buy their freedom.

**Table 4 Manumission patterns based on place of birth, 1828-1865<sup>14</sup>**

	Africa-born slaves	Cuba-born slaves	Total in sample
Freedom letters issued to	807	1,397	2,205
Percentage of letters issued to	37%	63%	
Letters issued that were paid by third party	45/0.06%	406/ 29%	451 (20%)
Free manumission	131/16%	413/30%	544 (25%)

<sup>13</sup> See appendix 11 for sources and methods. On the price fluctuations on the slave markets in Cuba, especially after 1857, see Bergad et al., *The Cuban Slave Market*, 38-78.

<sup>14</sup> See appendix 11 for sources and methods.

**Table 5 Manumission patterns by age, 1828-1865<sup>15</sup>**

	1828-1830	1845-1847	1853-1855	1862-1865
<12 years old	22% (45/206)	20% (111/549)	21% (115/553)	22% (134/606)
13-45 years old	72% (149/206)	72% (394/549)	66% (366/553)	54% (330/606)
> 45 years old	6% (12/206)	8% (44/549)	13% (72/553)	23% (142/606)

While the percentage of slave children receiving freedom letters remained relatively unchanged throughout the decades, that of individuals older than 45 years increased steadily. At the same time, the percentage of prime-age slaves being able to buy their freedom declined. One possible explanation might be that individuals buying their freedom took longer to save the needed resources as the prices were going up. Another might be the declining share that prime age slaves had within Santiago's enslaved population: only 38% in 1862 (the national average was 47%). That same year, 41% of the total enslaved population consisted of individuals less than 15 years old.<sup>16</sup>

We also know that slaves and owners negotiated the price of freedom because some such negotiations ended up in court. For instance, in 1825, a disabled slave by the name of Juan Luís came to the office of the public syndic to ask that the city provide an official evaluation of his price. His owner had estimated the price to be 460 pesos, which Juan Luís deemed to be unfair, on grounds that he could not move one of his hands and

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<sup>15</sup> See appendix 11 for sources and methods.

<sup>16</sup> Centro de Estadística, *Noticias estadísticas*, 1862.

that he had been suffering from repeated spasms. The city doctors confirmed his paralysis in one hand, but not the spasms, and reduced his value to 250 pesos.<sup>17</sup> In 1837, the enslaved woman Celestina convinced her deceased owner's testamentary executor to evaluate her price again and lower it on grounds that she was severely ill. Celestina was part of an estate over which several heirs were in conflict. They could not agree over the price of her manumission, nor over who would be her new owner. Celestina passed away as her suit was being adjudicated inside the courts.<sup>18</sup>

Sometimes, the negotiations between slave owners and slaves revolved around when and under what conditions slaves would accede to a free manumission granted for a future date. A considerable number of free manumissions were conditional and were supposed to occur upon the owner's death or soon thereafter. However, when having to issue the freedom paper, interested heirs might ask that the manumission promise be rescinded on grounds that the slave had not behaved as expected. In 1842, as he was drawing up his testament, coffee planter Julian Megret granted his slave Dorotea freedom, but only upon reaching 25 years of age and with the condition that she would continue to serve as well as she had done in the past. Ten years later, as Dorotea was celebrating her twenty-fourth birthday, she learned that she had been sold to a new owner. Indeed, upon reaching 25, Dorotea was still a slave. When the syndic summoned Juan Bautista Megret, Julian Megret's heir, he alleged that Dorotea had failed to behave

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<sup>17</sup> ANC, ASC, leg. 701, exp. 15,908: "El Síndico Procurador General, Dn Jose Maria Veranes, pide el reconocimiento del negro Juan Luis, esclavo de Dn Miguel Ruíz para su libertad", 1826

<sup>18</sup> ANC, ASC, leg. 130, exp. 2,418: "Incidente de la testamentaria del regidor Dn Juan Antonio Bestard sobre la libertad de la esclava Celestina," 1837.

well and, therefore, her manumission had been rescinded. Both the accuser and the defendant called a number of witnesses who could evaluate Dorotea's behavior. Eventually, after a lengthy lawsuit during which Megret failed to appear in court multiple times, delaying the procedures, Dorotea did receive her freedom letter.<sup>19</sup>

These cases suggest that, in the jurisdiction of Santiago, some slaves skillfully used court litigation and negotiation to gain their freedom papers. However, the possibility of doing so depended heavily on the economic conditions in the jurisdiction. Slaves who had worked on coffee fields could be sold to emerging sugar plantations or in west-central Cuba or in Guantánamo, undercutting previous expectations. The growing number of freedom letters, however, suggests that many managed to free themselves as the coffee industry was contracting.

### Saving Resources

The optimistic picture of access to freedom that foreign travelers narrated in their popular accounts of Cuba contrasted sharply with the abject conditions that slaves had to confront, and with the violence through which slave masters controlled them and their goods. In 1839, Juan Francisco Manzano, the author of the only surviving slave narrative written in Cuba prior to general emancipation, recounted that, upon his mother's death, he discovered that his family had saved notes recording debts that the plantation owners

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<sup>19</sup> ANC, ASC, leg. 855, exp. 20,408: "Civil contra Don Juan Bta Megret sobre reclamación de la libertad de la negra Dorotea por el Caballero Sindico Procurador General de este Ayuntamiento"; ANC, ASC, leg. 896, exp. 31,368: "Demanda segunda por el Caballero Síndico Procurador General sobre libertad de la negra Dorotea, contra D. Juan Bta Megret," 1854.

had incurred to them, as well as some jewels. Some of these items had been passed down to his mother by his grandfather, evidence of family networks conveying resources across generations, even on a large sugar plantation. However, Manzano also emphasized that slaves' savings were vulnerable, since owners could pocket them with relative ease and impunity. While Manzano's account was written for a white abolitionist audience that was particularly interested in the most brutal aspects of plantation living, legal records suggest that he did not exaggerate the extent to which owners were ready to violently deprive slaves of their savings. In Santiago, by contrast, where many rural slaves had relatives in the city, some managed to hold their owners accountable in court. Indeed, legal records do shed light on the constant tug-of-war that slaves and their masters engaged in over slaves' access to time and goods that they produced, inherited, or received as gifts.

By and large, slave owners and slaves struggled over three issues. Rural slaves in particular had little access to the cash economy and could be isolated from the market places where they could sell their goods at competitive prices, which forced them to sell their wares to their owners or neighboring property owners at lower prices. Until the late 1830s, slaves had difficulty safely storing money, a resource that other family members or acquaintances might lay claims to. If they entrusted it to their owners, they could run the risk of being defrauded. Time, more so than access to land, could be an especially precious resource. When masters subjected slaves to heavy labor obligations, they left them little room for the planting and harvesting of marketable crops or for hiring themselves out for a supplementary extra wage.



In rural areas, slaves had access to very few other methods of accumulating cash. Some relied on illicit trading networks with nearby maroon communities. In 1816, a priest explained to the colonial authorities in Santiago that maroons brought wild honey to the plantations and exchanged it for animals. Slaves would pick up the honey and sell it at below-market prices to Catalan storekeepers.<sup>20</sup>

Animals and produce were the main source of income for slaves living in rural areas. In the absence of adequate cash proceeds, slaves could proffer them in payment of their freedom. The risk that they ran, as a traveler to Cuba explained, was that, without the close proximity of a market, the buyer, usually the owner, would establish the value of slave-produced goods without allowing the seller much room for disagreement. Some slaves, with legal savvy and access to financial resources, and perhaps friends and family in the city, successfully pressured their owners to give in to their demands, usually by relying on the syndic and the court system. For example, in 1828, a man named Fernando petitioned for his freedom paper on grounds that he had already paid for it. Fernando claimed that he had paid for half of his price in produce and animals, and for the other half in cash. The court left it up to the owner, Tomás Vicente Rizó, to decide how much Fernando's goods had been worth. And indeed, perhaps unsurprisingly, Tomás Rizó told the judge that his former slave still owed him 30 pesos, thereby disagreeing with Fernando Rizó's own valuation of those goods. The litigant still had to work for his

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<sup>20</sup> ANC, AP, leg. 125, exp. 12: "Informe del presbítero Juan Luis Monfenga al gobernador de Santiago de Cuba fecha en San Anselmo de Tiguabos 31 de julio de 1819 sobre el resultado de la visita al Palenque mandado por el caudillo negro Ventura Sánchez (Cobas)."

former owner for at least three months to pay the remaining 30 pesos, but eventually succeeded in obtaining the manumission paper.<sup>21</sup>

Because he lived in the countryside, Fernando Rizó had greater difficulty buying his freedom, given his limited access to the cash economy. In the city, slaves who were contracted out often managed to put some money aside. A domestic servant could be hired out for 6-9 pesos a month in the city in the 1840s-1850s, according to ads listed in *El Diario El Redactor de Santiago de Cuba*, the city's main newspaper.<sup>22</sup> Slaves might then be allowed to keep some of this money or might do extra work in order to add to their incomes. Sometimes, owners agreed to pay the equivalent of wages, while at the same time maintaining ownership rights over the individual slave. For instance, Doña Eugenia Didion agreed to pay her slave Victoria 10 pesos a month and to grant her freedom after four more years in her service, an arrangement that seems to have been in Victoria's favor.<sup>23</sup>

One of the greatest difficulties that slaves confronted was finding a safe space to deposit their savings, whether cash or material goods. One of Cuba's foremost *costumbrista* writers and slave owner, Anselmo Suárez, captured how preoccupied slaves were to keep their few valuables intact in a vivid rural tableau. One of his estate

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<sup>21</sup> ANC, ASC, leg. 713, exp. 16,244: "Ldo D. Cayetano Izalgue, Síndico Procurador General, reclama la libertad del negro Fernando," 1828.

<sup>22</sup> Figure was compiled using the section *Solicitudes* in Santiago's main newspaper, *El Redactor de Santiago de Cuba*, from 1845 to 1860. I used the 106 issues located in Biblioteca Provincial Elvira Cape (Santiago) and a sample of 423 announcements.

<sup>23</sup> AHPSC, PN, leg. 222 (Escribanía de Heraclio García): Freedom letter for Victoria, September 14, 1864, fs. 115-115v.

watchmen, an old slave who could no longer cut cane, spent most of his time looking after his chickens and fruit trees, with the help of a little dog, whom he dearly loved. After leaving the yard even for a few minutes, he would come back to count his chickens carefully, which suggested that owning any goods could be dangerous business. Suárez remembered that the man had earlier asked the estate administrator to give him a dog, so that his fruits and chickens would be better guarded in his absence.<sup>24</sup>

Slaves occasionally handed money to people whom they trusted or who might have promised them something in return. For instance, in 1848, Huberto Lequien came before the courts on behalf of his slave, Juan de Dios, to ask Luís Esperanza Tressord, a free man of color, to return the 250 pesos that de Dios had entrusted to him. Juan de Dios had worked as a day laborer for the port and had saved the money in order to buy his freedom over a period of thirteen years; hence, his owner's vested interest in this money, which he hoped he would be able to pocket. The owner seems to have still had the option of selling the de Dios in the slave market, if he had wanted swift access to money, but he had formed an attachment toward his slave whom he wanted to help by suing Tressord. De Dios and his witnesses claimed that Tressord had used the money to buy his wife's freedom, but the claim was of little value, since Tressord's wife had acquired her freedom long before Juan de Dios had started his savings fund with Tressord. Furthermore, Tressord managed to discredit all the litigant's witnesses on grounds that they were slaves who belonged to the same ethnic group (*carabalí*), which, despite the witnesses' protestations, supposedly made it more likely for them to have plotted against Tressord.

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<sup>24</sup> Anselmo Suárez y Romero, "El guardiero," in Salvador Bueno, ed., *Costumbristas cubanos del siglo XIX* (Caracas: Biblioteca Ayacucho, 1985), 320.

Carlos Specht, Juan de Dios' former owner, also came out in Tressord's favor alleging that de Dios was not skilled enough to have been able to amass such a large amount of money. Lequien and de Dios lost the case.<sup>25</sup>

Sometimes slave owners claimed that financial transactions between slave and free people of color were politically suspect, an argument that could, occasionally, help a slave litigant successfully sue individuals who might have defrauded them. In the late 1830s, Julian, a slave who belonged to Tomás Fernández, lent 210 pesos to a certain Pierre Pompé who had moved from New Orleans to Santiago a few years earlier. Pompé needed the money in order to set up his office as a barber-surgeon, while Julian hoped that he might be able to more safely store his money this way and reap an interest from the loan. But, after a few years, Pompé filed for bankruptcy and claimed that he could not return the money. As evidence for the loan, Julian provided the receipt, in which Pompé referred to him as Monsieur Julian. This respectful form of address incensed Tomás Fernández as a potentially anti-slavery tactic. Before the judge, Fernández claimed that Julian could not have entered this contract without his prior permission (in the absence of which, the contract was void): [Pompé had contracted this debt without my consent and with a slave whom he refers to as Sir in the aforementioned document, which reveals that Pompé might have an ulterior motive, given that he is black, from Louisiana, and of what God knows what antecedents.]<sup>26</sup> The case ended with a settlement in which Pompé paid

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<sup>25</sup> AHPSC, JPI, leg. 387, exp. 7: "Diligencias promovidas por Don Huberto Lequien a nombre de un esclavo de su propiedad nombrado Juan de Dios contra el moreno libre Luis Esperanza Tressord en cobro de pesos," 1848.

<sup>26</sup> ANC, JPI, leg 383, num. 2: "Lic. D. Tomas Fernández prepara demanda contra Pedro Pompé sobre cobro de pesos en representacion de su esclavo Julian," 1842. "*Esta deuda fue contraida*

the money back to Julian, including a hefty interest. But Fernández's allusions to a supposed anti-slavery intent must have made an impact on the court, given the widespread fears of a British abolitionist plot. David Turnbull, a famed abolitionist, had taken up his seat as the British Consul to Cuba two years earlier, only to be expelled in 1842 on grounds of having incited slave unrest.<sup>27</sup>

Slaveholders had vested interested in their slaves' debtors, given that they hoped that one day they would be able to pocket the money themselves. The case of Brígida Salazar shows how a slave owner followed closely his slave's debtors. Salazar had arranged with her owner, a free man of color named José de los Santos Betancourt, a flexible living and working arrangement: she was allowed to live by herself and work as she wished, so long as she would pay him 650 pesos over a certain period of time. To save this money, she took in her care two children who belonged to a white militiaman, José Cubero, who spent most of his time in the rural areas of the jurisdiction. After several years, one of the children died of cholera. Salazar covered the cost of his treatment and his funeral from her own savings. Returning from the countryside, Cubero refused to pay her back for these costs or to give her the wages that he owed her. Moreover, the litigant complained that the father wanted to take the other child out of her

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*por Pompé sin conocimiento mio, con un esclavo a quién en el sobredicho documento le da el tratamiento de Señor, revelando con ello, la relación y la inteligencia que llevan entre sí, quién sabe con que idea, porque Pompe es negro, proveniente de los Estados Unidos, y sabe Dios que precedentes habrá habido..."*

<sup>27</sup> Robert Paquette, *Sugar Is Made with Blood: The Conspiracy of La Escalera and the Conflict between Empires over Slavery in Cuba* (Middletown: Wesleyan University Press, 1988).

care, even though she had developed deep feelings of affection for her.<sup>28</sup> Indeed, she refused to hand her over to her father, who now argued that Salazar was not able to give his daughter the upbringing that she deserved. Salazar passed away during the proceedings, but her owner, José de los Santos Betancourt, took Cubero to court and asked that he be paid the money that Cubero owed the deceased. He won, and in spite of Salazar's death, the money ended up in his pocket.<sup>29</sup>

Lending or entrusting money to kin was not necessarily a safer method of storing one's savings. In 1824, the slave Juan Lampuzo inherited from his enslaved grandmother money for his freedom. The grandmother had buried the child's money and had instructed him how to get it, on the eve of her departure to Jamaica. However, naively, Juan Lampuzo unburied the money in the presence of his godfather who took it away from him and bought animals for his own use. Lampuzo's owner realized what had happened, resold the animals and saved the money in the child's name. However, Lampuzo was still not given a freedom letter, even when his dying owner, Da María Manuela Martí, stipulated in her will that he was entitled to it. Eventually, when pressed before the court, Maria Manuela Martí's heir acceded to Lampuzo's demand.<sup>30</sup>

These conflicts allude to the difficulty of saving money, a highly portable and standardized resource that others could easily abscond or make claims to. Thieves might

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<sup>28</sup> “Ahora Cubero me abandona negando a cumplir su ofrecimiento. Ahora su orgullo se ha excitado y considerando que su niña no esté al cuidado de una negra me la ha quitado cuando mi cariño la consideraba ya como una hija querida.”

<sup>29</sup> ANC, ASC, leg. 641, exp. 14,639:” Demanda entablada por Brígida Salazar, morena esclava de José de los Santos Betancourt, con autorización de este, contra D. José Cubero,” 1864.

<sup>30</sup> ANC, ASC, leg. 268, exp. 6,736: “El SPG reclama la libertad de un negro de la testamentaria de D. José Martí Sola,” 1824.

have had a harder time with objects that bore indelible markers of one's ownership, particularly in small communities where family and friends might have also kept an eye out for each other. These cases also shows that conflicts could arise among Afro-descendants, and suggests that alliances between slave owners and their slaves could be crucial for slaves who wanted to use the judicial system.<sup>31</sup> Finally, the only evidence that Juan de Dios, the slave who had entrusted money to Luís Esperanza Tresord, had for his property were the testimonies of other witnesses. If his story was true, he clearly had to balance secrecy about his accumulated resources (against potential claims on it by friends and family or thieves) with enough publicity to legitimate his own rights to the savings.

Informal methods of saving similar to a banking system also existed in Santiago. In November 1817, the police in Santiago discovered a society consisting of enslaved women, all of them French speakers presumably brought to Cuba by refugees from the Haitian Revolution. They were said to organize dance parties during saints' days with the goal of collecting money. At least thirty slaves, free people of color, and whites participated in these parties, which culminated with the coronation of a queen. The slave participants were, for the most part, women, and the free men were sailors, their informal

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<sup>31</sup> There are many cases in the archival record of owners suing on behalf of their slaves against individuals who had hired the slave in question but had not paid adequate wages. See, for instance, ANC, ASC, leg. 1,080, exp. 36, 477: "Recurso de Da Manuela Pérez Borroto contra la representación del Pbro D Agustín Cisneros sobre cobro de un negro y sus jornales," 1825; ANC, ASC, leg. 55, exp. 1,439: "Diligencias promovidas por Da Micaela Villa cobrando a D Miguel Goula los jornales de un esclavo," 1830; ANC, ASC, leg. 510, exp. 11,980: "Demanda puesta por María Josefa Mediaseja contra Francisca Cruzata sobre los jornales de tres años de su hijo Luis," 1838; ANC, ASC, leg. 556, exp. 12,881: "D Joaquín Polanco contra D Eutimio Solórzano reclamando indemnización de los jornales de un negro," 1848; ANC, ASC, leg. 1,104, exp. 37,466: "Promovido por D Gaspar Betancourt y Varona contra la sucesión de D Sebastián de la Vega sobre cobro de pesos devengados por jornales del negro Natividad," 1860.

husbands, who, at the time of the trial, were all supposedly at sea, working in the trans-Atlantic slave trade. The money collected during the parties was designed to purchase the freedom of the enslaved participants, beginning with those whose servitude was especially difficult. Most of the enslaved women lived on the properties of their free husbands, a behavior that the authorities decided to punish on grounds that the unions had not been formalized inside the church and that the Crown did not tolerate libertinage.<sup>32</sup>

Handing the money to the owner or to the property's overseer was another method of banking it. This was not without its dangers though. Owners might not provide good receipts or might simply try to steal the money. In 1834, Carolina Perdigues came before the court in Santiago to demand that Dn Blas Danjoi should issue her freedom letter and return 100 pesos from the price that she had originally paid for her freedom. Danjoi had managed all the financial transactions involving the estate on which Perdigues had been a slave prior to her owner's death. In the presence of several witnesses, she had paid 400 pesos to Danjoi but had accepted a receipt that only listed a 300-peso payment for her freedom. Danjoi had convinced her that, by reporting a smaller price on the receipt, the estate would pay less in sales taxes. Little did Perdigues know about manumission at the time: in 1768, the Crown had exempted manumission from the 6%

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<sup>32</sup> AGI, Cuba, leg. 1868, exp. 404: "Sobre la corrección de varias negras esclavas extranjeras que tenían una sociedad," November 11, 1817. This is correspondence between the governor of Santiago de Cuba and the Council of the Indies. Rebecca Scott and Jean Hébrard located related correspondence between the governor of Santiago de Cuba and the governor of the island, and generated by the same episode in the Archivo Nacional de Cuba. See *Freedom Papers: An Atlantic Odyssey in the Age of Emancipation* (Cambridge: Harvard University Press, 2012), 62. Olga Portuondo Zúñiga first identified this case. See *Entre esclavos y libres de Cuba colonial* (Santiago: Editorial Oriente, 2003).



sales tax. But soon, she came to better understand Danjoi's scheme to "abuse [her] ignorance and illiteracy as an Africa-born slave," as the syndic explained to the courts.<sup>33</sup>

Danjoi had tried to defraud Perdignes twice: besides pocketing the undeclared 100 pesos, he also attempted to re-enslave her by including her in the estate inventory and by forcing her to participate in a public auction that occurred soon after her owner's death. But Perdignes kept her spirits up, collecting evidence that she then used in the court against Danjoi. For instance, during the auction, she found out that her going price was 300 pesos, rather than 400 pesos, as Danjoi had told her a few weeks earlier. She also used this occasion to rally to her side witnesses who would testify later in the court about Danjoi's plans to re-enslave her. Most of them were reputable slave-owners who had been friends with the deceased. Perdignes seems to have understood that in a clientelistic slave society such as Santiago, support from powerful patrons could yield swifter results in the courtroom than would reliance on the law alone. The court mandated that Danjoi issue the freedom papers. Yet, it dismissed the plaintiff's claim to the 100 pesos on grounds that slaves did not have rights to *restitutio in integrum*.<sup>34</sup> If a minor was harmed through a contract or action, he or she had the right to have that contract cancelled and to have his or her property return to the state it had been in prior to the contract or action in question.<sup>35</sup> The courts, however, refused to grant slaves the status of minors in such

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<sup>33</sup> Manuel Lucena Salmoral, "El derecho de coartación del esclavo en la América española," *Revista de Indias* 59.216 (1999): 357-374.

<sup>34</sup> ANC, ASC, leg. 497, exp. 11,715: "La morena Carolina Perdignes demanda a Dn Blas Danjoi que le otorgue la escritura de su libertad y le devuelva la cantidad que expresa, 1834."

<sup>35</sup> Joaquín Escriche, *Diccionario razonado de legislación y jurisprudencia* (Madrid: Imprenta de E. Cuesta, 1874-1876), 590. Robert Burns, ed., *Las Siete Partidas* (Philadelphia: University of

circumstances, perhaps inadvertently expanding their legal personhood through this denial. For instance, in 1841, the enslaved woman Susana asked for her freedom letter; she had paid her owner 250 pesos, the amount that the two had long agreed was a just manumission price. However, the owner filed for bankruptcy just as the case opened up in courts. Again, the judge sided with the slave owner and decided that slaves, unlike minors or hospitals, did not have right to restitution if their property was mismanaged.<sup>36</sup>

Slaves were aware of the dangers that they exposed their resources to when they lent them, which is why many turn out to have very carefully observed their debtors' behavior. For instance, in 1836, María Trinidad Carbonell demanded that the court embargo the tobacco crop of the free man of color José María Portuondo who owed her 108 pesos. She came before the court just as the crop was ready to be harvested. However, she failed to succeed: Portuondo left the jurisdiction with his crop a few days before the court made a final decision on the embargo.<sup>37</sup>

To secure savings, once it was possible to do so, many slaves started using formal bank accounts, which also provided them with interest. The syndic occasionally advised slaves to open such accounts precisely because their owners would never pay them

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Pennsylvania Press, 2001), Partida III, title XXV, law 1 and Partida VI, title XIX, law 1. Black's Law Dictionary defines *restitutio in integrum* as "restoration or restitution to the previous condition. This was eddicted by the praetor on equitable grounds, at the prayer of an injured party, by rescinding or annulling a contract or transaction valid by the strict law, or annulling a change in the legal condition produced by an omission, and restoring the parties to their previous situation or legal relations." Henry Black, *A Law Dictionary*, 2<sup>nd</sup> edition (St. Paul: West Publishing, 1910), 1029.

<sup>36</sup> ANC, ASC, leg. 870, exp. 30,783: "Cuaderno de audiencia de los autos seguidos por el Síndico Procurador General contra Da Sofía Reynar sobre la libertad de la negra Susana," 1841.

<sup>37</sup> AHPSC, Fondo Audiencia Territorial de Oriente, leg. 108, exp. 6,038: "María Trinidad Carbonell demanda cantidad de pesos a José María Portuondo," 1836.

interest on the money that they held on their behalf.<sup>38</sup> In 1839, policy-makers in Madrid proposed the idea of a state-sponsored bank in Cuba that individuals of fewer means would use. Reflecting on it, the first counselor of the Royal Treasury wryly opined that such a bank would have no future, because too few individuals would hold accounts in it. How could slaves hold any accounts and what exactly would they deposit, given that they had no right to wages, he asked rhetorically? The gifts that they received from their owners were too small to keep the new bank afloat. Would slaves, perhaps deposit money they had stolen or had obtained by other illicit means?<sup>39</sup> Despite his doubts, by 1841, the plan went through. In the first year that the *Caja* operated in Havana, slaves held a sixth of all the accounts, significantly more than free people of color did. By 1859, the share of the slaves had dropped among the savings accounts holders to 5%, but their numbers had grown in absolute terms. The drop in their relative share had to do with the increase in the free people of color and whites as account holders.<sup>40</sup> In Santiago, in the *Caja de Ahorro*, opened in 1859. Here, during the first year of operation, slaves owned 12% of all the savings accounts, and free people of color owned 7% by 1860.<sup>41</sup>

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<sup>38</sup> ANC, ASC, leg. 767, exp. 17,536: “Diligencias por D. Antonio Norma para que se declare que tiene derecho a percibir una cantidad impuesta en la caja de ahorros por su esclavo Ramón,” 1857.

<sup>39</sup> V. Vázquez Quiépo “Informe de 18.V. 1839,” in Levi Marrero, *Cuba: Economía y sociedad*, vol. 12, 268.

<sup>40</sup> Levi Marrero, *Cuba: Economía y sociedad*, 12:268. The *Caja de Ahorro* was entirely owned by the Crown.

<sup>41</sup> Jacobo de la Pezuela, *Diccionario geográfico, estadístico, histórico de la isla de Cuba* (Madrid: Impr. Del establecimiento de Mellado, 1863), 2: 200.

Besides access to cash or to markets for their goods and to safe storage of their resources, a third issue that slaves had to confront was having enough time to work for themselves, after finishing laboring for their owners. It was only in 1842 that the local authorities introduced a code mandating that slave owners allow slaves to work on their *conucos* (small lots/gardens) one day a week.<sup>42</sup> However, even before this mandate, slaves occasionally complained to the syndic that their owners had mistreated them by not allowing them to work for themselves. For instance, in 1830, slave man named Gerónimo came before the court of Puerto Príncipe to ask that his new owner allow him more time to work on his own plot of land the way his former owner had. He argued that such work was crucial for his marriage: his wife was now free and, as such, she needed more resources from him to support herself. Many slaves used their marriages to free people as a reason to ask for more rights; in this case, Gerónimo asked for recognition of his rights and obligations as a male provider for his wife. The syndic then went on to say that his “qualities as a creole, rational, and intelligent being would require that he should not be treated solely as a thing, but should grant him the reputation of a man, as well,” and, as a result, he should be able to spend more time saving resources toward his freedom. Speaking through the syndic, Gerónimo also expressed his anger at his previous owner, who happened to be the mother of his current owner: after many years of service, “she had not done me the favor of not selling me as if I were an animal.” For Gerónimo, working his own plot of land for his wife and children was what granted him the “reputation of a man.” The intertwinement of the informal ownership of a small plot of

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<sup>42</sup> “Reglamento de esclavos” (1842), in Hortensia Pichardo, *Documentos para la historia de Cuba* (Havana: Pueblo y Educación, 1984), 1:320.

land and of familial obligations become the leverage point from which Gerónimo could assert full personhood publicly, in front of a judge. While the syndic may have distinguished between slaves who merited such full personhood and those who did not, the claim nevertheless still contained within itself a threat to the usual understanding of slavery. Gerónimo lost his freedom suit and his request to change owners or laboring site, but the judge did decide that his owner should grant him more time to work on his plot, even though no special laws existed on this issue at the time.<sup>43</sup>

Suits such as Gerónimo's show how enslaved litigants tried to expand customary rights, such as the right to own a peculium or to buy oneself in installments. For many slaves, material resources did not just buy them freedom; they could also serve as a starting point for demanding further rights inside the courtroom.

### Customary Rights and the Courtroom

At first sight, *Las Siete Partidas* fundamentally linked freedom to the right to own: only free people could own property and enter contracts. Slaves were, therefore, not entitled to any of their earnings and could not inherit, “because it would not be consistent for anyone to exercise ownership over other property who cannot do so himself.”<sup>44</sup> Furthermore,

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<sup>43</sup> ANC, ASC, leg. 1,228, exp. 41,447: “Recurso del Síndico Procurador General D. José Manuel de Zayas en representación del esclavo Gerónimo a consecuencia de la demanda propuesta contra D. José Joaquín Díaz para que le preste mano a la coartación de aquel,” 1830.

<sup>44</sup> “All the earnings obtained by a slave, no matter how he obtains them, will belong to his master. We also decree that any property left by will to a slave can also be claimed by his master, as if it had been bequeathed to himself.” Burns, ed., *Las Siete Partidas*, Partida IV, Title XXI, Law VII, vol. 4, p. 979.

slave owners were fully responsible for all the contracts that slaves entered.<sup>45</sup> It is important to note that these restrictions did not applied solely to slaves, but also to other “minors” within the household. However, unlike slaves, the minor sons of the *pater familias* had, in theory, unimpeded access to certain incomes.<sup>46</sup>

As clear-cut as the prohibitions on slaves’ ownership of property might appear, *Las Siete Partidas* did, nevertheless, contain ambiguities. So, for instance, the code defined slavery as a condition emerging out of positive law (rather than being the outcome of a natural condition); because it was not a natural condition, freedom should be encouraged, the code advised. The *Partidas* described slaves as “another kind of men who are under obligations to those to whom they belong, by reason of the authority they have over them.”<sup>47</sup> By contrast, freedom was the condition toward which all humans were fundamentally predisposed: “All creatures in the world naturally love and desire liberty, and much more do men, who have intelligence superior to that of the others...”<sup>48</sup> The tacit assumption at work here was that, given humanity’s inclination toward freedom, slaves “abhor” their condition and want to buy themselves out of slavery. But, until the late eighteenth century, neither the Crown, nor local authorities in Cuba established slaves’ unquestionable right to self-purchase; nor did they explain how slaves might amass sufficient resources to purchase themselves, given that the *Partidas* denied them

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<sup>45</sup> Burns, ed., *Las Siete Partidas*, Partida IV, Title XXI, law VII, vol. 4, 979.

<sup>46</sup> Sons could control resources that they acquired by working for a castle as a vassal, in the army, or for the royal court. Burns, ed., *Las Siete Partidas*, Partida 4, title XVII, law VI, vol. 4, 961.

<sup>47</sup> Burns, ed., *Las Siete Partidas*, Partida IV, title XXI, vol. 4, 977.

<sup>48</sup> Burns, ed., *Las Siete Partidas*, Partida IV, title XXII, vol. 4, 981.

property rights. Furthermore, under certain circumstances, slaves could secure property after the lapse of a certain period of time, but only through their owners' intervention.<sup>49</sup> If, for instance, "a slave keeps shop belonging to his master; or is an artisan working at any trade; or has capital or property of his own which he makes use of as a merchant, a broker, or a manufacturer; and in the course of a business of this kind, begins to hold property according to law, his master can secure it for him by lapse of time."<sup>50</sup>

The widespread practice of owning a *peculium*, or slaves' customary possession of small earnings through savings or from gifts contradicted the *Partidas*' essential denial of slaves' rights to own property. Beginning with the sixteenth century, royal orders and local laws were peppered with references to slaves' *peculium*, even though no formal law guaranteed the slaves' right to it existed. The Crown's tacit support of slaves' *peculium* (expressed in official correspondence) was part of its broader politics of colonial governance. Such rights had a double purpose. They could maintain the slave population subdued by providing it with incentives to work hard and be disciplined. But they also restricted slaveholders' dominion, by providing a relatively autonomous social domain for slaves that received the Crown's protection. During the late eighteenth century, as abolitionist discourse was becoming more widespread, several colonial powers, including the Spanish Crown, introduced a swath of prudential policies in their Caribbean possession, designed to reduce the tensions between planters and slaves; needless to say,

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<sup>49</sup> If a property owner was negligent toward his property over a period of time (unspecified), he or she lost property rights. Burns, *Las Siete Partidas*, Partida III, title XXIX, law I, vol. 3, 838.

<sup>50</sup> *Ibid.*

many planters criticized such policies for interfering with their sovereign domain.<sup>51</sup> In Cuba, throughout this prudential legislative spree, slaves' customary rights, including the access to a *peculium*, received increasing formal recognition.

Spanish law-makers paid attention to the *peculium* as they began codifying slaves' customary entitlement to purchase themselves in installments, a practice known as *coartación* in Cuba. *Coartación* was first mentioned in a law that took effect in 1768, when the Crown established that slaves did not have to pay a 6% sales tax when they drew up a *coartación* agreement with their owners.<sup>52</sup> The law implied, of course, that slaves had access to property. Some slaves used the new protections that came with *coartación* to gain further rights to economic resources. For instance, in 1824, Isabel Pérez enlisted the syndic and successfully sued her owner, Rita Grillo, for forcing her to go and work in the rural areas, even though she already was *coartada*. Working on a coffee plantation, Pérez argued, would not allow her to make enough money to pay the remainder of her freedom price.<sup>53</sup>

Another prudential measure that the authorities in Cuba introduced in 1842 was a code for policing slaves. The Crown had attempted to introduce a code that would be

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<sup>51</sup> For instance, "The Royal decree and instructional circular for the Indies on the Education, Treatment, and Work Regimen of Slaves," passed May 31, 1789. Gloria García Rodríguez, *Voices of the Enslaved in Nineteenth-Century Cuba* (Chapel Hill: University of North Carolina Press, 2011), 47-54. The Crown withdrew it two years later, following the planters' ire. See "Statement from Havana's ingenio owners to the king," January 19, 1790, in García, *Voices of the Enslaved*, 55-73.

<sup>52</sup> De la Fuente, "Slaves and the Creation of Legal Rights;" Lucena Salmoral, "El derecho de coartación del esclavo."

<sup>53</sup> AHPSC, JPI, leg. 378, exp. 1: "Diligencias promovidas por el Síndico Procurador General a nombre de Isabel Pérez, esclava de Da Rita Grillo," 1824.



applied across the entire Empire in 1789, a few months after liberalizing the slave trade to Cuba, but to no avail: Cuban and Venezuelan planters defeated the measure. In 1842, however, the initiative was more lasting, perhaps because the local authorities, rather than Madrid, lay out its key provisions.<sup>54</sup> The code formalized further customary practices: it mandated that slaves be allowed to work for themselves on the days when they were not laboring for their owners in order that they be able to save money to pay for their freedom.<sup>55</sup> However, debates among jurists published in the *Revista de jurisprudencia* during the 1850s suggest that who controlled a slave's *peculium* remained a matter of contention among jurists, with some arguing that the *peculium* was a privilege exclusive to the *coartado* slaves.<sup>56</sup>

Despite the meager legal protections of slaves' property, the idea of a slave-held *peculium* was clearly alive in practice. For instance, by 1859, authorities in Havana decreed that slaves who were found guilty of criminal behavior were responsible for

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<sup>54</sup> The code was a response to internal and external pressures. Externally, the British government and British abolitionists had been pressuring Spain to end contraband slave trading to Cuba and to improve slaves' living conditions with an eye toward emancipation. Internally, between 1825 and 1844, the authorities revealed at least sixty slave conspiracies; whether or not they had much substance, planters' fears of slave insurrections prompted new policing measures. As early as 1825, after an uprising in Guamacaro (in Matanzas, western Cuba), local slave owners had drawn a local slave code in collaboration with the authorities, an initiative that would have reverberations in 1842. Manuel Barcia, *The Great African Slave Revolt* (Baton Rouge: LSU Press, 2012), 4, 162-170; Jean-Pierre Tardieu, *'Morir o dominar': en torno al Reglamento de Esclavos de Cuba (1841-1866)* (Madrid: Iberoamericana, 2003).

<sup>55</sup> De la Fuente, "Slaves and Legal Rights". "En los domingos y fiestas de ámbos preceptos, y en las horas de descanso los días que fueren de labor, se permitirá a los esclavos emplearse dentro de la finca en manufacturas u ocupaciones que cedan en su personal beneficio y utilidad, para poder adquirir peculio y proporcionarse la libertad." Art. 13 in "Reglamento de esclavos" (1842), in Pichardo, *Documentos para la historia de Cuba*, vol. 1, 320.

<sup>56</sup> De la Fuente, "Slaves and the Creation of Legal Rights," 688.

paying out of their earnings the court fees and the damages that they had caused.<sup>57</sup> This had also long been a rule that had been applied even in civil law cases, in which slave litigants, represented by the syndics, had lost against their owners.<sup>58</sup> Slaves also paid for the notarial acts that they had to file in civil suits. If they accused someone of defrauding them of their hard-won resources, they had to incur further costs without being certain that they would recoup the losses. When, for instance, Emilia Bartelemí sued Camilio Dupont for failing to return the 117 pesos that she had lent him, money that she desperately needed to complete her freedom price, she was expected to pay 22 pesos in various notarial costs, even though she had won the case. Dupont, however, had declared bankruptcy, which meant that the litigant did not receive any of her money back.<sup>59</sup> While these regulations may have suited some slave owners who could recoup possible court costs by having their slaves pay for them, they also inadvertently acknowledged an expanded legal and economic personhood for slaves. As the case of Emilia Bartelemí

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<sup>57</sup> “Causa criminal contra el negro, criollo, esclavo Diego Nagle, por homicidio al mayoral Dn Julian Martínez,” *Revista de Jurisprudencia* 4.1 (1859): 384-400; on covering the costs from the slave’s peculium, p. 400.

<sup>58</sup> The syndic’s services were supposedly free of charge. However, if the owner and the slave plaintiff wanted their agreement to be notarized, the slave had to pay the costs from his or her *peculium*: “Auto del Real Acuerdo de la Habana sobre trámites y derechos en las cuestiones y querellas de esclavos,” October 24, 1842, in D. Bienvenido Cano and D. Federico de Zalba, *El libro de los síndicos de ayuntamiento y de las juntas protectoras de libertos* (Havana: Impr. del Gobierno y de la Capitanía General, 1875), 19. Also, in practice, in Santiago and Puerto Príncipe, if the slave lost the case, he or she had to pay the court costs. See, for instance, ANC, ASC, leg. 899, exp. 31,497: “Cuaderno de audiencia de los autos promovidos por el Síndico Procurador General contra la sucesión de D. Julian Fills,” 1855. These measures went against *Las Siete Partidas* stipulations, according to which the slave could not pay any court costs because he or she did not own any property. Burns, ed., *Las Siete Partidas*, Partida VII, Title I, Law X, vol. 5, 1308.

<sup>59</sup> ANC, ASC, leg. 728, exp. 16,630: “La negra esclava de Emilio Bartelemí llamada Olive contra Mr. Camilo Dupont en cobro de ciento diez y siete pesos,” 1851.

suggests, though, such an expanded legal personhood came with a heavy financial burden for slaves who, as a result, had fewer incentives to sue.

Even though slaves did not have the right to property and to inherit, some did receive testamentary bequests from free relatives or friends. About 5% of free people of color filing testaments between 1845 and 1865 appointed slaves as their universal heirs.<sup>60</sup> Many others provided small bequests to slaves. For instances, Juliana Baille, born in Africa, and Isidro Borges, born in El Cobre, left all their belonging to their three slaves, Ignacia, Lucia, and Nicolasa.<sup>61</sup> Petrona Josefa Hechevarría, a woman born in slavery in Cuba, and the owner of eight slaves in 1863, bequeathed her two urban homes and two tobacco farms in Jutinicú to one of her formers slaves, Rita Hechevarría. She also freed six of her slaves upon death.<sup>62</sup> While these bequests were substantial and basically enabled the slaves receiving them to free themselves, in many other instances, slaves received small cash gifts. These cases suggest that, even though legally slaves could not inherit, the courts and notaries enabled many to do so. Sometimes, courts placed the interests of a slave's family ahead of those of the owner. For instance, when the slave Ramón passed away, his owner was allowed to lay claim to the money that Ramón had

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<sup>60</sup> 24 out of 542 in my sample. See appendix 11.

<sup>61</sup> AHPSC, PN, leg. 287 (Escribanía de Antonio Giró): Codicile to the testament of Juliana Baille and Isidro Borges, August 1855, fs. 275-275v.

<sup>62</sup> AHPSC, PN, leg. 545 (Escribanía de Ramírez): Testament of Petrona Josefa Hechevarría, March 16, 1863, fs. 99-102v.

saved in the *Caja de Ahorro* only after the syndic had ascertained that Ramón had had no family, free or enslaved, who might inherit from him.<sup>63</sup>

Occasionally, judges interpreted *Las Siete Partidas* broadly enough that they would provide slaves easier access to inheritances and even allow them to use the bequests in ways that the written law did not warrant. A case dating from 1859, which reached the appellate court in Puerto Príncipe, shows how judges and jurists could be swayed by slaves' family attachments. In 1858, Pablo Oliver y Gil passed away bequeathing upon his slave, Francisca Castillo, not only freedom (which he offered graciously), but also an inheritance amounting to 1,000 pesos. Francisca Castillo was 19 at the time, a minor. Upon receiving the money, she decided to make a 500 peso-donation to her enslaved mother, so that she should start her manumission proceedings. However, being a minor (under 25), the law barred her from *inter vivo* donations. She could not purchase her mother and offer her freedom either, a right that she would only acquire after reaching 20 years of age.<sup>64</sup> However, the jurists in Puerto Príncipe explained that rather than defining the act as purchase, the judge should treat it as an idiosyncratic "remunerative donation" from a daughter to her mother for the life that the mother had given her. They reached out to a precedent in the Audiencia de Guatemala, another colonial borderland, and allowed Francisca Castillo to proceed with her mother's

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<sup>63</sup> ANC, ASC, leg. 767, exp. 17,536: "Diligencias por D. Antonio Norma para que se declare que tiene derecho a percibir una cantidad impuesta en la caja de ahorros por su esclavo Ramón," 1857.

<sup>64</sup> Burns, *Las Siete Partidas*, Partida IV, title XXII, law I, vol. 4, 981.

freedom. The mother-daughter relationship clearly swayed the court in the petitioner's favor.<sup>65</sup>

In 1862, a new code addressed slaves' *peculium* more straightforwardly than any other previous law. It stipulated that slaves who were purchasing themselves in installments (*esclavos coartados*) were entitled to receive from their owners the difference between the wages that they could make working for themselves and the *jornal* (wages) that the owner had agreed to pay them.<sup>66</sup> It therefore recognized that slaves purchasing themselves in installments had some rights to property. The law, however, clearly ignored the widespread informal practices of owning that slaves who were hired out had relied on in order to save for freedom: many slaves, whether *coartado* or not, paid only a portion of their *jornal* to the owner.

Some slaves used the *peculium*'s ambiguous legal character in freedom suits. Such litigants suggested that they had displayed the behavior of an owner, which suggested that their masters were treating them "as if" they were free. Across the nineteenth century, the courts in Santiago de Cuba reviewed several cases in which plaintiffs would argue that their owners had long treated them "as if" they had been free and had promised them freedom papers. However, most of these cases did not fit in well

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<sup>65</sup> ANC, ASC, leg. 888, exp. 31,104: "Cuaderno de audiencia de las diligencias promovidas por Francisca Castillo para reintegrar su persona con objeto de recibir el legado de 1,000 pesos con que además de la libertad le agració el señor D. Pablo Oliver y Gil, 1859." Opinion of the legal counsel, February 1858.

<sup>66</sup> See "Reglamento para las sindicaturas en la presentación de quejas de los esclavos contra sus amos," January 28, 1863, in Lucena Salmoral, *Leyes para esclavos*, 1295-1296. Prior to this law, owners and slaves had to negotiate the *peculium*, and judges often expressed uncertainty on this topic, as suggested by some contributors to the *Revista de jurisprudencia*. See, for instance, J. I. Rodríguez, "La coartación y sus efectos," *Revista de jurisprudencia* 1 (1856): 354.

with the laws of freedom by lapse of time or of freedom issued in the presence of witnesses without a notarial instrument, as mandated by *Las Siete Partidas*. In the *Fourth Partida*, which contains a slave code of sorts, the authors referred to five possibilities for obtaining freedom: 1) good conduct (by which the authors referred to the provision of incriminating information regarding the behavior of counterfeiters, possible political traitors, or eloping virgins); 2) injury, granted to slaves whose masters had severely maimed them; 3) marriage to a free woman in the presence of the owner, so long as the owner remained silent about the enslaved spouse's status; 4) religious ordination; and 5) lapse of time (which some nineteenth-century jurists came to describe as freedom by prescription).<sup>67</sup> According to the *Partidas*, a slave could acquire freedom by lapse of time if her owner allowed her to behave as if she were free for at least ten years and the owner

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<sup>67</sup> The term prescription, as such, does not appear in the medieval text in Castilian Spanish. Rather, the Castilian phrase used was “going by himself/herself” (*andando por si*) and “lapse of time” (*por tiempo*). Nineteenth-century manuals for notaries occasionally used the phrase “freedom by prescription” to describe freedom by lapse of time. But to apply the rule of prescription to such freedom claims required a broad, and contradictory expansion of the rules of ownership by prescription. The *Third Partida* included provisions for the transfer of ownership from formal owners who had abandoned a piece of property to others who, actually, possessed and tended to the property in practice. This transfer was known as ownership by prescription. After a set number of years, the individual who was using that property in good faith (with no intention of stealing it) could gain formal title to it. But the *Third Partida* denied slaves the right to gain property rights through this particular law. Even though the same principle was clearly at work in the transfer of ownership from a slave owner to the slave who had governed herself for over ten years as in other transfers of ownership through prescription, the medieval Castilian lawmakers appear to have avoided using the same phrase to describe the two. Robert I. Burns’ translation of *Las Siete Partidas* does, however, use the term “prescription” in both instances. et al., eds., *Los Códigos Españoles, Tercera Partida*, Title XXIX, Law I: “Usucapio, et praescriptio fuit introducta ideo, ut domina rerum sint inserta cujas sunt, et ex hoc auferatur super rebus materia litigando.” p. 355. On denying slaves ownership rights by prescription, *Tercera Partida*, Title XXIX, law III: “Ganar el señorío de alguna cosa por tiempo, non puede ningun ome que fuesse sieruo,” 355. A nineteenth-century manual for notaries that uses the term “freedom by prescription” is: José Gonzalo de las Casas, *Diccionario general del notariado de España y ultramar* (Madrid: Silva y García, 1856), vol. 5, p. 29. On prescription more generally, see Rebecca Scott, “Social Facts, Legal Fictions, and the Attribution of Slave Status: The Puzzle of Prescription,” forthcoming.

lived in the same area, or twenty, if the owner lived elsewhere, or thirty, if the slave had run away.<sup>68</sup> Few of the Santiago slave litigants who claimed to have been treated “as if” free fell within the time frame stipulated by the rule of freedom by lapse of time. For this reason, the syndics appealed to other provisions included in *Las Siete Partidas*. Owners could free slaves inside the church, in front of a notary, in front of a judge, through testament, or, if in private, in front of at least five witnesses.<sup>69</sup> But most of the slave plaintiffs and their legal counsel reinterpreted these procedures as well. They would provide three-to-five witness accounts that suggested that the owner had promised freedom at some point, and had treated the plaintiff “as if” free. More often than not, the witnesses had become aware of the plaintiff’s freedom in separate circumstances and had not participated in a private freedom ceremony. Even though *Las Siete Partidas* had established that masters’ promises to their slaves had no binding power, sometimes judges accepted that, if such promises had been witnessed by enough credible individuals and there were other indications that the owner had treated the plaintiff as if he or she were free, the promise could be the ground for a freedom claim.<sup>70</sup> Being “as if” free was therefore a vernacular legal construct. It eclectically drew on formal statutes as well as

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<sup>68</sup> The original version in Pacheco et al, eds., *Los Códigos Españoles*, vol. 3: Quarta Partida, title XXII, Laws III, IV, V, VI and VII, 522-523. According to Law VII: “Andando el sieruo de alguno por si diez años, auiendo buena fe, e cuydando que era libre en aquella tierra do morasses su señor, o veynte años, maguer no lo viesse su señor, fazese libre por ende. Pero si no ouiesse buena fe, e sabiendo que era sieruo, anduuiese fuydo veynte años, non seria por ende libre [...] Mas si por ventura treynta años passassen andando assi, desde adelante finca por libre.” I am using the original Spanish Castilian here in order to show that the term “prescription” did not appear in the original, even though some of the English version contain it instead of “andando por si.”

<sup>69</sup> Burns, ed. *Las Siete Partidas*, Partida IV, Title XXII, Law I, vol. 4, 981.

<sup>70</sup> On the non-binding nature of masters’ promises to their slaves, see *Los Códigos Españoles*, vol. 3, Quinta Partida, Title IX, Law VI, p. 696.

everyday cultural repertoires, such as reputation and popular perception of an individual's behavior. And yet, the courts agreed that cases based on this construct deserved to be heard. Some litigants claimed that, by displaying the behavior of a property owner and acquiring the reputation of being free, they had acquired their freedom.

In 1829, Andrés Villalón came before the courts of Santiago claiming that his deceased owner had promised him his freedom on his deathbed in the presence of several witnesses. The owner could not draw the freedom letter because the notary did not arrive to their rural residence on time. The heirs then postponed drafting the letter on grounds that the estate had to be partitioned first; however, they treated him “as if” he were free in the meantime. For six years, Villalón, who had been a sugar technician on the family's small sugar mill, had lived like a free person: he had managed the mill, had been made exempt from physical punishment, had organized the labor of 22 slaves, had owned his own house, had been able to live and move around the countryside as he had pleased, had served as a sexton in the local church, and had been listed as free in the 1828 local census. However, every time that he asked for his freedom letter, his owner's widow refused to provide it on grounds that her husband had supposedly not made the promise in question. At the same time, neither she, nor her children tried to restrict Villalón's autonomy. Villalón carefully documented all the evidence on his personal freedoms through letter exchanges with former plantation administrators, the lieutenant of the village who had collected census data, the local priest, and family members. Villalón lost the suit in Santiago, but eventually won his freedom at the appellate court in Puerto Principe, after hiring his own lawyer and refusing the services of the *síndico procurador*



whom he accused of being complicit with his owner's widow.<sup>71</sup> Some of the letters that he received from former estate administrators and from the local priest suggest not just reciprocal respect (with Villalón usually placing himself in the position of a humble petitioner), but, occasionally, deep affection. Villalón had clearly cultivated an extensive social network with reputed and prominent members of the community who did not shy away from lending him their support, even if that meant pitting themselves against the former owner's wife. Villalón was, by most measures, an exceptional litigant: he understood well the kind of evidence necessary inside the court, had enough economic resources to hire his own lawyer, and was quick to understand that the social networks in Santiago could turn *síndico procuradores*, lawyers who were supposed to act in the interest of slave litigants, into slave owner's tools. He perhaps realized that the appellate court in Puerto Príncipe might provide him with better opportunities to gain his freedom. But not all slaves had the skill, resources, and luck that Villalón enjoyed.

In 1819, Josefa de Cisneros brought Francisco Ramos before the courts of Santiago and then Puerto Príncipe, on grounds that he had strayed from an agreement that they had made regarding her husband's freedom. Apparently, Francisco Ramos had bought Cisneros' husband, José María Barrientos, from another slave owner with the understanding that Barrientos and Cisneros would make regular payments to Ramos and eventually buy Barrientos' freedom. In the interim, Cisneros and Barrientos could live as they wished. The two claimed to have made regular payments, but to not have received receipts; they blamed themselves for having placed too much confidence in Ramos who

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<sup>71</sup> ANC, ASC, leg. 596, exp. 13,718: "Diligencias formadas por el negro Andrés Villalón reclamando su libertad," 1829; ANC, ASC, leg. 889, exp. 31,141: "Recurso del negro Andrés Villalón en los autos contra Da Rafaela Rizo reclamando su libertad," 1830.

also happened to be Barrientos' godfather. They realized that something was amiss when, after finishing the payments, over six years earlier, Ramos refused to issue the freedom letter upon request, so they took their disagreement to the courts. They argued that Ramos had treated Barrientos "as if" he had been free: he had allowed him to live with his wife, in a house that was far away from Ramos' and that he owned. But Ramos defended himself arguing that Barrientos' autonomy had been part of their original agreement and was, in fact, far from being an indication of his disinterest in Barrientos as his property. It remains unclear what happened to Barrientos in Puerto Príncipe, but we know that the judges in Santiago decided against him.<sup>72</sup> The two spouses invoked Barrientos' ownership of their home and his autonomous living arrangements as evidence that he was "as if" free. However, in the absence of receipts or witness accounts that could confirm their story, the judges did not consider it to be sufficient evidence.

These two cases suggest that some slave litigants had realized that there was no systematic method that established an individual's civil status on the island. In 1814, the Crown conducted an inquiry into the organization of sacramental records by color status and mandated that baptismal records could not serve as indicators of one's color. The Crown was supposed to be the ultimate authority establishing an individual's color-status. The inquiry did not prohibit the use of baptismal records as evidence for civil status. However, lawyers in Santiago and Puerto Príncipe repeatedly claimed that the Crown had prohibited such usage, thereby conflating a decision on color-status with an imagined one

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<sup>72</sup> ANC, ASC, leg. 921, exp. 32,050 and 32,050A: "Cuaderno de los autos seguidos por la morena Josefa de Cisneros contra el capitán de pardos Francisco Ramos sobre la libertad de José María Barrientos, marido de aquella y esclavo de este," 1819-1821.

on civil status.<sup>73</sup> It was only in 1854 that the Crown commissioned the first island-wide slave registry, a document that would supposedly enable it to have a better view of the taxable riches within its dominion, but that also created a more formal mechanism for documenting slave status. And yet, in certain suits, slave litigants brought to the fore the fact that behavior turned out to be an important instrument through which ownership claims were articulated and reproduced.<sup>74</sup> Perhaps, after all, this is not so surprising: throughout the colonial period, in Spanish America, behavior and reputation had been key tools for social identification. For instance, since the middle of the sixteenth century, there was no strict legal instrument or legal parameters defining membership in local communities as a *vecino* (a citizen of the city where one resided).<sup>75</sup> Similarly, the absence of a systematic mechanism for establishing color-status, whether through sacramental or census records, also left it up to community norms and negotiations to decide where an

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<sup>73</sup> According to the king, "...the purpose of baptismal or matrimonial records must not be any other than to serve as evidence for these acts, and by no means as descriptions of individuals by color, into whites or brown-skinned, a responsibility that falls within my jurisdiction" [transl. "...el objeto de las partidas de bautismo o matrimonio no debe ser otro que la constancia de estos actos, y de ningún modo, extensiva a la calificación de blancos o pardos, cuya declaración corresponde a mi jurisdicción"] "Real Cédula a los Virreyes, Capitanes Generales y Arzpos y Reales Obispos de los dominios de America", November 26, 1814, in Richard Konetzke, "Documentos para la historia y crítica de los registros parroquiales en las Indias", *Revista de Indias* 7 (1946): 581-586.

<sup>74</sup> On law suits that misread this inquiry and the Crown's mandate, ANC, ASC, leg. 1,176, exp. 39,891: "Cuaderno de Audiencia de los autos seguidos por el Síndico Procurador General sobre la libertad de una mulata y sus hijos," 1826; leg. 279, exp. 6,904: "El Caballero Síndico Procurador reclama la libertad del negro Yldefonso," 1839; leg. 341, exp. 8,043: "Dn José Nicolas Serrano sobre libertad de una esclava," 1844.

<sup>75</sup> Tamar Herzog, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America* (New Haven: Yale University Press, 2003), 17-42. In 1544, a royal cédula expanded the title of *vecino* beyond the *encomenderos*, making property ownership one of the key requirements. M.C. Mirow, *Latin American Law: A History of Private Law and Institutions in Spanish America* (Austin: University of Texas Press, 2004), 54.

individual fitted in; when, in 1814, the king proclaimed that he was the sole authority responsible for this act, he did not add that the proof that he, in fact, relied on were testimonies by members of the local community primarily.<sup>76</sup> Some individuals who held an ambiguous social status, between slave and free, realized the opportunities that such a regime of social identification held out. While their actions did not necessarily result in the redefinition of the laws that were on the books, they show the myriad ways in which socially marginalized individuals sought to improve their lives in colonial Cuba. For the historian, they also put into relief the crevices in the Spanish legal system.

### Conclusion

Even though, throughout the first half of the nineteenth century, slaves' rights to own property remained, by and large, customary and poorly defined, many enslaved individuals succeeded in saving enough resources to free themselves after the mid-1840s. Slaves had to confront a host of problems when attempting to save resources: lack of access to markets, no safe storage spaces, and little time to work for themselves after laboring for their owners. However, many drew on family networks, friends, and patrons to secure and perhaps add to their hard-won goods. Such informal property was, however, not just a material good. It formed the springboard for courtroom debates in which slaves

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<sup>76</sup> María del Carmen Baerga, *Negociaciones de sangre: dinámicas racializantes en el Puerto Rico decimonónico* (Madrid: Ediciones Callejón, 2015), chapter 3. For the role of community members as witnesses in the petitions known as *gracias al sacar* (petitions through which individuals who were known to be non-white asked the Crown to grant them the privileges of whiteness), Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies* (Palo Alto: Stanford University Press, 2015).

sought to formalize and expand customary rights or small freedoms that they had negotiated with their owners. Surprisingly, the courts tacitly supported slaves' claims to property and inheritance, even though no laws compelled them to do so.

Occasionally, courtroom conflicts over ownership could open up wider political discussions within earshot of those presumed to be outside such debates. In the early 1840s, a time when sugar elites in west-central Cuba were especially concerned about British abolitionist forays, Maria Susana, a slave who lost her money to a bankrupt owner and to whom judges refused the right of restitution, might have overheard a debate about the long-term effects of differential property rights for slaveholders and enslaved individuals. Disappointed in the judge's final decision, Susana's legal counsel, exclaimed rhetorically in front of the scribes taking down his report: "Is it the case that even in the sacred temple of justice we always have to concede the superiority of the white over the black? Does the black man have to be the one who suffers even when property rights are defined?"<sup>77</sup> Lawyers' statements were written down, rather than delivered publicly, but the scribes' office had thin walls, and the lawyers discussed their strategies in places where others, including their clients, might have been present. To this lawyer's mind, property was such a fundamental aspect of existence that it, in fact, was supposed to transcend color-based or civil status-based distinctions.

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<sup>77</sup> ANC, ASC, leg. 870, exp. 30,783: Report of Nicolas Zaldívar, Feb. 19, 1841.

## **Chapter 5: *Una libertad llena de trabas* [A Freedom with Further Bonds]: Free People of Color and Property, 1845-1865**

In 1849, Antonio Miró, a free man of color, came before the first district court in Santiago de Cuba to contest a testament.<sup>1</sup> Basílica Echevarría, Miró's godmother, had recently passed away. According to a vexed Miró, in her lifetime, Echevarría had borrowed from him 280 pesos, leaving no testamentary provisions to pay him back. 280 pesos was not a negligible amount: it was roughly the equivalent of an unskilled laborer's wages for more than two years.<sup>2</sup>

As the case unraveled, it became clear that the ties connecting the plaintiff to the deceased had been complex. Echevarría, a free woman of color born in Africa, had not

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<sup>1</sup> ANC, ASC, leg. 514, exp. 12,049: "Demanda establecida por el moreno Antonio Miró contra el otro José del Carmen Izalgue como albacea de Basílica Echevarría," 1849.

<sup>2</sup> On the Santiago markets, buyers paid an average of 350 pesos for a slave aged 15-40. Laird Bergad et al, *The Cuban Slave Market, 1790-1880* (New York: Cambridge University Press, 1995), 119. Manual laborers or domestic servants worked for wages ranging from 7-10 pesos a month in Santiago between 1845 and 1860. Figure was compiled using the section *Solicitudes* in Santiago's main newspaper, *El Redactor de Santiago de Cuba*. I used the 106 issues located in Biblioteca Provincial Elvira Cape (Santiago) and a sample of 423 announcements. We had encountered Basílica Echevarría in chapter 4 as well, as the godmother of Margarita López. ANC, ASC, leg. 322, exp. 7,711: "Margarita López, esclava de D. Manuel del mismo apellido en reclamo de lo que le dejara su madrina Basílica Hechevarría," 1849.

only been Miró's godmother, she had also been his owner. In her lifetime, Echevarría had set up a curious and successful operation designed to bring out of slavery as many people as possible, while also expanding her network of social dependents. This arrangement combined slavery and freedom, familial networks and market relations. As a godmother to enslaved people, she provided her godchildren with the price of freedom, expecting them to reciprocate by handing their wages over to her for one to two years. Echevarría then lent the money that she received from these individuals at an interest and used the compounded amount to free other slaves/godchildren and, occasionally, buy properties for some of her freed godchildren. Given Miró's decision to contest Echevarría's will, we can infer that the deceased's seemingly charitable scheme left some of the godchildren with a bitter taste. But the judge would have none of Miró's complaints. In fact, he went so far as to scold Miró for being ungrateful to a woman endowed with a profound social conscience (*concienzuda*) whose struggles to free slaves were well known and well respected in the community. Echevarría had freed him, had bought him a home, had been family to him in the absence of any blood relatives, and had even given him a slave with whom he worked his small plot of land in the countryside. How, the judge asked, could he tarnish her memory through his absurd claims?

Basílica Echevarría's scheme thrived in the midst of an increasingly anxious Cuban slave society. Throughout the 1830s, west-central Cuba had witnessed the arrival of the largest number of contraband African captives in the entirety of the nineteenth

century, despite the expansion of British and North American abolitionist networks.<sup>3</sup>

Authorities and planters responded to the growing slave population with further policing that disproportionately affected individuals of color, free and enslaved. During the first half of the nineteenth century, fearful of a new Haiti in light of the demographic shifts occurring on the island, planters and royal officials pursued at least sixty suspected plots and slave rebellions.<sup>4</sup> Some of these suspected conspiracies might have been projections of rural guards' and planters' paranoid imagination.<sup>5</sup> Yet, elite fears had substantial material outcomes that could wipe away slaves' and free people's of color life-long efforts to create spaces of autonomy. Indeed, the authorities' brutal policing tactics culminated in 1844, when they claimed to have revealed an island-wide plot to bring down slavery, which supposedly involved British abolitionists, urban people of color, and

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<sup>3</sup> Out of the 739,979 African captives who disembarked in Cuba between 1800 and 1868, 203,979 reached the island's shores between 1831 and 1840, more than during any other ten-year period in the history of the island. Data drawn from the Transatlantic Slave Trade Database: <http://www.slavevoyages.org/tast/database/search.faces>. The database remains, however, an unreliable source for the era of the contraband slave trade. See also, David Eltis, *Economic Growth and the Ending of the Transatlantic Slave Trade* (NY: Oxford University Press, 1987), 249. On North American abolitionist networks in Cuba, ANC, AP, leg. 39, exp. 36: "Se aprueba la resolución en que se halla de proceder contra los concitadores de la Rebelion de la gente de color," 1839. On British abolitionists in Cuba, Robert Paquette, *Sugar Is Made with Blood: The Conspiracy of La Escalera and the Conflict between Empires over Slavery in Cuba* (Middletown: Wesleyan University Press, 1988).

<sup>4</sup> Manuel Barcia Paz, *The Great African Slave Revolt of 1825: Cuba and the Fight for Freedom in Matanzas* (Baton Rouge: Louisiana State University Press, 2012), 4.

<sup>5</sup> On the difficulties of using slave testimonies to assess whether or not conversations about potential rebellions could be considered part of a plot, see Ada Ferrer, "Speaking of Haiti: Slavery and Freedom in Cuban Slave Testimony," in David Geggus and Norman Fiering, *The World of the Haitian Revolution* (Bloomington: Indiana University Press, 2009), 223-247. According to Ferrer, slaves accused of participating in conspiracies claimed that talks of rebellion were a constant on plantations, but that it did not mean they planned to act.



slaves, and had begun in Matanzas.<sup>6</sup> In the wake of this discovery, which came to be known as the *La Escalera* rebellion, the colonial government, in collaboration with ad hoc police forces, eviscerated the urban elite of color in west-central Cuba, which, historians have argued, never recovered its strength.<sup>7</sup> But eastern Cuba remained an outlier in this campaign: not a single individual from this area was brought before the Military Commission, the judicial body responsible for trying the suspected conspirators.<sup>8</sup> In fact, the free population of color in Santiago expanded, following coffee's contraction in the mid-1840s, and thrived economically. It was here that individuals of color developed a set of strategies for social mobility, which gradually transformed and supplanted the core hierarchies of the plantation system from within.

This chapter explores how Santiago's expanding population of color negotiated its position in a society where local colonial authorities had attempted to introduce more rigid measures to racialize slave and free status during the 1840s. Individuals of color such as Basílica Echevarría drew on a peculiar understanding of social status, which, in spite of its idiosyncrasies, resonated across a range of cultural registers: French and

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<sup>6</sup> Pedro Deschamps Chapeaux, *El negro en la economía habanera del siglo XIX* (Havana: UNEAC, 1971); Aisha Finch, *Rethinking Slave Rebellion in Cuba: La Escalera and the Insurgencies of 1841-1844* (Chapel Hill: University of North Carolina Press, 2015); Paquette, *Sugar Is Made with Blood*; Michele Reid-Vázquez, *The Year of the Lash: Free People of Color in Cuba and the Nineteenth-Century Atlantic World* (Athens: The University of Georgia Press, 2011).

<sup>7</sup> Deschamps Chapeaux, *El negro en la economía habanera*; Aline Helg, "Race and Black Mobilization in Colonial and Early Independent Cuba: A Comparative Perspective," *Ethnohistory* 44.1 (1997): 53-74; Reid-Vázquez, *The Year of the Lash*.

<sup>8</sup> An exhaustive catalogue of the Military Commission Collection is available in Archivo Nacional de Cuba, *Catálogo de los fondos de la Comisión militar ejecutiva y permanente de la isla de Cuba* (Havana: Archivo Nacional de Cuba, 1945).

Spanish Caribbean, sub-Saharan west African, and metropolitan Spanish. For the members of local society, status was based on multiple criteria, most notably, property ownership, moral standing, place of birth, civil status at birth (slave or free), and genealogical distance from slavery (i.e., who the closest family member to be enslaved was, if one was of African ancestry). The relationship that any individual had to any of these criteria could shift throughout his or her lifetime, based on the political and economic climate, on achievements, and luck. But the social status of individuals of color and of individuals whose whiteness remained suspect was much more volatile, partially because of the specter of *La Escalera*. Moreover, in a society in which, after 1814, baptismal records could not be used to prove color or civil status and where the validity of freedom papers could be easily thrown into question, public reputation and one's social networks were essential to avoiding the risk of re-enslavement and to consolidating one's freedom.<sup>9</sup> Across Spanish America, communities had long been responsible for assessing an individual's worthiness to become a member (*vecino*) regardless of color status.<sup>10</sup> However, in the case of individuals of color, communities also established the

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<sup>9</sup> Local magistrates reinterpreted an 1814 royal decree according to which baptismal records could not be used to establish color status to also mean that they could not be used to establish civil status. According to the Crown, "...the purpose of baptismal or matrimonial records must not be any other than to serve as evidence for these acts, and by no means as descriptions of individuals by color, into whites or brown-skinned, a responsibility that falls within my jurisdiction" in "Real Cédula a los Virreyes, Capitanes Generales y Arzpos. y Reales Obispos de los dominios de America", November 26, 1814, in Richard Konetzke, "Documentos para la historia y crítica de los registros parroquiales en las Indias", *Revista de Indias* 7 (1946): 581-586. On law suits that show that the mis-reading had become entrenched in local legal practice, ANC, ASC, leg. 1,176, exp. 39,891: "Cuaderno de Audiencia de los autos seguidos por el Síndico Procurador General sobre la libertad de una mulata y sus hijos," 1826; leg. 279, exp. 6,904: "El Caballero Síndico Procurador reclama la libertad del negro Yldefonso," 1839; leg. 341, exp. 8,043: "Dn José Nicolas Serrano sobre libertad de una esclava," 1844.

access to spaces of autonomy and to certain rights for such individuals that the law did not necessarily sanction.

By and large, individuals of color used two key strategies to stabilize their standing in a shifting and uncertain social field. They assembled a large number of dependents, and they pursued patrons of higher status who could act as their protectors. As individuals of color pursued property ownership, particularly slaves and real estate, they also had an eye toward entering such vertical relations of domination and dependency.

All members of Santiago society entered vertical relations of domination and patronage. However, the peculiar approach to slave ownership that some individuals of color embraced suggests that they interpolated their own vision of how hierarchies should work in Santiago. Free people born in sub-Saharan west Africa tended to manumit more of their slaves, to help slaves raise money for self-purchase, and to provide resources to family members to buy their freedom. In fact, while coffee plantations were declining and as the free population of color expanded in the jurisdiction, rates of manumission increased significantly, allowing for the further growth of the free population of color, which, in turn, fueled growing manumission rates. In Santiago, the strategies that individuals of color used to build networks of dependents generated a self-reproducing system of gradual emancipation from below. However, just like Basílica Echevarría's socio-economic scheme, these strategies blurred the distinctions between slavery and freedom and yielded new kinds of hierarchies, which, as the next chapter shows, also

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<sup>10</sup> Tamar Herzog, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America* (New Haven: Yale University Press, 2003).

undermined color-based differences. While undermining the institution of slavery, these hierarchies also helped reproduce profound relations of inequality.

#### The Colonial Regime and the Free People of Color of Cuba, 1840-1868

The colonial regime introduced an expanding range of policies designed to control and discipline the population of color on the island throughout the 1840s and 1850s. Yet, at the same time, it also displayed some uncertainty about how best to approach this group without alienating it. Concern with how to police the population of color rose on the colonial authorities' agenda as Cuba ascended to the status of the largest global sugar producer, as the number of African captives reaching the island increased, and as slavery became an increasingly more entrenched institution.<sup>11</sup>

Between 1840 and 1868, Cuban sugar production expanded at a dizzying speed. If, in 1840, the island produced 294,952 metric tons of sugar, by 1868, its output stood at 720,250 metric tons. Moreover, Cuba's share of the global sugar market more than doubled: from close to 16% in 1839 to 40% in 1868.<sup>12</sup> Technological developments were partially responsible for this significant growth, since they allowed planters to produce sugar more efficiently: for instance, beginning with 1838, rail networks in the sugar areas lowered the cost of transportation, allowed for the speedier movement of cane syrup to the purging houses and to the ports, and opened up more forested land to sugar

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<sup>11</sup> Cuba became the largest sugar supplier for the world markets in 1830. Manuel Moreno Fraginals, *El ingenio: Complejo económico-social cubano del azúcar* (Havana: Editorial de Ciencias Sociales, 2014[1978]), vol. 3, 43-45.

<sup>12</sup> Moreno Fraginals, *El ingenio*, vol. 3, 43-45.

cultivation.<sup>13</sup> The introduction of steam power on plantations in 1817 picked up especially between the 1840s and the 1860s, when the proportion of mills employing it increased from a fifth to more than two thirds. Yet, this high rate of growth and higher efficiency could not have occurred without the labor of hundreds of thousands of slaves, who now had to cut cane and purify sugar at a faster pace than ever before. Indeed, contraband imports of African captives peaked in the 1830s, despite British abolitionist counter-currents.

As Cuba's sugar plantation system was growing, slavery became an even more entrenched way of life that permeated all aspects of society. At a geopolitical level, racial ideologies and slavery were key elements in the reproduction of the Cuba-Spain colonial nexus. Planter elites invoked the prospect of an ostensible race war on the island as a pretext for increasingly more repressive forms of policing. At a time when most other Spanish colonies had become independent and abolitionism culminated in general emancipation in the British (1834) and French Caribbean (1848), planters in Cuba were especially defensive and eager to use Spain's military resources to keep the enslaved population and any potential anti-slavery agents under control. Even when they felt placed at a disadvantage by metropolitan protectionist policies, and even after North America supplanted the Iberian Peninsula as the main export market, most sugar producers in Cuba remained committed to the military guarantees that Spanish

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<sup>13</sup> Oscar Zanetti Lecuona and Alejandro García Álvarez, *Caminos para el azúcar* (Havana: Editorial de Ciencias Sociales, 1987), especially 47-67. On environmental transformations, Reinaldo Funes Monzote, *From Rainforest to Cane Field in Cuba: An Environmental History since 1492* (Chapel Hill: University of North Carolina Press, 2008).

colonialism provided against slave uprisings and an ostensible race war.<sup>14</sup> At a social level, the institution affected all strata; slaves were not the only ones to bear the ignominy associated with life in bondage. Free people of color confronted numerous barriers to exercising their freedom. Restrictions on the right to hold public office or to bear arms, on the consumption of alcohol, on the use of public spaces, on their marriage choices, or on the exercise of certain professions were just some of them.<sup>15</sup>

Official fears of slave conspiracies and rebellions, and of a potential alliance between slaves, free people of color, and foreign abolitionists permeated public discourse and motivated policing strategies that affected Afro-descendants disproportionately, but not exclusively. Indeed, conspiracies and slave rebellions were relatively frequent between the 1820s and the mid-1840s. Dionisio Vives, the captain general of the island from 1823 to 1832, blamed the opening of associational life allowed by the three-year Spanish liberal government in the 1820s (1820-1823) for separatist conspiracies and for stirring the population of color to rebel. In 1823, he revealed the existence of an independence plot organized by an agent of the Gran Colombian army in collaboration with some Cuban creoles who also reached out to militiamen of color. According to historian Ramiro Guerra, Vives might have invoked the specter of race war as a way of discouraging the white population from sympathizing with the conspirators' separatist

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<sup>14</sup> For instance, in the 1840s, 17% of sugar exports from Cuba went to the U.S., while 10.6% was being shipped to the metropole. Moreno Fragonals, *El Ingenio*, vol. 3, 73.

<sup>15</sup> Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies* (Palo Alto: Stanford University Press, 2015), 52.

cause.<sup>16</sup> By the end of the decade, another plot, organized through masonic lodges and in collaboration with Mexican agents, came to the surface.<sup>17</sup> The authorities pointed to other plots and rebellions as evidence for the need to police the island more heavily. In Santiago, no large-scale uprisings that involved slaves on multiple plantations threatened the owners, as, for instance, they did in Matanzas. However, ongoing small-scale maroonage and unrest on individual plantations did make coffee planters wary (see chapter 2).<sup>18</sup> The one short-lived moment when slaves from multiple coffee plantations joined forces occurred north of Guantánamo in 1838, outside the jurisdiction of Santiago, and drew the attention of official undercover investigators from Havana.<sup>19</sup>

Throughout the 1820s and 1830s and as a result of slave unrest in west-central Cuba, the island became increasingly militarized. The authorities stirred fears of a new Haiti as justification for repressive measures against people of color and creole intellectuals who advocated more representative governance. With the return of absolutism in 1823, Vives asked Ferdinand VII to grant him absolute powers—*facultades omnímodas*—over the island, which allowed him to treat the island as if it were in a state

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<sup>16</sup> Ramiro Guerra, *Manual de historia de Cuba desde su descubrimiento hasta 1868* (Havana: Editorial de Ciencias Sociales, 1971), 288; David Sartorius, *Ever Faithful: Race, Loyalty, and the Ends of Empire in Spanish Cuba* (Durham: Duke University Press, 2013), 64-68.

<sup>17</sup> Adrian del Valle, *Historia documentada de la conspiración de la Grán Legión del Águila Negra* (Havana: Siglo XX, 1930).

<sup>18</sup> ANC, AP, leg. 28, exp. 8: “Comunicación fecha Puerta de la Güira, cafetal Favorito, 29 de mayo de 1824, dirigida por el Capitán del Partido al Gobernador y Capitán General, participandole que los negros de aquel cafetal se han sublevado y las medidas por él tomadas para reducirlos a la obediencia.” On maroonage, Gabino La Rosa Corzo, *Runaway Slave Settlements in Cuba: Resistance and Oppression* (Chapel Hill: University of North Carolina Press, 2003).

<sup>19</sup> ANC, AP, leg. 134, exp. 14: “Informe acerca de las ramificaciones que pudiera tener la conspiración de negros descubierta en los partidos de Santa Catalina y los Tiguanos,” January 3, 1838.

of siege. The retreat of royalist forces from the mainland former colonies to Cuba added to the military presence. In line with his fears of potential anti-Spanish and anti-slavery infiltrators, in 1825, Vives commissioned a census of the island, both for economic and military ends—he argued that a rigorous geographic and demographic survey of the island was essential, if the authorities were to stave off internal and external dangers.<sup>20</sup> The results pointed again to the worrisome pattern that the authorities had learnt about as early as 1792: that the population of color formed the demographic majority on the island.<sup>21</sup> Vives decried the rapid growth of this sector and confessed his wish to have them expelled or, at least, removed from the cities to the rural areas, but he also acknowledged the impracticality of such plans: the Cuban urban economy relied heavily on the work of free artisans of color.<sup>22</sup>

While Vives exercised his absolute powers with some discretion, Miguel Tacón, captain general between 1834 and 1838, employed them with much greater alacrity: he prohibited public meetings and the circulation of liberal books, censored the press, administered swift and brutal punishment against slave rebels and other suspected conspirators. He also renewed legislation dating back to 1819 prohibiting the entry of foreign free people of color into Cuba, on grounds that external agitators were to blame for slave unrest.<sup>23</sup> The mere use of the word freedom in public was criminalized.<sup>24</sup>

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<sup>20</sup> Dionisio Vives, *Cuadro estadístico de la siempre fiel isla de Cuba correspondiente al año 1827* (Madrid: Arazoza y Soler, 1829), introduction.

<sup>21</sup> Across the island, in 1827, slaves and free people of color formed approximately 66% of the population. Free people of color constituted 15% of the population.

<sup>22</sup> Robert Paquette, *Sugar Is Made with Blood*, 104-105.



Liberal creole intellectuals regained some hope that, with the restoration of constitutional government in Spain in 1833 (which lasted until 1840), there would be greater likelihood of representative rule. Yet, the opposite occurred, and again, slavery and racial ideologies served as justification for the liberal Cortes' centralization of colonial government and for Cuba's complete subordination to metropolitan rule. In 1836, the liberal constitution was reinstated again, and deputies to the Cortes elected. Soon thereafter, in 1837, the assembly voted to expel Cuban, Puerto Rican, and Filipino deputies on grounds that the heterogeneous populations of the colonies needed "special laws" to be governed (that would be supposedly passed at a later date).<sup>25</sup> That a liberal government would advocate for centralized authoritarian government might appear to be an ideological contradiction. However, the Spanish liberals relied on Antillean resources to finance their conflicts with conservative opponents and wanted to make sure that these resources would continue to flow in at no risk.<sup>26</sup> Tacón's iron-fist rule was therefore not at odds with metropolitan mandates, even when liberals were in power.

Tacón's authoritarian policy measures did not affect the population of color alone; it also targeted white creole intellectual elites clamoring for more representative rule. Yet, both Tacón and his creole opponents justified their political stances by invoking racial fears. Prominent creole intellectuals, such as José Antonio Saco, blamed the slave trade

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<sup>23</sup> Reid-Vázquez, *The Year of the Lash*, 40.

<sup>24</sup> Finch, *Rethinking Slave Rebellion*, 46-47.

<sup>25</sup> Josep María Fradera, "Por qué no se promulgaron las 'Leyes especiales' de ultramar?," J. H. Elliott et al., *España, Europa y el mundo atlántico* (Madrid: Marcial Pons, 2001), 439-462.

<sup>26</sup> Christopher Schmidt-Nowara, *Empire and Antislavery: Spain, Cuba, and Puerto Rico, 1833-1874* (Pittsburgh: University of Pittsburgh Press, 1999), chapter 1.

for the poor treatment that white creoles received under Tacón. Concurring with one of the most eloquent and once staunchest supporters of the free slave trade to Cuba—Francisco Arango y Parreño—he advocated for the whitening of the population through European immigration, which, he argued, would decrease the likelihood of a race war.<sup>27</sup> For Saco, the transition from plantation agriculture toward smallholding and free labor, a process that he hoped would enable the island to acquire greater autonomy, could only occur through a whitening of the population. In his turn, Arango believed that white immigration could also solve the lack of affordable slave labor after the abolition of the slave trade in 1817.

While Arango and Saco opposed the Spanish militarization of the island and the suppression of creoles' political rights, they did not necessarily regard the free population of color as allies. Belief in the fundamental superiority of white stock and in the likelihood of race war permeated their political theories and made their understanding of the social dynamics on the island uncannily similar to those of their peninsular opponents. Saco, for instance, did not believe that individuals born in Africa could be competent smallholders. He had also claimed that the prominence of slaves and free people of color as artisanal and manual laborers had eroded these lines of occupation, which white individuals came to avoid. Both Arango and Saco believed that, through mixing, essential white traits would improve black character, a stance that remained

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<sup>27</sup> Francisco Arango y Parreño, “Ideas sobre los medios de establecer el libre comercio de Cuba y realizar un empréstito de veinte millones de pesos” August 26, 1816, in *Obras* (Havana: Imprenta de Howson y Heinen, 1888), vol. 2, 358-378, especially pages 374-378; José Antonio Saco, “Carta de un patriota ó sea Clamor de los cubanos dirigido a sus procuradores,” *Colección de papeles científicos, históricos, políticos y de otros ramos sobre la Isla de Cuba* (Havana: Editora del Consejo Nacional de Cultura, 1962), 3:93-94; Christopher Schmidt-Nowara, *Empire and Anti-Slavery*, 18-21.

consistent with an early modern Spanish belief according to which Spanish male blood could act as an improving agent on indigenous blood.<sup>28</sup> However, they also suggested that black blood, like indigenous blood, could be transformed, a departure from earlier assumptions.

Arango's and Saco's concern with racial improvement resonated with the Spanish Crown's and the colonial bureaucrats' efforts to whiten the population of the island, a prudential and relatively tentative policy that took shape after 1812 and that was designed to reduce the likelihood of slave rebellion.<sup>29</sup> In this vein, policies of white immigration were matched by bans on the entry of free people of color from neighboring colonies and by expressed, yet unrealized, desires to expel free people of color born on the island.<sup>30</sup>

Measures designed to repress the free population of color proliferated especially after the authorities uncovered the Conspiracy of *La Escalera* (1843-1844). The Military Commission, an institution established in 1825 to prosecute anti-Spanish conspirators and separatists, banished, tortured, and confiscated the wealth of over 1,000 free individuals of color allegedly involved in the plot. The violent measures nearly destroyed an elite of

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<sup>28</sup> María Elena Martínez, *Genealogical Fictions: Limpieza de sangre, Religion, and Gender in Colonial Mexico* (Palo Alto: Stanford University Press, 2008).

<sup>29</sup> Planters in Cuba had blamed the Haitian Revolution on racial imbalance in colonial St-Domingue as early as the 1790s. See Francisco Arango y Pareño, "Discurso sobre la agricultura de la Habana y medios para fomentarla," in *Obras* (Havana: Publicaciones de la Dirección de Cultura del Ministerio de Educación, 1952), vol. 1, 114-174.

<sup>30</sup> Real Cédula of October 21, 1817, in ANC, AP, leg. 125, exp. 9: "Instancias remitidas por el consul en Nueva Orleans sobre la introducción en Cuba de libres de color." On December 7, 1842, the Captain General of the Island prohibited the re-entry of free people of color who had been born in Cuba, once they left the island. ANC, A.P., leg. 137, exp. 13: "El Gobernador de Cuba hace referencia a un pasaporte dado al negro José Inocencio Rizo para Jamaica y lo uso para Santo Domingo."

color in a slave society in which planters and authorities had long tried to reduce its clout and influence on slaves.<sup>31</sup> In the aftermath, this population was subjected to stricter policing as well: they could not organize meetings, or work in apothecaries, and the militia of color--a very significant avenue for upward social mobility--was suspended. If they were unemployed, they were supposed to be tried by a special tribunal and incarcerated.<sup>32</sup> In 1854, the Captain General introduced a registry of all slaves on the island and the mandate that all should be issued identification papers. The authorities explained this measure as an attempt to keep track of runaway slaves.<sup>33</sup> In 1855, the policy was extended to all free males of color, with the aim of improving policing and of increasing tax revenues. By 1858, all men, women, and children of color were expected to have such identification papers. They also had to renew them every year, to report any changes of address, and pay taxes to have the papers issued. At first, the project was somewhat of a failure: it allowed for too many exemptions, and, according to chronicler Félix Erenchun, only a tenth of the free population of color actually had the required documents in hand by the end of 1858.<sup>34</sup> In 1857, three years after the introduction of the policy, the Crown tried to re-assure slave owners that the purpose of the *cédulas* for

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<sup>31</sup> Deschamps Chapeaux, *El negro en la economía habanera*.

<sup>32</sup> “Circular del Gobernador a las autoridades locales sobre policía de negros,” May 31, 1844, in Manuel Lucena Salmoral, *Leyes para esclavos. El ordenamiento jurídico sobre la condición, tratamiento, defensa y represión de los esclavos en las colonias de la América española* (Madrid: Fundación Histórica Tavera, 2000), 1268; Herbert Klein, “The Colored Militia of Cuba: 1568-1868,” *Caribbean Studies* 6.2 (1966): 17-27.

<sup>33</sup> “Artículos del R.D. sobre el reglamento para la formación de padrones y registro civil de esclavos,” March 22, 1854, in Lucena Salmoral, *Leyes para esclavos*, 1286-1287.

<sup>34</sup> Reid Vazquez, *The Year of the Lash*, 102-104. Also footnote 15, 208.

slaves was to improve policing, not to tax, and that they should therefore be more forthcoming about their slaveholdings. Apparently, this policy had also remained limited in scope.<sup>35</sup>

Several historians have pointed out that *La Escalera* was a key turning point in the history of free people of color on the island.<sup>36</sup> According to Aline Helg, after 1844, Cuba's racial formation became more rigidly defined, at least on paper, with a sturdier distinction between black and white. By placing limits on the upward mobility of Afro-descendants, they further contributed to "the relative cohesion of the Cuban population of color and its mobilization after the abolition of slavery in 1886."<sup>37</sup> In this vein, after 1844, Cuba witnessed the entrenchment of a two-tier racial system, closer to the one in the U.S. than to the variegated one of Brazil, Colombia, or Venezuela, which might explain the mobilization of the population of color in Cuba around race-based claims on a scale unrivalled in other parts of Latin America.<sup>38</sup> But there is some evidence to suggest that the colonial bureaucracy remained somewhat ambivalent toward the population of color. For instance, while the militias of color were suspended after 1844, the captain general Juan de la Pezuela reintroduced them in 1854, invoking the loyalty of these

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<sup>35</sup> "Introducción de la circular del gobierno explicando el carácter policial de las cédulas de seguridad a los esclavos," March 23, 1857, in Lucena Salmoral, *Leyes para esclavos*, 1290-1291.

<sup>36</sup> Deschamps Chapeaux, *El negro*, Aline Helg, *Our Rightful Share: The Afro-Cuban Struggle for Equality, 1886-1912* (Chapel Hill: University of North Carolina Press, 1995), 15; Michele Reid-Vázquez, *The Year of the Lash*, 8-9, 146-173.

<sup>37</sup> Aline Helg, "Race and Black Mobilization in Colonial and Early Independent Cuba," *Ethnohistory* 44.1 (1997): 55-56. Aline Helg, *Our Rightful Share*, 15.

<sup>38</sup> Helg, "Race and Black Mobilization," 53-56.

militiamen who had defended the Spanish Empire on a variety of occasions.<sup>39</sup> New recruits were supposed to offer their services voluntarily and were promised the same privileges as white militiamen.<sup>40</sup> Cuba had become so heavily militarized by the 1830s, that it did not need the services of voluntary militiamen, black or white. As a result, the numbers of the militias were considerably reduced.<sup>41</sup> De la Pezuela's reinstatement of the militias of color appears, therefore, to have been more of a symbolic gesture. But even with restricted numbers, the new militias had a hard time recruiting new members.<sup>42</sup>

The official attempts to institute a hard line on the population of color remained tentative beyond the politics surrounding the militias. For instance, white immigration schemes remained limited in scope until the second half of the nineteenth century.<sup>43</sup> The Captain General, followed by officials in Madrid, granted exceptions to the prohibitions on the entry of free people of color from foreign colonies and suspended these prohibitions as they saw fit.<sup>44</sup> In 1867, in a report reflecting on his activity as a former captain general of the island, Domingo Dulce, a reformist, advocated that laws that distinguished between whites and free people of color be suspended, and slavery be

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<sup>39</sup> Sartorius, *Ever Faithful*, 87.

<sup>40</sup> Sartorius, *Ever Faithful*, 88.

<sup>41</sup> Klein, "The Colored Militia of Cuba," 25.

<sup>42</sup> Reid Vázquez, *The Year of the Lash*, 118.

<sup>43</sup> Consuelo Naranjo Orovio and Armando García González, *Racismo e inmigración en Cuba en el siglo XIX* (Madrid: Doce Calles, 1996), especially chapters 2-4.

<sup>44</sup> ANC, AP, leg. 125, exp. 7: The Brigadier José Ricardo O'Farrill to Intendant Alejandro Ramírez, September 11, 1818. The Intendant conceded that free people of color of foreign origin who had lived in the Spanish territories for at least ten years or were married to Spanish subjects or owned land that they cultivated could become naturalized.

abolished (gradually, however).<sup>45</sup> He argued that, unlike the “Anglo-Saxon race,” “the Latin race” had traditionally been “conservative”: it had carried its civilization not only to new territories, as “the Anglo-Saxon race” had, but also to populations. According to Dulce, “the Latin race” mixes easily with others, “it attracts them,” “it grants them without any hostility a certain position that could be improved.” Dulce was certain that, with the abolition of slavery in Cuba and Puerto Rico, the distinctions separating whites and blacks would disappear. He therefore advised that Spanish legislators should remove obstacles that might thwart the “fusionist” tendency ostensibly integral to “the Latin race.” He concluded his report by suggesting that the laws against vagrants, which affected the free population of color only, should be extended to white individuals as well.<sup>46</sup> Dulce’s approach to racial mixing was similar to Saco’s or Arango’s, in that it assumed that white descent could absorb and transform African ancestry, which it deemed inferior. Particularly surprising, however, is that a high official was ready to advise the negotiation of equal social and political rights on the island at a time when Cuban planters were desperately scrambling for an extension of the institution of slavery

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<sup>45</sup> “Informe del Excmo Sr Dn Domingo Dulce, marques de Castell-Florite, Gobernador Capitán que ha sido en la Isla de Cuba desde 1862 hasta 1866,” in *Cuba desde 1850 a 1873. Colección de informes, memorias, proyectos y antecedentes sobre el gobierno de la isla de Cuba, relativos al citado period, que ha reunido por comisión del gobierno Dn Carlos de Sedano y Cruzat* (Madrid: Imprenta Nacional, 1873), 289-297.

<sup>46</sup> “Puede asegurarse que después de extinguida la esclavitud, y a merced del tiempo y del progreso de la civilización, desaparecerá en Cuba y Puerto Rico el valladar que hoy separa al blanco del negro, y que la misión del legislador sobre este punto se limita a remover los obstaculos que las disposiciones o reglamentos vigentes opongan a esa tendencia expansiva y fusionadora de la raza española y a abstenerse de adoptar ninguna medida que pueda contrariarla. Por estas razones me incline a creer que no son de expedirse leyes especiales para el regimen de los libres de color, ni es de privárseles de igualdad ante la ley...” in *Cuba desde 1850 hasta 1873*, 295. On extending the vagrancy laws to the white population, page 297.

for as long as it was possible, knowing that the general emancipation decree in the U.S. did not bode well for their plans.

The officials' ambiguous stance on the free population of color did not necessarily yield a democratic paradise, and clearly, for many individuals living in west-central Cuba, where sugar was king, life became more restricted after *La Escalera*. However, the archival record suggests that the population of color on the eastern side of the island followed a different trajectory than its west-central counterpart. Increasingly more individuals gained freedom, as manumission rates increased between the 1840s and the 1860s.

By the early 1830s, coffee planting in Santiago had reached unprecedented highs. But, twenty years later, signs of decay were becoming increasingly visible. The plantations' shrinkage, however, opened up new opportunities for free and newly freed individuals. Not only did they hold their own, they also increased as a percentage of the total population. Given census-takers' repeated complaints about the difficulty of collecting data in rural Cuba and slave holders' fears of new taxes and of punishment for purchasing contraband slaves, it is safe to assume that Cuba's censuses remain approximations, rather than precise counts.<sup>47</sup> By 1862, the free population of color formed almost 40% of the total population and almost 60% of the free population in the jurisdiction of Santiago [see appendices 4 and 5]. By comparison, Havana's free people of color constituted 18.5% of the total local population in 1862.<sup>48</sup> Santiago was

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<sup>47</sup> For a discussion of the limitations of the Cuban censuses, especially the 1841 and the 1846 ones, see Kenneth Kiple, *Blacks in Colonial Cuba, 1774-1899* (Gainesville: University of Florida, 1979).



demographically analogous to other Caribbean settings where the plantation complex was not all-pervasive, such as Puerto Rico, Santo Domingo, Panama, or Curaçao.<sup>49</sup>

For many slaves living in the city of Santiago, witnessing the free population of color grow throughout the 1850s might have emboldened them to pursue freedom and economic clout. The newcomers to formal freedom diversified the free population of color economically and socially. They participated in the making of a local social hierarchy that blurred the boundaries between freedom and slavery, undermining the institution of slavery as such, while also reproducing deep structures of inequality.

#### Wealth in People and Its Resonances across Santiago

Basílica Echevarría's scheme, according to which material wealth was generated with the main goal of acquiring ever more dependents who were incorporated into her network as her kin, was not unique in Santiago.<sup>50</sup> Hierarchically structured households that included a head, his or her immediate and extended family, dependents who offered their services

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<sup>48</sup> Comisión Estadística, *Noticias estadísticas*, 1862.

<sup>49</sup> In these settings, the free population of color was more than 40% of the total population between 1820 and 1830. David Cohen and Jack Greene, eds. *Neither Slave, Nor Free: The Freedman of African Descent in the Slave Societies of the New World* (Baltimore: Johns Hopkins University Press, 1972), introduction.

<sup>50</sup> Jane Guyer and Samuel Eno Belinga have used the term wealth in people to describe this particular social system in which status is based upon the number of one's dependents; in such systems, the purpose of material wealth is to expand one's networks of dependents. Jane Guyer and Samuel Eno Belinga, "Wealth in People as Wealth in Knowledge: Accumulation and Composition in Equatorial Africa," *Journal of African History* 36.1 (1995): 91-120. See also Suzanne Miers and Igor Kopytoff, "African Slavery as an Institution of Marginality," in *Slavery in Africa: Historical and Anthropological Perspectives*, Miers and Kopytoff, eds. (Madison: University of Wisconsin Press, 1977), 3-84.

to the household head in return for lodgings (many of whom were former slaves), and slaves were the norm across the city and in the plantation areas surrounding it.<sup>51</sup> Usually, the higher the status of the household head, the larger the number of people living in the household. This particular model resonated across a range of cultural registers, all present in this area. For individuals of color, however, constructing their own family networks was an especially urgent task and the surest way of marking their free status. This process entailed inserting themselves both in relations of subordination to patrons, as well as in relations of domination over dependents.

Described as *carabalí* by the court, Basilia Echevarría might have been born in the interior of the Bight of Biafra where merchants and contrabandists (after 1817) purchased slaves through Aro-controlled trading networks.<sup>52</sup> Outsiders who wanted to place the diverse peoples of the Bight of Biafra into clear-cut categories might have found the term *carabalí* attractive. However, this ethnic label did not resonate with the local residents of a region that was politically decentralized in the first decades of the

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<sup>51</sup> Manuscript census returns listing all household occupants and their particular social status within the household are especially revelatory in this regard. Some examples: ANC, *Fondo Gobierno General* (GG), leg. 392, exp. 18,651: “Padrón que manifiesta las personas existentes en una parte de las que comprende la parroquia principal de Santiago de Cuba,” 1823; *Fondo Miscelánea de Expedientes* (henceforth ME), leg. 4074, Letra Z: “Padrón de los habitantes de la parroquia de la Santísima Trinidad, Santiago de Cuba, con expresión de sexo, edad, estado, calidad, oficio, fortuna, nacionalidad y calles donde residen,” 1823; ME, leg. 3,883, Letra A: Censo de población de la ciudad de Santiago de Cuba, 1861; leg. 4,044, Letra D: Cédulas de inscripción de la ciudad de Santiago de Cuba, 1861. For the hierarchical and extensive character of early modern Spanish households and the Castilian laws that sanctioned this pattern and that also served as the legal basis of colonial institutions in Cuba, see Bianca Premo, *Children of the Father King: Youth, Authority, and Legal Minority in Colonial Lima* (Chapel Hill: University of North Carolina Press, 2005), especially 19-42.

<sup>52</sup> Oscar Grandío Moráquez, “The African Origins of Slaves Arriving in Cuba, 1780-1865,” in David Eltis and David Richardson, eds., *Extending the Frontiers: Essays on the New Transatlantic Slave Trade Database* (New Haven: Yale University Press, 2008), 176-201.

nineteenth century and who identified themselves with reference to small kinship-based units.<sup>53</sup> However, even though the linguistic or geographic criteria that slave traders, notaries, parish scribes, or owners used did not align with African realities, it does seem that captives from a particular broad cultural region did depart from the port closest to where those groups were located.<sup>54</sup> It is therefore possible that Echevarría might have been born in the interior of the Bight of Biafra, since, given her official description as *carabalí*, she would have arrived on a slave ship from one of the Biafran ports (such as Bonny or Old Calabar).<sup>55</sup> In Santiago, individuals described as *carabalís* founded some of the most active *cabildos de nación* (cultural and religious organizations sanctioned by the colonial authorities that individuals born in Africa could join and that were structured along ethnic lines, as envisioned by colonial authorities).<sup>56</sup> However, by the 1850s,

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<sup>53</sup> The three main language groups between the lower Niger River and the Cross River were Igbo, Ibibio, and Efik, which themselves contained many subdivisions; there were other language groups as well. Efik would not have been intelligible to Igbo and Ibibio speakers. David Northrup, "Igbo and Myth Igbo: Culture and Ethnicity in the Atlantic World," 1600-1850, *Slavery and Abolition* 21.3 (2000): 1-20, see pages 5-8. Northrup cautions against a mapping of linguistic identity onto cultural units.

<sup>54</sup> Grandío Moráguez, "The African Origins," 189.

<sup>55</sup> As historian Granío Moráguez has shown, during the era of contraband slave trading, captives reaching Cuba came from very diverse regions. The Transatlantic Slave Trade Database contains data on the embarkation areas of 11,238 captives and for the period 1818-1843. Most slaves appear to have reached Cuba when coffee prices reached a peak during the 1820s. Almost half of the slaves in this sample (or 5,554) came from the Bight of Biafra and the Gulf of Guinea Islands. The Database also contains fragmentary data on more than 10,000 other captives whose ports of embarkation remain unknown. According to it, right now we have sources on the arrival of 23,900 captives in Santiago between 1818 and 1866.

<sup>56</sup> Aisnara Perera Díaz and María de los Angeles Meriño Fuentes, *El cabildo carabalí viví de Santiago de Cuba: familia, cultura y sociedad (1797-1909)* (Santiago de Cuba: Editorial Oriente, 2013). When the colonial government passed laws to end the *cabildos* in 1880, in Santiago the *cabildo de carabalís viví* (Ibibio speakers) was one of nine such organizations. AHPSC, *Fondo*

ethnonyms describing individuals born in Africa became more rare in notarial records and other official records, as the population of color became creolized and the influx of contraband captives tapered off. And yet, the persistence of the *cabildos* suggests that many individuals, including creole Afro-descendants who participated in them (even though not allowed by law) identified, to some extent, with a shared culture, even as they transformed it through practice in the Americas.<sup>57</sup>

Captive women and children (especially girls) were especially prominent in the slave trade out of Biafra, and also particularly notable in Santiago de Cuba, where, by the 1860s, almost half of the slaves working on coffee plantations were women (see chapter 2).<sup>58</sup> Historian Ugo Nwokeji has argued that some cultural characteristics shared across groups living in the hinterland of the Bight of Biafra might explain this pattern. The trans-Saharan slave trade (generally centered on women captives) did not reach this area, which meant that more women were available for the domestic and transatlantic slave trade. Moreover, women's agricultural labors were not as valued as those of men (especially compared to the Gold Coast, the Upper Guinea coast or West-Central Africa,

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*Gobierno Provincial*, leg. 44, exp. 10: "Expediente sobre las elecciones del cabildo y suppression del mismo," 1877.

<sup>57</sup> On the presence of creole individuals in *cabildos de nación*, see ANC, CM, leg. 124, exp. 3: "Sumario instruido en aberiguación del obgeto con que tenían bandera melemburguesa con el lema la Esperanza los acusados Severiano, alias Moliván, y consortes," 1864.

<sup>58</sup> G. Ugo Nwokeji, *The Slave Trade and Culture in the Bight of Biafra: An African Society in the Atlantic World* (NY: Cambridge University Press, 2010), 144-177. The parish registers from the coffee planting regions of Santiago, available for the period 1814-1821, right as the legal trade was folding, show that 46% of the captives arriving from Africa who were baptized upon reaching Santiago were female (634 out of a total of 1,393 baptisms of newly arrived captives from Africa). Of the female captives, 22% (or 139 out of 634) were less than 12 years old. 14% (or 109) male captives were less than 12. AASC, *Libro Primero de Bautismos de Pardos y Morenos de San Luís del Caney* (1814-1821).

where women were key producers of rice and corn). This turned women into more likely victims of slavery. Finally, the enslavement methods resulted in the deaths of more male than female and child captives who could then be sold on the transatlantic trade markets.<sup>59</sup> Moreover, in the Biafra region, the practices of slave ownership were fundamentally gendered. Male heads of households did not value female slaves, and, if they did not sell them to slave traders linked to Atlantic networks, they tended to pass them on to their wives. Furthermore, women apparently did not shy away from buying other slave women.<sup>60</sup>

While owning slaves might have been a practice that Echevarría had picked up in the Bight of Biafra, the use of slave ownership to build status and a following was widespread among individuals, white or of color, born in the Americas as well. In chapter 2, we have seen how planters of color who had been born in Saint-Domingue and had migrated to Santiago used godparentage on their plantations as a means of controlling slaves and of building a hierarchical structure dividing their slaves based on those who were and those who were not godchildren. Moreover, the Saint-Domingue refugees of color also served as godparents to slave children belonging to other owners on nearby plantations or to the children of planters of lower status than their own; their eagerness to participate in such relationships suggests that they found them especially fruitful, not just as a means of social control, but also as a way of accumulating prestige and clients.

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<sup>59</sup> Nwokeji, *The Slave Trade*, 144-177.

<sup>60</sup> Nwokeji, *The Slave Trade*, 157.

This system created a wide range of intermediary categories between slave and free person, which, surprisingly, occasionally, the local courts occasionally acknowledged and did not quite know what to do about. For instance, in 1832, in their shared testament, sisters Doña Manuela and Doña Margarita Valerino bequeathed freedom to their seven slaves upon both of their deaths, with one condition: that Eugenia Valerino, a free woman of color and a former slave of theirs, would retain rights in the seven throughout her lifetime.<sup>61</sup> More than twenty years after the sisters had filed their testament, one of the seven individuals, María del Carmen, initiated a freedom suit in the first district court of Santiago. María del Carmen's legal counsel argued that Eugenia Valerino did not need any financial support in order to have a comfortable existence: she had married a cigar maker whose workshop was thriving. If the authorities were to grant all of the slaves their absolute freedom, they would therefore not break with the spirit of the Valerino sisters' testament, whose bequest had been intended to help Eugenia avoid economic need. Further, the syndic remarked, "freedom associated with further bonds is not and could not be freedom" (*la libertad llena de trabas no es ni puede ser libertad*). María del Carmen lost her freedom suit in Santiago, but appealed to the higher court in Puerto Principe, where she won, on the condition that she would continue "offering her services and in a state of full subjection as disposed by the Valerino sisters" [*prestarle su servicio con entera sujeción y arreglo a lo dispuesto por las Valerino*"]. Moreover, her children, whom Eugenia Valerino had registered in the parish registers as slaves, were

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<sup>61</sup> ANC, ASC, leg. 897, exp. 31,423: "Cuaderno de audiencia de los autos seguidos por el Síndico Procurador General contra María Eugenia Valerino sobre libertad de la negra María del Carmen y sus hijos," 1855.

declared fully free individuals. The litigant's relation to Valerino remained therefore ambiguous, even though the appellate court clarified her children's freedom. The judges only adjudicated on María del Carmen's free status and right to live independently, keeping in place a confusing hierarchical relation. Would María del Carmen be able to work for herself? Would she receive any compensation from Eugenia Valerino? At the end of a lengthy lawsuit, the meaning of being an owner and of being owned remained open to practical negotiation and conflict.

The Valerino sisters' testamentary disposition was relatively common in Santiago.<sup>62</sup> Testators frequently granted conditional freedom or temporary rights in their slaves to other individuals upon their death. María del Carmen's legal counsel in both Puerto Principe and Santiago nonetheless succeeded in making this arrangement appear particularly idiosyncratic and bordering on the illegal, subtly alluding to Eugenia Valerino's status as a woman born in slavery: "...given that the good morals, the truthful religion that we practice, and the wise laws that govern us condemn anyone who might try to reduce a free person to the state of slavery, we cannot listen without indignation to

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<sup>62</sup> Other examples of testamentary bequests or freedom arrangements that consisted in passing down rights over a testator's slaves for a limited period: AHPSC, PN, leg. 375 (Escribanía de la Hacienda): Freedom letter of Guadalupe, August 27, 1829, fs. 328v-329; leg. 276 (Escribanía de Antonio Giró): Testament of Josefa Hechevarría, November 12, 1846, fs. 452-453v; leg. 113 (Escribanía de Manuel Caminero), Freedom letters for Desideria and Narciso Courounneau, February 18, 1863, fs. 59-60; leg. 545 (Escribanía de Ramírez): Freedom letter of Anastacia, January 16, 1863, fs. 9v-10. In 1864, a certain Dn Salvador Lletjos granted conditional freedom to a female slave provided that she would serve him for an additional ten years during his stay in Spain. AHPSC, PN, leg. 114 (Escribanía de Manuel Caminero): Freedom letter, fs. 267v-268, November 14, 1864. He drew this document in spite of a law (introduced on March 29, 1836) granting automatic freedom to all slaves travelling to the Iberian Peninsula. For the original law and its reiteration in 1861, see "R.O aclarando que los esclavos emancipados por haber llegado a la Península no pierdan su nueva condición si volvieron a Cuba," in Lucena Salmoral, *Leyes para esclavos*, 1293.

the facts that we have before us and that arose from the moral decline and dishonor of the humble classes to which, unfortunately, Eugenia Valerino belongs.”<sup>63</sup> Even though both María del Carmen and Eugenia Valerino were free persons, their property rights and freedoms could be, clearly, more easily thrown into question than those of a person who had been born free: María del Carmen had to work without any guarantee for compensation, while the appellate court in Puerto Principe decided that Eugenia Valerino’s claim to property rights could be overridden. And yet, the courts also remained tentative about curtailing the two women’s rights as free individuals: María del Carmen and her children were declared free, and Eugenia Valerino still received some vague rights over María del Carmen’s labor. The authorities clearly had difficulty clarifying the civil status and property rights of individuals transitioning from slavery to freedom, determining whether or not the social hierarchies that they had created could be legally sanctioned. This left such individuals vulnerable to other kinds of dispossession. At other times, however, ambiguities could work in such individuals’ favor.

Eugenia Valerino’s case shows how individuals of color sought to obtain or consolidate their freedom by seeking dependents. But most individuals of color also had to rely on patrons to negotiate their status. These patrons could be white or they could be individuals of color of a higher social standing. Patrons could intercede in lawsuits and help individuals confront threats of re-enslavement. For instance, in 1852, Juliette

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<sup>63</sup> “...si la buena moral, la verdadera religión que profesamos y las sabias leyes que nos rigen condenan todos los actos que tiendan en lo más mínimo a reducir a la esclavitud a un hombre libre (...) no podrá oír sin una justa y natural indignación los hechos positivos que para mengua y deshonra de la humilde clase a que por desgracia pertenece la parda Eugenia Valerino resulta a primera vista en el cubano proceso que tenemos delante.”



Verges, a free woman of color, petitioned the Governor of Santiago de Cuba for the right to own a small farm undisturbed. In her petition, she described the long-term relationship that she had had with a certain Francisco Verges who had moved to Santiago from New Orleans. In 1846, he had bought her freedom, along with that of their first daughter. Francisco Verges passed away in 1851; by that point, Juliette Verges was tending to their house and farm and had had three children by him. Given the absence of other family, the litigant wanted her daughters to be considered the only heirs of Verges' farm.<sup>64</sup> Her petition was directed against a couple who claimed to be Francisco Verges' relatives from New Orleans and who wanted not only to take charge of her and her children as slaves, but also to appropriate their fruit farm and their slave, her main means of subsistence. In the end, Juliette Verges acceded to some of their demands: despite their unproven familial ties to the deceased, she ceded half of her farm. Her prior condition as a slave and her color status, which had left her unable to marry Verges, had clearly made her vulnerable to threats of enslavement and despoliation. A French-speaking couple, the Henri family, whom the authorities and Juliette Verges described using the respectful terms of address Madame and Don (generally associated with whiteness), interceded on her behalf throughout the judicial proceedings. The Henris' support helped her retain control over some of her property, in spite of lacking property titles.

There were other ways in which patrons participated actively in the lives of their dependents that were more mundane. In the early 1860s, more than a tenth of all universal heirs to testators of color (14%) were white individuals (24 out of 173), a

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<sup>64</sup> ANC, ASC, leg. 246, num. 6,414: "Autos obrados a consecuencia del fallecimiento intestado de D. Francisco Verges (Berges) Calvert ocurrido en el partido de Brazo de Cauto," 1851.

considerably larger number than slaves being appointed to the same role (5%) (9 out of 173).<sup>65</sup> For instance, in 1845, María del Carmen and Ignacio Castillo, both born in Africa, appointed Dn Bartolomé Robert, one of the most reputed local slave owners, as a universal heir to their tobacco farm and 18 slaves. The couple did not have any descendants or ascendants.<sup>66</sup> Maria Virginia Lescaille, a woman identified as a *morena libre* from Saint-Domingue, of unknown parentage, bequeathed her stakes in two plantations and sixteen slaves to Don Federico Lescaille and Don Henrique Casamayor. Judging by her last name, we could assume that the testator was descending either from members of the Lescaille family who were of color or from slaves who belonged to Lescaille or both.<sup>67</sup> In 1864, Rosa Alonzo passed her urban home onto the three white sisters Sillegue y Moya.<sup>68</sup> That same year, Victoria Doulon, who had been born in Africa and had come to Santiago as a refugee from Saint-Domingue, bequeathed four of her five slaves and her urban home onto three white individuals, also Saint-Domingue refugees.<sup>69</sup> A fifth of all testators of color also turned toward white individuals to act as their

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<sup>65</sup> AHPSC, PN, legs. 51, 52, 113-115, 189, 198, 222-224, 293-295, 409-411, 495-497, 545-547, 615-617.

<sup>66</sup> AHPSC, PN, leg. 95 (Escribanía de Manuel Caminero), Joint testament of María del Carmen Castillo and Ignacio Castillo, January 10, 1845, fs. 6v-7v.

<sup>67</sup> AHPSC, PN, leg. 275 (Escribanía de Antonio Giró), Testament of Maria Virginia Lescaille, January 24, 1845, fs. 92-93.

<sup>68</sup> AHPSC, PN, leg. 114 (Escribanía de Manuel Caminero), Testament of Rosa Alonzo, January 9, 1864, fs. 6v-7.

<sup>69</sup> AHPSC, PN, leg. 410 (Escribanía de la Hacienda), Testament of Victoria Doulon, October 28, 1864, fs. 502-502v.

executors, a figure that remained stable from the late 1820s to the 1860s.<sup>70</sup> The testamentary executor was an individual whom the testators had to trust almost blindly: he or she (though the vast majority of executors were male) was fully responsible for implementing the testator's wishes; the heirs were able to sue the executors for failing at their task, but most testators wanted their heirs to avoid such costly conflicts.

All of these practices suggest that, across Santiago, individuals of color participated in vertical relations with the aim of stabilizing their social standing in a slave society where the authorities approached them with suspicion. The next section explores how their ownership of property shaped these vertical relations and the institution of slavery itself.

### Property Ownership and the Build-Up of Wealth-in-People

Individuals of color invested in three kinds of assets—urban real estate, rural land, and slaves—through which they sought to attract dependents and improve their relations with patrons.

Urban property allowed individuals of color to rent rooms and assemble an extensive network of *agregados*, individuals who paid their rent in services and who provided them with prestige. In the 1860s, eighty percent of homes owned by people of color included such dependents. Indeed, urban real estate was the main asset that

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<sup>70</sup> The research for this chapter draws on the study of 766 testaments filed in Santiago's notarial offices between 1828 and 1865. I have focused specifically on the following three-year clusters: 1828-1829, 1832-1834, 1845-1847, 1853-1855, 1863-1865. See appendix 11.

individuals of color in Santiago invested in.<sup>71</sup> Between 1854 and 1861, free people identified as being of color were highly represented among urban owners: they formed a little more than half of the free population in the city (51%) and slightly less than a half of all property owners (43%). Furthermore, people whom census-taker described as being of color were almost as likely as individuals referred to as white to be property owners in the city in the early 1860s.<sup>72</sup> However, that same group collected only a third of all the rents on urban property, which suggests that their properties were less valuable than those of white owners. Indeed, owners “of color” were especially underrepresented in the higher rent areas, where the government buildings and major business offices were located, and overrepresented in peripheral neighborhoods (appendix 4). Freed individuals, in particular, would have likely found it difficult to amass considerable resources after paying for their own and their family’s freedom to invest in expensive properties.

Gender shaped patterns of urban ownership. For instance, in 1854, women “of color” owned more urban properties than men “of color” or women described as white. But, as a whole, they collected fewer rents than these two other supposedly distinct sectors. Men’s artisanal labor might have provided larger incomes than work associated with women (washing, cleaning, tailoring, selling goods in the streets, renting out rooms), which, in turn, might have enabled men of color to purchase more expensive properties.<sup>73</sup>

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<sup>71</sup> Between 1845 and 1865, 86% of testators of color owned urban or rural properties or both. See appendices for sources and methods.

<sup>72</sup> 19% of all whites and 13% of all the free people of color living in the city owned urban property. Data computed using AHPSC, *Fondo Contaduría*, Padrón de Fincas Urbanas, Libro 1, 1854; de la Pezuela, *Diccionario geográfico*, vol. 2, pp. 205, 207, 209, 212.

**Table 6 Distribution of urban property ownership in Santiago in 1854<sup>74</sup>**

Year 1854	“White” male owners	“White” female owners	Male owners “of color”	Female owners “of color”	Total
Number of urban properties owned by	1,666	520	748	864	3,798
Percentage of urban properties owned by	44%	14%	20%	23%	
Amount (in pesos) of rent collected by	28,631	8,220	5,125	5,448	47,424
Percentage of all urban rents collected by	60%	17%	11%	12%	

The structure of households in Santiago, like rent and property distribution across the city, suggests that even though free people of color might have had access to some social mobility, they remained economically inferior to white proprietors. Households headed by individuals identified as white tended to have more dependents, a symbol of prestige and economic power. A quarter of such houses included dependents (*agregados*) who were free people “of color,” in most cases children mothered by a slave and born in the household. However, the reverse was far less common: less than a tenth of all households headed by individuals “of color” included white dependents (5%), who tended to be

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<sup>73</sup> Approximately a quarter of men “of color” worked as artisans in the city. De la Pezuela, *Diccionario*, 2: 204, 206-7, 209, 211-2.

<sup>74</sup> AHPSC, *Contaduría*, Padrón de Fincas Urbanas, Libro 1, 1854.

orphaned children or poor widows.<sup>75</sup> Take for instance the house of Don Buenaventura Bravo y González: it included eight individuals designated with the respectful terms of address Don/Doña and nine slaves working as domestics.<sup>76</sup> Manuel Agüera's home was relatively smaller: it included six other free people of color, as well as seven slaves.<sup>77</sup> Bravo and Agüera were neighbors.

Slaves were another major investment that free people "of color" relied on to consolidate their status. As both a symbolic and a material resource, slaves could be an indicator that the owner had moved away from a slave past or from enslaved ancestors. Slaves could also be hired out, allowing their owners not only to amass further resources, but also to spend less time in the streets. Since women who were seen in public spaces might popularly be portrayed as being less honorable, hiring out or sending out one's slaves could help one maintain a good reputation. Indeed, in 1861, in the city, 45% of the population of color whose occupations census-takers recorded dedicated themselves to

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<sup>75</sup> The following fragmentary manuscript census data included information on 723 households, approximately 16% of all households in Santiago in the early 1860s. ANC, ME, leg. 3,883, Letra A: Censo de población de la ciudad de Santiago de Cuba, 1861; leg. 4,044, Letra D: Cédulas de inscripción de la ciudad de Santiago de Cuba, 1861; leg. 3,876, Letra Ao: Cédulas de inscripción de la calle de la Carnicería, Santiago de Cuba, 1861; leg. 3,866, Letra C: Cédulas de inscripción de Santiago de Cuba con expresión de nombre, edad, raza, ocupación e instrucción, 1861; leg. 3,876, Letra Añ: Cédulas de inscripción de la calle de San Bartolomé, Santiago de Cuba, 1861; leg. 4,119, Letra A: Cédulas de inscripción del segundo barrio, primer distrito, Santiago de Cuba; leg. 4,119, Letra P: Censo de población de la callejuela de la Celda, Santiago de Cuba, 1861; leg. 3,989, Letra Bq: Cédulas de inscripción de la calle alta de la Marina, Santiago de Cuba, 1861. On the total number of households in Santiago in the early 1860s, see Jacobo de la Pezuela, *Diccionario geográfico, estadístico, histórico de la isla de Cuba* (Madrid: Imprenta del establecimiento de Mella, 1862), vol. 2, pp. 205, 207, 209, 212.

<sup>76</sup> ANC, ME, leg. 3883, exp. A: Censo de población de la ciudad de Santiago de Cuba, 1861, matriculation number 6002.

<sup>77</sup> ANC, ME, leg. 3883, exp. A: Censo de población de la ciudad de Santiago de Cuba, 1861, matriculation number 6000.

domestic labor inside their own homes.<sup>78</sup> Take for instance Barbara Hechevarría. Born in Africa, Hechevarría bought a house, a slave named Benigno, and two horses soon after purchasing her own freedom. Benigno was using the horses to transport goods from the country to the city and from the port to local businesses. His earnings maintained Hechevarría, who, according to her testament, did not have any occupation outside the home.<sup>79</sup> Juliana Angulo, also a freed woman of color born in Africa, purchased a female slave and a city apartment in which she rented out rooms for 12 pesos a year. Her female slave helped her keep the house, her only source of income.<sup>80</sup> By the 1860s, close to half of Santiago's households held slaves (41%).<sup>81</sup> But slave ownership was more common in households headed by "white" individuals than in those headed by free people "of color." About 57% of households headed by "white" individuals and 25% of those headed by individuals "of color" held slaves.<sup>82</sup> Since many individuals "of color" had experienced

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<sup>78</sup> De la Pezuela, *Diccionario*, vol. 2, 204-5, 206-7, 209, 211-2.

<sup>79</sup> AHPSC, PN, leg. 276 (Escribanía de Antonio Giró), Testament of Barbara Hechevarría, January 22, 1846, fs. 26v-27.

<sup>80</sup> AHPSC, PN, leg. 38 (Escribanía del Cabildo), Testament of Juliana Angulo, October 15, 1845, fs. 211-211v.

<sup>81</sup> María de los Angeles Meriño Fuentes and Aisnara Perera Díaz, *Familia, agregados y esclavos: Los padrones de vecinos de Santiago de Cuba (1778-1861)* (Santiago de Cuba: Editorial Oriente, 2011), 113. No absolute figures provided.

<sup>82</sup> ANC, ME, leg. 3,883, Letra A: Censo de población de la ciudad de Santiago de Cuba, 1861; leg. 4,044, Letra D: Cédulas de inscripción de la ciudad de Santiago de Cuba, 1861; leg. 3,876, Letra Ao: Cédulas de inscripción de la calle de la Carnicería, Santiago de Cuba, 1861; leg. 3,866, Letra C: Cédulas de inscripción de Santiago de Cuba con expresión de nombre, edad, raza, ocupación e instrucción, 1861; leg. 3,876, Letra Añ: Cédulas de inscripción de la calle de San Bartolomé, Santiago de Cuba, 1861; leg. 4,119, Letra A: Cédulas de inscripción del segundo barrio, primer distrito, Santiago de Cuba; leg. 4,119, Letra P: Censo de población de la callejuela

slavery in their lifetime, they might have been left with few resources to buy slaves once they had freed themselves.

Place of birth, gender, and length of time that an individual had been free were the main factors shaping the ability of an individual of color to become a slave owner.

Individuals born in Africa tended to have fewer economic stakes in the institution of slavery than those born in Cuba: they owned fewer slaves and became slave owners less frequently.

**Table 7 Average number of slaves owned by Africa-born and creole owners of color<sup>83</sup>**

Year clusters	1832-1834	1845-1847	1853-1855	1863-1865
Average number of slaves owned by slaveholders born in Africa	3.7	3.8	4	3.1
Average number of slaves owned by creole slaveholders of African ancestry	7	5.4	4.8	4.9

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de la Celda, Santiago de Cuba, 1861; leg. 3,989, Letra Bq: Cédulas de inscripción de la calle alta de la Marina, Santiago de Cuba, 1861.

<sup>83</sup> See Appendix 11 for sources and methods.



**Table 8 Distribution of slave ownership among owners of African ancestry by owners' place of birth<sup>84</sup>**

Year clusters	1832-1834	1845-1847	1853-1855	1863-1865
Percentage of Africa-born individuals of color who owned slaves	65% (17 out of 26 individuals included in sample)	51% (33 out of 65 individuals in sample)	28% (24 out of 85 individuals in sample)	25% (22 out of 87 individuals in sample)
Percentage of creole individuals of color who owned slaves	57% (44 out of 77 individuals in sample)	50% (60 out of 119 individuals in sample)	41% (41 out of 99 individuals in sample)	41% (35 out of 86 individuals in sample)

Individuals born in Africa experienced manumission differently than creole slaves, and this, in turn, reduced their ability to save resources to become slaveholders once they did achieve freedom. For instance, they did not receive as much support from family members or friends when paying for their manumission as creole slaves did because their kin networks were more restricted. Moreover, they were less likely to receive their freedom for free (*libertad graciosa*) than Cuba-born individuals and therefore would have ended up spending more of their earnings to buy their freedom than creole slaves did.

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<sup>84</sup> See appendix 11 for methods and sources.

**Table 9 Role of third parties in manumissions<sup>85</sup>**

	Africa-born slaves	Cuba-born slaves	Total in sample
Freedom letters issued to	807	1,397	2,205
Percentage of letters issued to	37%	63%	
Letters issued that were paid by third party	45/0.06%	406/ 29%	451 (20%)
Percentage of freedom letters issued to the following that were <i>libertades graciosas</i>	131/16%	413/30%	544 (25%)

Take, for instance, Juan Planos. Both he and his wife had been born in Africa. In 1864, aged 50, they managed to buy their own freedom, and that of their two twenty-year old children and infant granddaughter, for a total of 2,500 pesos, which they forwarded to their owner Don Gustavo Girard. This was a small fortune that a free couple would have been able to use to buy a small coffee plantation.<sup>86</sup> Some purchasers of their freedom turned out to be luckier. María Ana and José María Hierzuelo, both from Africa, had belonged to the same master. After freeing themselves, they bought three properties in the city and started cultivating fruit and vegetables on a small farm outside Santiago. Gradually, they purchased fourteen slaves. In their testaments, they bequeathed freedom upon all but one of them, and made arrangements that some of their rural properties

<sup>85</sup> See appendix 11 for methods and sources.

<sup>86</sup> AHPSC, PN, leg. 294 (Escribanía de Giró), Freedom letter of Juan Planos and his family, November 12, 1864 f. 424v.

should pass into the hands of their former slaves.<sup>87</sup> Cases such as the Hierzuelos remained relatively rare, though. Moreover, the Hierzuelos had purchased their freedom in the 1830s, long before the significant price increases of the 1850s, and had no children in slavery for whose freedom they had to save. Individuals who manumitted themselves in the 1850s were starting life on a shakier footing because freedom prices were at an all-time high.

Gender was another factor shaping patterns of slave ownership among the free population of color. For women, slaves appear to have been a more important form of investment than for men of color. For instance, when she filed her will, Úrsula de la Fuentes had only one asset—her slave, José Antonio, whose labor had apparently helped her amass an estate of 700 pesos. De la Fuentes distributed the money among her nephews and mandated that they only take two thirds of José Antonio’s wages in the future. The other third was a gift that she bequeathed upon him; in the long term, she hoped that he would be able to perhaps save enough to buy his freedom.<sup>88</sup> Similarly, Dolores García had managed to save 870 pesos through the labor of her slave, Sotero, which she then reinvested by lending it at an interest to two families of color and to a neighbor who was designated with the courtesy term *Doña*.<sup>89</sup>

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<sup>87</sup> AHPSC, PN, leg. 103 (Escribanía de Manuel Caminero): Testament of María Ana and José María Hierzuelo, October 24, 1853, fs. 464-465.

<sup>88</sup> AHPSC, PN, leg. 615 (Escribanía de Soler y Requíferos): Testament of Ursula de la Fuentes, September 29, 1863, fs. 161v-162.

<sup>89</sup> AHPSC, PN, leg. 114 (Escribanía de Manuel Caminero): Testament of Dolores García, March 4, 1864, fs. 44v-45.

Women of color appear to have been peculiar slaveholders. They approached manumission differently from their male or white counterparts. For instance, between 1845 and 1865, those born in sub-Saharan Africa who left a will manumitted half of their slaves upon death. Furthermore, Africa-born women were more likely to manumit all their slaves upon death than any other social group, which suggests that many must have regarded slavery as a temporary stage in one's life. Throughout the long nineteenth century, "white" slaveholders manumitted between 5 and 10% of their slaves, a figure considerably lower than what we find in the testaments of free people of color.<sup>90</sup> Promising freedom upon one's death was a way of exercising control over one's slaves, especially if the owner had reached old age, was in a vulnerable state, and had a relatively small legally recognized family, as many of the testators born in Africa often did. Indeed, between the late 1820s and the early 1860s, Africa-born slaveholders manumitted conditionally close to three times as many of their slaves as did creole slaveholders of color (36% vs. 13%).<sup>91</sup> Creole familial networks were more expansive, and tended to include more descendants and ascendants. Perhaps unsurprisingly then, creole slaveholders of color passed their slaveholdings more or less intact onto their families, while individuals born in Africa used slaves in order to expand their familial ties.

Most conditional manumissions granted through wills were free and sought to sustain a master's control: a slave in this situation could only earn freedom papers if he or she served the owner until death or for a fixed number of years satisfactorily; sometimes,

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<sup>90</sup> Estimate based on a survey of 380 testaments filed by individuals identified with the honorifics Don/Doña. See Appendix 11 for methods and sources.

<sup>91</sup> See Appendix 11 for methods and sources.

individuals were simply allowed to live independently, with a freedom paper following a long period of autonomous existence. In the 1850s, at a time when the price of freedom was extremely high, this arrangement could work to the material benefit of the slave who might gain his or her freedom papers more promptly than through savings. But it was an actuarial uncertainty for the slave, and an imperfect mode of control for a master faced with a restive man or woman who sought to follow the example of so many other freed people of color in the jurisdiction.

Even though individuals of color were eager to invest in slaves, across the city, slave ownership shrank between the late 1820s, when the enslaved population living in the jurisdiction peaked, and the 1860s (see table 8). The growing cost of slaves on the local market might help to explain this shift.<sup>92</sup> Indeed, by the 1850s, there was a greater concentration of slaves on more profitable properties producing export commodities—expanding sugar plantations in Santiago, Guantánamo, and west-central Cuba. However, surprisingly, free people of color manumitted, conditionally, an increasing percentage of their slaves through testaments. By the 1860s, the economic stakes that the free population of color held in slavery were clearly on the wane. Some of the reasons were structural—the price of slaves had increased beyond the means of an ordinary

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<sup>92</sup> Urban slaveholders had to pay a peso annually for every slave whom they used in domestic service. For every additional domestic slave, owners had to pay an additional 10 reales. Given that a hired-out slave could earn approximately 9 pesos a month in Santiago, the tax does not appear to be particularly burdensome. The original wording of the royal resolution suggests that the tax was designed to finance white immigration schemes, rather than to move slaves to the rural areas. Other factors that have to do with the prices of slaves on the African markets and the expansion of sugar production locally are more likely to have influenced the price of slaves in Santiago. “Real resolución gravando la tenencia de esclavos domésticos,” Madrid, July 29, 1844, Lucena Salmoral, *Leyes para esclavos*, 1269.

smallholder. At the same time, however, their eagerness to manumit slaves conditionally suggests that free people of color were gradually taking distance from slavery as an institution so long as they did not have to pay a high cost to do so.

**Table 10 Manumission patterns among owners of African ancestry<sup>93</sup>**

Years	Slaves owned by individuals of color (as listed in wills)	Number and percentage of their slaves whom testators of color manumitted through the will
1845-1847	444	88 (20%)
1853-1855	289	74 (26%)
1863-1865	237	81 (34%)

### Conclusion

With the crisis of coffee production across the island, manumission rates increased in Santiago. Many individuals managed to buy their freedom or had family or patrons purchase it for them. As the class of color expanded throughout the 1850s and the 1860s, this group became a pivot between the other sectors of local society that had a more clearly defined legal social status—slaves and individuals reputed to be white. By participating in vertical social networks with slaves and individuals identified as “white,” individuals of color sought to consolidate their volatile and vulnerable social standing, which was much more dependent on their reputation within the community than that of other groups. But their efforts did not have equalizing effects within local society. The relations of domination and patronage that they created gave rise to elaborate social

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<sup>93</sup> See appendix 11 for sources and methods.

hierarchies organized around economic status, genealogical distance from slavery, and place of birth. These vertical structures undermined the institution of slavery as such, while also keeping in place profoundly unequal social relations. Most notably, individuals born in Africa were more likely to manumit slaves and to rescue relatives from slavery, while also maintaining these individuals in some relation of dependence. The next two chapters explore how the social tactics that individuals of African ancestry used to consolidate their status also impacted color-based hierarchies and racial ideologies.

## Chapter 6: Vernacular Socioracial Systems in Santiago de Cuba before the War of Independence

When, in the mid-1840s, María de Belén Fernández drew up a testament in Manuel Caminero's notarial office, she may have noticed that the final version of the document lacked any direct references to her color. Fernández was the legitimate daughter of a member of the local colored militia and his wife, Juana María Trujillo. By 1846, she was married, had raised 12 children, and owned three slaves.<sup>1</sup> While the notary did not place Fernández firmly in the white category through the use of the respectful term of address *Doña*, neither did he associate her name with the appellatives *morena libre*, *parda libre*, *de color*, or *de Africa/Guinea*, widely used to describe people seen as of African descent in official documents. Given her father's membership in the local militia of color, her legitimate birth, and her ownership of slaves and other property, Fernández's case might look like an exception, an opening that local bureaucrats allowed for a small elite of color to gradually "whiten" themselves across generations. Yet, between the mid-1820s and the

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<sup>1</sup> AHPSC, PN, leg. 96 (Escribanía de Manuel Caminero): Testament of María de Belén Fernández, September 23, 1846, fs. 99v-100v.



mid-1860s, testators whose color remained unidentified through the use of qualifying terms of address abounded in the notarial registers of the city of Santiago. For notarial purposes, these individuals formed an intermediate group somewhere between those who were straightforwardly known to be white and those defined as black or “of color.”

When deciding whether or not to apply color descriptors, notaries and their clients considered more than just individual appearance. They also took into account socio-economic and marital status, genealogical distance from slavery (who the last family member to still be enslaved was), or moral standing. Similarly, inside the courtrooms and in churches, defendants and witnesses, lawyers, and colonial bureaucrats used behavior and reputation as their main guides. This chapter shows that, in nineteenth-century Santiago, in the absence of official criteria, color status was open to public debate and negotiation. Individuals keen to improve their social standing in the community did not necessarily seek to pass for white. Rather, they negotiated for specific rights associated with whiteness. While official metropolitan racial schemes placing Spaniards at one end and Africans at the other were extremely powerful, they also lacked coherence, and, when it was expedient to the parties involved, could be overlooked. By the 1850s, however, with the expansion of the free population of color, the flexibility in the application of color terms reflected not a tendency to equalize, but rather an elaborate link between color-based taxonomies and hierarchy.

This chapter explores how free people of African descent themselves shaped the local color-based system of rank. It aims to be a historical ethnography, exploring the processes through which ordinary individuals and colonial bureaucrats constructed social

labels and categories in practice, sometimes in agreement, at other times, at odds.

Because classification did not revolve around stable markers, focusing on the process of classifying rather than on its end results can provide insights into local political dynamics in Santiago on the eve of the War of Independence. For instance, we can see the interaction between different taxonomic regimes, the values that underlay them, and how and why processes of identification here did not yield politically coherent groups organized along color lines.<sup>2</sup>

### Racial Categories in the Crown's Policies

Across Spanish domains, ideas of race had roots in theories of purity of blood (*limpieza de sangre*) that went back to the early modern period. Iberian monarchs deployed this ideology in their efforts to construct a polity unified around Catholicism. In fourteenth-century Castille, being of impure blood meant that non-Christian lineage (specifically Jewish, Muslim, or heretical) indelibly marked one's genealogy, even when one had converted to Christianity. Religious differences that until then had been considered to be mutable came to be thought of as innate and unchangeable, which is why some scholars trace modern ideologies of race to *limpieza de sangre* statutes.<sup>3</sup>

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<sup>2</sup> For a methods-centered discussion of processes of identification and the kinds of sociological insights that they can yield relative to analyses of ready-formed identities, see Rogers Brubaker and Frederick Cooper, "Beyond 'Identity'," *Theory and Society* 29 (2000): 1-47. On how historical ethnography can help foreground the politics of classificatory processes, Joanne Rappaport, *The Disappearing Mestizo: Configuring Difference in the Colonial New Kingdom of Granada* (Durham: Duke University Press, 2014), 1-28.

After the fifteenth century, the ideology of *limpieza de sangre* became the foundation for racial classifications in the colonies as well, but in new ways. In an innovative study published in 2008, María Elena Martínez argued that, during the first century of colonization, mixed parentage came to be considered a stain similar to having Jewish or *converso* ancestry. However, by the late sixteenth century, the Crown and the Inquisition granted individuals of indigenous ancestry in New Spain purity of blood certificates, a privilege that they denied to Afro-descendants.<sup>4</sup> One possible explanation for the distinct treatment of Afro-descendants might be their association with the Moors in the Iberian imagination. Another contributing factor may have been the way in which jurists and prelates conceived of their conversion. In the Iberian Peninsula, one of the moral justifications for slavery, an unnatural institution according to Castilian laws, was the spread of Catholic Christianity: enemies of Christianity in its war against Islam were turned into slaves in return for having their lives spared.<sup>5</sup> Even though Africans were not

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<sup>3</sup> Several scholars have identified *limpieza de sangre* as the origin of modern-day racism, a transitioning stage between medieval forms of religious intolerance and naturalist/biological forms of racism. See, for instance, George Frederickson, *Racism: A Short History* (Princeton: Princeton University Press, 2002), 40; David Nirenberg, “Was There Race before Modernity? The Example of Jewish Blood in Late Medieval Spain,” in Mirial Eliav-Feldon et al., eds., *The Origins of Racism in the West* (NY: Cambridge University Press, 2013), 232-264; Jean Frédéric Schaub, *Pour une histoire politique de la race* (Paris: Seuil, 2015); Irene Silverblatt, *Modern Inquisitions: Peru and the Colonial Origins of the Civilized World* (Durham: Duke University Press, 2004).

<sup>4</sup> María Elena Martínez, *Genealogical Fictions: Limpieza de Sangre, Religion, and Gender in Colonial Mexico* (Palo Alto: Stanford University Press, 2008), especially 173-226.

<sup>5</sup> Debra Blumenthal, *Enemies and Familiars in Fifteenth-Century Valencia* (Ithaca: Cornell University Press, 2009), 9-45. In the thirteenth century, the legal code *Las Siete Partidas* explained that slavery, an institution contrary to natural reason, emerged in order to preserve the lives of war captives. However, the code does not make reference to war against Islam. Robert I. Burns, ed. *Las Siete Partidas*, Partida IV, Title XXI, Law I (Philadelphia: University of Pennsylvania Press, 2001), 4:977.

necessarily automatically considered to be Muslim, the papacy nevertheless established that they were pagan or infidel and that, through enslavement, they could be converted. And yet, because Africans had supposedly been forcibly incorporated into the Christian world through warfare, not voluntarily, as the indigenous population had supposedly been, they were not granted the right to form a corporate community. They were therefore formally precluded from establishing a communal contractual relation with the Spanish Crown. Afro-descendants could only show their commitment to the Spanish monarch and to Christianity through individual deeds (such as military service).<sup>6</sup> Moreover, they were not considered to be natives (*naturales*) of Spanish territories, which made them more likely to be perceived as potentially disloyal.<sup>7</sup> This was a key argument in debates regarding the rights of people of African ancestry even as late as the Cortes of Cádiz of 1812, when Afro-descendants were denied the right to be citizens on account of not being *naturales*.<sup>8</sup> But even before 1812 and throughout the colonial period, people of known or acknowledged African ancestry were denied a range of rights: they could not hold public office, attend university, carry weapons, congregate in public

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<sup>6</sup> Ben Vinson III, *Bearing Arms for His Majesty: The Free-Colored Militia in Colonial Mexico* (Palo Alto: Stanford University Press, 2001); Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies* (Palo Alto: Stanford University Press, 2015).

<sup>7</sup> María Elena Martínez, “The Black Blood of New Spain: Limpieza de Sangre, Racial Violence and Gendered Power in Early Colonial Mexico,” *William and Mary Quarterly* 61.3 (2004): 479-520, especially 485-490.

<sup>8</sup> Josep Maria Fradera, *Gobernar colonias* (Barcelona: Ediciones Peninsula, 1999), 66-67; Tamar Herzog, “Beyond Race: Exclusion in Early Modern Spain and Spanish America,” in Max Hering Torres, María Elena Martínez, and David Nirenberg, eds., *Race and Blood in the Iberian World* (Berlin: LIT Verlag, 2012), 151-167, esp. 160-163.

spaces at certain times, or join religious orders.<sup>9</sup>

Even as late as the end of the eighteenth century, elites in Cuba who were in communication with the *Audiencia de Santo Domingo* identified individuals pure of blood as those who had “always been known, held, and commonly reputed to be white persons, Old Christians of the nobility, clean of all impure blood and without any mixture of commoner, Jew, Moor or *converso*.”<sup>10</sup> Key to this definition was the notion of “reputation.” The document suggested that whiteness resided in knowledge about one’s ancestry and behavior (or the occlusion of such knowledge), as arbitered by the community. Given the emphasis on reputation it is then perhaps unsurprising that across the different governing levels within the Spanish Empire, and within Cuba proper, approaches to purity of blood and color-status and social inequality were varied. For instance, in 1776, the Crown prohibited marriages between socially unequal partners who were minors if the couple’s families disapproved of the union. The law, however, did not specify what social inequality actually meant.<sup>11</sup> Whether or not this policy was intended to prevent cross-class or cross-color marriages is a point that remains subject of historiographic contention.<sup>12</sup> The law certainly had other objectives as well. It very likely

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<sup>9</sup> Twinam, *Purchasing Whiteness*, 52.

<sup>10</sup> AGI, Cuba, leg. 1474, exp. 11: “Expedientes diarios de Cuba,” 1789.

<sup>11</sup> See also María del Carmen Baerga, *Negociaciones de sangre: dinámicas racializantes en el Puerto Rico decimonónico* (San Juan: Ediciones Callejón, 2015), 41.

<sup>12</sup> María del Carmen Baerga argues that the intent was not necessarily racial and that the Spanish Crown remained ambivalent over definitions and criteria of racial status. Baerga, *Negociaciones de sangre*. By contrast, Verena Martínez-Alier argued that the law was intended to police racial boundaries and that, in Cuba, this policing increased as the plantation economy expanded in the

was targeting the power of church prelates over marriage and family, with the aim of increasing the authority of the *pater familias* over his children and the future of his estate. At the same time, it reinforced the power of the monarch by granting him the authority to provide exceptions.<sup>13</sup> In 1778, the law was extended to the colonies. A flurry of inquiries followed over the meaning of social inequality, and, as a result, the law went through several reiterations. In 1805, the Crown decreed that all marriages in which one of the spouses was of noble lineage and the other had a distinct color status had to receive the civil authorities' approval. According to an 1810 law, both noblemen and individuals of known purity of blood had to receive such approval. The law had to be reiterated once again in the 1830s: according to this version, all plebeians of known purity of blood, as well as all noblemen, had to request permission to marry individuals of a different color status.<sup>14</sup> However, in eastern Cuba, vernacular interpretations of this law did not align with metropolitan mandates. Local reinterpretations suggest precisely how crucial communities were in establishing the meaning of individual color status and of social inequality.

In the 1778 version of the law, the royal officials had explained that, given the difficulties that people of African ancestry might have in locating their parents, the law

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nineteenth century. Verena Martínez-Alier, *Marriage, Class, and Color in Nineteenth-Century Cuba: A Study of Racial Attitudes and Sexual Values in a Slave Society* (Ann Arbor: University of Michigan Press, 1989[1974]), 11-15.

<sup>13</sup> Steinar Saether, "Bourbon Absolutism and Marriage Reform in Late Colonial Spanish America," *The Americas* 59.4 (2003): 475-509; Patricia Seed, *To Love, Honor, and Obey in Colonial Mexico: Conflicts over Marriage Choice, 1574-1821* (Palo Alto: Stanford University Press, 1988).

<sup>14</sup> Martínez-Alier, *Marriage, Class, and Color*, 11-15.

did not apply to them and they did not need parental assent when marrying other individuals of color, unless they had distinguished themselves through military service, as scientists, doctors, or artists.<sup>15</sup> In Cuba, lawyers reinterpreted this law to mean that parents of color could not prevent their children from marrying other individuals of unequal social status because they lacked *patria potestad* (power over their descendants). However, in the eastern jurisdictions of the island (in Santiago and Puerto Príncipe), individuals of color did come before the courts to engage in precisely such acts.<sup>16</sup> But when parents did take a stance, it was usually against marriages between free and enslaved individuals, rather than between individuals of distinct color statuses. For instance, in 1806, when the *pardo* Casimiro de Varona tried to marry an enslaved woman, Soledad de Concepción Basulto, his father opposed their union on grounds of their unequal status. De Varona, however, filed a petition in the civil courts and explained that, given that both spouses were of color, his father had no legal grounds to prevent them from finalizing their union.<sup>17</sup> In 1809, the *parda* woman Candelaria Sabatela tried to prevent her daughter, María de la Concepción, from marrying the enslaved man José

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<sup>15</sup> “Real Cédula declarando la forma en que se ha de guardar y cumplir en las Indias la Pragmática Sanción de 23 de marzo de 1776,” El Prado, April 7, 1778, in Richard Konetzke, *Colección de documentos para la historia de la formación social de Hispánioamerica, 1493-1810* (Madrid: CSIC, 1962), 3, part 1, 438-442. “Consulta del Consejo de las Indias sobre el reglamento formado por la Audiencia de Chile para ejecutar la Real Pragmática de los matrimonios,” Madrid, May 5, 1780, in Konetzke, *Colección de documentos*, 3, part 2, 465-469.

<sup>16</sup> Verena Martínez-Alier noted that, in western Cuba, in all cases of oppositions to marriages, one of the future spouses was white. However, in Santiago and Puerto Principe, there were intended marriages among people of color that other family members wanted to come to a halt. María del Carmen Baerga has noted the existence of such cases in Puerto Rico as well. Baerga *Negociaciones de sangre*, 167, Martínez-Alier, *Marriage, Class, and Color*, 15.

<sup>17</sup> ANC, ASC, leg. 1,143, exp. 38,805: “El pardo Casimiro de Varona solicita habilitación para casarse con la morena esclava Soledad de Concepción Basulto,” 1806.

Antonio. Sabatela's lawyer claimed that the king had decreed that the 1778 *Real Pragmática* be applied to the more distinguished *pardos* such as his client. Sabatela's endeavor failed.<sup>18</sup> In 1819, Santiago Rivero, a *moreno libre*, tried to prevent José Antonio Busbaire from marrying his daughter.<sup>19</sup> Throughout the proceedings, Rivero described Busbaire as a *negro*, on account of being a dependent in the house of a wealthy white man and of having recently bought his freedom, even though, customarily, free men of color were generally referred to as *morenos* (*negro* being a label applied to slaves). According to Rivero's attorney, Busbaire's social status was too close to slavery to warrant social respect. So even though both Rivero and Busbaire were technically *morenos libres*, for Rivero this shared color status mattered a lot less than their respective genealogical distance from slavery. Rivero's accusations point to a key aspect of litigation relating to color status. References to appearance were often altogether absent in litigation designed to establish the level of inequality between marrying individuals. Behavior and proximity to slave status played a more important part in establishing one's place in the local hierarchy, with the community serving as the main arbiter in this process. However, the courts clearly rarely took account of these vernacular interpretations of the *Pragmática Sanción*. Marriage was a highly policed social institution to which few individuals of any color status actually committed across Cuba

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<sup>18</sup> ANC, ASC, leg. 1,158, exp. 39,271: "Recurso de Candelaria Sabatela quejándose del despojo que se le ha hecho por el Tribunal Eclesiástico de su hija María de la Concepción," 1809.

<sup>19</sup> ANC, ASC, leg. 572, exp. 13,232: "Autos seguidos por Santiago Rivero sobre oponerse al matrimonio que pretende contraer su hija Ana Gertrudis Rivero con José Antonio Busbaire," 1819.



and in eastern Cuba in particular.<sup>20</sup> We will see, however, that the local authorities were eager to adopt vernacular interpretations of official color terms in other instances—most notably, in situations involving Afro-descendants who owned property—where the policing of color-based status boundaries appeared to have been weaker.

Other civil cases show how unimportant physical appearance was in adjudicating social status. We can see this in the tribulations of a woman named María Álvarez. In 1825, Pedro Alcántara Bestard successfully prevented the marriage between his son and the daughter of María Josefa Álvarez by bringing before the court evidence suggesting that Álvarez was a “woman of color.” In her defense, Álvarez claimed that the evidence dated back to over a hundred years ago, when a distant relative of hers had been registered as a person of color in the parish books. After marshaling several witnesses who confirmed rumors that she was a woman of color, Bestard also pointed out that, by eloping with his son, Álvarez’s daughter provided further proof that she was not white.<sup>21</sup> Moreover, according to a local census entry that had been collected two years before the lawsuit, Álvarez was a dependent in the house of a certain Dn Vicente Díaz and his wife, Da Francisca de Paula Contreras. While many poor whites lived as dependents in homes headed by other white people, the status of *agregado* (dependent) was far more commonly associated with individuals who had recently freed themselves from slavery. Even though the members of the court did not mention it, Álvarez’s subordinate status in

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<sup>20</sup> On marriage rates across the island in 1827, see Ramón de la Sagra, *Historia económico-política y estadística de la Isla de Cuba* (Havana: Imprenta de las viudas de Azaola y Soler, 1831), 24-26.

<sup>21</sup> ANC, ASC, leg. 862, exp. 30,553: “Cuaderno de audiencia de los autos seguidos por D. Pedro Alcántara Bestard contra María Josefa Álvarez sobre su calidad,” 1825.

the household may have served as further proof for the adjudicators that she was non-white. Given the importance of witness testimonies in establishing color status, living in the proximity of other people of color or displaying behaviors popularly associated with a person of color—such as, for instance, not being married or being or having illegitimate children--were frequently used as evidence for one's non-whiteness.

In exceptional cases, some individuals petitioned to have their status demoted from white to that of a person of color, a maneuver that suggests that official color status was not something that individuals or the court necessarily considered to be fixed. Again, one such petition shows precisely how unimportant appearance was in assessments of color status, but also, perhaps, how formal whiteness did not yield benefits if unaccompanied by the reputation of being white. In 1857, Luisa Magdalena Frometá came before the municipal courts asking that she be recognized as the daughter of the deceased free woman of color Petrona Frometá.<sup>22</sup> The petitioner had been a foundling (*expósita*), a status that the Crown had established should be treated on equal terms as that of any other honored vassals.<sup>23</sup> As a result, when Frometá wanted to contract a marriage with a man of color, the ecclesiastical courts prevented her, even though, technically, the prelates had no right to stop the marriage and enforce the *Pragmática Sanción* (the decision was up to the parents of the two parties). Frometá turned to the

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<sup>22</sup> ANC, ASC, leg. 31, exp. 796: “Información promovida por Luisa Magdalena Frometá para justificar que es hija natural de Petrona Frometá, parda libre de esta naturaleza y como tal ha sido tenida y reputada la promovente,” 1857.

<sup>23</sup> The Real Cédula does not make any reference to whether or not they should be treated as white individuals, however, it does emphasize that they should enjoy all rights that *hombres buenos del estado llano general*, a status generally associated with whiteness, had. “Real Cédula que dispone la observancia en Indias del Real Decreto relativo a los niños expósitos,” Aranjuez, February 19, 1794, in Konetzke, *Colección*, 3, part 2, 723-725.

civil courts asking them to acknowledge a widely known fact in the community: that she was the daughter of a free woman of color whom everyone could identify as Petrona Frometá, and that she should not be officially seen as white. She explained that she had been baptized in the parish of Saint Thomas, a neighborhood where many artisans of color lived. She had grown up thinking and being told by friends and neighbors that she was Frometá's natural daughter. The three witnesses who appeared before the courts testifying for her explained that they did not quite understand the meaning of the law regarding foundlings and why exactly they were brought to the stand as witnesses; however, they had always treated Frometá and her adoptive mother as members of the class of free people of color. To their mind, Petrona Frometá had unquestionably been a mother who had wanted to conceal her pregnancy by claiming that her daughter had been a foundling. Their confusion suggests that Frometá's formal status as an "honored vassal" had granted her few tangible benefits. Her proximity to people of color played a more important role in defining her status than the 1794 law.

The mayor's court decided that, in the absence of the birth certificate and of older witnesses who would have known Petrona Frometá, they could not decide in the litigant's favor. Yet, the argument revolved around a technicality. The judges explained that they could not add another heir to Petrona Frometá's family, given that she was no longer alive to assent to the property redistribution that this would have entailed. The decision focused on property, yet the court seemed to imply that it could have considered a different resolution. Indeed, the court was not exactly bound by any strict regulations on how to establish color status. As late as 1814, the archbishop of Santiago de Cuba

complained that keeping the parish books separate based on color was extremely difficult because prelates did not know how to assess color status and were at the whims of their parishioners. The Crown legislated soon thereafter that parish books could not be used to establish official color status, a prerogative reserved to the king (who relied on witness accounts). In other words, after 1814, the community remained the primary assessor of color status across the Spanish Empire; only in exceptional circumstances was the judgment of the king called upon.<sup>24</sup> Luisa Magdalena Frometá's tribulations show how reputation could not override her formal status as white in certain circumstances (such as marriage, a highly policed social practice) and, yet, how little value formal status could have in most other aspects of everyday life.

While in the colonies the *Pragmática Sanción* received racial interpretations designed to separate color groups, the Crown introduced other policies that suggest that royal officials still approached *calidad* as a mutable trait. For instance, in some of its laws and communications, the Council of the Indies approached "defects of birth," such as African ancestry or illegitimacy, as removable stains, at least for a group of select few individuals.

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<sup>24</sup> According to the king, "...the purpose of baptismal or matrimonial records must not be any other than to serve as evidence for these acts, and by no means as descriptions of individuals by color, into whites or brown-skinned, a responsibility that falls within my jurisdiction" [transl. "...el objeto de las partidas de bautismo o matrimonio no debe ser otro que la constancia de estos actos, y de ningún modo, extensiva a la calificación de blancos o pardos, cuya declaración corresponde a mi jurisdicción"] "Real Cédula a los Virreyes, Capitanes Generales y Arzpos y Reales Obispos de los dominios de America", November 26, 1814, in Richard Konetzke, "Documentos para la historia y crítica de los registros parroquiales en las Indias", *Revista de Indias* 7 (1946): 581-586. See also María del Carmen Baerga's interesting analysis of this document. Baerga, *Negociaciones de sangre*, 154-196.

In 1795, the Crown introduced a fee schedule allowing certain individuals of color who could pay and could prove exemplary behavior to purchase white status. According to historian Ann Twinam, the schedule was the culmination of a stream of petitions that individuals from across the Americas had filed since the seventeenth century asking for certain privileges denied them on account of color status.<sup>25</sup> Even though this policy propounded a more flexible approach to color status than the *Pragmática Sanción*, its scope was clearly restricted. The Crown did not provide any blanket protections to the population of color. Instead, it preferred to extend privileges on an individual basis as a way of reducing the number of those who might benefit from the measure.<sup>26</sup> Other policies that suggested some flexibility followed: for instance, in 1806, the Council of the Indies decided that individuals of *pardo* origin should be allowed to accede to public office if they could prove that they had descended from legitimate ancestors for four generations. By passing this measure, the Council responded to a complaint from the governor of Caracas who explained that the restrictions that the population of color faced left them without any incentive to improve themselves.<sup>27</sup> The decision made no headway in Santiago de Cuba, where individuals of color remained barred from such offices. However, it showed that the Council of the Indies recognized distinctions among individuals of color and that moral standing and birth status were key.

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<sup>25</sup> Ann Twinam, *Purchasing Whiteness*, chapters 3-7.

<sup>26</sup> Ann Twinam, *Purchasing Whiteness*.

<sup>27</sup> “Consulta del Consjo sobre la habilitación de pardos para empleos y matrimonios,” Madrid, July, 1806, Konetzke, *Colección*, 3, part 2, 821-829.

Local variations further complicated the Crown's attempts to set up a consistent approach to social hierarchies. Across the Spanish Empire, despite repeated attempts to align official and vernacular taxonomies, many formal ethnic and color markers had not indicated consistent clear-cut groupings and corporate identities. Recent research has shown that what it meant to be a *mestizo*, a *pardo*, a *moreno* or a Spaniard was historically and regionally specific.<sup>28</sup> In practice, individuals used these markers to identify themselves or others based on a range of considerations: tax and tribute payment, military service, the right to hold public office or to attend universities, legitimate birth, desire for social mobility.<sup>29</sup> In New Spain, those in categories such as *indio*, *mulato*, *mestizo* or *castizo* were called *castas*, a term that gave the local social hierarchy the appearance of fixity, akin to that of a racial system. Scholars have long debated how

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<sup>28</sup> This literature is vast, but some examples include: Rachel Sarah O'Toole, *Bound Lives: Africans, Indians, and the Making of Race in Colonial Peru* (Pittsburgh: University of Pittsburgh Press, 2012), especially pages 17-34; Joanne Rappaport, *The Disappearing Mestizo: Configuring Difference in the Colonial New Kingdom of Granada* (Durham: Duke University Press, 2014); Stuart Schwartz, "Spaniards, *Pardos*, and the Missing Mestizos: Identities and Racial Categories in the Early Hispanic Caribbean," *New West Indian Guide* 71.1-2 (1997): 5-19; Stuart Schwartz and Frank Salomon, "New People and New Kinds of People: Adaptation, Readjustment, and Ethnogenesis in South American Indigenous Societies", in *Cambridge History of Native Peoples of the Americas* (Cambridge: Cambridge University Press, 1996), 443-501. On the role of local communities in establishing who was a Spanish *natural*, see Tamar Herzog, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America* (New Haven: Yale University Press, 2003).

<sup>29</sup> Scholars have used the term *calidad* to refer to socioracial status, in order to capture the distinction between modern allegedly science-based ideologies of race and ideologies of color-based status in Spanish America. Joanne Rappaport describes *calidad* as "the intersection of multiple axes that plotted individual status according to ethnicity or race, congregation, morality, privilege, and aspect." See Joanne Rappaport, "'Asi lo paresçe por su aspecto': Physiognomy and the Construction of Difference in Colonial Bogotá," *Hispanic American Historical Review* 91.4 (2011): 601-31; quote on page 607. See also, Richard Boyer, "Negotiating *Calidad*: The Everyday Struggle for Status in Mexico," *Historical Archaeology* 31.1 (1997): 64-73. Also, Patricia Seed, "Social Dimensions of Race: Mexico City, 1753," *Hispanic American Historical Review* 62.4 (1982): 569-606.

flexible the boundaries between the different *castas* were, by looking among other things at marriage patterns and division of labor. More recently, Joanne Rappaport has pointed out that New Spain's social system did not necessarily mirror the social hierarchies present in other parts of Spanish America, where elites generally did not use the term *casta*.<sup>30</sup> Most importantly, scholars have shown that vernacular uses of ethnoracial terms did not necessarily align consistently with elite versions even in a place such as New Spain, a key region within the Spanish Empire where we would expect a greater concentration of bureaucratic power. Even there, racial hierarchies could be at odds with socioeconomic structures, a disjuncture that resulted in unpredictable uses of color-based terminology.<sup>31</sup> Some such vernacular hierarchies did make their way into notarial, parish, and manuscript census records in Santiago de Cuba.

### Racial Terminology in Santiago de Cuba

When royal officials recorded individual information, color-based attributes were not necessarily the key defining aspect of an individual's identity. For instance, throughout the decades, individuals born in Africa who notarized their wills, while frequently identified as *moreno/morena libre/liberto/liberta* from Africa, were occasionally simply described with reference to their place of birth, without further information regarding their color. Color status was implicit in such formulations; however, place of birth took

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<sup>30</sup> Joanne Rappaport, "Asi lo paresçe por su aspeto."

<sup>31</sup> Cope, *The Limits of Racial Domination*, especially chapter 3.

precedence over it in how the clients chose to describe themselves. Alejandro and Micaela Duany, owners of a house in the city and of three slaves, described themselves as *de Africa*. By contrast, Barbara Hechevarría, owner of a house, two horses, and one slave, was listed as a *morena libre de Africa* in a testament that she filed with the same notary as the Duanyes.<sup>32</sup>

Whether or not royal officials used color attributes diligently could depend on their location in the jurisdiction. In the 1820s, when census-takers passed through the city's main parish—*la parroquia de la Catedral*—they recorded color status very thoroughly. As the center of the business and government district, the parish of the Cathedral had the highest concentration of elite residents in the city. Heads of household in this area collected far more in rent than those of any other neighborhood. For the most part, census-takers described them as white. Every single individual appears in the census either as *blanco*, *pardo*, *moreno*, or as *negro*. All individuals identified as white carried respectful terms of address as well. For instance, in 1823, Doña Angela Muñoz, aged 46, *blanca*, born in Cuba, headed a household on San Rafael street. The household included five free individuals, all her children, identified with the respectful terms of address *Don* and *Doña* and the color appellative *blanco/blanca*, and three slaves, aged fifteen or less.<sup>33</sup> The census-takers' assiduous labeling is perhaps unsurprising, given this neighborhood's elite status. By contrast, however, when census-takers passed through neighborhoods

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<sup>32</sup> AHPSC, PN, leg. 276 (Escribanía de Antonio Giró): Testaments of Alejandro and Micaela Duany and of Barbara Hechevarría, fs. 26v-27 and fs. 70-70v, 1846.

<sup>33</sup> ANC, GG, leg. 392, exp. 18,651: "Padrón que manifiesta las personas existentes en una parte de las que comprende la parroquia principal de Santiago de Cuba," 1823.



situated outside the city center, they listed many residents without any color term, and did not implicitly signal membership in the white category through the use of respectful terms of address or through the terms *blanco/blanca*. As a head of a household that included her four children and three child dependents (*agregados*) situated on the calle de la Habana, Rosalia Díaz thus appeared without either a courtesy title or a color marker. Her neighbor, Margarita Ortíz, born in the neighboring village of El Cobre, mother to four children and head of a household in which lived five dependents, went equally unmarked. Two of Díaz's other neighbors were described as *Doñas*, however—one of them had been born in Spain and the other was a widow who had moved to Santiago from Bayamo. Occasionally, census-takers inserted oblique signals by listing the apparent color of the children. María Trinidad Ortega, who does not appear listed either as white or as of color, had four children listed as *pardos*.<sup>34</sup>

By the early 1860s, census-takers attributed color categories more consistently than in the early 1820s. Notaries and priests do not seem to have followed suit, however. Their records show an increase in the number of individuals who were not associated with specific color terms (such as *pardo/parda*, *moreno/morena*, *blanco/blanca*). This suggests that throughout the first half of the nineteenth century, different royal officials used official color-based terminology distinctly. Notaries appear to have been more flexible in how they applied such terminology. Given that individuals who notarized documents were clients, notaries were perhaps more likely than census-takers

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<sup>34</sup> ANC, ME, leg. 4,075, letra A1: “Padrón de habitantes de algunas calles de la ciudad de Santiago de Cuba, con expresión de su sexo, edad, estado, calidad, oficio, fortuna y naturaleza,” 1823, calle de la Habana.

to allow them to have some say in the language of the final documents.<sup>35</sup> However, even census-takers occasionally departed from the strict regulations mandating that they include the color category next to the name of each individual residing in Santiago's households.

By and large, royal officials used four appellatives to label local residents: *negro/negra*, associated with slaves, *moreno/morena* or *pardo/parda* to refer to free people of color, and *Don/Doña*, respectful terms of address generally associated with whiteness. While these categories were supposed to map onto civil status, the process remained incomplete, partially because every category was, in turn fragmented. The categories for slaves and white individuals were somewhat more straightforward than the ones in which officials tried to fit free people of African ancestry. However, even these two could have blurry boundaries.

Inside the courts and in notarial offices, the term *negro* mostly appeared when the authorities referred to slaves and, usually, to display a measure of contempt, while the words *moreno/morena* or *pardo/parda* conveyed more respect—hence their common usage to indicate free people of color. But officials frequently blurred the distinction between slaves and freed people of color through their word choices. In the mid-1840s, when they drafted freedom papers, notaries had never included a manumitted individual's last name, but by the mid-1860s, a growing number of freedom letters started carrying both a first name and a last name for such individuals. The manumitted individual was still described as a *negro*, a standard term used in manumission letters; however, the

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<sup>35</sup> Kathryn Burns, *Into the Archive: Writing and Power in Colonial Peru* (Durham: Duke University Press, 2010).

addition of a last name suggested that the owner and notary might have perceived him or her as someone of a higher status than other individuals undergoing the process. For instance, in 1864, the 30-year old Luis Clerge, who bought his freedom from Da Catalina Clerge for 600 pesos, took home a freedom letter that did not list him simply as *el negro Luis*, as would have been customary twenty years earlier.<sup>36</sup> Similarly, Da María Gregoria Callejas freed Antonia Callejas without cost, and Da María Trinidad González had freed Pedro Celestino González after receiving from him 1,000 pesos.<sup>37</sup> In all these instances, the manumitted individuals had been born in Cuba. Slaves who had been born in Africa would have their last names listed only if they differed from that of their manumitting owner. So, for example, in 1863, Narciso Courouneau bought his freedom from Don Guillermo Adams and had his full name listed on the manumission letter.<sup>38</sup>

While notaries accorded certain former slaves this distinction, they occasionally treated some free people of African ancestry as being closer to slave status by using the term *negro* to describe them. Such word usage was, however, extremely rare. For instance, when spouses Leonor Cuevas and Gregorio Beltrán filed a testament in 1865, the notary, Rafael Ramirez, listed them as *negros libertos*. Cuevas and Beltrán had been born in Africa, perhaps in the interior of the Bight of Biafra, given that they were described as *carabali*. He had freed himself first and then helped her buy her own

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<sup>36</sup> AHPSC, PN, leg. 410 (Escribanía de la Hacienda): Freedom letter for Luis Clerge, fs. 304-304v.

<sup>37</sup> AHPSC, PN, leg. 410 (Escribanía de la Hacienda): Freedom letter for Antonia Callejas, March 11, 1864, fs. 166v-167; leg. (Escribanía de Antonio Giró): Freedom letter for Pedro Celestino González, June 19, 1863, fs. 327-327v.

<sup>38</sup> AHPSC, PN, leg. 114 (Escribanía de Manuel Caminero): Freedom letter for Narciso Courouneau, March 18, 1863, fs. 59-59v.

freedom. However, their one son had remained enslaved and had been sold to an owner living outside the city; the two had lost all contact with him. The couple owned a house in the city and a small farm in the country on rented land. Even though they did not know where their son was, they appointed him as their universal heir.<sup>39</sup> We can only speculate why the notary preferred using the term *negro* to describe them. Their proximity to slavery, both because of their personal experience and because of their son's ongoing enslavement, might have framed the notary's and perhaps the two spouses' own self-perceptions. Timoteo and Giraudy also appeared as *negros libertos de Africa* in Heraclio García's notarial registers. They owned a farm and some animals. Like Cuevas and Beltrán, they had amassed some property, which suggests that their economic status was not a determining factor in the notary's use of the term *negro*.<sup>40</sup> However, in a sample of over 700 testaments, these were the only two instances in which notaries used the term *negro* to refer to free people of African ancestry.

The official identifications and labeling of individuals born in Africa, whether enslaved or free, shifted throughout the decades. By the 1850s, when drafting testaments and freedom letters, notaries were taking note of the African nations that these individuals belonged to less frequently, possibly because of the disruptions in the contraband slave trade to this area. Clients who might have been listed as *carabalí* or *congo*, the most common African ethnic groups in Santiago after the 1820s, were, by mid-century, simply described as *de Africa*. Well into the mid-1860s, individuals born in

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<sup>39</sup> AHPSC, PN, leg. 547 (Escribanía de Ramírez), Testament of Gregorio Beltrán and Leonor Cuevas, February 18, 1865, 45v-46v.

<sup>40</sup> AHPSC, PN, leg. 224 (Escribanía de Heraclio García), May 13, 1865, fs. 120-120v.

Africa still participated in local religious and self-help organizations known as *cabildos* that were structured around individual African language groups, or, loosely, *naciones*.<sup>41</sup> However, with the halt in contraband slave trading to this area and the gradual creolization of the local slave society, royal officials placed less emphasis on this particular form of identification by mid-century.

Whiteness was, by and large, marked through the use of the social title *Don* or *Doña*, which, in the Iberian Peninsula, had traditionally been an honorific term reserved for noblemen or others who “had acquired dignified status.”<sup>42</sup> In 1850, the Spanish Crown requested an island-wide inquiry into the use of the term *Don* to refer to notaries and to *síndicos procuradores*.<sup>43</sup> In 1843, it had mandated that the title *Don* be applied to individuals performing these functions, occupations that were restricted to white individuals, clearly assuming that not all whites could use this honorific term. Through the 1850s inquiry, the Crown wanted to gauge the outcomes of its earlier decree.<sup>44</sup> The inquiry revealed that the Royal Decree had not changed much on the island, where the title *Don* was only applied to individuals who had the reputation of being white and therefore was in broader use than in the Iberian Peninsula. Since only white individuals

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<sup>41</sup> ANC, CM, leg. 124, exp. 3, 1864.

<sup>42</sup> According to the seventeenth-century dictionary compiled by Sebastián Covarrubias, “*Don* es título honorífico que se da al cauallero y noble y al costituydo en dignidad.” See Sebastián Covarrubia Orozco, *Tesoro de la Lengua Castellana o Española* (Madrid: Luis Sanchez, impresor del Rey, 1611), 326.

<sup>43</sup> ANC, GG, leg. 351, exp. 12,854: “Expediente sobre el tratamiento de *Don* a los escribanos y procuradores,” 1850.

<sup>44</sup> The content of the royal decree of April 29, 1843 is in Joaquín Rodríguez San Pedro, *Legislación Ultramarina* (Madrid: Imprenta de Manuel Minuesa), 7: 287-288.

could perform notarial or legal functions, the members of these professions were automatically referred to as Don. In their responses, local notaries from Matanzas, Güines, and Puerto Príncipe explained how and when they used the title Don. They all conceded that the title had racial connotations, but also suggested that the meaning of whiteness was somewhat flexible and that individuals of African ancestry could accede to the title Don, under certain circumstances. A bureaucrat from Güines pointed out that “the term Don is applied to white individuals or those who appeared to be white, whether or not they were ordinary people filing notarial acts [*actores*], notaries, or *síndicos*, as a way of distinguishing them from others who were born in Africa or had African ancestry” [*“se les da el tratamiento de Don a las personas que son de la raza blanca o que lo parezcan ya sean actores o sean Escribanos o Procuradores como distintivo de los que no son de Africa u oriundos de ella”*].<sup>45</sup> Indeed, as we have seen, in Santiago, some coffee planters of French descent, who, earlier in the century might have been described as *pardos franceses*, became by the 1850s Don or Doña. François Avard is a case in point. Francisco Avard did not have any color descriptors attached to his name in late 1820s notarial records, when he filed his testament.<sup>46</sup> In the mid-1850s, notaries listed him as a Monsieur, a term that was usually applied to French-speaking men of color.<sup>47</sup> By

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<sup>45</sup> ANC, GSC, leg. 351, exp. 12,854: “Expediente sobre el tratamiento de Don a los escribanos y procuradores, 1850.”

<sup>46</sup> AHPSC, PN, leg. 259 (Escribanía de Antonio Giró): Testament of Francisco Avard, September 11, 1828, fs. 228v-229v.

<sup>47</sup> AASC, *Libro 12o de bautismos* (1856-1870): Baptism of Clara, July 5, 1856. François Avard was the godfather.

the mid-1860s, now a well-established planter, he appeared as Don Avaré in the notarial registers of El Cobre.<sup>48</sup>

Individuals designated as *Don* or *Doña* also occasionally appeared in parish records that were specific to the population of color. In the parish of San Nicolás de Morón, in 1851, of the 373 marriages listed in the marriage books for the population of color, 22 occurred between spouses identified as *Don* and *Doña*. For instance, Don Félix Tío and Doña Ana María Ramos exchanged vows at a ceremony that occurred on April 8.<sup>49</sup> Similarly, on December 13, Don José Parra married Doña María Quintero.<sup>50</sup> In both instances, the spouses were of legitimate birth and had invited witnesses who were also identified with the honorific terms *Don* and *Doña*. Given that there was a separate book for marriages between white individuals and that one couple in which both spouses were associated with the honorifics *Don* and *Doña* succeeded in moving its marriage certificate to such a book, it is likely that some individuals of African ancestry carried these courtesy titles as well. Individuals who were members of the militia of color could use these honorifics. However, neither of the men listed in these two entries were described as militia members. But, indeed, after 1854, when the militia of color was reinstated (following its suspension in 1844), we encounter testaments that refer to militiamen of

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<sup>48</sup> AHPSC, PN, leg. 196 (Escribanía del Cobre): Freedom letter for Luis Bernardo, September 22, 1863, f. 53v; leg. 199 (Escribanía del Cobre): Freedom letter for Camilio Avaré, July 31, 1866, fs. 34-34v.

<sup>49</sup> AASC, *Libro segundo de matrimonios de color de la Parroquia de San Nicolás de Morón*, marriage certificate number 6, f. 15v.

<sup>50</sup> AASC, *Libro segundo de matrimonios de color de la Parroquia de San Nicolás de Morón*, marriage certificate number 353, f. 104.

color as *Don*. For instance, Francisco Arredondo listed his parents' names in a testament that he filed in Heraclio García's office in 1863. His father, Don Francisco Javier, was a member of the militias of color, and therefore of presumed African ancestry; membership in this institution had apparently provided him with a higher social status.<sup>51</sup> Yet, the presence of individuals identified as Don/Doña in the sacramental books reserved for the population of color suggests either that these individuals might have been widely known as having African ancestry, but of a higher status within the community; or that the church scribes might have not paid very close attention to keeping the books separate.

Occasionally, albeit rarely, census-takers and parish scribes not only singled out individuals with the reputation of being white through the use of the respectful term of address Don/Doña, but they also added the word *blanco*. There were cases of the opposite kind, in which some *blancos* were not listed as *Dons*, despite the colonial authorities' later claim that the two categories generally mapped perfectly onto each other. For instance, in the parish of Saint Thomas, in the city, both the thirty-year old José Gregorio Muñoz and his wife, Rita Columbié, were simply *blancos*. Most of their neighbors were identified as being "*de color*." However, the one other person who was "white" and lived next door, Doña Angela Castellanos, did receive a respectful term of address Doña, even though, unlike them, she did not own any slaves and appears to have had less wealth. Similarly, and in the same parish, Juan Antonio Benítez and Josefa Arriola, who headed a household that included four other free dependents and two slaves, were also described as *blancos*. The widow Martina Carvajal and her son, Miguel Angel García, owners of two

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<sup>51</sup> AHPSC, PN, leg. 222 (Escribanía de Heráclio García), Testament of Francisco Antonio Arredondo, September 1, 1863, fs. 73-74v.



slaves, and neighbors of Don Ezequiel Nuñez and of Don José Porte, were also *blancos*; the census-takers did not add respectful appellatives to their names either.<sup>52</sup> Based on the census returns, it is impossible to guess why the census-takers treated some white individuals with more respect than others. Property ownership appears to have been an important factor, but not the only one, given that individuals of less material worth, such as Da Angela Castellanos, could still receive greater recognition than individuals who owned slaves and had larger numbers of dependents.

In the rural areas, the hierarchies among “white” individuals were even more pronounced. During the 1830s, in the village of El Cobre, church scribes frequently used the term *blanco* without adding the respectful terms of address *Don/Doña*. The selective use of these respectful terms of address suggests that the priests distinguished between different categories of whites. For instance, on February 28, 1832, Angel Antonio, legitimate son of Pedro Fernández and Inés Martínez, married María Gertrudis, legitimate daughter of Marcos Díaz and Inés Martínez. Both families were from Caracas and had apparently also lived in Barcelona. The scribe did refer to one of the witnesses using the respectful term of address *Don*, which suggests that the omission of this term when he listed all the other names was deliberate.<sup>53</sup> Similarly, on June 4, 1835, Isidoro Avila and María Caridad Montes de Oca, along with their parents and witnesses, appeared listed

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<sup>52</sup> ANC, ME, leg. 1,431, Letra A: “Padrón de moradores de la parroquia de Santo Tomás, Santiago de Cuba,” 1822.

<sup>53</sup> AASC, *Libro 2o de matrimonios de todos colores de la parroquia de Santiago del Prado, Reales Minas del Cobre*, entry 477.

simply as *blancos*; both spouses were legitimate children.<sup>54</sup> Moreover, as late as the 1830s, in El Cobre, the marriages of “white” spouses and of spouses “of color” were not registered in separate books, at a time when separation had become the rule in other parishes. The priests did not seem to think that it was important to create separate books despite receiving instructions to that effect.<sup>55</sup>

In the city of Santiago, by the early 1860s, when census-takers compiled a new household survey, they used the term *blanco* more sparingly and, again, as in 1822 and 1823, attached the respectful terms of address *Don/Doña* to all individuals identified as such.

If the labeling of individuals as white was a complicated process, the classification of individuals “of color” was doubly so: in their case, notaries and census-takers appear to have paid great attention to wealth in slaves, birth status, place of birth, and who the last family member to be enslaved had been, or what one might term “genealogical distance from slavery.” Until 1862, the island-wide census distinguished *morenos* from *pardos*. Historian Aline Helg has argued that, through the merging of these once separate groups into a single *clase de color*, the color line hardened. Responsible for this was the conspiracy of La Escalera, in which members of both groups were thought to be implicated. However, in 1862, Jacobo de la Pezuela published census data collected in 1858 Santiago that included separate data sets for *morenos* and *pardos*, which suggests

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<sup>54</sup> AASC, *Libro 2o de matrimonios de todos colores de la parroquia de Santiago del Prado, Reales Minas del Cobre*, 1796-1846, entry 502.

<sup>55</sup> AASC, *Libro 2o de matrimonios de todos colores de la parroquia de Santiago del Prado, Reales Minas del Cobre*.

that the practices that census-takers employed locally were distinct from the decisions to merge data groups that the central *Comisión Estadística* took in Havana. Moreover, different authorities used distinct vocabularies to refer to individuals in this category at different moments. For instance, census-takers collecting household data in 1862 assiduously noted individuals' color and freedom status, applying the term *libre de color* next to all the names that were not preceded by the respectful term of address *Don/Doña*, or were relegated to the category *esclavo*.

By contrast, notaries used color markers much more sparingly and idiosyncratically to describe their clients. The category “free people of color” included several subcategories that appear to have been hierarchically organized. In parish books, as in the 1820s city census, some individuals were not listed either as *blancos* or as *Don/Doña*, or as *de color*. Such individuals seem to have been considered to be in the class “*de color*,” but with a distinct status.<sup>56</sup> For instance, during the 1830s, in the village of El Cobre, scribes placed the spouses involved in 5 out of the 93 registered marriages in this ambiguous category. However, between 1840 and 1846, 9 out of 40 marrying couples show this pattern.<sup>57</sup> El Cobre was not the only place in which church scribes omitted color-based appellatives. In the early 1850s, when the Archbishop Antonio María Claret initiated a marriage campaign in Oriente, the number of marriages increased significantly across the jurisdiction. In the parish of El Morón, 373 registered marriages

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<sup>56</sup> For a similar category in parish records in Santo Domingo at the end of the eighteenth century, see Richard Turits, “Par-dela les plantations: Questionne raciale et identités collectives a Santo Domingo,” *Geneses* 1.66 (2007): 51-68, especially 56-57.

<sup>57</sup> AASC, *Libro 2o de matrimonios de todos colores de la parroquia de Santiago del Prado, Reales Minas del Cobre*.

appeared in the books for people of color in 1851 alone; of these, 138 (37%) occurred between spouses of unspecified color status (see Appendix 8).<sup>58</sup> These marriages were interspersed among those occurring between individuals with a clearly identified color status, which suggests that the omission of color-based appellatives was selective and deliberate. For instance, on June 27, 1851, the local priest officiated marriages between Don Agustín Amador and Da Irene Infante, between Pedro Salina and Marcelina Mustelier, of unspecified color status, between José Cecilio Castillo and María del Carmen Valeriano, both of whom were listed as *morenos libres*, and between Pedro Garvey and Juana Frometá, also of unspecified color status.<sup>59</sup> Individuals of unspecified color status were far more likely to have witnesses identified as Don or Doña, but they were not necessarily more likely to be of legitimate birth. Also, particularly surprising is the rare appearance of *pardos* in these records. The village of San Nicolás de Morón was extremely small. Only 23 residents lived there in 1858.<sup>60</sup> However, its church, dating to the late eighteenth century, would have attracted visitors from the entire *partido* (district) of Jutinicú. According to the 1862 census, 1,412 whites, 2,093 *morenos libres*, 1,391 *pardos libres*, 7,681 slaves, 43 Asians, and 34 *emancipados* lived in Jutinicú, a large mountainous area with extremely fertile valleys. Jutinicú's economic lifeline was an emerging and expanding sugar industry (hence the large number of slaves, more than half

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<sup>58</sup> AASC, *Libro segundo de matrimonios de color de la Parroquia de San Nicolás de Morón*.

<sup>59</sup> AASC, *Libro segundo de matrimonios de color de la Parroquia de San Nicolás de Morón*, marriages 12-15, fs. 19-20.

<sup>60</sup> Jacobo de la Pezuela, *Diccionario geográfico, estadístico, histórico de la isla de Cuba* (Madrid: Imprenta del establecimiento de Mella, 1862), 4, 487.

of whom worked on sugar plantations), which coexisted alongside contracting coffee plantations and highly productive tobacco farms.<sup>61</sup> Given that Jutinicú's *pardo* population was relatively large, it is surprising that so few spouses of *pardo* status recorded their marriages. Perhaps some individuals whom the census-takers would have identified as *pardo* and who occupied a higher social standing in the community received a deferential treatment inside the church, where the scribes would not have attached any color appellatives to their names.

Notaries, like church scribes, allowed many of their clients to register their paperwork without listing a color-based appellative. María de Belén Fernández, with whose testament this chapter opened, was one such client. However, one did not have to be the daughter of a captain of colored militias, as Fernández was, to be able to project a higher status inside notaries' offices. In fact, between 1832 and 1865, the terms *pardo(a) libre* or *moreno(a) libre* appeared extremely rarely in notarial records, even though they were common in juridical discourse or in popular terms of address (as revealed in court testimonies, for instance).

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<sup>61</sup> de la Pezuela, *Diccionario geográfico*, 3, 497-498.

**Table 11 Appellatives used to describe individuals who filed testaments and who were not identified as Don/Doña<sup>62</sup>**

Year	<i>de Africa/ de Guinea</i>	<i>de color/pardo, parda/moreno, morena libre</i> born in Cuba	No appellatives born in Cuba
1832-1834	26 (25%)	15 (15%)	61 (60%)
1845-1847	65 (35%)	26 (14%)	93 (51%)
1852-1855	85 (46%)	25 (14%)	74 (40%)
1863-1865	87 (50%)	24 (14%)	62 (36%)

**Table 12 Appellatives used to describe individuals filing testaments, born in Cuba, who were not identified as Don/Doña<sup>63</sup>**

Year	% identified as <i>de color/pardo/moreno</i>	No appellatives
1832-1834	20%	80%
1845-1847	22%	78%
1852-1855	25%	75%
1863-1865	28%	72%

Place of birth was apparently the deciding factor that allowed individuals to be classified in this category and to lose color appellatives. In some cases, notaries marked an individual's shift of color status, by conveying that their parents had had the reputation of being people of color. For instance, we learn that Pedro Sintra's mother was a *parda*, but no color-based descriptor was attached to Sintra's own name.<sup>64</sup> Similarly, Joaquina Portuondo's parents had both been born in Africa; however, the notary did not classify her as a *morena libre*.<sup>65</sup> Sintra and Portuondo had amassed some property and

<sup>62</sup> See appendix 11 for sources and methods.

<sup>63</sup> See appendix 11 for sources and methods.

<sup>64</sup> AHPSC, PN, leg. 530 (Escribanía de Rafael Ramírez), Testament of Pedro Sintra, May 16, 1847, fs. 69-70v.

connections that cut across color distinctions. Sintra's consisted of a farm and two houses in the city, while Portuondo had saved 700 pesos. Sintra assigned a certain Dn Miguel Martínez as his executor and universal heir. Portuondo had taken care of a slave child whom she entrusted to a Da María de Jesús. She appointed her child and husband as her universal heirs. In another instance, Nicolás Lasso, who recorded Hilaria Sarminetos' testament, did not associate the testator with any color descriptor, yet he did mention that she was the legitimate daughter of the *pardos libres* José Antonio and María Gertrudis del Pozo.<sup>66</sup> Similarly, the notary listed José Rudecindo Rodríguez's mother as a *morena* in his testament, yet the son was not described as one.<sup>67</sup>

Some individuals lost color descriptors across their lifetime. For instance, according to census-takers, Simón Madariaga, his wife, Justa Limonta, and their five children, were all *morenos* when they lived with Madariaga's parents as *agregados* in 1810.<sup>68</sup> By the time they filed their testament thirty-seven years later, however, no color descriptors were attached to their names. In 1847, two of their children had passed away; but the family now owned a house in the city and a female slave with her three children.<sup>69</sup>

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<sup>65</sup> AHPSC, PN, leg. 497 (Escribanía de Lasso), Testament of Joaquina Portuondo, March 24, 1865, fs. 16v-18.

<sup>66</sup> AHPSC, PN, leg. 477 (Escribanía de Lasso): Testament of Hilaria Sarmientos, August 8, 1845, fs. 95-96.

<sup>67</sup> AHPSC, PN, leg. 218 (Escribanía de Heraclio García): Testament of José Rudecindo Rodríguez, July 16, 1854, fs. 92-93v.

<sup>68</sup> ANC, ME, leg. 4,073, letra J: "Padrón de habitantes que componen el primer cuartel de la ciudad de Santiago de Cuba, con expression de su sexo, edad, calidad y estado," 1810.

<sup>69</sup> AHPSC, PN leg. 530 (Escribanía de Rafael Ramírez), Testament of Simón Madariaga and Justa Limonta, December 2, 1847, fs. 186v-187v.

In 1823, María Encarnación Frometá appeared in a census as a widowed *parda* living as a dependent (*agregada*) in the house of Juan Frometá, a carpenter of color, along with her son.<sup>70</sup> By the time she filed her testament in 1845, she had remarried, but had not accumulated any wealth. The notary, however, did not list her color.<sup>71</sup> In 1812, Ana María Calderín appeared as a *parda libre*, the 24 year-old daughter of Apolinario Calderín and his wife, Josefa Clavijo.<sup>72</sup> When she filed her testament thirty years later, she owned an urban home, where she lived by herself along with a young slave whom she freed. Again, the notaries did not describe her as a *parda*.<sup>73</sup> Josefa Andrea Suárez appeared in an 1822 and 1823 manuscript census of the city of Santiago as the 22-year old daughter of the *parda libre* María Trinidad Fuentes. In 1822, her mother owned three slaves, all from Africa, and less than 18 years of age. By 1823, the census taker included another slave in the household. The house was also home to three children of color who were listed as dependents (*agregados*).<sup>74</sup> In 1864, Suárez owned a house on the same

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<sup>70</sup> ANC, ME, leg. 4,075, exp. A1: Padrón de habitantes de algunas calles de la ciudad de Santiago de Cuba, " calle de la Santísima Trinidad, 3<sup>rd</sup> block.

<sup>71</sup> AHPSC, PN, leg. 391 (Escribanía de la Hacienda): Testament of María Encarnación Frometá, May 19, 1845, fs. 139-140.

<sup>72</sup> ANC, ME, leg. 4,073, Letra L: Padrón nominal de los habitantes de la parroquia principal de Santiago de Cuba, 1812, calle de la Catedral, casa de Gabriel Correa.

<sup>73</sup> AHPSC, PN, leg. 38 (Escribanía del Cabildo): Testament of Ana Maria Calderín, January 31, 1845, fs. 22v-23.

<sup>74</sup> ANC, ME, leg. 1431, Letra A: Padrón de moradores de la parroquia de Santo Tomás, Santiago de Cuba, 1822; ME, leg. 4075, Letra A1 (1823), house number 27.



street where she had grown up, and two slaves whom she passed on to her children.<sup>75</sup> By this point, she was no longer a *parda* in official documents.

Within a single family, the erasure of color appellatives persisted across generations. For instance, in 1823, census-takers listed María Trinidad de Fuentes's household without making any reference to the owner's color status. Her daughter, Josefa Andrea Suárez, at the time 22, did not have any color descriptors attached to her name either.<sup>76</sup> The following year, census-takers visited their house again; they did not apply any color descriptors to the names of any of the household's members, except the three slaves.<sup>77</sup> When Josefa Andrea Suárez filed her testament forty years later, the notaries left out color descriptors.<sup>78</sup>

It is unclear why notaries and census-takers listed certain individuals of color as *morenos* or *pardos libres*, while leaving others free of associations with color-based appellatives, yet still marking them as distinct from individuals of a higher reputation designated with the title Don/Doña. Being born in Cuba was clearly essential to losing color-based appellatives. María del Carmen Baerga has pointed out that, in nineteenth-century Puerto Rico, many individuals who were at some point officially of color

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<sup>75</sup> AHPSC, PN, leg. 529 (Escribanía de Ramírez): Testament of Josefa Andrea Suárez, September 2, 1864, fs. 202-204.

<sup>76</sup> ANC, ME, leg. 1431, Letra A: Padrón de moradores de la parroquia de Santo Tomás, Santiago de Cuba, 1822, house number 27.

<sup>77</sup> ANC, ME, leg. 4,075, exp. A1: Padrón de habitantes de algunas calles de la ciudad de Santiago de Cuba," Santo Tomás, house number 27.

<sup>78</sup> AHPSC, PN, leg. 529 (Escribanía de Rafael Ramírez): Testament of Andrea Josefa Suárez, fs. 202-204.

obtained the right to marry white individuals by virtue of being legitimately born.<sup>79</sup>

Legitimacy may have played a role in improving social status in Santiago as well.

Legitimacy rates were somewhat higher among individuals who were not associated with color-based appellatives, but not significantly so [see Appendix 9]. Marriage rates among individuals identified with color-based appellatives were, however, higher [see Appendix 10].

One significant distinction among individuals described as *pardos* or *morenos* and those who remained unidentified as such appears to have been slave ownership: individuals who were not associated with color-based appellatives tended to hold a larger number of slaves.

**Table 13 Distribution of slave ownership among individuals of African ancestry<sup>80</sup>**

Year	1832-1834	1845-1847	1853-1855	1863-1865
Average number of slaves owned by individuals who were not identified with color-based appellatives	4 (248 slaves owned by 61 testators)	2.65 (247 slaves owned by 93 testators)	2.25 (169 slaves owned by 75 testators)	2.25 (140 slaves owned by 62 testators)
Average number of slaves owned by creoles described as <i>moreno/morena</i> or <i>pardo/parda</i>	2.3 (37 slaves owned by 16 testators)	2.5 (65 slaves owned by 26 individuals)	0.92 (23 slaves owned by 25 testators)	1.3 slaves (31 slaves owned by 24 testators)

<sup>79</sup> María del Carmen Baerga, “Cuerpos calificados/Cuerpos negociados: sexo, ilegitimidad y racialización en el Puerto Rico decimonónico,” *Historia y Sociedad* 16-17 (2005-2006): 3-27.

<sup>80</sup> See appendix 11 for sources and methods.

Owning slaves might have added to one's prestige and social networks and therefore to how others perceived one's position in the color-based hierarchy. Slaves and dependents also helped one become more removed from one's own or one's ancestors' slave past. This system of classification continued to echo into the ranks of the anti-colonial movement that would soon take shape in these same Eastern districts.

### Conclusion

During the first half of the nineteenth century, in Santiago, color status was far from fixed. Bureaucrats, political elites, slaves, free people of color, and slave owners competed over the meaning of status through property, kinship, and documentary practices. Their antagonisms gave rise to an unstable hierarchy situated at the interstices of vernacular and official repertoires. Individuals sought to modify their status or lose associations with color terms altogether by creating expansive networks of dependents and patrons, by owning slaves, and by asserting multi-generational distance from slavery. Perhaps most remarkably, by the middle of the nineteenth century, local notaries increasingly recorded persons without mentioning color. The newly emergent social identities that did not openly reference race laid the background for the insurgents' vision of a raceless Cuba.

## Chapter 7: “To Raise the Slaves and Proclaim the Republic”: Santiago and the Beginnings of the War of Independence

One June morning in 1867, the administrator of a tobacco farm in the village of Enramada received unsettling news. A man whom the courts would later identify as a *pardo*, Julian Agüero, handed him a suspicious letter he had come across in the house of a certain Don Borgilla. The contents of the letter prompted a violent pursuit of potential political conspirators that concluded with the deportation of eight men to a prison in North Africa and the execution of six other suspects. The letter called on a certain Pantaleon to find two other reliable men and make their way to the village of El Cobre, where the author of the letter would be waiting for them with weapons. Eventually, one figure came to stand out as the likely leader of a subversive plot: Agustín Dá. The court transcript variously identified him as a *negro* and *moreno*. The former was a term that was almost never used to describe a free person of color; it was generally associated with slaves and, in this case, it connoted the authorities' dismissiveness of Dá. Other suspects included two groups of slaves who had fled from neighboring sugar and coffee plantations a few days before the letter had

been found, as well as other individuals who owned small tobacco and vegetable farms or were rural laborers in the villages of Enramada, El Cobre, and Palma Soriano. Some, such as José Estanislao Pérez, who would die in prison, or Cayetano Martínez or José Epifanio Rabell, were associated with the honorific title Don, which suggests that they were considered to be white. Others did not have any color descriptors or honorifics attached to their names.

The goals of this suspected conspiracy remained unclear. Testimonies that did confirm its existence referred to plans to raise the people of color as a united front against whites (“*una conspiración con objeto de sublevar la gente de color contra la blanca*”).<sup>1</sup> One witness said that Agustín Dá, the chief suspect, had called on him to participate in an insurrection that would “raise the slaves up” and would “proclaim the Republic” (“... *que [Agustín Dá] le convocaba para entrar en la reunión que iba a hacer para levantar los negros y proclamar la República.*”).<sup>2</sup> According to Antonio Betancourt, the witness in question, independence and abolition would occur simultaneously.

Antonio Betancourt’s statement was, by some measures, surprising. It suggests that liberal reformers were not the only ones to see slavery and Spanish colonialism in Cuba as fundamentally intertwined. In the liberal equation, ending slavery could also

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<sup>1</sup> Statement by Antonio Betancourt, ANC, CM, leg. 125, exp. 1 (6a pieza): “De la causa contra Agustín Dá y otros por conspiración para cometer el delito de rebellion (1867).” Other similar statements were made by Joaquín Portuondo. ANC, CM, leg. 124, exp. 8 (1a pieza): “De la causa contra Agustín Dá y otros por conspiración para cometer el delito de rebellion (1867),” f. 9v. He argued that Manuel Betancourt had called on him to go to the coffee plantations and start an insurrection.

<sup>2</sup> Statement by Antonio Betancourt in ANC, AP, leg. 56, exp. 8: “Documentos relacionados con la causa criminal por conspiración para cometer el delito de rebelión, fraguada por negros esclavos, May 11, 1868,” f. 585.

alleviate some of the burdens of colonial rule. As early as the 1840s, prominent intellectuals such as José Antonio Saco had complained that the Spanish Crown justified its non-representative forms of government in Cuba invoking slavery's all-pervasive presence on the island; a strong military hold was supposedly necessary to prevent slave unrest. If the rumors were indeed true, political aspirations among some members of the popular sectors had become by 1867 far more radical than Saco's in the province of Santiago. The ostensible conspirators called for an immediate, not a gradual, end to both slavery and colonialism. The individuals issuing this manifesto were not intellectuals with wide networks of support inside and outside the island, but small tobacco and vegetable farmers. Yet, when Carlos Manuel de Céspedes would make the famed call to arms for the independence of the island a year later in the nearby province of Manzanillo, the immediate abolition of slavery was not one of his demands. Céspedes himself emancipated his own slaves, but he and his revolutionary junta took a cautious approach to slavery and only supported gradual emancipation with indemnification once the war was over and independence achieved.<sup>3</sup> The junta shifted its position in December of 1868 (three months after the beginning of the war). It decreed that slaves who belonged to enemy parties would be freed immediately upon joining the insurrection. Other slaves would have to wait though.<sup>4</sup>

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<sup>3</sup> "Manifiesto de la Junta Revolucionaria de la Isla de Cuba," October 10, 1868, in Hortensia Pichardo Viñals, *Documentos para la historia de Cuba* (Havana: Editorial de Ciencias Sociales, 1971), 1:361.

<sup>4</sup> Ada Ferrer, *Insurgent Cuba: Race, Nation, and Revolution, 1868-1898* (Chapel Hill: University of North Carolina Press, 1999), 26

As historian Ada Ferrer has shown, slaves and free people of color from Santiago would play a key role in further expanding the goals of the pro-independence insurgency during the three decades following the *Grito de Yara* (call for independence that marked the beginning of the war).<sup>5</sup> They did so precariously and through ongoing efforts that never felt complete. Martí's ideal of a "racial fraternity," with which this dissertation opened, an outcome of lengthy and tense negotiations within the independence movement, did acknowledge the efforts of the Afro-descendant population during the war.<sup>6</sup> However, Martí's notion of "racial fraternity" does not by itself reveal the social worlds that had made this discourse possible to begin with, a world that long antedated the insurgency. As the conspiracy orchestrated by Agustín Dá suggests, before the war had started, Santiago had become a space in which the local population had considered independence as well as the end of plantation slavery. However, those who were involved in such political conversations did not have the resources and political networks of the landholders of Manzanillo and Puerto Príncipe who had been involved in separatist plots for decades.<sup>7</sup> When the Maceo family finally connected rural Santiago with the Bayamo-

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<sup>5</sup> For their role in the Little War, Ferrer, *Insurgent Cuba*, chapters 3 and 4. For the last part of the war, chapter 6.

<sup>6</sup> See, for instance, the Manifesto of Montecristi, for instance, which was the official document of the Cuban Revolutionary Party and issued just before the war that started in 1895, which Martí co-authored with Máximo Gómez. "The Montecristi Manifesto," in José Martí, *Selected Writings*, trans. and ed., Esther Allen (NY: Penguin Books, 2002), 337-355; Rebecca Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Princeton: Princeton University Press, 1985), 288.

<sup>7</sup> By and large, throughout the 1850s, there had been three main annexationist nuclei: the Havana Club (which included key sacarocrats such as Miguel de Aldama), Las Villas (which was associated with the infamous Narciso López), and Puerto Príncipe. This last nucleus consisted of livestock farmers; many of its key figures would become leaders in the independence movement

Puerto Príncipe-Manzanillo movement, many in Santiago, especially from among the landless and runaway slaves, were eager to join in.

Agustín Dá's purported conspiratorial plot was one of many that, as some witnesses suggested, had been thriving in Santiago during the 1860s. The local police force had been on edge on several occasions. The questioning of the witnesses suggests that the police was more concerned with the claims to equality by people of color and about the threats to the institution of slavery than about separatist plans. The interrogators did not pursue Dá's call for an independent republic, but they repeatedly asked witnesses about potential links between plantation slaves and free people of color. The three villages said to be implicated in the conspiracy were home to new sugar mills, coffee plantations, and a growing number of small farms. The interests of these different economic enterprises, however, were not aligned. New investments in sugar and coffee increased slave prices locally to unprecedented highs, making it more difficult for individuals working on these properties or for their free family members to manumit them. At the same time, tobacco and small vegetable and animal farming had been growing since the 1830s and had benefitted especially a class of smallholders that included many individuals of African descent. Now, these smallholders had to compete with the larger sugar and coffee properties for land and labor. Field hands who wanted to access land found themselves confronted with rising prices. The government also raised obstacles for small producers.

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during the 1860s. On their position, see Gaspar Betancourt Cisneros, *Thoughts upon the Incorporation of Cuba into the American Federation in Contra-Position to Those Published by Don José Antonio Saco* (New York: Offices of *La Verdad*, 1849); Luis Martínez-Fernández, *Economy, Society, and Patterns of Political Thought in the Hispanic Caribbean, 1840-1878* (Athens: The University of Georgia Press, 1994), 119-139.



A year before Dá's ostensible plans to unite slaves and free people of color, the Spanish Crown introduced a new regime of taxation. Unlike preceding forms of tribute, this one would tax income directly and require payment in hard currency, a particularly difficult mandate for farmers who did not have easy access to silver coin. Local residents were likely aware that the new taxes that they had to pay would go into the coffers of a colonial power that had just lost a war of re-occupation in the Dominican Republic. Indeed, Santiago residents would have seen the returning Spanish soldiers pass through their port. Most were men of color who had been exposed to radical ideologies of equality on the neighboring island.

In Santiago, on the eve of the independence wars, free people of African ancestry confronted socio-economic pressures that reduced their investment in slaves and pitted them against large land- and slaveholders. It was in rural Santiago that the brothers Maceo, soon-to-be leaders in the independence army, would find most of their followers. In 1869, many of the combatants who joined them were from the village of Enramada, where Agustín Dá had been suspected of trying his luck at his own war of independence two years earlier. His story, largely lost in the familiar nationalist narrative can illuminate just how social equality came to be associated with political separatism not just in the minds of Martí and the Maceos, but in the choices made by the rural people of Enramada and their neighbors.

Unsettling Rumors in Santiago before 1868

The proceedings against Agustín Dá and the other suspects in 1867 revealed that in the rural areas around Santiago small farmers and rural laborers had participated in conversations about social equality before the War of Independence. Some could not identify Dá himself as a source of such discussions, but referred to individuals who came to their houses and talked to them about this issue earlier in June or throughout the year. For instance, Dolores Serrano, a woman identified as of color, claimed that one night, as she was visiting a neighbor, a black man (*moreno*) stopped by and “speaking brazenly, talked about the equality of all people of color” (“*espresandole en terminos muy insolentes y desfachatado, tratando sobre la igualdad de todas las personas de color*”).<sup>8</sup> For a black visitor to invoke the equality of “all” people of color suggests that he may have been indeed advocating the end of slavery or that he may be arguing against distinctions between *pardos* and *morenos*. Zacarias Perreira, the owner of the house where the visitor stopped, claimed that this man had come by earlier that month, talking about “the equality of people of color,” but that he had paid him no heed, thinking that he was “crazy,” since he kept falling asleep as he was talking to his host. In the end, Perreira told him to go home (“*efectivamente el día de San Juan estuvo en su casa un moreno hablando de la igualdad de la gente de color, pero que lo consideró descompuesto de la cabeza por que en medio de la conversación que él solo sostenía, se durmió en el taburete en que estaba sentado y que viendolo en esa disposición, lo despertó y le previno que se marchase de su casa*”).<sup>9</sup> Both witnesses claimed that they did not know who this individual was. Neither Serrano nor Perreira reported the stranger to the local

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<sup>8</sup> ANC, CM, leg. 124, exp. 8 (1a pieza): Testimony of Dolores Serrano, June 28, 1867, f. 7v-8.

<sup>9</sup> ANC, CM, leg. 124, exp. 8 (1a pieza): Testimony of Zacarias Perreira, June 28, 1867, f. 8v.

police. They later explained that the stranger in question appeared to be too crazy to be taken seriously.<sup>10</sup>

Like Serrano and Perreira, other witnesses and suspects explained that there had been rumors of an insurgency organized by free people of color, but that they themselves or the suspects whom the police named would have been unlikely participants. For instance, Antonio Boza, identified as a *moreno*, said (through his lawyer) that he would have never participated in a rebellion for the rights of people of color because he was “an honorable man.” He had grown up among white people and among “good people” in the city. The latter phrase suggests that he had likely been part of an elite of color. Indeed, his father had been a member of the militias of color and participated in putting down another conspiracy that had occurred in Santiago in the 1810s. Now, he lived in El Cobre, where he had a small farm, worked as a cobbler and occasionally as a musician.<sup>11</sup> True, his house was a meeting point for people of color, but that was only because they practiced music together.<sup>12</sup> Another suspect, Manuel Betancourt, a man also identified as

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<sup>10</sup> ANC, CM, leg. 124, exp. 8 (1a pieza): Testimony of Dolores Serrano, June 28, 1867, f. 7v-8 and testimony of Zacarias Perreira, June 28, 1867, f. 8v.

<sup>11</sup> ANC, CM, leg. 125, exp. 1 (6a pieza): Defense of Antonio Boza, f. 1124; AP, leg. 56, exp. 8: “Documentos relacionados con la causa criminal por conspiración para cometer el delito de rebelión, fraguada por negros esclavos,” May 11, 1868.

<sup>12</sup> ANC, CM, leg. 125, exp. 1 (6a pieza): “... Boza era en el Cobre un buen padre de familia, hombre honrado, pacífico, humilde, trabajador y consagrado casi exclusivamente al inocentismo y piadoso servicio de la Iglesia, de donde nunca puede salir ninguna conspiración; y Boza fue criado y educado por un padre que era muy adicto al Gobierno y a las instituciones vigentes, de tal modo y en tanto grado, que mereció distinción de ser nombrado capitán de una de las compañías de milicias de morenos, que existían en esta ciudad en tiempos pasados, como premio de buenos servicios y de la acendrada lealtad que supo desplegar en otra conspiración mas seria, que hubo en Cuba, hace cincuenta años; y Boza ha crecido entre la gente blanca y la gente buena de esta ciudad; y puede decirse, que su infancia y su juventud la ha pasado en la sacristía del

a *moreno*, explained that he had not given much thought to Agustín Dá's plans for a rebellion because, as he himself had forewarned Dá that to count on "the blacks and mulattos of Santiago would be a mistake because they were more interested in dance and entertainment than in the project that he was proposing" [*que si contaba con los negros y mulatos de Cuba, se equivocaba, por que eran más apropósito para bailes y diversiones que para lo que proponía*"].<sup>13</sup> The lawyer defending Eusebia and José Hermengildo Nuñez argued that the two would not have been able to conspire: the former was an old woman, the latter was debilitated. They had been imprisoned because they had offered shelter to people who had been wounded in a local altercation, and had no knowledge of a political conspiracy.<sup>14</sup> Other suspects who had admitted to a conspiracy explained that they had participated only because Dá had threatened them.<sup>15</sup> This line of defense was, however, weak, since it could not explain why they had acted as Dá's agents in the countryside when they could have fled.

With the exception of Antonio Boza, none of these defendants provided their viewpoint on the equality of people of color as an issue. They mentioned obstacles to the goal's achievement—individuals who proposed it were not reliable; they themselves were debilitated; other free people of color would not be fighting for it. But, in the end, only Boza claimed that he opposed this particular goal.

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templo de Santa Lucía, de donde con razón debe llamarse escolano, porque allí aprendió todo lo que sabe en el arte que profesa."

<sup>13</sup> ANC, CM, leg. 125, exp. 1 (6a pieza): Defense of Manuel Betancourt, f. 155.

<sup>14</sup> ANC, CM, leg. 125, exp. 1 (6a pieza): Defense of Eusebia and José Hermengildo Nuñez.

<sup>15</sup> ANC, CM, leg. 125, exp. 1 (6a pieza): Statement made by Sebastián Amabile, Cayetano Martínez's and Valentín Velázquez's defense lawyer, f. 1123v.

The role of the slaves in the conspiracy was uncertain as well. The local captain of the police in Enramada explained that there had been rumors of a potential uprising of the slaves belonging to Octaviano Duany. The Duany family cared little about these rumors and had not wanted an investigation, given that harvest time was approaching. Now, they wanted their slaves out of prison as quickly as possible.<sup>16</sup> The lawyer acting in the slaves' defense explained that it appeared to be true that free people of color across rural Santiago were planning to "promote serious disorder with terrible consequences" (*"promover desórdenes gravísimos y de transcendencia incalculable"*). However, he argued, slaves had nothing to do with it. They had fled the plantations because on both properties the administrators had just changed. It was customary for slaves to abscond at such times as a way of negotiating with the new administrators.<sup>17</sup> Octaviano Duany's Santa Rita plantation was the largest in Enramada at the time. In 1866, 126 slaves and 22 free people of color worked on that property.<sup>18</sup> The defense line that the lawyer adopted suggests that he might have been trying to shift attention away from the slaves to make sure that the owner would not lose access access to their labor through accusations of politically dangerous behavior. Indeed, he had no qualms incriminating the free people of

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<sup>16</sup> ANC, CM, leg. 125, exp. 1: Petition filed by the Duany family to remove the accused slaves from prison, December 31, 1867, fs. 1088-1089v.

<sup>17</sup> "...sabido es de todos que los esclavos de campo suelen fugarse de las fincas a que corresponden siempre que se introduce en ellas cualquier cambio o alterción en punto a la administración; esto no tiene tanto por objeto sustraerse, siquiera corto tiempo, al trabajo a que están dedicados, como experimentar por medio de tal manifestación la actividad y energía que despliega el nuevo administrador." ANC, CM, leg. 125, exp. 1 (6a pieza): Statement by the Síndico Procurador on behalf of the slaves belonging to Octaviano Duany, f. 1167v.

<sup>18</sup> ANC, GG, leg. 265, exp. 13,521: "Copia del padrón formado por el Illmo Ayuntamiento de Santiago de Cuba para el cobro del impuesto de fincas rústicas," July 1, 1866.

color who worked on Santa Rita: some of the men who were cutting wood on the property had left for Palma Soriano without giving notice after having been involved in skirmishes with the administrators, he argued. They had been rumored to be involved in the planning of an insurgency, though there was no concrete evidence to that effect. The slaves were sent back to work, and the free men of color were not investigated further.<sup>19</sup>

The conflicts surrounding the conspiracy did not end with the sentencing of fourteen individuals identified as guilty parties. In October 1867, almost five months after the investigation had started, 270 prisoners at the local city jail rebelled against the guards; a few managed to flee, including Manuel Betancourt and Fernando Guillet, who had been locked up for conspiring nearby in El Cobre. Their pursuit gave the authorities further time to ask whether the conspiracy in El Cobre, Palma Soriano, and Enramada had anything to do with another plot that had been rumored in nearby Bayamo a year earlier in which calls for independence had been made as well.<sup>20</sup>

Agustín Dá's purported conspiracy was clearly not the first instance of rumored political subversion that the authorities in eastern Cuba uncovered during 1860s. Three years earlier, two free men of color and one slave were accused of planning to take a Haitian flag through the streets of El Cobre during a holiday. The enslaved man had enlisted his owner who helped him decorate the flag with an embroidered bird and the words "Long Live Hope!" The court decided to drop the charges on grounds that the

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<sup>19</sup> ANC, CM, leg. 125, exp. 1 (6a pieza): Statement by Don Francisco Mancebo, Síndico Procurador, fs. 1164-1164v.

<sup>20</sup> AHPSC, GP, leg. 232, exp. 7; Olga Portuondo, *Entre esclavos y libres de Cuba colonial* (Santiago de Cuba: Editorial Oriente, 2003), 224-273.

participants had not been aware that the flag that they used was the same as that of Haiti.<sup>21</sup> That same year, slaves working on seven plantations in El Cobre were said to be planning to rise and “make war in order to be free.” Many of them needed a “French” translator—Caribbean French creole had long been a lingua franca on plantations in Santiago de Cuba and still was in the 1860s.<sup>22</sup> After an ostensible conspiracy was uncovered in nearby Puerto Príncipe in 1864, the authorities in Santiago went on high alert. They went so far as to imprison the English painter Walter Goodman during one of his walks in the rural areas of Santiago, when he was spotted with a local resident identified as white and a slave.<sup>23</sup> During his time in jail, Goodman talked to a man whom he described as being of African descent and who “with the eloquence of a tribune, [he] talked ... about slavery and the bad Spanish government, heating up as he was presenting his viewpoint. He warned [him] passionately that even though he spoke Spanish and

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<sup>21</sup> ANC, CM, leg. 124, exp. 3: “Sumario instruido en aberiguación del obgeto con que tenían bandera melemburguesa con el lema la Esperanza los acusados Severiano, alias Moliván, y consortes, 1864.”

<sup>22</sup> ANC, CM, leg. 124, exp. 5: “Documento que trata de un conato de insurrección de esclavos en el partido de El Cobre,” 1864. A reference to this plot appears in Ferrer, *Insurgent Cuba*, 2. On the use of “francés de Haití” on the local plantations of Santiago, ANC, AP, leg. 53, exp. 28: “Expediente sobre la sublevación de Santo Domingo en 1863, 2a pieza,” June 8, 1863. In 1863, a certain Jean Simon, an employee of the Haitian government, came to Santiago to look for family. He was not allowed to travel in the interior on grounds that the French from Haití was the language spoken on the local plantations. “...en este departamento, son de los negros de las ciudades y de las fincas hablan el francés de Haití frecuentamente con exclusion de todo otro idioma, circunstancia que los hace simpatizar con los naturales de aquella república.”

<sup>23</sup> ANC, CM, leg. 124, exp. 6: “Sumario instruido en averiguación de la conducta observada por los paisanos Don Joaquín Cuadras, Don Walter Goodman y el negro Julián en la tarde del 25 del corriente (June, 1864) en la Fortaleza del Castillo de Morro de Cuba.”

served the Spanish government, he was no more a Spaniard than he was English or a North American.”<sup>24</sup>

The province of Puerto Príncipe, long a source of separatist thought where several prominent pro-US annexationists had conspired during the 1850s, was also the site of various allegations of conspiracy in 1868. One such ostensible conspiracy involved whites, slaves, and free people of color (including a man named Bembeta who had lived in New York where he had worked with the future independence leader Manuel de Quesada). A certain Don Bernabé de Varona, also involved in the plot, was said to have promised people of color “money and freedom.” Varona had been involved in a failed uprising in San Juan, Puerto Rico in 1866 as well apparently.<sup>25</sup>

People of African ancestry seem to have participated in discussions of the island’s future, some reluctantly and some eagerly. Separatist anti-Spanish plans had flourished in Oriente and Puerto Príncipe in the 1850s, with some prominent local landholders supporting annexation to the U.S. as an alternative to Spanish domination. Moreover, Spain had tried to take back control over the Dominican Republic between 1863 and 1865 and designated Santiago as the logistical center for its efforts. Rumors about the anti-Spanish and anti-slavery efforts among members of the Dominican army likely

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<sup>24</sup> “Se espresa con elocuencia de tribuno sobre los temas de la esclavitud y del mal gobierno de España, acalorándose en su disertación. Me advierte con mucho ahínco que aunque hable el español y sirva el gobierno de España, no es más español que un inglés o un norteamericano.” Walter Goodman, *Un artista en Cuba* (Havana: Editorial Letras Cubanas, 1986), 78; Portuondo, *Entre esclavos y libres*, 264 and “Cinco años con Walter Goodman en Santiago de Cuba,” *Del Caribe* 14 (1989): 94-109.

<sup>25</sup> ANC, AP, leg. 56, exp. 11: “Expediente promovido por el gobernador de Puerto Principe contra Dn Bernabé de Varona (a) Bembeta por insurreccionar a la gente de color,” June 27, 1868.



reached Santiago.<sup>26</sup> As the conflict came to an end and the defeated Spanish troops were preparing to withdraw, questions arose about what to do with the Dominican soldiers who had fought on the Spanish side, most of whom the authorities identified as people of color. Initially, the Crown had suggested that they should be sent to Santiago. However, the general of the Spanish Army recommended that they should be sent elsewhere. He feared that since most of these men had been born free they would not accept the discriminatory laws that existed in a slave society such as Cuba, especially after having served in the military.<sup>27</sup> It remains unclear how many Dominican soldiers nevertheless eventually moved to Santiago.

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<sup>26</sup> José Abreu Cardet and Luis Alvarez-López, *Guerras de liberación en el Caribe hispano, 1863-1878* (Santo Domingo: Archivo General de la Nación, 2013); Anne Eller, “‘Let’s Show the World We Are Brothers’: The Dominican Guerra de Restauración and the Nineteenth-Century Caribbean” (PhD diss., New York University, 2011).

<sup>27</sup> ANC, AP, leg. 228, exp. 8: “Oficio del Capitán General de Santo Domingo, en 27 de febrero de 1865 a los de Cuba y Puerto Rico, sobre las prevenciones contenidas en R.O de 10 enero anterior y respecto de la proteccion que S.M deseaba otorgar a los dominicanos leales en caso de resolverse el abandon de aquella isla.” “Si todos los generals, gefes y oficiales de las reservas dominicanas y los empleados de la administración naturales de este país, asi como sus familias fueran individuos de la raza blanca, los inconvenientes de esta emigración estarían reducidos al mayor o menor numero de emigrados que tuvieramos que proteger y al mayor o menor numero de pensiones que se le señalaran; pero lejos de ser asi, el mayor numero pertenece a la raza de color, siendo negros y mulatos generals brigadieres y gefes de todas las categorias, circunstancia grave que complica las dificultades consiguientes a un suceso de esta naturaleza, al reflexionar que la mayor parte de estas personas desearan ir a establecerse a las vecinas islas de Cuba y Puerto Rico, para buscar en ellas además de la protección del Gobierno, la analogía de costumbres, idioma y religión. V.E comprendera todos los inconvenientes que puede traer para ambas islas, la presencia y la diseminación en ellas de una población de la naturaleza y condiciones de la emigración dominicana. Los hombres de este país, nacidos en la libertad, acostumbrados al goce de todos los derechos políticos y civiles y disfrutando de las ventajas de todas las categorias sociales, llevaran sus hábitos y su altiva condición a unas posesiones donde existe la esclavitud, sirviendo en ellas de pernicioso ejemplo para los esclavos y libertos de su propia raza. Los habitantes blancos de aquellas islas, acostumbrados a mirar con desprecio a la raza dominada no podrán otorgar ningún genero de consideraciones a los negros y mulatos dominicanos, por mas que estén caracterizados con grados y empleos militares y civiles, mientras que estos a su vez, no querán someterse de buen grado a una situación que se les hará sobre manera violenta e intolerable, y que será por una

Tying together daily grievances, separatism in Santo Domingo immediately after the 1857 global economic crisis, and localized calls for equality among the rural population of Santiago was the announcement of a colonial fiscal reform. With it, the initiatives of the colonial government were becoming more evident in the everyday life of small farmers like Agustín Dá. Plantation slavery in Santiago was also expanding after the pause that had occurred during coffee's economic decline. The impact of a heightened slavery was different for free families of color with kin still enslaved, and free white families who might have aspired to slave owning. But members of each group could feel beleaguered by the conjunction of high taxes and high slave prices—blocking both acquisitions and manumissions of slaves.

#### Santiago's Economy on the Eve of the War of Independence

In 1867, in the wake of two financial crises (1857, 1866) that Cuba's coffers had helped alleviate, the Spanish Crown introduced a sweeping tax reform in its colonies. It replaced a range of indirect taxes with a direct income tax that it set at 10%. Most of the taxes that the Crown eliminated benefitted large agricultural producers: the export taxes and the sales tax (*alcabala*). The elimination of taxes on meat consumption and the *diezmo* benefitted smaller landholders and the poorer sectors.<sup>28</sup> But small landholders would not

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y otra parte ocasión de conflicto, que accidentes y circunstancias particulares pueden hacer que sean causa de perturbación para el orden público.”

<sup>28</sup> Marrero, *Cuba: Economía y sociedad* (Madrid: Editorial Playor, 1983), 12:378-381. Until 1845, the *diezmo* had been a tax collected for the church and that amounted to 25% of revenue. Local officials would select payees through an auction held every four years. In 1792, the *diezmo*

be able to make as many savings as larger producers through this new tax regime. Furthermore, the fiscal reform policy would also be disproportionately more costly for producers who lived in the eastern provinces, where hard currency was far scarcer. In order to convert goods into hard currency, the local residents had to pay supplementary fees that individuals in the Havana region did not have to contend with.<sup>29</sup> Moreover, in some rural areas, the banks expected payments in gold coin, even more expensive to purchase than silver currency.<sup>30</sup>

Santiago's local economy was not only affected by the tax reforms, but also by shifting production patterns during the 1850s. Revenues from sugar production went up and sugar mills expanded. While sugar production levels here could not compete with those in west-central Cuba, their rate of growth was considerable: they more than doubled between 1846 and 1862. As a result, sugar plantations attracted a growing percentage of slaves.<sup>31</sup> The population living on Santiago's *ingenios*, free and enslaved, also increased,

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on properties that produced certain goods (sugar, coffee, indigo, cotton) that were considered to be essential to the Cuban economy was eliminated. In 1804, the *diezmos* on new sugar mills was eliminated. Beginning with 1842, the collection and distribution of the *diezmos* became part of the Royal Treasury's prerogatives. In 1846, the *diezmo* was set at 10% on properties that were involved in animal husbandry and at 2.5% for properties that produced sugar, coffee, cocoa, indigo, and cotton. Moreover, individuals who occupied virgin territories and who took upon themselves the task of deforestation were exempt from the *diezmos*. This measure favored sugar mills owners who expanded into new lands. Marrero, *Cuba: Economía y sociedad*, 12:337-339.

<sup>29</sup> Barcia, García, Torres-Cuevas, *Historia de Cuba: La Colonia*, 458.

<sup>30</sup> Barcia, García, Torres-Cuevas, *Historia de Cuba: La Colonia*, 458.

<sup>31</sup> In 1846, the jurisdiction of Santiago produced 231,013 *arrobas* (5,775,325 pounds) of white and brown sugar. By 1862, it produced 542,333 *arrobas* (13,558,325 pounds). 1 *arroba*=11.5 kg or 25 pounds. By contrast, the main sugar-producing areas on the island, such as Matanzas or Colón, produced 2,789,873 *arrobas* of white and brown sugar and 3,256,879 *arrobas* of white and brown sugar respectively in 1862. O'Donnell, *Cuadro estadístico de la siempre fiel isla de Cuba, correspondiente al año de 1846*; Centro de Estadística, *Noticias estadísticas de la isla de*

while coffee plantations were shrinking and tobacco farms maintained relatively unchanged demographics.<sup>32</sup>

Sugar's growth was not so significant as to swamp the region's agricultural diversity. Small tobacco farms, livestock farms, shrinking coffee plantations, and vegetable farms punctuated the mountains and valleys of the province. Coffee production continued to shrink, as the number of *cafetales* and the slaves working on them declined.<sup>33</sup> Some new coffee plantations emerged in areas whose economy had previously centered on animal husbandry and tobacco. For instance, in El Cobre, which had been primarily dedicated to the production of copper, the number of *cafetales* increased from 16 in 1846, to 96 in 1862. The number of people working on these properties also went up from 398 to 5,241 within a fifteen-year span.<sup>34</sup> In the nearby

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*Cuba en 1862*. In 1830, 13% of slaves in Santiago worked on coffee plantations; by 1862, 28% of the local slaves did. Sociedad Económica de Amigos del País, "Censo general de la industria agrícola de la isla de Cuba," in *Memorias* 9 (Havana: Oficina del Gobierno, November 1839): foldout page between 152 and 156.

<sup>32</sup> In 1830, approximately 5,466 slaves lived on Santiago's *ingenios*. By 1862, 8,979 slaves lived on *ingenios*, alongside 506 individuals identified as white and 593 individuals identified as of color (10 of whom were *emancipados*). Sociedad Económica de Amigos del País, "Censo general de la industria agrícola de la isla de Cuba," in *Memorias* 9 (Havana: Oficina del Gobierno, November 1839): foldout page between 152 and 156.

<sup>33</sup> In 1846, Santiago de Cuba produced 384,180 *arrobos* of coffee. 14,547 slaves worked on *cafetales* in 1839 (we do not have the precise number of slaves who worked on these properties in 1846). O'Donnell, *Cuadro estadístico de la siempre fiel isla de Cuba, correspondiente al año de 1846*, 220; Sociedad Económica de Amigos del País, "Censo general de la industria agrícola de la isla de Cuba," in *Memorias* 9 (Havana: Oficina del Gobierno, November 1839): foldout page between 152 and 156. In 1862, the coffee plantations of Santiago produced 222,202 *arrobos* of coffee; there were 9,241 slaves living on these plantations. "Producciones agrícolas" and "Distribución de la población en los pueblos y fincas de la Isla," in Centro de Estadística, *Noticias estadísticas de la isla de Cuba en 1862*.

jurisdiction of Guantánamo, the number of *cafetales* almost doubled between 1846 and 1862. Sugar production here, especially of lower quality (muscovado), increased at a spectacular rate as well.<sup>35</sup> Cheaper and more productive land, the opening of the port to international commerce, and a railway system connecting the new Guantánamo port to the interior helped these developments.<sup>36</sup>

In Santiago, a class of small agricultural producers who experienced some rising fortunes as tobacco cultivators since the 1830s now found themselves under new economic pressures both from the Spanish government's tax reforms and from the expansion of sugar and relocation of coffee production. Many people of color had turned to tobacco cultivation during the 1830s, as the price of tobacco on the global markets went up and the Crown gave up its monopoly control over this cultigen.<sup>37</sup> In villages such

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<sup>34</sup> 4,580 of the laborers working on the coffee plantations of El Cobre were enslaved. Jacobo de la Pezuela, *Diccionario geográfico, estadístico, histórico de la isla de Cuba* (Madrid: Imprenta del establ. de Mellado, 1863), 2:6.

<sup>35</sup> In 1846, Saltadero produced 124,980 *arrobos* of sugar, including muscovado. In 1862, the renamed province of Guantánamo produced 1,912,820 *arrobos* of sugar. The number of slaves working on sugar plantations remained relatively small: in 1846, there had been 1,020 individuals, free and enslaved, while in 1862, there 2,356 slaves working on *ingenios*. O'Donnell, *Cuadro*, 1846, 263 and 265; "Distribución de la población en los pueblos y fincas de la Isla" and "Producciones agrícolas" in Centro de Estadística, *Noticias estadísticas de la isla de Cuba en 1862*. Saltadero was a province that became separate from Santiago de Cuba in 1842; in 1855, this jurisdiction was renamed Guantánamo.

<sup>36</sup> In 1846, 1,827 individuals (free and enslaved) lived on 42 coffee plantations in the jurisdiction of Saltadero. Leopoldo O'Donnell, *Cuadro estadístico de la siempre fiel isla de Cuba, correspondiente al año de 1846*, 263. In 1862, 4,219 slaves worked on 76 *cafetales*. "Distribución de la población en los pueblos y fincas de la Isla" and "Registro general de fincas rústicas," in Centro de Estadística, *Noticias estadísticas de la isla de Cuba en 1862*. Guantánamo acquired the status of a port allowed to engage in import-export activities in 1845. Work on the rail system started in 1855. Olga Portuondo Zúñiga, "La región de Guantánamo: de la producción de consumo a la de mercancías," *Del Caribe* 4(10): 3-22.

as El Cobre, Enramada, and Palma Soriano, where both Agustín Dá recruited followers, and the Maceo brothers would be looking for fellow combatants, the vast majority of tobacco farmers were free people of African descent.<sup>38</sup> Here, *ingenios*, *cafetales*, and tobacco farms bordered on each other. Enslaved and free people engaged in a variety of agricultural tasks would have known about each other's daily life, might have shared it, and might have become connected through kinship or other kinds of ties.

The shifts in Santiago's economy fundamentally shaped the make-up of the insurgency locally. In neighboring Manzanillo, Bayamo, and Puerto Principe, landholders, urban property owners, and professionals were key participants and organizers in the initial mobilization. By contrast, in Santiago, it was landless field hands, many of whom were people of African ancestry, who made up the first lines of the insurgency. Their first targets were the local plantations.

### The Beginnings of the War of Independence in Santiago

On October 10, 1868, Carlos Manuel de Céspedes issued the call that marked the beginnings of the protracted war of independence from Spain on his sugar plantation in the province of Manzanillo. Céspedes was a cosmopolitan lawyer, poet, and slaveholder. He had developed his vision of a free Cuba through conversations with other liberal thinkers, many of them masons, hailing from the provinces of Bayamo and Puerto

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<sup>37</sup> In 1846 already, 40% of all tobacco cultivated on the island came from Santiago. O'Donnell, *Cuadro*, 1846.

<sup>38</sup> De la Pezuela, *Diccionario*, 2:6, 279; 4:178.

Príncipe, centers of liberal thought and separatist conspiracies for over two decades.<sup>39</sup>

While Céspedes freed all his slaves, the political manifesto guiding the revolutionary junta that he led did not include general emancipation. Indeed, the junta would take months to endorse the abolition of slavery, a policy that it deemed best postponed until the republic would finally come into being.<sup>40</sup> The actions of slaves and free people of color who joined the insurgency, especially those from the provinces of Santiago and Guantánamo, would be key to expanding the junta's goals.<sup>41</sup>

On October 12, 1868, already, the first rebels declared independence in Santiago. The insurgents were concentrated in the rural areas of the province. The leadership and the membership of Santiago's rebel army could not have been more different from those of the central junta. In Bayamo, Puerto Príncipe, and Manzanillo, the provinces where the central leadership was hailing from, most insurgents were members of the professional

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<sup>39</sup> On liberal ideologies in Puerto Principe and Bayamo, Olga Portuondo Zúñiga, *Cuba: Constitución y liberalismo, 1808-1841* (Santiago: Editorial Oriente, 2008), 2 vols.

<sup>40</sup> On December 27, 1868, Céspedes declared that all slaves who belonged to enemy parties would be freed. However, slaves belonging to the insurgents were not emancipated. In April 1869, the junta introduced a constitution stating that all inhabitants of the republic were free (article 25). Article 25 was subsequently modified to mandate that all citizens of the republic would lend their services based on ability, a measure allowing for the continuation of forced labor. Indeed, a *Reglamento de Libertos* was introduced on July 6, 1869, which compelled former slaves (now called *libertos*) to work for their former masters. The masters were under no obligation to provide for the *libertos*. On December 25, 1870, Manuel de Céspedes ended forced labor. Ferrer, *Insurgent Cuba*, 26-28; Hortensia Pichardo, *Documentos para la historia de Cuba* (Havana: Editorial de Ciencias Sociales, 1971), 1:376-379.

<sup>41</sup> Several historians of the independence movement have pointed out that people of color and former slaves expanded the goals of the insurgency as they joined it. Carmen Barcia, *Burguesía esclavista y abolición* (Havana: Editorial de Ciencias Sociales, 1987), 138-139; Emilio Roíg de Leuchsenring, *La guerra libertadora cubana*, 67-68. Ada Ferrer has shown how vulnerable the success of the insurgents of color remained throughout the war, thereby challenging the assumption that the insurgency and military struggle removed divisions within Cuban society. Ferrer, *Insurgent Cuba*.

and landed classes. In May 1869, colonial authorities compiled a list of the first rebels to join the insurgency in Puerto Príncipe. The list included 210 names. The vast majority were landholders or urban property owners (63%) or members of the professional classes (14%). A small number (23%) were field hands who did not own land (*de campo*). All were granted the honorific title *Don* reserved for individuals who had the reputation of being white.<sup>42</sup> The make-up of these insurgent lines had partially to do with the demography of the areas where they lived: in Puerto Príncipe, a smaller percentage of the population was enslaved and the majority was identified as white.<sup>43</sup>

The first rebels in Santiago and Guantánamo hailed from different backgrounds. The vast majority lived in the rural areas.<sup>44</sup> Of 95 rebels who attacked two plantations near Santiago in 1869, only three owned any properties, small vegetable and tobacco farms. Three years before the war, eight of them had owned farms, but five appear to

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<sup>42</sup> “Relación nominal de los individuos de esta Ciudad y jurisdicción que de notoriedad se han comprometido en la insurrección,” June 17, 1869 (Puerto Príncipe), *Boletín del Archivo Nacional de Cuba* 15 (January-February 1916): 315-325.

<sup>43</sup> In 1862, census-takers identified 62% of the population as white and 21% as enslaved in Puerto Príncipe in 1862. In Bayamo, 51% of the population was identified as white and 8% as enslaved. In Manzanillo, 51% of the population was described as white and 5% as enslaved. In Santiago, 25% of the population was identified as white, 40% was identified as being free and of color, and 34% as enslaved. In Guantánamo, 27% of the local population was defined as white, 28% as free and of color, and 44.5% as enslaved. “Censo de población según el cuadro general de la Comisión Ejecutiva de 1861,” in Centro de Estadística, *Noticias estadísticas de la isla de Cuba en 1862*.

<sup>44</sup> 90% of the rebels in Guantánamo and 100% of the rebels in Santiago, according to lists compiled in 1869, were rural dwellers. ANC, AP, leg. 59, exp. 61: “Relación nominal de los individuos de la jurisdicción de Guantánamo que han tomado parte en la insurrección,” May 15, 1869; ANC, BE, leg. 182, exp. 29: “Expediente de embargo, incautación de bienes de D. Marcos Maceo,” 1872.



have lost them.<sup>45</sup> Most of these insurgents were field hands of African descent who lived in areas such as Enramada and El Cobre, where sugar and coffee plantations had been going through a new period of expansion, and where Agustín had recruited supporters a little over a year earlier.

The leadership in Santiago was also distinct from the leadership in Puerto Príncipe, Bayamo, and Manzanillo. Men of color who started as soldiers quickly rose through the ranks to establish themselves as captains. A key figure in the recruitment efforts here was the Maceo-Grajales family. By many measures, the Maceos were distinct from other Santiago rebels. They owned several properties and had long been attuned to pro-independence conversations and liberal ideologies through elite circles in the city.

We know little about Mariana Grajales Cuello's genealogy: her parents were from Santo Domingo, likely refugees who had reached the island during the Haitian Revolution. She was born in 1808 in Santiago.<sup>46</sup> The genealogy of Marcos Maceo, the father, remains also shrouded mystery. He might have been born in Venezuela and might have reached Santiago with the loyalist troops that the patriot armies expelled during the 1820s.<sup>47</sup> Other sources suggest that he was, in fact, born in Cuba, and was the natural son of a certain José Antonio Muchuly and Clara María Maceo. Various documents identified both Muchuly and Maceo as *pardos*. However, José Antonio Muchuly's brothers and

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<sup>45</sup> ANC, BE, leg. 182, exp. 29: "Expediente de embargo, incautación de bienes de D. Marcos Maceo," 1872; ANC, GG, leg. 265, exp. 13,521: "Copia del padrón formado por el Muy Illsc Ayuntamiento de Santiago de Cuba para el cobro de del impuesto de fincas rústicas," 1866.

<sup>46</sup> José Luciano Franco, *Antonio Maceo: Apuntes para una historia de su vida* (Havana: Editorial de Ciencias Sociales, 1975), 1:16.

<sup>47</sup> Franco, *Antonio Maceo*, 16-17.

sisters, or Marcos Maceo's aunts and uncles, managed to acquire privileges associated with whiteness by marrying individuals identified as white. Marcos Maceo, by contrast, maintained *pardo* status, unlike his extended family. The main reason was probably his upbringing. His mother died when he was young, and he was entrusted to a slave who belonged to the Muchuly family: a Juana Bautista Hernández. His uncles, aunts, and cousins had all married individuals identified as white, which would have enabled them to distance themselves from their African ancestry. The ties binding Marcos to the Hernández family were long lasting. With his second wife, Mariana Grajales, he purchased a house in the city from Hernández's other children. Moreover, their first-born, Antonio Maceo, would have one of Juana Bautista Hernández's daughters as his godmother.<sup>48</sup> If this particular genealogy is correct, Marcos Maceo's social networks might have included family members who had white status, as well as people of former slave status. Moreover, he occasionally pursued individuals identified as white as his patrons. When, in 1851, he officially married his second wife, Mariana Grajales, their witnesses were a Don Juan Calomé, whose appellation Don the church scribes added very tentatively to the marriage record, and a Doña Dolores Rizo.<sup>49</sup> Calomé was a store owner in Santiago who would help Marcos Maceo get out of prison in 1868, when the Spanish captured him following a military attack orchestrated by one of his sons.<sup>50</sup>

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<sup>48</sup> Portundo, *Entre esclavos y libres*, 214-218.

<sup>49</sup> AASC, *Libro 2o de matrimonios de color de la parroquia de San Nicolás de Morón, partida 65*, July 6, 1851, f. 32.

<sup>50</sup> Franco, *Antonio Maceo*, 45.

In Santiago, Marcos Maceo was exposed to liberal ideologies in his youth. He was a member of the infantry in 1826 and was still part of the military when the governor of Santiago, general Manuel Lorenzo, proclaimed the Spanish liberal constitution in 1836.<sup>51</sup> The captain general of the island, Miguel Tacón, unleashed a campaign against Lorenzo, on grounds that he was subverting his authority—Tacón had no intention of implementing the liberal constitution on the island because he saw it as a threat to the institution of slavery.<sup>52</sup> At the time, Marcos Maceo was serving under colonel Pedro de Rojas Pérez, native of Costa Firme and staunch supporter of Lorenzo. He had apparently told his troops of color that he had been to war with people of color before and that he now hoped that they would be on his side.<sup>53</sup>

The Maceo family was also part of networks that cut across the rural/urban divide. They owned a house in Santiago, in the neighborhood of Santo Tomás, where a large number of artisans of color also lived. But they also had several rural properties. In 1866, Marcos Maceo was listed as the owner of two farms in Enramadas, and census-takers treated him with the honorific title Don next to his name.<sup>54</sup> His property-owning status might have allowed him to more easily be treated as a Don in the rural areas than in the city. With the help of his son Antonio, who was a mule driver, he sold the produce in

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<sup>51</sup> Portuondo, *Entre esclavos y libres*, 221.

<sup>52</sup> Portuondo, *Cuba: Constitución y liberalismo*, 264-292.

<sup>53</sup> Portuondo, *Entre esclavos y libres*, 221.

<sup>54</sup> ANC, GG, leg. 265, exp. 13,521: “Copia del padrón formado por el Muy Illsc Ayuntamiento de Santiago de Cuba para el cobro de del impuesto de fincas rústicas,” 1866.

the city, which enabled him to have a relatively good economic status.<sup>55</sup> Antonio Maceo's godfather was the lawyer Don Ascencio de Ascencio who would initiate his godson in the local masonic lodges. The masonic lodges of eastern Cuba would become key spaces for discussing the island's independence. However, even so, these conversations were still relatively abstract and distant from the everyday realities that the rural population of Santiago confronted. The Maceos' key ability was to appeal to the local population using family networks.

Most accounts narrate Antonio Maceo's beginnings in the independence as being humble. Locally, however, he appears to have been a leader of the independence early on. In 1869, fighting under him were several of his brothers, half-brothers, and father, but also more distant relatives related to his mother. A tenth of the first insurgents to fight under Maceo's leadership were family. There were at least other five identifiable family clusters fighting alongside the Maceos at the same time.<sup>56</sup>

The insurgents' key targets were the local plantations. The Dominican Máximo Gómez had supported this strategy as a way of bringing to a halt the economic engine of Spanish colonialism.<sup>57</sup> A leading figure in the insurgent military, Gómez had been a Spanish loyalist during the War of Restoration in the Dominican Republic. At the end, like other loyalists, he left Hispaniola and moved to eastern Cuba. He became a farmer in

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<sup>55</sup> Philip Foner, *Antonio Maceo: The 'Bronze Titan' of Cuba's Struggle for Independence* (NY: Monthly Review Press, 1977), 8; Franco, *Antonio Maceo*, 28.

<sup>56</sup> ANC, BE, leg. 182, exp. 29: "Expediente de embargo, incautación de bienes de D. Marcos Maceo," 1872.

<sup>57</sup> Foner, *Antonio Maceo*, 40.

Bayamo, and was driven to war, he argued, by the widespread inequalities on the island. For Gómez, plantations and colonialism were the chief cause of this inequality. He explained that when he first came to Cuba “and saw the pain that the poor suffered, [he] was hurt. There was this poor wretch working alongside magnificent grandeur... When I saw the wife and children of the poor workers covered in rags and living in a miserable hut, I was moved by the enormous contrast. [...] When [he] entered innumerable towns and saw no culture, no morality, no clean people, no acceptable living quarters, ... then [he] felt indignant and profoundly disposed against the higher classes of the country.”<sup>58</sup> Attacking plantations, Gómez thought, would also reduce the economic sway of the Spanish government, while adding new allies to the insurgency from among the slaves working on these properties. While Maceo might have learnt these tactics from him, it is also likely that he and his followers were already inclined toward this particular strategy. After all, Agustín Dá and his fellow conspirators had planned to attack the local plantations in El Cobre in order to gain the support of the slaves working on them as well. Maceo had also been overheard speaking against slavery before the beginnings of the independence war, but how trustworthy these witness accounts are remains unclear, given the hagiography that was constructed around his figure.<sup>59</sup> The revolutionary junta, however, at first disapproved of plantation attacks for fear that they would alienate property holders from their cause. Indeed, in Santiago and Guantánamo, where the plantation system was more prominent in the local economy than in Bayamo, Puerto

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<sup>58</sup> Máximo Gómez to Andrés Moreno, February 6, 1897 in Emilio Roíg Leuschning, ed., *Ideario cubano* (Havana: Municipio de la Habana, 1936), 68-72.

<sup>59</sup> Franco, *Antonio Maceo*, 41.

Príncipe, and Manzanillo, local elites remained opposed to this tactic.<sup>60</sup> In Santiago itself, many of the local coffee and sugar plantations became heavily militarized, with support from Spanish troops, as their owners were trying to keep the rebels at bay.<sup>61</sup>

The early mobilization in Santiago stands out not only for the local leadership's swift decision to attack local plantations, but also for the idiosyncratic role of color-based ideologies. The colonial bureaucracy used color terms far more sparsely in the early documentation of mobilization in Santiago than it would by the mid-late 1870s.<sup>62</sup> These early lists of insurgents were compiled drawing on witness accounts. Whether knowingly or not, the scribes interpolated vernacular taxonomies within the official classificatory structure, which was supposed to be organized around the tripartite black/brown/white. So, for instance, in the wake of the 1869 attack on two local plantations, Antonio Maceo was listed as "Don Antonio Maceo," his name next to those of four other men who were granted the same honorific title: Don Esteban Calderín, Don Joaquín alias El Toledano, Don Manuel Fernández, and Don Sebastián Sánchez. With the exception of Antonio Maceo, none of these other men owned any property, which suggests that the honorific title attached to their names had less to do with property owning status than with local

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<sup>60</sup> Ferrer, *Insurgent Cuba*, 54-60.

<sup>61</sup> Emilio Bacardí Moreau, *Crónicas de Santiago de Cuba* (Madrid: Gráf Breogán, 1972), 4:202-203.

<sup>62</sup> Lists of insurgents who had participated in the Little War (1879-1880) included more detailed listings of color status. See, for instance, AGI, Diversos, leg. 8: "Notas sobre el movimiento insurreccional de la raza de color fracasado en Cuba en diciembre de 1880. Ramo 1, num. 231-241," lists of deportees compiled between February 17 and September 17, 1881.

reputation. 19 insurgents were listed as black (*moreno*), and four as *achinados*.<sup>63</sup> Several insurgents were described as *blanco* (five), a term that was extremely rarely used in documents, but that suggested a lower economic status and a somewhat inferior “whiteness” than the “whiteness” associated with the appellative *Don*. Finally, almost a third (31) remained unclassified through the use of color-based descriptors. They were neither “*blancos*” nor “*Dones*,” but nor were they “*morenos*” nor “*pardos*.” They occupied an in-between status that they had acquired across several generations of freedom, through tactical alliances. In official reckonings, such individuals would become reclassified as “of color” by the 1880s. Locally, however, in places such as Santiago, the population of African ancestry had become accustomed to using available avenues for social mobility to reconfigure official color-based taxonomies.

What difference did these vernacular taxonomies make in the end? Were they just a sidebar to the official systems of classification? What can they tell us about the politics of the population of African descent in Santiago on the eve of the War of Independence? They suggest that, prior to the war, color-based identities were not fixed in rural Santiago, where one’s identification as *blanco*, *Don*, or without a color referent, while contextually important, could shift across one’s lifetime. The trajectory of Marcos and Antonio Maceo is a case in point. Father and son were part of expansive social networks that included former slaves as well as liberal intellectual elites. Individuals whom the colonial regime was ready to lump together as *libres de color* belonged to local

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<sup>63</sup> The 1862 census did not list any individuals of Chinese descent in the province of Santiago. Most Chinese coolies worked in the sugar areas of west-central Cuba. *Achinado* meant that the individuals in question had an indigenous appearance, see *Diccionario de la Real Academia Española*, <http://dle.rae.es/?id=0R90G3r0RAmMT0>

hierarchies and networks of dependency that were more fluid, even though constraining. Throughout the first half of the nineteenth century, Santiago's population of African ancestry had eagerly and tirelessly analyzed and classified individual and family behaviors and qualities as it attributed color status. Fluid classifications were not necessarily irrelevant, flexible or more inclusive. In fact, the persistence of such classifications suggests that color did matter for the authorities and the popular sectors.

An analysis of the histories of these vernacular taxonomies might also provide us with an insight into the behavior of the first insurgents. While debates about the future of slavery shaped the initial mobilization, discussions about the rights of the free population of color were less visible. Why? The struggle against slavery and a plantation-based economy would have pre-occupied many landless peasants who found themselves struggling to wrest land and still enslaved family from encroaching plantations. These plantations drove the price of freedom and subsistence to previously unknown highs locally. In Santiago, individuals of a range of color statuses took up this struggle against the plantations, knowing that the most efficient way to undermine these properties would be to end their access to slaves. The initial struggle in Santiago might therefore not have been one about the color line. Economic mobility and the possibility to shift color status likely reduced color-based political solidarities here, making the economic objectives more important forces of mobilization.

During the independence war, the mobilization that had started in Oriente became a model that José Martí would use to imagine an independent Cuban republic that would transcend color-based divisions. Martí's model, with which this dissertation opened up,



did not however align with Santiago's social realities. He still thought that the army consisted of black and white soldiers whose differences would be overcome through military practice. But for the Santiago insurgents, black and white had been relative terms. If they could transcend them, it was because they had forged other hierarchies that operated alongside the one structured through the color line.

### Conclusion

By the late 1860s, the local economy of Santiago had been re-gaining some steam. Even though this area had not witnessed the same level of development as its west-central counterpart, sugar production levels had more than doubled within less than fifteen years. At the same time, coffee planting had expanded into new areas, such as El Cobre and in the neighboring province of Guantánamo, even though, across Santiago, productivity would never reach the same levels as in the 1820s and 1830s. These economic advances put pressure on the availability of land, and drove up slave and subsistence prices, making it more difficult for the landless to buy or rent farm land. Moreover, slave ownership became more concentrated on large plantations. The urban population lost stakes in the institution of slavery as well.

Among liberal thinkers living in the neighboring provinces of Bayamo, Manzanillo, and Puerto Príncipe, separatism had become a *mot du jour* by the 1860s. The introduction of the new regime of taxation and the Spanish troops' failure to re-occupy the Dominican Republic added further fuel to a smoldering pro-independence fire. It was the new regime of taxation and the renewed energy of the local plantation economy that

generated a strong anti-colonial stance here. Agustín Dá's 1867 conspiracy to attack local plantations, free slaves, and proclaim the republic was a prelude to Maceo's larger movement in 1868 and 1869. Like Maceo, and unlike the military leadership who initiated the war in Manzanillo, Dá saw the abolition of slavery and the end of colonialism as fundamentally intertwined. These particular origins of the war in Santiago might explain why calls for the equality of people of color did not take center stage at the beginning of mobilization, when Santiago insurgents' main focus was slavery as an institution.

While many poorer individuals of color, especially those who had been born in Africa and had experienced slavery in their lifetime remained behind the color line, others, such as members of the Maceo family, interacted with liberal elites, had family members who had acquired white status, and had themselves gained some privileges associated with whiteness. For them and for many others like them, the struggle was to make color an irrelevant category of thought and action, which is why solidarities along color lines might not have been very strong among their ranks. If the Maceo-Grajales family fought for the social equality of all people of color, they did so cryptically, without advocating for color-based solidarities. Antonio Maceo's repeated denials of waging a war based on such solidarities might not have been just a tactical response to colonial bureaucrats who were trying to undermine the insurgency. In the 1880s, when confronted with accusations that he was waging a "race war," Antonio Maceo responded that he loved "all things and all men, because [he saw] more of the essences than the accidents of life; for that reason I have above the interests of race, whatever that may be,

the interests of Humanity.” In 1880, for Antonio Maceo, the real essence was “Humanity,” color was an “accident of life,” and race was “whatever that may be,” an uncertain category that did not hold much meaning for how he saw the world.<sup>64</sup>

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<sup>64</sup> Sociedad cubana de estudios históricos y internacionales, *Antonio Maceo: Ideología política, cartas y otros documentos* (Havana: Cárdenas et Cia, 1952), 2:195.

## Epilogue

Throughout the first half of the nineteenth century, in Santiago de Cuba, as in other parts of Latin America, local communities shaped attributions of color status in the absence of official regulations by assessing a range of criteria: place of birth, ownership of slaves, generational distance from slavery, and reputation. Color status remained open to negotiation and could shift during one's lifetime or across generations. Between the early 1820s, when the slave trade to Santiago de Cuba reached a high, and the mid-1860s, when the free population of color of the jurisdiction had expanded at an unprecedented rate, the local social hierarchy also underwent significant reconfiguration. The categories "slave," "free person of color," and "white" were fragmented and could blur into each other at the edges.

In notarial offices, where clients had greater control over their self-projection into official documents than they did in courtrooms, the use of color terms to describe the creole free population of African or mixed ancestry became surprisingly rare. While notaries identified some individuals as presumptively non-white by declining to employ

the courtesy titles Don/Doña, they nevertheless rarely marked them through the straightforward use of color terms, which were more frequently reserved for individuals born in Africa. Such a selective use of color terms suggests that some local officials and the local residents of this region imagined as more distinct social others those individuals who were closer to slavery and to Africa, and who, as a result, had to carry color-based appellatives.

Individuals situated in an ambiguous unmarked category (those who were not associated with color-based appellatives nor with respectful terms of address) emerged in the late 1860s as prominent participants in the first pro-independence insurgency and many joined the ranks of Cuban separatist forces under the leadership of the Maceo brothers. Indeed, the pivotal role of such recruits in wartime mobilization may help explain the particular features of Antonio Maceo's own ideological position on race.

With very rare exceptions—as when he discussed his diplomatic overtures to the Haitian government—Maceo did not generally seek to represent himself as a man of color.<sup>1</sup> Nor did he describe his army as a force that defended the interests of a community formed around a shared racial identity. He claimed instead to be the spokesperson for a political movement in which color-based differences would no longer matter, and

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<sup>1</sup> In 1880, Maceo went into exile to Haiti, where he sought the support of Haitian liberals and of president Salomon. In one of his letters to Jean Lamothe, a liberal, Maceo invoked the shared histories of slavery in Cuba and Haiti and the oppression that people of color had confronted in the two societies. See Letter from Antonio Maceo to Gen. Jean Lamothe, member of the provisional government of Haiti. Port-au-Prince, Sept. 23, 1879, in *Papeles de Maceo* (Havana: Editorial de Ciencias Sociales, 1998), 1:13. On Maceo's exile in Haiti, see also AGI, Diversos, leg. 8: "Notas sobre el movimiento insurreccional de la raza de color fracasado en Cuba en diciembre de 1880," Ramo 1:Letter from Antonio Maceo to Máximo Gómez, December 1880.

personal merit would be any individual's true measure of success. In 1881, in response to accusations that he was leading a race-based war, Maceo explained:

...when the spirit is imbued with prejudices, there is no room for reflexive thought, because reflexive thought emerges out of a consciousness enlightened by reason's serene judgment [...] I believe that I can aspire to the enjoyment of freedom after thirteen years of fighting because the slavery of passion does not burden me. And when I see my emancipated spirit, which I owe to our glorious revolution, I have no doubts that what has halted the triumph of Cuba's independence has been the need to shake up the spirit and to clean the old errors imbuing the consciousness of some of our men.<sup>2</sup>

He concluded by calling for a *Patria* and a constitution that would be “a true summary of the laws of humanity” (“*un verdadero resumen de las leyes de la Humanidad*”). Maceo was clearly alluding here to prejudices against insurgents of color whom the colonial authorities and even the Camagüey leadership had maligned. In this text, he called for a republic in which color-based differences would not exist and his leadership would not be questioned with reference to his color status. For him, national communion, not color-based solidarities, was the final goal. Nationalists' communion emerged out of an “emancipated spirit” and warfare; as such, it was the outcome of personal merit. Whether or not one was a person of color was unimportant.

Maceo's call to end racial prejudice and his disavowal of racial solidarities can certainly be understood as a kind of anti-racist politics designed to deal strategically with a severe set of constraints. The repeated suggestion, from allies as well as enemies, that he was planning a race war, made such caution necessary. Yet, the story uncovered in this

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<sup>2</sup> Comments to a letter that Maceo had sent to Captain General Polavieja and that he addressed to Cuban insurgents, June 14, 1881 (Kingston), in José Antonio Portuondo, ed., *El pensamiento vivo de Maceo* (Havana: Editorial de Ciencias Sociales, 1976), 82-83.

thesis points to another possible interpretation. Maceo may not have been simply relinquishing or concealing a prior commitment to racial solidarities in favor of the Cuban nationalist ideal. Perhaps his disavowal of color-based distinctions and, with them, of color-based solidarities, was not a compromise that he made in order to be included in the revolutionary leadership. What is more, perhaps Maceo's rise to prominence and his popularity among white and non-white soldiers were not a story of singular upward mobility, of a mule-team driver-turned-soldier-turned-general, who gradually assumed the race-blind ideology of the struggle in exchange for his rising status.

Whatever the balance of strategy and evolving conviction behind Maceo's ideology, his story takes on particular meaning from the social history of Santiago as it has been described in these pages. Maceo's prominence in the independence movement was the outcome of the social networks that his family had managed to mobilize in Santiago over several generations. The Maceo-Grajales family was far from being a modest one in social and economic terms. Though Antonio did drive a mule team, he did so as the son of a rural property owner and producer. The Maceos' kin and other social networks cut across a range of different divides: rural/urban, free/slave, poor/wealthy. Many of the individuals who belonged to these networks occupied a status in between people identified with color appellatives and people identified with the respectful terms of address Don/Doña. While we might never know what precisely it could mean to lose color-based appellatives and to occupy such an in-between position in 1860s Santiago, the Maceos and others had struggled to become free of color through everyday efforts to

control property, family, and documentary practices inside colonial offices in the decades preceding the war.

Being a person potentially designated as *libre de color* (“free and of color,” or possibly even “free of color”) did not necessarily mean whitening. Indeed, the strategies that the expanding free population of African ancestry embraced after the mid-1840s diverged from those of the Saint-Domingue refugees who turned toward plantation ownership in order to climb up the social ladder and consolidate their local position. The refugees’ approach generally fit within existing official hierarchies and taxonomies, though it could shift individuals’ positions within it. Silencing color-based identifications, by contrast, signaled the possibility of another world, in which individuals could define their social status through their economic activities and social attachments, including reciprocal ties to persons of higher status and to broad networks of people of lower status. Unlike the refugees, the Maceos were opponents of slavery. This opposition may well have owed as much to competition with large plantations over land as it did to racial solidarities with enslaved people. This world was therefore not free of hierarchies, nor was it severed from earlier hierarchies: one’s generational distance from slavery was still based on an idea of lineage and could work against one’s personal merits. Moreover, being born in Africa generally reduced one’s social standing. Having dependents, however, increased it, and some of those born in Africa could build their own networks of clientele and flourish thereby. Once we situate Maceo’s statements on race within these worlds, we can begin to see his rise to the rank of general not just as a story of mobility, but also as a reflection of his already-existing status as a man of significance in



a family of consequence. We can understand his public opposition to slavery and his denunciation of racial prejudice not as part of a political frame that did not, for the moment, encompass a simple set of racial solidarities.

For its uniqueness and for the fervor and sacrifices with which the Cuban insurgents came to defend it, this vision has become one of the defining anti-racist movements in the Western Hemisphere, alongside the Haitian Revolution and the radical ideologies that emerged during US Civil War and Reconstruction. The source of this blending of anti-racism and anti-slavery messages has also been the occasion for considerable scholarly debate. Much is still to be done in rethinking this debate. But it seems clear that families such as the Maceos and the Grajales had imagined a world that might be or become “free of color,” anchored in the society they lived in long before the war even began. Through everyday politics and struggles to assert control over family, property, and documentary practice, they and their neighbors laid the groundwork for a remarkable fusion of ideals that would survive, albeit transformed, even under the pressure of nearly thirty years of war.

## Appendices

**Appendix 1: Number of slave men and women in key coffee plantation areas, 1822-1828<sup>1</sup>**

<b>Partido</b>	<b>Enslaved Women</b>	<b>Enslaved Men</b>	<b>% Women</b>	<b>Year</b>
Amistad	252	424	37%	1822
Demajayabo	201	385	34%	1822
Güira	173	217	44%	1822
Limones (Bacanao)	529	762	41%	1822
Limones (Paz de los Naranjos)	504	630	44%	1822
Hongolosongo	430	762	36%	1828

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<sup>1</sup> ANC, GG, leg. 491, exp. 25,158; leg. 490, exp. 25,141; leg. 490, exp. 25,156; leg. 490, exp. 25,151; leg. 490, exp. 25,146.

**Appendix 2: Number of enslaved men and women in the coffee plantation areas with the largest concentration of coffee plantations and slaves, 1846<sup>1</sup>**

<b>Partido</b>	<b>Number of <i>cafetales</i></b>	<b>Enslaved Women</b>	<b>Enslaved Men</b>	<b>% Women</b>
Amistad	36	1,232	1,553	44
Andalucia	28	812	914	47
Coralillo	21	256	420	38
Demajayabo	29	882	1,157	43
Enramada	21	656	972	40
Guananicum	35	1,196	1,777	40
Hongolosongo	70	1,028	1,555	40
Nimanima	22	311	459	40

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<sup>1</sup> These areas have the largest plantations and the most plantations in rural Santiago. They also contain the largest number of slaves working on coffee properties. Capitanía General, *Cuadro estadístico de la siempre fiel isla de Cuba, correspondiente al año 1846* (Havana: Imprenta del Gobierno y de la Capitanía General, 1847).

**Appendix 3: Number of enslaved men and women on select sugar plantation areas of western Cuba<sup>1</sup>**

	<b>Enslaved Men</b>	<b>Enslaved Women</b>	<b>% Women</b>
Alacranes (Havana)	3,905	1,683	30
Cimarrones (Havana)	3,303	1,359	29
Guamutas (Havana)	5,929	2,631	31
Yumurí (Matanzas)	6,131	2,839	32
Sabanilla (Matanzas)	4,918	2,341	32

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<sup>1</sup> I selected the areas with the largest number of sugar plantations. *Cuadro estadístico de la siempre fiel isla de Cuba correspondiente al año de 1846* (Havana: Imprenta del Gobierno, 1847), p. 29, 34.

**Appendix 4: Population in the jurisdiction of Santiago de Cuba, 1792-1862<sup>1</sup>**

Year	White	% W	Free people of color	% FPC	Slaves	% Slaves	Other	% Other	Total
1792	8,212	40%	6,512	31%	6,037	29%			20,761
1827	15,676	22%	16,807	24%	38,039	54%			70,522
1846	21,357	26%	24,393	30%	35,444	44%			81,194
1862	27,172	28%	35,842	37%	32,255	34%	759	0.01%	96,028

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<sup>1</sup> Dionisio Vives, *Cuadro estadístico*; O'Donnell, *Cuadro estadístico*, 1846, pp. 224-225; Comisión Estadística, *Noticias estadísticas*, 1862.

**Appendix 5: Population in the city of Santiago de Cuba, 1828-1862<sup>1</sup>**

Year	White	%White	Free People of Color	% Free People of Color	Slaves	% Slaves	Total
1828	7,494	32%	9,371	40%	6,715	28%	23,580
1846	9,610	40%	9,396	39%	4,999	21%	24,005
1862	11,626	37%	12,058	39%	7,422	24%	31,106

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<sup>1</sup> ANC, GG, leg. 328, exp. 15,761: Censo de habitantes de la ciudad de Santiago de Cuba, 1828; O'Donnell, *Cuadro estadístico*, 1846, p. 224; Jacobo de la Pezuela, *Diccionario geográfico, estadístico, histórico de la isla de Cuba* (Madrid: Imprenta del establecimiento de Mella, 1862), vol. 2, pp. 205, 207, 209, 212.

## Appendix 6: Manumission rates in other slave societies in the Americas<sup>1</sup>

Year	Site	Manumission rate per 1,000 slaves per annum
1810	Argentina (Buenos Aires)	13
1820	Barbados	1.2
1820	Demerara	0.2
1834	Demerara	2.3
1850	Curaçao	12

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<sup>1</sup> On manumission rates in the British Caribbean, Barry Higman, *Slave Populations of the British Caribbean, 1807-1834* (Mona: The Press University of the West Indies, 1995[1984]), 381; Lyman Johnson, "Manumission in Colonial Buenos Aires, 1776-1810" *Hispanic American Historic Review* 59.2 (1979): 258-279; rate on page 277; Willem Klooster, "Manumission in an Entrepôt," in Rosemary Brana--Shute and Randy Sparks, eds. *Paths to Freedom: Manumission in the Atlantic World* (Columbia: The University of South Carolina Press, 2009), 161-174, rate on page 164.



**Appendix 7: Percentage of owners of color and rents collected by neighborhood,  
1854<sup>1</sup>**

Area	Percentage of owners who were of color	Percentage of all rents collected by owners of color
North 1	39%	28%
South 1	25%	18%
North 3	44%	30%
South 3	28%	14%
North 2	51%	40%
North 4	49%	35%
South 2	45%	30%
South 4	40%	26%
South 5	63%	55%

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<sup>1</sup> AHPSC, *Contaduría*, Padrón de Fincas Urbanas, Libro 1, 1854.

**Appendix 8: Color status of individuals getting married in the parish of San Nicolás de Morón, 1851<sup>1</sup>**

<b>Color status of spouses</b>	<b>Number of marriages</b>
Both spouses identified as Don/Doña	22
Both spouses identified as <i>morenos libres</i>	73
Both spouses identified as <i>pardos</i>	21
Both spouses identified as <i>morenos libres</i> de Africa	86
Both spouses remained of unspecified color-status (no Don/Doña or color appellatives attached to their names)	138
Both spouses were slaves	8
One spouse of unspecified status and one identified as <i>moreno/morena libre</i> de Africa	20
One spouse of unspecified status and one identified as a slave	1
One spouse identified as <i>Don</i> and one spouse identified as <i>parda</i>	1
One spouse identified as <i>Don/Doña</i> and one spouse of unspecified color status	2
One spouse identified as <i>moreno libre</i> de Africa and the other spouse identified as slave	1
<b>Total</b>	<b>373</b>

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<sup>1</sup> AASC, *Libro segundo de matrimonios de color de la Parroquia de San Nicolás de Morón*, fs. 17-107v.

**Appendix 9: Rates of illegitimacy among individuals who were not white and whom notaries did not describe using color-based appellatives and among those whom notaries described as *pardo/moreno/parda/morena*<sup>1</sup>**

<b>Year</b>	<b>1832-1834</b>	<b>1845-1847</b>	<b>1853-1855</b>	<b>1863-1865</b>
Percentage of individuals who lacked color based appellatives in their testaments and who were illegitimate	46% (28 out of 61 testators)	47% (44 out of 93 testators)	33% (25 out of 75 testators)	56% (35 out of 62 testators)
Percentage of individuals described in their testaments as <i>moreno/morena</i> or <i>pardo/parda</i> and born in the Americas who were illegitimate	50% (8 out of 16 testators)	61% (16 out of 26 testators)	50% (12 out of 25 testators)	54% (13 out of 24 testators)

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<sup>1</sup> AHPSC, PN, legs. 25-27, 38-40, 46-48, 51-52, 82-84, 95-97, 103-105, 113-115, 184, 187, 189, 194-198, 212, 213, 217, 218, 222-224, 262-264, 275-277, 285-287, 293-295, 327, 378-380, 391-393, 399-401, 409-411, 477-479, 486-488, 495-497, 528-530, 535-537, 545-547, 599-601, 607, 608, 615, 617.

**Appendix 10: Rates of marriage among individuals who were not described as Don/Doña and whom notaries did not describe using color-based appellatives and among those whom notaries described as *pardo/moreno/parda/morena*<sup>1</sup>**

<b>Year</b>	<b>1832-1834</b>	<b>1845-1847</b>	<b>1853-1855</b>	<b>1863-1865</b>
Percentage of individuals without color based appellatives who were married	61% (37 out of 61 of testators)	62% (58 out of 93 testators)	57% (43 out of 75)	53% (33 out of 62 testators)
Percentage of individuals described as moreno/morena or pardo/parda and born in the Americas in their testaments who were married	75% (12 out of 16 testators)	61% (16 out of 26 testators)	64% (16 out of 25 testators)	83% (20 out of 24 testators)

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<sup>1</sup> AHPSC, PN, legs. 25-27, 38-40, 46-48, 51-52, 82-84, 95-97, 103-105, 113-115, 184, 187, 189, 194-198, 212, 213, 217, 218, 222-224, 262-264, 275-277, 285-287, 293-295, 327, 378-380, 391-393, 399-401, 409-411, 477-479, 486-488, 495-497, 528-530, 535-537, 545-547, 599-601, 607, 608, 615, 617.

## Appendix 11: Data selection

The notarial records consulted for this study consist of 766 testaments filed by individuals who were identified as being of African ancestry (through the use of color terms or through the absence of the respectful terms of address associated with whiteness—Don/Doña) and 2,205 freedom letters that were filed during the following three-year clusters: 1828-1830, 1832-1834, 1845-1847, 1853-1855, and 1863-1865. For each of these clusters, I consulted all the documents fitting this description included in Santiago's notarial records: for the first cluster, 206 freedom letters and 123 testaments; for the second cluster, 290 letters and 103 testaments; for the third cluster, 549 letters and 184 testaments; for the fourth cluster, 555 letters and 184 testaments; and for the final cluster, 605 letters and 172 testaments.

The first cluster (1828-1830) was chosen because these were the years when Cuban coffee exports had reached their highest export value. The second cluster (1832-1834) was chosen because a cholera epidemic occurred on the island in 1833 and my intention was to note any shifts in manumission and testamentary dispositions. But the data does not suggest any major variation from the previous cluster. The third (1845-1847) and the fourth (1853-1855) clusters were chosen in order to see the impact of the contracting coffee plantation system locally. Finally, the last cluster (1863-1865) was chosen in order to better understand changes in the local economy on the eve of the War of Independence.

Escribanía del Cabildo (1789-1864): leg. 21 (1828), leg. 22 (1829), leg. 25 (1832), leg. 26 (1833), leg. 27 (1834); leg. 38 (1845); leg. 39 (1846); leg. 40 (1847); leg. 46 (1853); leg. 47 (1854); leg. 48 (1855); leg. 51 (1863); leg. 52 (1864). There was no notarial register for the year 1865.

Escribanía de Manuel Caminero (1800-1899): leg. 78 (1828); leg. 79 (1829); leg. 82 (1832); leg. 83 (1833); leg. 84 (1834); leg. 95 (1845); leg. 96 (1846); leg. 97 (1847); leg. 103 (1853); leg. 104 (1854); leg. 105 (1855); leg. 113 (1862); leg. 114 (1863); leg. 115 (1865).

Escribanía de la Real Hacienda (1766-1899): leg. 373 (1828); leg. 374 (1829); leg. 378 (1832); leg. 379 (1833); leg. 380 (1834); leg. 391 (1845); leg. 392 (1846); leg. 393

(1847); leg. 399 (1853); leg. 400 (1854); leg. 401 (1855); leg. 409 (1863); leg. 410 (1864); leg. 411 (1865).

Escribanía de Antonio Giró (1803-1882): leg. 259 (1828); leg. 260 (1829); leg. 262 (1832); leg. 263 (1833); leg. 264 (1834); leg. 275 (1845); leg. 276 (1846); 277 (1847); leg. 285 (1853); leg. 286 (1854); leg. 287 (1855); leg. 293 (1863); leg. 294 (1864); leg. 295 (1865).

Escribanía de Nicolás Lasso (1840-1872): leg. 477 (1845); leg. 478 (1846); leg. 478 (1847); leg. 486 (1853); leg. 487 (1854); leg. 488 (1855); leg. 495 (1863); leg. 496 (1864); leg. 497 (1865).

Escribanía de Heraclio García (1840-1879): leg. 212 (1845-1846); leg. 213 (1847); leg. 217 (1852-1853); leg. 218 (1854-1855); leg. 222 (1862-1863); leg. 223 (1864); leg. 224 (1865).

Escribanía de Soler y Requíferos (1841-1893): leg. 599 (1845); leg. 600 (1846); leg. 601 (1847); leg. 607 (1853-1854); leg. 608 (1855-1856); leg. 615 (1863); 616 (1864); 617 (1865).

Escribanía de Ramirez Torres (1840-1899): leg. 528 (1845); leg. 529 (1846); leg. 530 (1847); leg. 535 (1853); leg. 536 (1854); leg. 537 (1855); leg. 545 (1863); leg. 546 (1864); leg. 547 (1865).

Escribanía de San Luís del Caney (1843-1880): leg. 184 (1843-1847); leg. 187 (1855-1859); leg. 189 (1864-1868).

Escribanía del Cobre (1840-1882): leg. 194 (1840-1845); leg. 195 (1861); leg. 196 (1863), leg. 197 (1864); leg. 198 (1865).

Escribanía de Guerra (1772-1855): leg. 327 (1842-1855).

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