

**A Failed Emancipation? The Struggle for Freedom in Hispaniola during the Haitian
Revolution, 1789-1809**

by

Graham Townsend Nessler

**A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy
(History)
in The University of Michigan
2011**

Doctoral Committee:

**Associate Professor Richard L. Turits, Chair
Professor Marlyse Baptista
Professor Jean M. Hébrard
Professor Rebecca J. Scott
Professor Laurent M. Dubois, Duke University**

© Graham Townsend Nessler, 2011

To my mother and father

Acknowledgements

Almost every winter when I was growing up, our family would travel by car from our home in Bryan/College Station, Texas, to Clemson and Greenville, South Carolina, a journey of approximately one thousand miles. These treks to see extended family for Christmas gave me an appreciation for long journeys, which becomes even stronger when one reaches the finish line. My path to the doctorate in History has likewise entailed long journeys in both geographical and other senses. Though a complete acknowledgement of those who have supported and encouraged me in the five countries where I have studied, taught, researched, written, and presented over the past six years would be almost as long as the work that follows, I offer here a more condensed version that tries to include those who have been especially instrumental in ensuring the success of this project and my graduate studies as a whole. I regret any omissions.

Any such list must begin with the five scholars who have overseen this project: Richard Turits, Rebecca Scott, Jean Hébrard, Marlyse Baptista, and Laurent Dubois (Professor of History and Romance Studies at Duke University). Their insights, wisdom, and constant support have shaped this project and enabled its successful completion. In particular, Richard Turits has been a truly superb advisor and mentor. From writing me innumerable letters of recommendation to offering invaluable comments on earlier drafts of this thesis to giving me extremely helpful practical advice on a number of occasions, Richard Turits has been the best mentor that I could have asked for. Furthermore,

Rebecca Scott's mentoring and intellectual support during my graduate study have profoundly influenced the form of this dissertation and my formation as a scholar. Her encouragements to immerse myself in primary sources at the earliest possible moment led to my preliminary research trip to Simancas, Spain, in summer 2006 that in many ways defined the basic contours of this thesis. Moreover, my participation in her outstanding graduate seminar "Getting the Documents to Speak" during my first year at Michigan was a formative intellectual experience that I will always treasure as critical to my development as a scholar. When I reflect upon why I entered graduate school and my core goals and reasons for pursuing a life of scholarship, this class is a constant point of reference. Rebecca Scott's passion for scholarship and commitment to the highest standards of excellence have continually pushed me to take my research and writing to the next level.

I also wish to thank Paul Johnson, whose encouragement to cultivate and pursue my intellectual interests at an early stage of my graduate studies was crucial in the process of beginning to define myself as a scholar. I am also grateful to Paulina Alberto for her support of my development as a teacher and for teaching me a great deal about modern Latin American history. Sueann Caulfield has likewise provided me with numerous forms of support and encouragement. From early in my graduate career, Martha Jones has helped me with the conceptualization of my project and provided me with new and valuable perspectives on it. Another important presence in my graduate education was Janet Hart, whose course on oral history helped to expand my understanding of not only historical methodology but also of what constitutes "history." I also fondly remember our exchanges in Paris during my year of overseas research; her

advice and support helped me to navigate both the intellectual and practical challenges of conducting research abroad. I also thank John Garrigus for his vital assistance in Paris and Aix-en-Provence. In 2007, he pointed me to a collection that has proven extremely useful for my project, and he has since been a very valuable collaborator on a number of subjects. Ada Ferrer has also helped me to locate and utilize important sources and to refine the framing of my project. Last but certainly not least, Malick Ghachem of the University of Maine Law School took an immediate interest in my project at our first meeting in Ann Arbor in September 2010, and his comments were indispensable in enabling the acceptance of my first article in a prestigious international journal.

Professors and graduate students often remark that collaboration with one's fellow students, both inside the classroom and in other settings, is as important as any other aspect of graduate education. My own experience supports this observation. For all of my time in graduate school, Lindsey Gish at Michigan State University has been both the best colleague and intellectual collaborator that one could ask for and a good friend. We have helped each other along as our projects have evolved, and I have profound respect and admiration for what she has accomplished. Sam Erman, whom I have known since working with him in the "Getting the Documents to Speak" seminar, has been a positive presence in my career during these years due to his deep intelligence and his warm personality. Anne Eller at NYU has also been an important colleague since my first year, and I look forward to future collaborations with her. In addition, during my first years in my doctoral program, Jennifer Palmer and Minayo Nasiali gave me important advice and moral support for which I am very grateful. I am also fortunate to have been able to work with Lenny Ureña and Marvin Chochotte in organizing a conference on Haitian history

and politics that took place here in Ann Arbor in May 2010. Seeing this conference come to fruition was one of the proudest moments of my graduate career, and the vision, practical skills, and professional commitments of Lenny and Marvin were instrumental in making this conference a success.

In a few lines, I cannot do justice to the impact on my personal and professional development of my dearest friends in graduate school, Kenneth Garner, Dagmar Francikova, Sidy Touré, and Amy Firestone. From our first days together in History 615, Ken has been a truly remarkable friend, providing me with unwavering moral and emotional support that has helped me face a wide variety of challenges. At the risk of indulging in clichés, my friendship with Ken has transformed my perspective, both as a scholar and as a person. The same can be said for my friendship with Dagmar. Many of my most cherished memories of my graduate school years involve intense yet warm-hearted conversations over her wonderful cooking. From her I have learned many lessons about appreciating life and what it has to offer. Furthermore, during a difficult period for me in Aix-en-Provence, France, I found a kindred spirit in Sidy Touré, a Malian student who like me was conducting research in Aix on a grant from the French government. His warmth, intelligence, and ability to forgive my less-than-impeccable French immensely enhanced my experience in Aix. Our shared intellectual interests in the Atlantic slave trades added significantly to my project's development, while on a personal level I will always remember the brief time that we spent together, and I hope to see him again someday. Finally, I am thankful for my close friendship with Amy Firestone, who has also traveled a long road of graduate study following our days as undergraduates at the College of William and Mary.

The financial and logistical support of numerous agencies and organizations was crucial in enabling me to develop my skills as a scholar and to carry out my research both abroad and in the United States. Study of Haitian Creole at Florida International University in July 2006, which has benefitted my project in ways I had not foreseen at the time, was funded by a Foreign Language and Area Studies fellowship. Funding from the Department of History at the University of Michigan supported my first three years of graduate study, and the Department's generous summer research allotment made possible my month of preliminary archival research in Simancas. In particular, the administrative staff of the History Department (especially Kathleen King and Lorna Altstetter) were absolutely critical to the success of all aspects of my graduate studies. The staff at the Latin America library at the University of Florida (especially Head Librarian Richard Phillips) also went far beyond the call of duty during my week and a half of research there for my first seminar paper. Despite the fact that I had shown up without making prior arrangements, these individuals not only gave me tremendously useful help in making the most of their library's amazing collections but also set me up with my own private study desk for the duration of my stay there. The staff of the Spanish and French archives mentioned in the Bibliography were also very helpful, both in terms of taking advantage of these archives' seemingly innumerable collections and in solving the logistical problems that inevitably arose.

My preliminary research trip to France in 2007 was made possible by a Rackham Graduate Student Research Grant and an International Institute Individual Fellowship (both through the University of Michigan). My year of overseas dissertation research was enabled with the generous funding of the French government's Chateaubriand Fellowship

and the Social Science Research Council's International Dissertation Research Fellowship. I am extremely grateful in particular to Samira Dahmane of Égide-Paris, who almost single-handedly resolved two very tricky practical problems that I faced during my time in France. I also thank the *Centre International de Recherches des Esclavages* of the *Centre National de la Recherche Scientifique* (CIRES-CNRS), the *Musée d'Aquitaine*, and the city administration of Bordeaux for sponsoring a wonderful international conference on slavery and emancipation at which I presented in May 2009. Dominique Rogers, Céline Flory, Myriam Cottias, and Christine Morandi all did superlative jobs in ensuring this event's success. Finally, a chance glimpse of a book on Cuban history in a bookstore in Seville, Spain, led to a productive professional relationship with Professor Sigfrido Vázquez Cienfuegos, who advised me on archival and printed primary sources and who along with Professors Scott and Ferrer has taught me much about the Cuban aspect of my research topic.

Upon returning to Ann Arbor, I was fortunate to receive several fellowships and grants that enabled me to complete my dissertation and to participate in the life of my field. In 2009-2010, I held the Rackham Humanities Research Candidacy Fellowship, which allowed me to complete a substantial portion of the thesis, while two Rackham travel grants funded my participation in important conferences in Barbados and Lafayette, Louisiana. In my final year of graduate school, I had the privilege of being one of six Graduate Fellows at the Institute for the Humanities at the University of Michigan. This fellowship gave me the space and resources to complete my dissertation, publish my first article, and successfully apply for the post-doctoral fellowship that I will hold in 2011-2012. The weekly Fellows Seminars were also very important in my continual

intellectual development, and the moral and academic support of my fellow Graduate Fellows Ben Gunsberg, Katherine Brokaw, Nafisa Essop-Sheik, Puspa Damai, and Alan Itkin constituted a vital aspect of this past academic year. I also thank Humanities Institute Director Daniel Herwitz for overseeing such a successful enterprise. In 2011-2012, I will be a Post-Doctoral Fellow at the Eisenberg Institute here at Michigan. I thank the Eisenberg Institute and its staff not only for their assistance in the initial stages of applying and defining the terms of this fellowship but also (in advance) for the support that they will provide me in 2011-2012 in enabling what will surely be an extremely productive and rewarding post-doctoral year.

One of the many lessons that I have learned on my road to the doctorate is the literary effectiveness of circling back to the opening example or anecdote to conclude a work or a chapter. This motif is also fitting on a personal level, as it enables me to go “full circle” in foregrounding the constant love and support of my fellow travelers on those journeys across the Deep South: my parents Craig Nessler and Susan Terwilliger and my siblings Reed and Laura. I am truly proud to call myself the son of Craig and Susan, and I am equally proud of all that Reed and Laura have accomplished and of the people that they have become. Though my journey to the doctorate will soon be complete, it is unclear where the continuing journey of my life will take me in the years to come. One constant, though, is the love of my co-pilot, Natalie Cotton, whom I will marry in November 2011. I would not have reached the top of this mountain without her. While we will surely in the future face many “mountains beyond mountains,” as the Haitian proverb goes, I know that the two of us together can surmount any obstacle.

* * *

A shortened version of chapter 6 of this thesis will appear in the journal *Slavery and Abolition* under the title “‘They Always Knew Her to be Free:’ Emancipation and Re-Enslavement in French Santo Domingo, 1804-1809.” I thank the editors of this journal (in particular Gad Heuman) for their assistance in the publication process.

Table of Contents

Dedication.....	ii
Acknowledgements.....	iii
List of Abbreviations.....	xii
Abstract.....	xiv
Introduction.....	1
Chapter One: “I Am the King of the Counter-Revolution:” The Advent of Revolution and “Emancipation” in Hispaniola, 1789-1795.....	36
Chapter Two: “The Courage to Conquer their Natural Liberty:” The Invisibility of Emancipation in French Santo Domingo, 1795-1801.....	107
Chapter Three: Santo Domingo in the Rise of Toussaint Louverture, 1795-1801.....	157
Chapter Four: Toussaint Louverture in Santo Domingo, 1801-1802.....	212
Chapter Five: “The Shame of the Nation:” The Force of Re-Enslavement and the Law of “Slavery” under the Regime of Ferrand, 1804-1809.....	257
Chapter Six: “They Always Knew Her to be Free:” Archiving Liberty in French Santo Domingo, 1804-1809.....	312
Epilogue.....	344
Bibliography.....	359

List of Abbreviations

AD	Assemblées du Directoire, Centre d'Accueil et de Recherche des Archives Nationales, Paris
AGI	Archivo General de Indias, Seville, Spain
AGS	Archivo General de Simancas, Simancas, Spain
ANOM	Archives Nationales d'Outre-mer, Aix-en-Provence, France
AP	Archives Privées, Centre d'Accueil et de Recherche des Archives Nationales, Paris
ASD	Audiencia de Santo Domingo, Archivo General de Indias, Seville, Spain
CARAN	Centre d'Accueil et de Recherche des Archives Nationales, Paris
CC	Comité des Colonies, Centre d'Accueil et de Recherche des Archives Nationales, Paris
CD	Correspondance au départ, Archives Nationales d'Outre-mer, Aix-en-Provence, France
CM	Comité de la Marine, Centre d'Accueil et de Recherche des Archives Nationales, Paris
CMSM	Collection Moreau de St Méry, Archives Nationales d'Outre-mer, Aix-en-Provence, France
DFC	Direction de Fortification des Colonies, Archives Nationales d'Outre-mer, Aix-en-Provence, France

DPPC NOT SDOM	Dépôt des Papiers Publics des Colonies, Notariat de Saint-Domingue, Archives Nationales d’Outre-mer, Aix-en-Provence, France
GM	Guerra Moderna, Archivo General de Simancas, Simancas, Spain
RPUF	Rochambeau Papers, Special Collections, George Smathers Library, University of Florida
SHAT	Service Historique de l’Armée de Terre, Vincennes, France
SUPSDOM	Supplément Saint-Domingue, Archives Nationales d’Outre-mer, Aix-en-Provence, France
TPC	Troupes et Personnel Civil, Archives Nationales d’Outre-mer, Aix-en-Provence, France

ABSTRACT

A Failed Emancipation? The Struggle for Freedom in Hispaniola during the Haitian Revolution, 1789-1809

by

Graham Townsend Nessler

Chair: Richard L. Turits

This thesis examines conflicts over the terms and boundaries of “liberty” and “citizenship” that transpired in the colonies that became Haiti and the Dominican Republic during the Haitian Revolutionary era (1789-1809). As the world’s only successful slave uprising, the Haitian Revolution culminated in the transformation of the French slaveholding colony of Saint-Domingue into the modern nation of Haiti. Santo Domingo (the modern Dominican Republic) also underwent profound political and social changes during this period, passing from Spanish to French rule in 1795 and therein from a staunchly pro-slavery regime to one that preached universal emancipation.

Drawing upon a rich corpus of correspondences, notarial records, petitions, periodical articles, and other sources preserved in Spanish, French and North American repositories, I argue that Santo Domingo became a crucible in the political, military and ideological conflicts that reshaped the political terrain of the “Atlantic World” during these years. In the first chapter, I examine the centrality of Santo Domingo in the

dismantling of slavery in the French empire (1793-1794). I then explore the ways in which those claimed as “slaves” in both parts of the island asserted their rights as French citizens after 1794 despite coercive labor codes, widespread clandestine slaving of French citizens to Cuba and elsewhere, and successive French regimes’ ill-starred efforts to establish a profitable plantation economy in both colonies. Conflicts over the rights of these freed people encompassed the legal and perceived moral legitimacy of holding human beings in bondage.

The final part of my dissertation analyzes the attempts of the Napoleonic regime of General Jean-Louis Ferrand to place thousands of individuals back into bondage in Santo Domingo from 1804 to 1809. Using numerous notarized freedom acts, governmental correspondences, and other sources, I argue that many freed individuals in Santo Domingo under Ferrand devised innovative ways to secure and preserve their freedom in the face of a massive project of attempted re-enslavement. Throughout this thesis, I situate Santo Domingo within broader Caribbean and Atlantic contexts of migration, “emancipation,” and enslavement, emphasizing Santo Domingo’s salience as a central battleground in struggles to define the meaning of freedom.

Introduction

In 1796, the Martinican lawyer, scholar and politician Médéric-Louis-Elie Moreau de St Méry put the finishing touches on a two-volume, 620-page treatise on the first land colonized by Europeans in the so-called “New World.” Writing in exile from his home office near the waterfront in Philadelphia, Moreau de St Méry had become obsessed with recreating a past that had never existed: an imagined colonial world that had become shattered by violent tumult. Though he had composed most of this scholarly work in the years preceding the outbreak of revolution, Moreau felt motivated to complete and publish it by a special sense of urgency. “When would it be more important to offer this depiction” of a colonial society, Moreau asked rhetorically, “than at the moment when the original will vanish?”¹

In crafting a portrait of a disappearing world, Moreau aspired to accomplish at least two goals: to provide the deep historical context for the revolutionary transformations that had forced him into exile and to preserve, if only on paper, something that might soon be lost. As a man who had grown wealthy and powerful at the apogee of French imperial power in the Caribbean, Moreau’s choice of subject was at first glance quite surprising: the neglected and impoverished eastern two-thirds of the

¹ M. L. E. Moreau de St Méry, *Description topographique et politique de la partie espagnole de l’isle Saint-Domingue* (Philadelphia: Self-published by author, 1796), 1:5. In the original text: “*Mais quand peut-il être plus important d’offrir ce tableau qu’au moment où l’original va disparaître?*” I retain all original punctuation and orthography in my transcriptions of excerpts from French and Spanish primary sources.

Caribbean island of Hispaniola that had long been formally ruled by administrators in its capital city of Santo Domingo in the name of the Spanish crown.²

Moreau nonetheless had chosen this specific territory for at least three reasons. First, its status as the first site of European colonialism in the Americas in fact made the Spanish colony of Santo Domingo a logical choice of topic for an erudite man steeped in this history who was seeking to reform and protect his own colonial system, which was then facing a variety of internal and external threats. Second, despite (or perhaps in part due to) its poverty, Spanish Santo Domingo had seemingly embodied a stability that must have seemed quite distant and appealing to refugees such as Moreau. Finally and most importantly, this Martinican exile recognized that the histories of Santo Domingo and its neighbor, French Saint-Domingue, had been deeply intertwined ever since some intrepid French buccaneers had carved the latter colony out of land abandoned by Spanish authorities in Hispaniola in the seventeenth century. As the subject of another massive study which Moreau was simultaneously scrambling to finish, French Saint-Domingue was the locus of revolutionary turmoil in the French Caribbean. In August 1791, hundreds of slaves in French Saint-Domingue initiated the world's only successful slave revolt, which in 1804 transformed this wealthiest of France's overseas possessions into the independent emancipationist nation of Haiti.³ Moreau realized that in order to

² The varied meanings of the term "Santo Domingo" represent a source of considerable confusion for scholars, as the term is variously used to indicate the entire island of Hispaniola, the colony that occupied the eastern two-thirds of the island in the eighteenth century (which later became the Dominican Republic), and the capital city of both the Spanish colony and the modern Dominican nation. In order to minimize ambiguity, I will use the term "Santo Domingo" only in the second of these three senses unless I specifically state otherwise. I will reserve the term "Saint-Domingue" (used in many primary sources to indicate the entire island) for the French colony that in 1804 became Haiti.

³ Moreau's study of French Saint-Domingue, originally published in 1797, is better known to scholars of the Haitian Revolution than his work on Santo Domingo and is frequently cited in scholarship on colonial and revolutionary Saint-Domingue. See M. L. E. Moreau de St Méry, *La description topographique, physique, civile, politique et historique de la partie française de Saint-Domingue* (1797; reprint, Saint-

understand the trajectory of what would become known as the Haitian Revolution, one must take into account the interconnected histories of both parts of the island and comprehend the Spanish/Dominican as well as the French/Dominguan context.⁴

Moreau's insight forms the foundation of this dissertation. One year before he finished his work on Santo Domingo, Spain ceded its oldest colony to the French Republic by a treaty signed in the town of Basel in faraway Switzerland. By the stroke of a pen, the Treaty of Basel transferred Santo Domingo from rule by slaveholding Spain to formal control by a French Republic that professed universal emancipation.⁵ This precipitated a political crisis of sovereignty concerning the precise status of Santo Domingo (French or Spanish) that intersected with a legal crisis regarding the status and condition (slave versus free) of the approximately fifteen thousand people who were claimed as slaves there.⁶

Denis: Société Française d'Histoire d'Outre-mer, 2004), 3 vols. Born into an influential family in Martinique in 1750, Moreau earned a law degree in Paris and became a lawyer in the mid-1770s in French Saint-Domingue. In an effort to improve governance there, he composed several scholarly works (including the two *Descriptions* of the French and Spanish parts of Hispaniola) in the 1780s. His prominent role in political struggles in revolutionary Paris led to his exile to Philadelphia, where he finished his two books on Saint-Domingue and Santo Domingo. Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, MA: Belknap Press, 2004), 8-11.

⁴ Following the practice used by John Garrigus in *Before Haiti: Race and Citizenship in French Saint-Domingue* (New York: Palgrave Macmillan, 2006), I will use the adjective "Dominguan" in reference to French Saint-Domingue. The term "Dominican" in the context of this dissertation will concern the colony of Santo Domingo.

⁵ The French Republic had decreed the abolition of slavery in all its domains by an act of the National Convention on 4 February 1794. See "Decree of the National Convention...That abolishes the Slavery of Blacks in the Colonies," 16 Pluviôse an 2 (4 February 1794), *Centre d'Accueil et de Recherche des Archives Nationales* (hereinafter CARAN), Paris, Colonies CC/9a/9.

⁶ Though population figures for Santo Domingo in this era are rather scarce and often unreliable, fifteen thousand represents a reasonable estimate of the slave population as of 1789. Moreau de St Méry estimated that fifteen thousand slaves lived there among an overall population of 125,000 souls. Moreau de St Méry, *Description topographique et politique de la partie espagnole*, 1:44. In a report dated 1 October 1797, the French official Philippe-Rose Roume also stated that 125,000 people resided in the colony of Santo Domingo; this included fifteen thousand individuals whom Roume labeled "newly free[d]" (*nuevos libres*). Report submitted by Roume to "French Government Commission in the [Caribbean] Islands," 1 October 1797, in *Cesión de Santo Domingo a Francia (correspondencia de Godoy, García, Roume, Hedouville, Louverture, Rigaud y otros, 1795-1802)*, ed. Emilio Rodríguez Demorizi (Ciudad Trujillo [Santo Domingo]: Impresora Dominicana, 1958), 279. A copy of this report exists in *Archives Nationales d'Outre-mer* (hereinafter ANOM), Aix-en-Provence, France, *Collection Moreau de St Méry* (hereinafter CMSM) F3

How did these men, women and children react to their predicament? Why would one woman purchase her own daughter in French Saint-Domingue with the express purpose of freeing her, and how would this daughter deploy the documentary proof of this purchase in Santo Domingo under a slaveholding regime?⁷ What impelled many formally freed individuals to flee the regime of “emancipation” in Saint-Domingue after 1794 in order to resettle across the border in a land where pro-slavery authorities still retained much power? These people’s stories and those of many others hint that a reinterpretation of the Haitian Revolution as an island-wide struggle for (and against) freedom can yield important new insights that build on a new body of scholarship that has sought to better understand this revolution’s reverberations outside of Saint-Domingue/Haiti.⁸

As an impoverished land that had become all but forgotten by its metropole, Spanish Santo Domingo in 1789 hardly appeared a propitious place for a revolution.

201. In a tract on Santo Domingo written for the Spanish monarch, the priest Antonio Sánchez Valverde estimated that twelve to fourteen thousand slaves lived in that colony as of 1785. Antonio Sánchez Valverde, *Idea del valor de la isla española* (1785; reprint, Ciudad Trujillo [Santo Domingo]: Editora Montalvo, 1947), 169. The former Saint-Domingue colonist Jean Barré de Saint-Venant offered a figure of fifteen thousand slaves in Santo Domingo in *Des colonies modernes sous la zone torride, et particulièrement celle de Saint-Domingue* (Paris: Brochot, 1802), 207.

⁷ See *dépôt* of Rozine dite Alzire, 17 October 1806, ANOM *Dépôt des Papiers Publics des Colonies, Notariat de Saint-Domingue* (hereinafter DPPC NOT SDOM) 705.

⁸ Of this scholarship, the most influential on my own writing has been the work of Ada Ferrer on the impact of the Haitian Revolution in Cuba and that of Rebecca Scott and Jean Hébrard on migration, re-enslavement, and their intersections with the law and written documentation. See María Dolores González-Ripoll, Consuelo Naranjo, Ada Ferrer, Gloria García, and Josef Opatrny, *El rumor de Haití en Cuba: Temor, raza y rebeldía, 1789-1844* (Madrid: Consejo Superior de Investigaciones Científicas, 2004); Ada Ferrer, “Speaking of Haiti: Slavery, Revolution, and Freedom in Cuban Slave Testimony,” in *The World of the Haitian Revolution*, ed. David Geggus and Norman Fiering (Bloomington: Indiana University Press, 2008), 223-247; Rebecca Scott and Jean Hébrard, “Servitude, liberté et citoyenneté dans le monde atlantique des XVIIIe et XIXe siècles: Rosalie de nation Poulard...” *Revue de la Société Haïtienne d’Histoire et de Géographie* no. 83 (July-September 2008): 1-52; and Rebecca Scott, “‘She...Refuses to Deliver Up Herself as the Slave of Your Petitioner:’ Émigrés, Enslavement, and the 1808 Louisiana Digest of the Civil Laws,” *Tulane European and Civil Law Forum* no. 24 (2009): 115-136. Several edited volumes of essays on the impact of the Haitian Revolution in the Caribbean and Atlantic spheres have also appeared in recent years. See for instance Geggus and Fiering, *The World of the Haitian Revolution*; David Geggus and David Gaspar, eds., *A Turbulent Time: The French Revolution and the Greater Caribbean*

Nonetheless, in the twenty years to 1809 Santo Domingo became a central arena in struggles over the meaning and boundaries of “liberty” and “citizenship.” The thirteen years of foreign and internal wars that gave birth to the first emancipationist nation in the Americas where at least in theory all were equal before the law grew in part out of a distinct historical context in which the advent of the French Revolution and its attendant political and intellectual changes transformed the struggles of the slaves and free people “of color” who comprised ninety-five percent of Dominguan society.⁹ The trajectory of the Haitian Revolution was also influenced by the specific history of Spanish Santo Domingo. In this colony, a free peasantry that was largely of African descent had come to constitute the majority of the population a full one hundred and fifty years before the abolition of slavery.¹⁰

Many of these peasants and their ancestors had for centuries sought and often attained liberty by fleeing from their masters, purchasing their freedom, and a variety of other means. Their example informed and inspired the enslaved and formally freed people from both parts of the island in the Haitian Revolutionary era who similarly pursued their own ideas of liberty, which often clashed with those of administrators in

(Bloomington: Indiana University Press, 1997); and David Geggus, ed., *The Impact of the Haitian Revolution in the Atlantic World* (Columbia, SC: University of South Carolina Press, 2001).

⁹ The population figure is from Dubois, *Avengers of the New World*, 30. In using the term “of color” and other racial designations, I follow the lead of Laurent Dubois and Ada Ferrer, who employ racial terms used by individuals in the time and place under study (as both terms of self-identification and labels applied by others) while recognizing the artificial and historically-constructed nature of these terms. My use of these words thus aims not to reify them but rather to highlight the spatially- and temporally-contingent nature of racial labels. For incisive discussions of these matters, see Dubois, *Avengers of the New World*, 5-6; and Ada Ferrer, *Insurgent Cuba: Race, Nation and Revolution, 1868-1898* (Chapel Hill: University of North Carolina Press, 1999), 10-12.

¹⁰ Richard Turits, *Foundations of Despotism: Peasants, the Trujillo Regime, and Modernity in Dominican History* (Stanford: Stanford University Press, 2003), chapter 1; and Richard Turits, “Par-delà les plantations: Question raciale et identités collectives à Santo Domingo,” *Genèses* 66 (March 2007): 51-68, esp. 51-54. See also Ruben Silié, *Economía, esclavitud y población: Ensayos de interpretación histórica del Santo Domingo español en el siglo dieciocho* (Santo Domingo: Editora de la Universidad Autónoma de Santo Domingo, 1976), esp. chapters 4-5.

both colonies. In many other respects as well, the histories of Santo Domingo and Saint-Domingue converged in the Haitian Revolutionary period. This dissertation will examine these convergences in its advancement of the central argument that Santo Domingo became a crucible in the political, military and ideological conflicts that reshaped the political terrain of the “Atlantic World” during these years.

At the heart of this study are the individuals from both colonies who found themselves straddling the line between “slave” and “free” after the Treaty of Basel delivered Spanish Santo Domingo to France. During a war between France, Spain and Britain for control over Saint-Domingue and its extraordinary plantation wealth that lasted from 1793 to 1795, numerous enslaved workers on the French side of the border became the targets of intensive military recruitment campaigns by all three powers that strategically appealed to potential recruits’ aspirations for freedom. Several of these recruits who attained not only freedom but high military ranks under the Spanish in Santo Domingo composed numerous impassioned correspondences to other officials in which they advanced new concepts of political legitimacy and liberty. Fusing aspects of monarchism and republicanism, they presented the Spanish king as the fount of just governance and as the true guarantor of freedom; this prompted their French rivals to try to supersede these liberation discourses by condemning their Spanish and British enemies as royalists and enslavers. This in turn provided many of the ideological underpinnings for the 29 August and 31 October 1793 emancipation decrees that formally abolished slavery in French Saint-Domingue.¹¹

¹¹ These decrees, which abolished slavery first in the North and subsequently in the West and South of French Saint-Domingue, were issued by the French Civil Commissioners Léger-Félicité Sonthonax and Étienne Polverel largely as a means to stabilize and preserve this colony. These decrees formed the basis for the 4 February 1794 metropolitan law that legally abolished slavery throughout the French empire.

Following the 1795 cession of Santo Domingo, those who had been held as slaves under Spanish rule there found themselves the targets of widespread illegal slaving to Cuba, Puerto Rico and other places. Repressive labor codes sought to tie them to the few productive enterprises that existed in the colony. Violent reprisals from both French and Spanish officials followed a 1796 plantation uprising. Moreover, Dominican “masters” sought to force their alleged slaves to emigrate with them as their “property” to territories where slavery was still the law of the land. During his brief reign over Santo Domingo (January 1801-February 1802), the ex-slave general Toussaint Louverture strove to build a profitable plantation infrastructure using the labor of freed individuals, who had begun to tap into centuries-old Haitian and Dominican practices of slave and peasant smallholding in their pursuit of economic and political autonomy.

In late 1801, Napoleon deployed a military expedition that aimed to depose Toussaint Louverture and re-conquer Hispaniola. Upon Napoleon’s partial legal revocation in 1802 of the 1794 emancipation law, this expedition also adopted the goal of the restoration of slavery on the island.¹² Following the expedition’s defeat by an army of ex-slaves and formerly free people of color, Jean-Louis Ferrand, a general who had served in the doomed French enterprise, established a regime in Santo Domingo that sought to place thousands of men, women and children back into bondage. This renewed colonial regime tried to recreate slavery in the notary’s ledger and on the auction block. Ferrand and his allies not only attempted to re-inscribe slavery into the law and the

¹² On 20 May 1802, Napoleon’s legislature passed a law which stipulated that “slavery will be maintained in accordance with the laws and regulations prior to 1789” in the colonies that Britain had “returned” to France per the Treaty of Amiens (Saint-Lucia and Martinique). This restoration of slavery would also apply to France’s Indian Ocean colonies. Despite the fact that this law did not apply to Saint-Domingue, Santo Domingo, Guadeloupe, or Guyana, Napoleon tried to forcefully re-impose slavery in each of these areas. See Pierre Branda and Thierry Lentz, *Napoléon, l’esclavage et les colonies* (Paris: Fayard, 2006), 121-122.

documentary record through such means as sanctioning the sale of “slaves” and their bequeathal as estate “property” in testaments, but also authorized slaving expeditions into Haiti, whose victims would then be sold, retained as “slaves,” or simply executed.

Potential or actual victims of these practices devised a variety of strategies to secure their freedom or to at least ameliorate their condition as captives. These ranged from seeking notarized safeguards of their freedom to compelling purported owners to call them as witnesses in disputes to appealing to potentially sympathetic authorities to simply fleeing to the free soil of independent Haiti. These strategies and their contexts comprise a central focus of this dissertation. Multiple “degrees of freedom,” or gradations of unfreedom, existed in French Santo Domingo.¹³ This dissertation explores notarial acts, petitions, governmental and private correspondences, periodical articles, military records, and other sources preserved in French, Spanish and North American repositories to examine these gradations of unfreedom.

Scholars of slavery in the Americas have long understood that the law and written documentation were central aspects of all American slave societies and constituted a principal terrain of contestation over the meaning and terms of bondage. While would-be masters exploited the legal uncertainties born of Santo Domingo’s ambiguous political situation after 1795 in their efforts to keep their “slaves” in servitude, those vulnerable to enslavement skillfully maneuvered within a sedimented and hybrid legal system in which both French and Spanish law influenced administration and the resolution of legal disputes. I build upon a new wave of legal-historical studies by Sue Peabody, Vernon Palmer, Rebecca Scott, and numerous others which have delved into the many legal

¹³ Rebecca Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery* (Cambridge, MA: Belknap Press/Harvard University Press, 2005).

contests that arose outside of the French empire over the legitimacy, applicability, and universality of the 1794 French emancipation law when those claimed as slaves in other lands invoked this law in defense of their freedom.¹⁴ This study also owes much to the scholarship of the legal historian Malick Ghachem, and his analyses of the uncertainties over the contours of manumission in colonial French Saint-Domingue and the centrality of conflicts over manumission to race relations, governance and social order in that colony. In particular, Ghachem's emphasis upon the deep continuities within the legal history of this colony after the outbreak of revolution—especially as concerns the integral role of the 1685 compilation of slave laws known as the *Code Noir* (Black Code) and what he terms the “prudential” (as opposed to “moral”) rationales for the reform and abolition of slavery—resonate with my own findings on the many continuities from the slave regime in “revolutionary” French Santo Domingo.¹⁵

“Freedom” and “slavery” were as much social as (purported) legal categories in French Santo Domingo. In all American slave societies, complex sets of social norms, practices, and often unspoken assumptions marked some individuals as free and others as

¹⁴ See for instance Sue Peabody, “‘Free Upon Higher Ground:’ Saint-Domingue Slaves’ Suits for Freedom in U.S. Courts, 1792-1830,” in Geggus and Fiering, *The World of the Haitian Revolution*, 261-283; Agnès Renault, “Les conditions d’affranchissements des esclaves appartenant aux immigrants français résidant à Santiago de Cuba entre 1791 et 1825,” paper presented at conference entitled *Affranchis et descendants d’affranchis dans le monde atlantique (Europe, Afrique et Amériques) du XVe au XIXe siècle: Statuts juridiques, insertions sociales et identités culturelles* (Musée d’Aquitaine, Bordeaux, France, 13-16 May 2009; publication forthcoming; paper cited with the author’s written permission); Vernon Palmer, “The Strange Science of Codifying Slavery—Moreau Lislet and the Louisiana Digest of 1808,” *Tulane European and Civil Law Forum* no. 24 (2009): 83-113; and Scott, “She...Refuses to Deliver Up Herself.”

¹⁵ Malick Ghachem, “Sovereignty and Slavery in the Age of Revolution: Haitian Variations on a Metropolitan Theme” (PhD diss., Stanford University, 2002) (quotes are from p. 16). See also Malick Ghachem, *The Old Regime and the Haitian Revolution* (Cambridge University Press, forthcoming). An abridged and translated copy of the *Code Noir* can be found in Laurent Dubois and John Garrigus, *Slave Revolution in the Caribbean, 1789-1804: A Brief History with Documents* (New York: Palgrave, 2006), chapter 1. For a version of the *Code* in its original language, see Louis Sala-Molins, *Le Code Noir, ou le calvaire de Canaan* (Paris: Presses Universitaires de France, 1987).

slave, independent of written documentation.¹⁶ Such dynamics acquired an even greater importance in the unclear legal landscape of French Santo Domingo. Drawing upon several dozen notarized freedom acts and other sources, I demonstrate that some freed people in this colony re-created “free person” as a social status in the absence of written proof of their free condition by calling influential witnesses who attested to their conformity to the central markers of non-slave status. These included freedom from the control of a master, ownership of property (especially “slaves” and plantations), success in a trade, and the ability to call upon prominent members of the free community in one’s defense. Building on the work of Kathryn Burns on the social and historical contexts of notarial acts’ production and that of Natalie Zemon Davis on the historically-contingent creation of narratives for the legal record, I show that in using such methods to secure notarized acts attesting to their free status, some individuals created an archive of liberty that undermined the attempts of General Ferrand to erase all traces of the era of “emancipation.”¹⁷

¹⁶ Recent scholarship has emphasized the continuities after abolition of many social practices that had developed within the context of slavery. See for instance Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (New York: Cambridge University Press, 1988). In this work Graham highlighted the ways in which “[l]aw and custom, the formally stated and the informally understood, intermeshed to elevate the will of the master as the paramount authority within the basic Brazilian social unit of the household” around the turn of the twentieth century (p. 4). She also argued that “[a]lthough slavery no longer supplied the defining relationship for a paternal order [after its abolition in Brazil in 1888], the overall patterns of culture had seemingly stretched to accommodate the change. Slavery’s end had not cut away those fundamental notions that distinguished patrões [patrons] from laboring people or the connections that tied them together. A tolerable sense of order had prevailed despite abolition” (p. 130). See also Sueann Caulfield, Sarah Chambers, and Lara Putnam, eds., *Honor, Status and Law in Modern Latin America* (Durham: Duke University Press, 2005).

¹⁷ Kathryn Burns, “Notaries, Truth, and Consequences,” *The American Historical Review* 110, no. 2 (April 2005): 350-379; and Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987). See also Kathryn Burns, *Into the Archive: Writing and Power in Colonial Peru* (Durham: Duke University Press, 2010). As in many other slaveholding societies, freed people did not necessarily oppose slavery and indeed sometimes owned slaves, while the freedom of some individuals came at the cost of continued bondage for others. See for example the testament of Étienne Gouin, a French-born cooper living in Santo Domingo city who in 1805 bequeathed his “Slave” (*Esclave*) Rosalie to the “*négresse*” (black woman) Zaïre in recompense for “her

The problem of uncertain legal categories in French Santo Domingo grew in part out of liminal statuses between slave and free that had developed in both French Saint-Domingue and Spanish Santo Domingo. In the French part of the island, for instance, some masters had sought to avoid manumission taxes by granting their slaves a form of *de facto* freedom known as “*liberté de savane*” (savannah freedom).¹⁸ Furthermore, in both colonies maroon communities (which were often composed of fugitive slaves from both areas) created new spaces of relative autonomy and semi-independent economic activity that they would fiercely defend against both Spanish and French Republican authorities in the revolutionary period.

The vanishing colonial world that Moreau de St Méry sought to describe and recover had been defined by the subjugation of nine-tenths of the population of French Saint-Domingue to perpetual servitude in order to produce a multitude of plantation products for France. Since its origins in the seventeenth century as a fledgling settlement based on raiding, cattle-raising and tobacco cultivation by French-speaking buccaneers who found abundant land in the abandoned western part of Hispaniola, French Saint-Domingue had been a world marked by both great danger and great opportunity, where many Frenchmen (and it was usually men) traveled to seek their fortunes in the hopes of returning to France to live in luxury.¹⁹ The wealth that attracted these migrants was

troubles and care in multiple illnesses” (*pour ses peines et soins dans diverses maladies*). Testament of Étienne Gouin, 17 December 1805, ANOM DPPC NOT SDOM 1698. Furthermore, the father of Chonne Martin, a former inhabitant of Léogane (southern Saint-Domingue) whom I discuss in chapter 6, purchased his daughter with the purpose of freeing her. As payment he offered two “*nègres*” (blacks) named Réchange and L’Espérance. Freedom act of Chonne Martin, 26 February 1806, ANOM DPPC NOT SDOM 704.

¹⁸ For more information on “*liberté de savane*,” see Ghachem, “Sovereignty and Slavery,” 66-67.

¹⁹ Ghachem, “Sovereignty and Slavery,” 17-18. While exact white immigration figures to French Saint-Domingue are unavailable, evidence suggests that many if not most such immigrants were young men. According to Stewart R. King, “[t]he white population [of French Saint-Domingue towards the end of the eighteenth century] consisted largely of migrants, mostly young men in relatively good health.” King’s

created by their unfree or semi-free fellow travelers: indentured and enslaved individuals (also disproportionately male) whose labor powered the tobacco, cacao, coffee, indigo, and sugar enterprises that, from modest beginnings in the seventeenth century, came to constitute the world's wealthiest colonial economy by the 1780s.²⁰

In the century following Spain's cession of what became French Saint-Domingue via the 1697 Treaty of Rhyswick, a combination of entrepreneurial plantation development, the ever-increasing importation of laborers, access to numerous (though often illicit) trade routes, and the colony's rich and varied terrain (including mountains ideal for coffee cultivation and plains on which sugar thrived) gave rise to an extremely profitable plantation system.²¹ French Saint-Domingue was, in the words of historian

census figures for this colony indicate a 2.25 percent per year growth rate in the white population from 1775 to 1788. King also noted that the colony's population of adult white males increased by seventy-seven percent from 1752 to 1775, while the population of free-colored men (presumably mostly locally-born) increased by only forty-eight percent. Stewart R. King, *Blue Coat or Powdered Wig: Free People of Color in Pre-Revolutionary Saint-Domingue* (Athens: University of Georgia Press, 2001), 42-44, 288 n. 17.

²⁰ Generally, the gender ratio in the transatlantic slave trade during the four centuries of its operation was skewed towards males, though significant variations existed across time and space. Based on an exhaustive study of French slave trading records encompassing most of the eighteenth century, David Geggus found an overall gender ratio of 179 males to one hundred females, which he called "entirely average for the Atlantic slave trade." Geggus also stated that "males constituted between 60 and 70 per cent of captives in almost all slave trades across the Atlantic." David Geggus, "Sex Ratio, Age and Ethnicity in the Atlantic Slave Trade: Data from French Shipping and Plantation Records," *Journal of African History* 30, no. 1 (1989), 25. Geggus has also argued that records covering the entire period of French slave trading indicate a gender ratio in which two-thirds of the captives were male. David Geggus, "The French Slave Trade: An Overview," *William and Mary Quarterly* 58, no. 1 (January 2001), 122. In a study of 1,740 *engagés* (indentured servants) who departed from a variety of places in France for diverse parts of the Americas between 1682 and 1715, Gabriel Debien found that "the ordinary age is around twenty years." Debien also found only nine women in his entire sample. Gabriel Debien, *Le peuplement des Antilles françaises au XVIIIe siècle: les engagés partis de la Rochelle (1683-1715)* (Cairo: Les Presses de l'Institut Français d'Archéologie Orientale du Caire, 1942), 38-39. For more information on early labor developments in French Saint-Domingue, see Charles Frostin, *Les révoltes blanches à Saint-Domingue aux XVIIIe et XVIIIe siècles* (Paris: L'École, 1975), chapters 1-2.

²¹ John Garrigus has argued that illicit commerce in indigo on Saint-Domingue's southern coast in the eighteenth century was integral in the rise of some of the most powerful and wealthy free-colored planters and political activists, including the famed leader Julien Raimond. John Garrigus, "Blue and Brown: Contraband Indigo and the Rise of a Free Colored Planter Class in French Saint-Domingue," *The Americas* 50, no. 2 (October 1993): 233-263. Furthermore, some of the earliest illegal trading routes from French Saint-Domingue were to Spanish Santo Domingo. Moreau for instance pointed to cattle trading with the Spanish side of the island as one of the main economic roots of French Saint-Domingue. According to Moreau, the first French "*hattes*" (cattle ranches), founded via trade with Santo Domingo in the late seventeenth century, were important in enabling the establishment of the first sugar plantations in the North

John Garrigus, “one of the most profitable and exploitative systems of plantation slavery in world history” where by the 1760s illness, extreme labor demands, and poor nutrition killed an estimated one-half of newly-arrived Africans within eight years.²² Due to its privateer roots and the centrality of illegal commerce, French Saint-Domingue always exhibited an independent streak, which would manifest itself particularly severely in bitter disputes concerning militia service in the 1760s and in the efforts of many upwardly-mobile colonists on the eve of the Haitian Revolution to loosen or even eliminate the notorious *exclusif*, the mercantilist system of commercial restrictions devised in the seventeenth century which sought to tightly control colonial trade.²³

Any pretensions towards emulation of the North American revolutionaries of the 1770s, however, were muffled by the perceived imperative to maintain firm control over the massive enslaved labor force. While in 1687 the colony had contained 4,411 whites and 3,358 slaves, by 1750 the 150,000 slaves were over ten times more numerous than whites, and in 1789 the colony was home to half a million slaves who comprised ninety percent of the population.²⁴ By the time of the storming of the Bastille prison in Paris, the labor of those held in abject servitude in French Saint-Domingue had made that colony the globe’s premier sugar and coffee exporter. These slaves’ toil produced half of the

of Saint-Domingue, of which there were three in 1698. This also set precedents for continual squabbles among French and Spanish officials over illegal animal trading throughout the eighteenth century. Moreau de St Méry, *Description topographique et politique de la partie espagnole*, 2:99-125.

²² Garrigus, *Before Haiti*, 53.

²³ On these conflicts over the militia and their implications for race relations and the law in the colony after 1763, see Garrigus, *Before Haiti*, chapters 4-5. See also King, *Blue Coat or Powdered Wig*, chapter 4; and Frostin, *Les révoltes blanches*.

²⁴ Dubois, *Avengers of the New World*, 30; and Garrigus, *Before Haiti*, 2-3.

coffee on world markets and as much sugar as several of the colony's leading competitors combined.²⁵

For Moreau, all this meant that a sound understanding of all aspects of French Saint-Domingue, ranging from its fairly short history of French rule to its demography and environment, was essential not only to restore its status as France's crown jewel but also to improve governance and productivity in the entire Francophone sphere. "The French Part of the island of Saint-Domingue," Moreau wrote in the introduction to his now-canonical *Description of French Saint-Domingue*, "is, of all the French possessions in the New-World, the most important by the wealth that it renders to its Metropole and by the influence that it has over its agriculture and its commerce." This importance also extended to the realm of administration, for the challenges of ruling French Saint-Domingue made it "worthy of observation by all men who engage in the study of governments," and lessons learned there could help to "enlighten government, and to show the real bases of a superior system of public prosperity." Yet studying this French colony in isolation was not sufficient. All of his arguments concerning the importance of French Saint-Domingue would, Moreau insisted, "acquire a still newer force when one notes that possession of the island is shared among two nations, that have had to adopt views particular to each, as concerns their colonies, because they have in their principles of government, and even in their character, considerable differences." Therefore, "an exact portrait of the entirety of the island of Saint-Domingue, should have the double

²⁵ Dubois, *Avengers of the New World*, 21. On the economy of French Saint-Domingue before and during the revolution, see also Carolyn Fick, "Emancipation in Haiti: From Plantation Labour to Peasant Proprietorship," *Slavery and Abolition* 21, no. 2 (August 2000): 11-39; Garrigus, *Before Haiti*, esp. chapters 2 and 6; King, *Blue Coat or Powdered Wig*, esp. chapters 2 and 6-7; and Mats Lundahl, "Toussaint L'Ouverture and the War Economy of Saint-Domingue, 1796-1802," *Slavery and Abolition* 6, no. 2 (1985): 122-138.

advantage of acquainting [the reader] with the French and Spanish genius, acting at great distances, and of showing the means by which each carried out its designs.”²⁶

If French Saint-Domingue was Moreau’s archetype of the lucrative plantation colony, he recognized that Spanish Santo Domingo had constituted the original on which the archetype was modeled. As “the prototype of all the sugar and slave colonies” in the hemisphere, Santo Domingo was the first site of the “transplantation of ideas from the old world, in the new,” and the “first European vestige marked on a vast part of the globe,” which for that reason alone “has the right to attract the gazes of the philosophical observer.”²⁷

Moreau understood that European conquest and colonization in Santo Domingo had involved the transfer of much more than just ideas, though. Following his landing on Hispaniola in 1492, Columbus instituted a short-lived regime that sought to utilize the

²⁶ Moreau de St Méry, *La description topographique, physique, civile, politique et historique de la partie française*, 1:25. In the original text: “*La Partie Française de l’île Saint-Domingue est, de toutes les possessions de la France dans le Nouveau-Monde, la plus importante par les richesses qu’elle procure à sa Métropole et par l’influence qu’elle a sur son agriculture et sur son commerce. Sous ce rapport, la Partie Française de Saint-Domingue est digne de l’observation de tous les hommes qui se livrent à l’étude des gouvernements, qui cherchent dans les détails des différentes parties d’un vaste état, les points capitaux qui peuvent en éclairer l’administration, et montrer les bases réelles du meilleur système de prospérité publique...Mais tous les motifs que je viens de rappeler, comme propres à faire désirer la Description de la Partie Française, acquièrent encore une nouvelle force quand on remarque que la propriété de l’île est partagée entre deux nations, qui ont dû adopter des vues particulières à chacune d’elles, relativement à leurs colonies, parce qu’elles ont dans les principes de leur gouvernement, et même dans leur caractère, des différences remarquables. Ainsi, une peinture exacte de la totalité de l’île Saint-Domingue, doit avoir le double avantage de faire connaître le génie Français et le génie Espagnol, agissant à de grandes distances, et de montrer quel genre de moyen l’un et l’autre a fait servir à ses desseins.*”

²⁷ Moreau de St Méry, *Description topographique et politique de la partie espagnole*, 1:5 and 2:99. In the original text: “*Elle doit montrer les preuves de la transplantation des idées de l’ancien monde, dans le nouveau, et de leur naturalisation plus ou moins parfaite dans ce sol étranger...En un mot, la colonie espagnole de St-Domingue est le premier vestige européen empreint sur une vaste partie du globe, et avec tant de titres réunis, elle a droit d’attirer les regards de l’observateur philosophe...Mais la situation actuelle de St.-Domingue espagnol, qui a été le prototype de toutes les colonies à sucre et à esclaves, ne lui permet plus de revendiquer son antériorité.*”

labor of the native Taínos to extract the island's limited but precious gold reserves.²⁸ Despite Columbus's removal from power, the exhaustion of the gold supply, and numerous ineffective measures by Columbus's onetime sponsors King Ferdinand and Queen Isabella of Spain (and their successors) to ameliorate the condition of the indigenous population, warfare, overwork and disease virtually destroyed the Taínos in the first half-century of European presence on the island.²⁹ This prompted Spanish authorities to turn to enslaved African labor and to seek new sources of revenue. In 1503 if not before, the first African slaves to reach the Americas landed on this island's shores, while enterprising colonists found in the sugar plantations of the Canary Islands and elsewhere a prototype that might profitably be replicated in the tropical Americas.³⁰

By the middle of the sixteenth century this lucrative and lethal experiment of combining forced African labor with the infrastructure of the plantation had made Spanish Santo Domingo a rich sugar exporter, which by some accounts produced several thousand tons annually. The twenty thousand or so slaves who labored in the sugar mills as well as in other agricultural enterprises and in domestic labor by the late 1560s greatly outnumbered the six thousand Spanish colonists and five hundred indigenous survivors.

²⁸ See Lynne Guitar, "No More Negotiation: Slavery and the Destabilization of Colonial Hispaniola's Encomienda System," *Revista Interamericana* 29, no. 1-4 (1999): <http://www.sg.inter.edu/revista-ciscla/volume29/guitar.html>.

²⁹ While scholars dispute the extent of the destruction of the indigenous population, the magnitude of the depopulation was undeniably severe. According to Suzanne Austin Alchon, over ninety percent of the indigenous population of the Caribbean perished within the first sixty years of European colonialism. Suzanne Austin Alchon, *A Pest in the Land: New World Epidemics in a Global Perspective* (Albuquerque: University of New Mexico Press, 2003), 64.

³⁰ For evidence of African slaves in Hispaniola in 1503, see Juan de Ayala, *A Letter to Ferdinand and Isabella, 1503*, trans. Charles E. Nowell (Minneapolis: University of Minnesota Press, 1965), 45. On the Canary Islands as a prototype for American plantation slavery, see Anthony Stevens-Arroyo, "The Inter-Atlantic Paradigm: The Failure of Spanish Medieval Colonization of the Canary and Caribbean Islands," *Comparative Studies in Society and History* 35, no. 3 (July 1993): 515-543; and Felipe Fernández-Armesto, *Before Columbus: Exploration and Colonization from the Mediterranean to the Atlantic, 1229-1492* (Philadelphia: University of Pennsylvania Press, 1987), esp. chapters 6-9. For an authoritative study of the

This was the first example of the grossly disproportionate slave-to-free ratio that would characterize the tropical American plantation complex, but it was not destined to endure long. By the end of this century the confluence of Spanish commercial restrictions and a decisive shift in colonial policy towards silver-rich Mexico and Peru doomed the Dominican plantation economy.³¹ In one indication of this dramatic reversal, a 1606 colonial census listed only eight hundred slaves employed in sugar and 9,696 slaves overall among a total population of perhaps sixteen thousand souls.³²

The collapse of the sugar boom led to political and economic shifts that would shape subsequent Dominican and Haitian history. Even in the central areas of Mexico and Peru, the Crown and local colonial authorities from the onset of colonialism experienced continual difficulties in subordinating outlying regions to state control, despite inheriting significant state apparatuses from the indigenous empires. In Santo Domingo, the site of neither a pre-Columbian empire nor (after the late sixteenth century) of a prized commodity that would attract thousands of fortune-seekers, metropolitan neglect translated into a situation in which both Church and state were among the weakest in Spanish America. Throughout the countryside the sugar plantations gave way to assorted

economic and political importance of sugar from the time of Columbus to the present, see Sidney Mintz, *Sweetness and Power: The Place of Sugar in World History* (New York: Viking, 1985).

³¹ Moreau devoted significant attention to exploring the reasons behind the dramatic economic divergence of the two parts of the island in the eighteenth century. He noted that while the Spanish had controlled “the largest and most fertile part of this island,” they had long been unsuccessful in deriving revenue from it, whereas French Saint-Domingue had produced three-fifths of France’s total colonial revenue, a share that was around 250 million *livres tournois* annually. Moreau located the main reason for this difference in the “Character and Customs of the Spanish Creoles” (*Caractère et Moeurs des Créols Espagnols*), which he described as a “rather bizarre blend of debasement and pride.” Moreau de St Méry, *Description topographique et politique de la partie espagnole*, 1:45-47. In the original text: “*Les espagnols possèdent, comme on le voit, la plus grande et la plus fertile partie de cette île, et l’on a bientôt comparé leur génie, à celui des français, lorsqu’on fait que cette possession ne leur est d’aucune utilité, tandis que la portion française fournit à elle seule les trois cinquièmes du produit de toutes les colonies françaises d’Amérique: produit qui s’élève annuellement à 250 millions tournois...Le caractère des espagnols de Saint-Domingue, est en général un mélange assez bizarre d’avilissement et d’orgueil.*”

cattle ranches, tobacco estates, and numerous subsistence plots worked by freed people and their descendants far from significant direct state control. “The Spanish part of St-Domingue conducts almost no commerce,” wrote Moreau. Partly as a result of this poverty, Santo Domingo “has almost no relation with the metropole [Spain],” while the resources of most colonists were “extremely limited.” In Moreau’s depiction, Spanish Santo Domingo possessed poor to nonexistent educational facilities, almost impassable roads, and a very modest agricultural base which included generally unprofitable coffee and indigo estates and just twenty-two sugar plantations (*sucreries*) of any importance, which employed a mere six hundred “blacks” (*nègres*). Aside from meat, hides, and limited mahogany production, the only commodity of any quality produced in that colony was tobacco, but even this crop was concentrated in only one area (in the north near the colony’s second city Santiago) and grown mostly for domestic consumption and contraband with neighboring islands.³³

In French Saint-Domingue, the misery of men and women who were often literally worked to death created the famed wealth that made this colony such a coveted prize. In Spanish Santo Domingo by contrast, the relative lack of a productive infrastructure after 1600 occasioned a radically different outcome. By the end of the seventeenth century a free peasantry comprised largely of freed people and their descendants constituted a majority of the colony’s population. These freed individuals had employed a variety of legal and extralegal means to escape from enslavement,

³² Turits, *Foundations of Despotism*, 27-29, 276 n. 13; and Carlos Esteban Deive, *La esclavitud del negro en Santo Domingo (1492-1844)* (Santo Domingo: Museo del Hombre Dominicano, 1980), 604-605.

³³ Moreau de St Méry, *Description topographique et politique de la partie espagnole*, 1:61-66. In the original text: “Indiquer la nature des chemins, c’est avoir dit que la partie espagnole de St-Domingue ne fait presque aucun commerce; car le commerce veut des routes, des canaux où son génie puisse circuler les productions de la nature et de l’art, qui sont son aliment et sa vie. La partie espagnole n’a presque aucune

including self-purchase, flight, and occasionally open rebellion. Moreover, free people of color in urban areas sometimes attained prominent positions in institutions such as the Church and the military in contravention of legal interdictions.³⁴ French Dominguan slaves for their part adopted their own strategies to gain their freedom, while from the 1760s free people of color in French Saint-Domingue engaged in a bitter struggle against racist laws that sought to disenfranchise and subordinate them. In the Haitian Revolution, conceptions of citizenship and freedom intersected to create new political ideologies, grounds for claims-making, and spaces of freedom.

Twenty years of warfare and revolution on the island also witnessed the rise of new forms of coercion that brought these colonies together in various ways. This dissertation has benefitted from several decades of scholarship on “post-emancipation societies.” This literature has closely examined the economic, political, ideological, and social dimensions of claims to citizenship in lands ranging from Jamaica to Brazil to Louisiana, insisting upon the centrality of the distinct developments that emerged *after* the formal end of slavery in understanding the continuing inequalities in these societies.³⁵

relation avec sa métropole, qui l'avait soumise au privilège exclusif de la compagnie de Catalogne...Les ressources des colons espagnols sont donc extrêmement bornées.”

³⁴ Turits, *Foundations of Despotism*, chapter 1; Turits, “Par-delà les plantations,” 58-59; and Richard Turits, “New World of Color: Slavery, Freedom and the Making of Race in Dominican History,” paper presented at CUNY Graduate Center, 23 November 2010 (cited with author’s written permission).

³⁵ Frederick Cooper, Rebecca Scott, and Thomas Holt forcefully advanced an argument for such a perspective in the introduction to their *Beyond Slavery: Explorations of Race, Labor and Citizenship in Postemancipation Societies* (Chapel Hill: University of North Carolina Press, 2000). Among the many works on “post-emancipation societies” published in the last few decades, the ones that have influenced this dissertation the most are: Thomas Holt, *The Problem of Freedom: Race, Labor and Politics in Jamaica and Britain, 1832-1938* (Baltimore: Johns Hopkins University Press, 1992); Rebecca Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Princeton: Princeton University Press, 1985); and Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004). See also Scott, *Degrees of Freedom*; Michel-Rolph Trouillot, *Haiti, State against Nation: The Origins and Legacy of Duvalierism* (New York: Monthly Review Press, 1990); and Mimi Sheller, *Democracy after Slavery: Black Publics and Peasant Radicalism in Haiti and Jamaica* (Gainesville: University Press of Florida, 2000).

In most of the cases studied in this literature, a clear legal demarcation separated slavery from its sequels: a regime of formal emancipation, however flawed, unequal and exploitative it may have been, came into being in these territories by virtue of an imperial- or national-level law abolishing formal slavery. In French Santo Domingo, by contrast, a profoundly ambiguous legal situation existed wherein slavery's legal abolition was not assumed as a given. Though I argue that, legally speaking, those held in bondage there *ought* to have been free by virtue of the 1794 French emancipation law and the 1795 Treaty of Basel, the political crisis of sovereignty imbued the legal condition of those claimed as slaves with an ambiguity that was not present in other "post-emancipation societies." In the United States after 1865 and Brazil after 1888 for instance, few if any cases existed in which even the most racist or greedy individuals argued that slavery had not been abolished in law.³⁶ But in Santo Domingo after 1795 a nearly invisible emancipation occurred, such that many men, women and children remained in *de facto* slavery even as many of their number asserted their rights to French citizenship.³⁷ While their claims often met with violent reprisals, they also sparked heated disputes among French and Spanish officials on the justice of holding human beings in servitude. Though the Haitian Revolution was driven by a multitude of forces, the question at its heart was: Could (and should) a society exist without slaves? Santo Domingo became one of the principal sites of contestation over this question.

³⁶ This is not, of course, to deny that repressive labor and social relations developed in many of these societies which in many ways closely resembled slavery. On the United States, see Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of Black People in America from the Civil War to World War II* (New York: Doubleday, 2008).

³⁷ I thank Laurent Dubois (personal communication, 24 September 2010) for helping me come up with the concept of an invisible emancipation.

The operation of American slave societies relied to a considerable extent upon legal, racial, and social categories, and many of the conflicts that emerged in such societies involved attempts to subvert, contest, redefine, renounce, or impose these categories. Much of the scholarship on “post-emancipation” societies has accordingly concerned itself with the viability and coherence of these categories within and across disparate territories or nations. For instance, could one who had been formally freed by manumission or by a blanket emancipation law be properly claimed as a “slave” after being forced by a would-be master to migrate to a jurisdiction where slavery was still regnant or where authorities cared little for manumissions granted in other jurisdictions? In their analyses of such matters, Frederick Cooper, Rebecca Scott and Thomas Holt eschew the presumption of a “sharply distinctive category of slavery” in favor of “asking questions about the history of the category itself and its relationship to forced labor and to those categories of labor...that many of the governments that abolished slavery did not want considered in the same breath.”³⁸ In French Santo Domingo after 1795 (and especially after 1802), many authorities and would-be masters strove to create a “sharply distinctive category of slavery” in contradistinction to the emancipation law. While many pro-slavery Spanish leaders after the cession tried to re-create “slave” as a coherent and unproblematic category in their correspondences and treatises, the Napoleonic regimes of 1802-1809 strove to rewrite slavery into the legal and documentary record. In effect, the political, economic and moral meanings of “slave” were on trial in revolutionary Santo Domingo.³⁹

³⁸ Cooper, Scott and Holt, *Beyond Slavery*, 4.

³⁹ In the first decade of the nineteenth century, thousands of Saint-Domingue refugees traveled to Cuba, Louisiana and other places. Among them were several thousand individuals claimed as slaves (and sometimes noted as such in the secondary literature) despite the 1794 emancipation edict. In its

What follows is a social, political, intellectual and legal history of “emancipation” and re-enslavement in Santo Domingo from the advent of the French Revolution in 1789 to the expulsion of the French from Hispaniola in 1809. It contributes to a body of scholarship on the Haitian Revolution and its wider reverberations produced in the last few decades by Laurent Dubois, David Geggus, Carolyn Fick, Ada Ferrer and others.⁴⁰ Much of this literature has both emerged out of and helped to shape a paradigm shift towards adopting an “Atlantic” lens rather than (or in addition to) that of empire or nation-state. This in turn has prompted reevaluations of the viability of “empire” as a coherent analytical and historical framework.⁴¹ In the Haitian Revolution, intertwined

conceptualization and analysis of re-enslavement in French Santo Domingo, this dissertation is strongly informed by scholarship that has examined the legal, social and political implications of conflicts that arose over the status of these “enslaved” refugees. See Scott, “She...Refuses to Deliver Up Herself;” Scott and Hébrard, “Servitude, liberté et citoyenneté;” and Renault, “Les conditions d’affranchissements.” On Dominguan migration to Louisiana, see also Carl A. Brasseaux and Glenn R. Conrad, eds., *The Road to Louisiana: The Saint-Domingue Refugees, 1792-1809* (Lafayette, LA: Center for Louisiana Studies, University of Southwestern Louisiana, 1992).

⁴⁰ See for instance David Geggus, *Haitian Revolutionary Studies* (Bloomington: Indiana University Press, 2002); Dubois, *Avengers of the New World*; Dubois, *A Colony of Citizens*; Carolyn Fick, *The Making of Haiti: The Saint Domingue Revolution from Below* (Knoxville: University of Tennessee Press, 1990); and James Sidbury, “Saint-Domingue in Virginia: Ideology, Local Meanings, and Resistance to Slavery, 1790-1800,” *Journal of Southern History* 63, no. 3 (August 1997): 531-552. The forerunner of this literature in many senses is Julius Scott’s pioneering dissertation which investigated the spread of news and rumor among slaves, freed people, and others in many parts of the circum-Caribbean region in this era. Julius Scott, “The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution” (PhD diss., Duke University, 1986). Largely as a result of this wave of scholarship, the authors of monographs and articles treating subjects other than the Haitian Revolution have begun to incorporate discussions of this revolution into their work to a much greater degree than had previously been the case. Among the most important of these works are: Matt Childs, *The 1812 Aponte Rebellion in Cuba and the Struggle Against Atlantic Slavery* (Chapel Hill: University of North Carolina Press, 2006); and David Gaspar, “La Guerre des Bois: Revolution, War and Slavery in Saint Lucia, 1793-1838,” in Geggus and Gaspar, *A Turbulent Time*, 102-130.

⁴¹ Literature produced in this vein has increased exponentially in the last two decades. See, for example, Jorge Cañizares-Esguerra and Erik R. Seeman, eds., *The Atlantic in Global History, 1500-2000* (Upper Saddle River, NJ: Pearson Prentice Hall, 2007); Julius Scott, “Crisscrossing Empires: Ships, Sailors and Resistance in the Lesser Antilles in the Eighteenth Century,” in *The Lesser Antilles in the Age of European Expansion*, eds. Robert Paquette and Stanley Engerman (Gainesville: University Press of Florida, 1996), 128-143; Rebecca Scott and Jean Hébrard, “Les papiers de la liberté: Une mère africaine et ses enfants à l’époque de la Révolution Haïtienne,” *Genèses* 66 (March 2007): 4-29; and Richard Gray, “The Papacy and the Atlantic Slave Trade: Lourenço da Silva, the Capuchins and the Decisions of the Holy Office,” *Past and Present* no. 115 (May 1987): 52-68. Concerning the question of “empire,” particularly in the context of the so-called “Age of Revolutions” spanning the mid-eighteenth to the mid-nineteenth centuries, see: Trevor Burnard, “Empire Matters? The Historiography of Imperialism in Early America, 1492-1830,”

French and Spanish imperial crises transformed the nature of empire in the Atlantic world and beyond, yet the revolution's trajectory was substantially rooted in local conditions. In a recent article, historian Lara Putnam has argued that scholars have begun to combine the seemingly wildly disparate scales of Atlantic history and microhistory in order to "elucidate historical processes transcontinental in scope." This has entailed "researchers' purposive manipulation of their scale of observation, so that reconstructing the trajectory of a Yoruba Muslim and his kinsmen may occasion a reevaluation of the dynamics of slave rebellions across the nineteenth-century Atlantic world."⁴²

Following Putnam's lead, I depart from previous studies on the Haitian Revolution by proposing a reinterpretation of this revolution grounded in the deep history of the entire island of Hispaniola. Such a perspective blurs lines of colony and empire without denying their existence or salience. It also encompasses far-reaching political and intellectual shifts while remaining moored in on-the-ground circumstances.⁴³ Building on these methodological approaches, I offer a close reading of a twenty-year span of history on a single island to illuminate novel aspects of a pivotal episode in modern political history.

The Haitian Revolution drew upon European and African concepts and traditions of both democratic governance and authoritarianism, bequeathing a profoundly

History of European Ideas 33, no. 1 (March 2007): 87-107; Jeremy Adelman, *Sovereignty and Revolution in the Iberian Atlantic* (Princeton: Princeton University Press, 2006); and Brian Hamnett, "Process and Pattern: A Re-Examination of the Ibero-American Independence Movements, 1808-1826," *Journal of Latin American Studies* 29, no. 2 (May 1997): 279-328.

⁴² Lara Putnam, "To Study the Fragments/Whole: Microhistory and the Atlantic World," *Journal of Social History* 39, no. 3 (Spring 2006), 616.

⁴³ Several important studies that have employed microhistorical methods to study macro-level phenomena include João José Reis, *Slave Rebellion in Brazil: The Muslim Uprising of 1835 in Bahia*, trans. Arthur Brakel (Baltimore: Johns Hopkins University Press, 1993); David Gaspar, *Bondmen and Rebels: A Study of Master-Slave Relations in Antigua* (Durham: Duke University Press, 1985); and Arlette Farge and Jacques

paradoxical legacy to the two modern nations that share Hispaniola. While the scholarship of Dubois and others has presented the Haitian Revolution as a watershed in the development of modern concepts of democracy and human rights, Geggus has roundly criticized this perspective, contending that the Haitian Revolution “was authoritarian from beginning to end.”⁴⁴ Much of this debate has centered on the visions and priorities of this revolution’s leaders and their importance in creating enduring patterns of governance for the new Haitian nation. The most important of these leaders was François Dominique Toussaint Louverture, a man born into slavery in Saint-Domingue’s rich northern province who had gained his freedom in the 1770s and who would become the most powerful individual on the island by the end of the century.⁴⁵

Toussaint’s legacy takes on a somewhat different character in light of his experiences in Santo Domingo. This former Spanish colony was integral to Toussaint’s meteoric rise, while his fateful decision to invade and occupy Santo Domingo city in 1801 contributed to his fall. During his brief reign over the island’s eastern part, Toussaint tried to achieve what Spanish administrators for two centuries had failed to manage: the establishment of a profitable plantation economy based on a strictly-controlled labor force. Though Toussaint justified his coercive labor codes as necessary measures to preserve the liberty of the island’s freed people, his relatively conservative vision was sharply at odds with their aspirations for plots of land to call their own and

Revel, *The Vanishing Children of Paris: Rumor and Politics before the French Revolution*, trans. Claudia Miéville (Cambridge, MA: Harvard University Press, 1991 [1988]).

⁴⁴ David Geggus, “The Caribbean in the Age of Revolution,” in *The Age of Revolutions in Global Context, c. 1760-1840*, ed. David Armitage and Sanjay Subrahmanyam (New York: Palgrave Macmillan, 2010), 97. For the democracy argument, see Laurent Dubois, “An Enslaved Enlightenment: Rethinking the Intellectual History of the French Atlantic,” *Social History* 31, no. 1 (February 2006): 1-14; Dubois, *Avengers of the New World*, esp. Introduction; and Dubois, *A Colony of Citizens*. See also Franklin W. Knight, “The Haitian Revolution and the Notion of Human Rights,” *Journal of the Historical Society* 5, no. 3 (2005): 391-416.

autonomy from the structures of economic and political domination (especially the plantation) that had controlled their lives and those of their enslaved ancestors. In his efforts to quash traditions of collective smallholding that had developed over centuries of slavery across the island, Toussaint left a deeply ambiguous legacy for the lands that became Haiti and the Dominican Republic.

The Haitian Revolution was a Caribbean, Atlantic and indeed a global story—but it was also a story of how struggles for freedom transpired across two colonies with dramatically different economies, plantation infrastructures, relationships to their metropolises, and systems of slavery. During these twenty years, the historical trajectory of the world’s wealthiest colony became even more closely interconnected with that of one of the hemisphere’s poorest. Distracted by other theaters of conflict on several continents, the French Republic stationed relatively few officials in Santo Domingo after 1795, while many prominent politicians and citizens (Moreau among them) argued that the cash-strapped and militarily-overextended Republic would be much better off abandoning this colony in favor of a more lucrative land such as Louisiana, which Spain had wrested from France several decades before.⁴⁶

Yet precisely due to this relative neglect, Santo Domingo became a crucial battleground over the meaning of freedom. Following the cession a political situation characterized by what Malick Ghachem terms “divided sovereignty” emerged in Santo

⁴⁵ Dubois, *Avengers of the New World*, 171-172; Garrigus, *Before Haiti*, 79.

⁴⁶ After weighing the arguments favoring and opposing permanent French possession of Santo Domingo, Moreau concluded that the enterprise of governing this colony would face “innumerable obstacles,” among the most severe of which was the high cost of its administration. “In place of pursuing this chimera,” Moreau argued, “let us occupy ourselves efficiently in making our own colony [Saint-Domingue] as useful as possible.” Moreau de St Méry, *Description topographique et politique de la partie espagnole*, 2:234. In the original text: “*L’exécution de ce projet rencontrerait des obstacles sans nombre...Au lieu de poursuivre cette chimère, occupons nous efficacement de porter notre propre colonie au plus haut degré d’utilité qu’elle puisse atteindre...*”

Domingo, for neither France nor Spain exercised full control over the colony.⁴⁷ While the Spanish old guard retained substantial authority in the capital until Toussaint's invasion in 1801, French officials (along with hundreds of French settlers) exerted a degree of influence. Into this relative power vacuum stepped unscrupulous slavers who sold thousands of French citizens from the island into servitude in diverse points in the circum-Caribbean region, even as some of these captives sought to claim their rights as free men and women under emancipation law. The social history of enslaved and freed communities in French Saint-Domingue/Haiti is incomplete without the inclusion of such communities in Santo Domingo/Dominican Republic (and vice-versa). This dissertation details the histories of some of these communities, their (re)constitution, and their roles in the transformative political conflicts of this era. The individuals comprising these communities struck intellectually as well as physically at their subjugation, and in this they left an enduring legacy that contributed to the formation of the modern political order.⁴⁸

* * *

In the late 1780s and early 1790s a fatal confluence of conflicts destabilized the prized plantation colony of French Saint-Domingue. The calling of the Estates-General, the destruction of the Bastille, and the promulgation of the Declaration of the Rights of Man and Citizen in France (1788-1789) irrevocably altered that nation's political and

⁴⁷ Ghachem, "Sovereignty and Slavery," 17.

⁴⁸ The historically-focused anthropological scholarship of Sidney Mintz, Richard Price and others has elucidated the central importance of colonialism, slavery, and post-emancipation political and economic systems in the making of contemporary Caribbean societies. See for instance Sidney Mintz and Richard Price, *The Birth of African-American Culture: An Anthropological Perspective* (Boston: Beacon Press, 1992); Richard Price, ed., *Maroon Societies: Rebel Slave Communities in the Americas* (Garden City, NY:

social structure. When news of these events reached the colonies it ignited intense speculation on their possible reverberations among colonial authorities, slaves and everyone in between. The powerful new discourses of freedom and citizenship that were emerging provided new bases for claims-making by free-colored leaders from Saint-Domingue and other colonies who had for over a decade been engaged in an embattled campaign for the repeal of racist laws that imposed all manner of indignity on free non-whites and stripped them of most political rights. Those in bondage seized upon this dissent among the elite and propertied classes to carry out a massive revolt in August 1791 that commenced in the rich sugar-producing heartland near Saint-Domingue's commercial capital, Cap Français.

The advent of revolution to French Saint-Domingue and its spread to Spanish Santo Domingo is at the heart of chapter 1, which situates the Haitian Revolution within the island's "long" eighteenth century. Deeply-rooted conflicts over the extradition of fugitive slaves, the colonial boundary, maroon communities, and numerous other issues influenced Dominican authorities' responses to racial conflict and slave revolt. The ill-fated quest for legal reform of the famous free-colored leader Vincent Ogé emerges with new clarity from the vantage point of Spanish Santo Domingo. Ogé led an unsuccessful movement in Saint-Domingue in 1790 in pursuit of the abolition of racist laws. After vainly seeking refuge in Santo Domingo, he was executed by French officials in early 1791. Extant correspondences and reports by Ogé and several French and Spanish authorities reveal that Ogé strategically appealed to the royalist political convictions of his Spanish captors, while his extradition from Santo Domingo owed in part to racial

Anchor Press, 1793; Baltimore: Johns Hopkins University Press, 1996); and Sidney Mintz and Sally Price, eds., *Caribbean Contours* (Baltimore: Johns Hopkins University Press, 1985).

ideologies and anxieties that had developed in the Spanish colony as well as to longstanding patterns of interaction between leaders from both sides of the island.

After a discussion of the effect of such patterns on the Spanish response to the 1791 slave revolt and to the French colonial state's futile attempts to quash it through violence and calculated diplomacy, I discuss the pivotal role of enslaved and freed warriors and their political discourses in the Franco-Spanish-British war for Hispaniola (1793-1795).⁴⁹ Rather than dismissing royalist sentiment among slaves and freed people as an aberration or evidence of some type of "false consciousness," I argue that these individuals drew upon elements of both royalism and republicanism. In so doing, they created new concepts of freedom and political legitimacy that contributed to the declarations of the abolition of slavery in French Saint-Domingue by the Civil Commissioners Léger-Félicité Sonthonax and Étienne Polverel in 1793. In contextualizing the numerous letters and proclamations of several freed leaders and those of the Civil Commissioners within military and political events on the ground, I present a political and intellectual history of the coming of "emancipation" to Hispaniola.

The French National Convention, dominated by the radical Jacobins, ratified the commissioners' general emancipation orders of 1793 and proclaimed their extension to all French colonies in the landmark emancipation law of 4 February 1794. The resulting surge in recruitment among the newly freed enabled the embattled French Republic to turn the tide of war and not only expel the Spanish from French Saint-Domingue but also gain formal control over Spanish Santo Domingo under the 1795 Treaty of Basel. Yet it

⁴⁹ The execution of the French king in January 1793 helped to impel Britain and Spain to declare war on France the following month. The Spanish in Santo Domingo mobilized against French armies on the island starting in May 1793, while the British (who were based in nearby Jamaica and other islands) invaded Hispaniola in September 1793.

remained unclear to what extent, if any, this would portend a change in the condition of those claimed as slaves in the eastern part of the island. Chapter 2 argues that the crisis of sovereignty in Santo Domingo made it a central proving ground in the battles over the terms of freedom.

Shortly after the signing of the Treaty of Basel, the French Republic promulgated a new constitution that consolidated the hard-won legislative gains of the first half of the decade in its declaration that the inhabitants of all French realms would henceforth enjoy equal citizenship rights. Nonetheless, efforts to incorporate Santo Domingo into this new legal framework met with mixed results. On the one hand, the attempts of many Dominican emigrants to force those whom they claimed as slaves to accompany them out of the colony prompted some French officials to compose some of the most eloquent defenses of the “natural right” of liberty ever offered in the Haitian Revolutionary era. Yet when these freed individuals took their rights into their own hands through such means as rising up on Santo Domingo’s largest plantation, joining “maroon” communities in the borderlands, or simply attempting to escape the restrictions on their freedom in Saint-Domingue by migrating to the eastern part of the island, these same Republican officials’ responses often differed little from the actions that their predecessors had taken under slavery. In this period the French Republic was engaged in a multifaceted struggle to redefine citizenship rights, the relationship between metropole and colony, and the boundaries of freedom. Santo Domingo turns out to have been integral to all of these matters.

In chapter 3, I foreground Santo Domingo in the military history of Hispaniola from 1795 to 1801. This history was in many ways that of the rise of Toussaint

Louverture, who after joining the slave rebels in November 1791 enlisted with the Spanish two years later, only to defect to the ranks of the Republic in the spring of 1794. In the six years following the conclusion of war with Spain in 1795, Toussaint out-fought and out-maneuvered powerful internal and foreign adversaries to become the supreme leader of the entire island. This chapter illustrates Santo Domingo's importance in Toussaint's consolidation of authority. As he led thousands of soldiers into battle against the slaveholding British who occupied many parts of the island, Toussaint fought for and won control over numerous strategic Dominican towns that connected once-prosperous parts of French Saint-Domingue with cattle trading routes to the Dominican interior. Moreover, the British refusal to abolish slavery in their zones of occupation worked as a potent recruiting tool for Toussaint, who pointed to pervasive illegal slaving through Santo Domingo as a justification for military incursions there. This slaving was a grave threat to the credibility of the French Republic. This led Republican authorities to impose a variety of mostly ineffective measures, including the establishment of a tribunal to judge slaving cases. Events eventually compelled the Governor-General of Santo Domingo to issue an order that forbade notaries and other public officials from authorizing slave sales.

After Toussaint negotiated the surrender of the British and their departure from the island in 1798, he sought to subdue General André Rigaud, his main rival for control over Saint-Domingue, and to establish an independent foreign policy while professing loyalty to France. An island-wide perspective sheds new light on these developments. Following the defeat of Rigaud, Toussaint turned his attention to asserting his control over Santo Domingo as the final military stage of his plan to unite the entire island under

his rule. Indeed, his January 1801 invasion of Santo Domingo city owed largely to his strategic concern with preventing a French or foreign invasion force from disembarking in the vulnerable eastern part of the island.

Toussaint's accession to power in Santo Domingo also entailed a complex interplay between concepts of egalitarianism and racism that had developed in the slave societies of both parts of the island. While some French thinkers and strategists took Santo Domingo to be a virtually color-blind society that could offer lessons for the construction of a Republican multiracial democracy, others argued that in order to assuage the presumed racial anxieties of many Dominicans, "French" and "Spanish" "blacks" ought to be restricted to "their own" parts of the island. This effort to map racial ascriptions onto imagined political identities would leave a terrible legacy for the next two centuries of Haitian and Dominican history.⁵⁰

In rallying followers to help him take Santo Domingo, Toussaint appealed to the aspirations of many fellow freed Dominguan for the economic and political liberty that had largely eluded them in French Saint-Domingue even after 1794. After taking power in Santo Domingo city in 1801, however, Toussaint would bitterly disappoint these hopes. Chapter 4 is a reexamination of his reign over that colony. Several of Toussaint's decrees, along with many governmental and private correspondences and eyewitness accounts, reveal that he pursued the central objective of establishing a viable plantation infrastructure in Santo Domingo. To this end, he issued decrees that sought to tie ex-slaves (or *cultivateurs*) to the colony's few productive estates and that tried to create economic incentives for plantation entrepreneurs.

In explicitly attempting to concentrate large amounts of capital in few hands, Toussaint advanced a vision that was anathema to that of many of the men and women who had endured slavery on the island. I present Toussaint as a Dominican as well as a Haitian leader whose vision of a united Hispaniola was as much economic as political. Though this vision was centered on a commitment to formal emancipation, the line between slavery and freedom became especially blurred in Santo Domingo under Toussaint. Numerous petitions brought by Dominican emigrants to Spanish authorities show that the controversy over emigration with “slaves” persisted under Toussaint, as many petitioners argued that they ought to be granted safe passage and monetary assistance to resettle in a Spanish dominion with those whom they claimed as their slaves. While these petitions show that Toussaint had partial success in curtailing such emigration, they also contain evidence of the persistence of involuntary servitude in Santo Domingo on Toussaint’s watch.

Partly in response to Toussaint’s invasion of Santo Domingo city—contrary to the First Consul’s orders—Napoleon deployed a huge military expedition to Hispaniola in late 1801 and early 1802. Its main aims were the overthrow of Toussaint and the imposition of Paris’s unequivocal authority. Though the expedition deposed Toussaint and carted him off to France to die in a remote mountain prison, it failed to retake Saint-Domingue, as the French expeditionary force could not overcome the resistance of thousands who fought desperately to avoid the re-imposition of slavery. The expedition’s defeat led to the creation of two states: the new nation of Haiti, constructed on the ruins of the old Saint-Domingue, and an aggressively racist regime based in Santo Domingo

⁵⁰ For a well-argued article on the historical roots of race relations in modern Haiti, see Michel-Rolph Trouillot, “Culture, Color, and Politics in Haiti,” in *Race*, ed. Steven Gregory and Roger Sanjek (New

city, ruled by General Jean-Louis Ferrand, a survivor of the expedition who sought to re-enslave thousands of individuals.

The legal order in Santo Domingo under Ferrand rested upon the questionable presumption that Napoleon had legally authorized the reestablishment of slavery there. In chapter 5, I assess slavery's dubious legality in Santo Domingo in the Ferrand period and examine some of the ways in which freed people in the colony resisted Ferrand's attempts to erase the emancipationist past. While Ferrand issued a series of racist orders that sought to disenfranchise all those deemed non-white and to enslave those among this group who could not document their freedom, linguistic and legal evidence reveals that those targeted by this repression drew upon prior struggles against injustice in asserting their claims to freedom and equality. In particular, linguistic clues from notarial acts and other sources such as legal records suggest that these individuals grounded some of their claims-making in earlier campaigns for the realization of the 1685 *Code Noir*'s promise of equal rights for all free persons. Those claimed as slaves also made use of tactics such as compelling authorities to call them as witnesses in disputes over their purported ownership and fleeing to independent Haiti.

Santo Domingo emerges as an important locale in circuits of captivity in these years. During a decade perhaps best known to scholars of Atlantic slavery for the abolition of the British and United States Atlantic slave trades, numerous slaving vessels plied the waters of the circum-Caribbean area. Those held in captivity on these vessels sometimes found themselves sold into "slavery" in Santo Domingo after their slaving ship had been captured by a French vessel or had shipwrecked on Dominican shores. In addition, some individuals forcibly taken from Haiti and enslaved by the Ferrand regime

were sold to South Carolina in exchange for slave-produced rice. Governmental correspondences and other records that detail such cases hint at hidden stories of captivity and migration during a decade in which slavery was facing severe challenges in some areas, while becoming even more entrenched in others.

Some of those who were targeted by Ferrand's policies came before French notaries in order to create notarized acts attesting to their free status. These acts are the focus of chapter 6. These individuals employed three types of strategies: presenting prior evidence of free status such as a manumission act, offering monies for self-purchase, and summoning witnesses to vouch for one's condition as a non-slave. Such acts of liberty hint that these notaries, their freed clients, and those who claimed to grant liberty to the latter were embedded in complex social and familial networks, many of which were rooted in the former Saint-Domingue. Moreover, their strategies reflected both legal and customary practices and processes of attaining liberty that had developed in both parts of the island. Exploiting small openings in the legal system, these individuals archived their liberty in the creation of these acts.

As a historian and a participant in two revolutions, Moreau understood that writing history is a profoundly political act. "It is in tracing it, this history [of Hispaniola], that I remind myself, almost on every line, that the historian possesses true authority," Moreau declared, "and that he should cast aside his pen in terror, if he has forgotten, for a single instant, that one day posterity will want to cast judgment on a deed or on an individual, having access to no testimony to invoke but his [the historian's], and that if his judgment fails [his pen], it makes him guilty of irreversible injustices."⁵¹

⁵¹ Moreau de St Méry, *Description topographique et politique de la partie espagnole*, 1:7. In the original text: "C'est en la traçant, cette histoire, que je me rappelle, presque à chaque ligne, que l'historien remplit

Moreau understood the importance of an integrated and detailed history of the island for the posterity who would surely puzzle over why such monumental transformations occurred there in the 1790s. Similarly, I offer this thesis as a means by which to promote a more comprehensive understanding of the French and Haitian Revolutions, which in turn offers new insights on the historical roots of contemporary Haitian-Dominican relations. This dissertation aims to place the quite distinct historiographies of these two nations into greater dialogue. It also responds to Laurent Dubois's call for scholars to "seek to construct a picture of an integrated space of debate over rights, of universalism, over governance and empire" so that they may "understand the Atlantic as an integrated intellectual space" in which people in Europe, the Americas and Africa all actively shaped emergent discourses on rights, citizenship and democracy.⁵² The island of Hispaniola in the Haitian Revolutionary era was one such "integrated space." Though "emancipation" in Santo Domingo in 1795-1802 was in many ways "invisible," and the French regimes that claimed authority there from 1802 until 1809 tried to not only reverse but efface the gains of the emancipation period, many freed people there left traces of an alternative history in the archival record.

In his effort to reconstruct his vanishing colonial world through his writing, Moreau knew that the past, present and future of the island were inextricably connected. What follows is a narrative that ties together the stories of slaves, freed people and others from both parts of the island so that we may better understand these histories and their role in the making of the modern world.

une vraie magistrature, et qu'il doit jeter sa plume avec effroi, s'il a oublié, un seul instant, qu'un jour la postérité voulant porter un jugement sur un fait ou sur un individu, pourrait n'avoir d'autre témoignage à invoquer que le sien, et que si son jugement la trompe, il se rend coupable d'injustices irréparables."

⁵² Dubois, "An Enslaved Enlightenment," 7.

Chapter One

“I Am the King of the Counter-Revolution:” The Advent of Revolution and “Emancipation” in Hispaniola, 1789-1795

My lord: If something has moved me, to place in your hands the present letter, it is not for any other end than to manifest the truth, and [to] affirm religion. I have directed these Arms for two years now, and it has been two more years since I have undertaken to detain the progresses [of the] one thousand two-hundred criminals that there were, seeking to transform the entire World; and that without flattering myself I dare to say that I am the king of the counter-revolution... that I undertook a war, almost without arms, without munitions, without provisions, and in the end without any means.¹

With these words, Georges Biassou, “General of the Conquered Part of the North of Santo Domingo [Saint-Domingue]” (*Gral de la Parte Conquistada del Norte de Santo Domingo*), opened a letter which affirmed his passionate defense of the Spanish king and his willingness to “shed [his] last drop of blood” (*derramar hasta la ultima gota de mi sangre*) for his sovereign.² In this letter, Biassou presented his distinct political philosophy, which asserted the validity of European kingship but sought to redefine the bases of political legitimacy in part by contesting assumptions formed through centuries of European colonialism in the Caribbean. Biassou was in fact only one of several prominent former slaves who, in the extraordinary circumstances of what has become

¹ Georges Biassou to Governor-General Joaquín García, 24 August 1793, *Archivo General de Simancas* (hereinafter AGS), Simancas, Spain, *Guerra Moderna* (hereinafter GM) 7157, f. 12. In the original Spanish: “*Si algo me ha determinado, a poner en vuestras manos la presente memoria, no es otro el fin que para manifestar la verdad, y aclarar la religión. Hace ya dos años que manejo las Armas, y otros dos también que emprehendí el detener los progresos que mil y doscientos facinerosos que habían, procurando trastornar el Globo entero; y que sin lisongearme me atrevo a decir soy el jefe de la contra-revolucion, assi es quando pienso, que emprehendí una guerra, casi sin armas, sin municiones, sin víveres, y en fin sin medios algunos.*” The title of this chapter is inspired by this source, as well as by John Thornton’s article “‘I Am the Subject of the King of Kongo:’ African Political Ideology and the Haitian Revolution,” *Journal of World History* 4, no. 2 (Fall 1993): 181-214.

known as the Haitian Revolution, employed his hard-won literary abilities to undermine racial hierarchy and challenge some longstanding intellectual justifications for slavery and racism. Indeed, even as Biassou proclaimed his unswerving commitment to serve the Spanish king, his letter represented a demand for greater political representation on the part of individuals of African descent who had long been subjected to servitude and disfranchisement in both French Saint-Domingue and Spanish Santo Domingo.

Why did Biassou depict the world's only successful slave rebellion as a "war to save my King" and to "liberate such a great King from the tyranny to which he was reduced?"³ Why did he and many other onetime slaves in the Haitian Revolution fight under the banners of Spanish royalism against a French Republic that came to profess universal liberty and equal citizenship? Any answer must involve decoupling dyads that are often assumed in modern thought, such as slavery-racism or republicanism-liberty, in favor of an interpretation grounded in the profoundly uncertain political context of Hispaniola in the 1790s. The power of these dyads indeed derives in part from concepts of freedom and citizenship in whose development Caribbean slaves and freed people—even those who did not seek an immediate end to the slave system—played important roles. Though Biassou for instance never advocated the wholesale dismantling of slavery, the resonance of the political discourses that he and other freed military leaders crafted proved important in bringing about the abolition of slavery in French Saint-Domingue in 1793-1794. While the radical demands for freedom advanced by the thousands of slaves who had risen against their masters in French Saint-Domingue in August 1791 were

² Biassou to García, 24 August 1793, AGS GM 7157, f. 12.

³ Biassou to García, 24 August 1793, AGS GM 7157, f. 12. In the original text: "...*emprehendí una guerra para salvar a mi Rey...nadie havia todavía atrevidose a tomar las Armas para livertar a tan gran Rey de la tiranía a que estava reducido.*"

indispensible in forcing the new French Republic to move beyond what Fernando Coronil has termed the “provincial universalism” of a polity that professed the Declaration of the Rights of Man for the metropole and slavery for the colonies, the heterogeneous liberation discourses of ex-slave officers such as Biassou impelled key French Republican officials in Saint-Domingue to recapture the intellectual and moral high ground from their Spanish enemies by abolishing slavery.⁴

From the island’s formal separation into French and Spanish zones at the end of the seventeenth century, French Saint-Domingue and Spanish Santo Domingo had developed in ways that were at once interdependent and quite distinct. While dramatically different systems of slavery and agricultural production emerged in each colony, frequent migration by slaves and others, licit and illicit economic exchange, continuing disputes over the colonial border, and the formation of cross-border “maroon” (or fugitive slave) communities bound these colonies together in the century preceding the revolution. These patterns influenced the course of events on the island after 1789, and one can see the 1793 decrees proclaiming an end to slavery in Saint-Domingue as a realization of struggles against slavery that had transpired in *both* parts of the island. Vernacular conceptions of citizenship, freedom and race that had developed in both colonies, as well as the recurring conflicts between the French and Spanish colonial regimes in the eighteenth century, influenced the trajectory of revolutionary conflict on the island in the first half of the 1790s.

In late August 1791, thousands of slaves in the rich northern province of French Saint-Domingue took advantage of the upheaval of the French Revolution to carry out a

⁴ Fernando Coronil, “After Empire: Reflections on Imperialism from the Américas,” in *Imperial Formations*, ed. Ann Laura Stoler, Carole McGranahan, and Peter Perdue (Santa Fe, NM: School for

massive uprising that Biassou would later frame as a “counter-revolution.” Less than two years later, geopolitical shifts would transform the unsuccessful military campaigns undertaken by French forces aiming to crush this insurgency. When Spain and France went to war in 1793, both powers (in addition to the British who also declared war on France in 1793 and who invaded Saint-Domingue in September of that year) attempted to enlist these slaves-in-arms as soldiers and officers in their armies, promising freedom in exchange for military service.⁵ In their efforts to win over these insurgents, these powers competed to offer them a superior version of “liberty.” Within this context, Biassou and other men who had attained not only freedom but high military ranks in the service of Spain appealed to many slaves’ aspirations for freedom as well as to the royalist sentiments that many appear to have held, helping the Spanish to recruit thousands of them as soldiers during this war. In their attempts to defuse the potency of these appeals, some French Republican leaders condemned both African and European kings as enslavers and as determined enemies of liberty, juxtaposing these monarchs with a Republic whose 1789 Declaration of the Rights of Man now extended to all who lived in French territories. This helped to bring about the proclamations of general emancipation in Saint-Domingue that the French Civil Commissioners Léger-Félicité Sonthonax and Étienne Polverel issued in the latter half of 1793.

Understanding the political context of the rise of Biassou and Toussaint necessitates taking seriously the royalist sympathies held by many slaves in both colonies. On 21 April 1792, a former plantation owner from Grande Ravine (Saint-Domingue) named Peyredieu informed the Municipality of Cap Français (Le Cap) that,

Advanced Research Press, 2007), 275.

during his two months of captivity among the “rebels” (*révoltés*), he had heard the ex-slave rebel leader Jean-François state that these insurgents “did not fight for Freedom but to restore the [French] executive power as it was before the new constitution.”⁶ Why might an ex-slave claim that he was not fighting for “Freedom?” This is closely related to a question that historian David Geggus posed in a critique of Laurent Dubois’s thesis that the Haitian Revolution represented a key moment in the foundation of modern democracy: why was the presence of royalist slaves and freed people in the Haitian Revolution a paradox at all? Geggus argued that early freed leaders such as Jean-François consistently shunned both universalist concepts of freedom and the goal of the complete elimination of slavery in Saint-Domingue in favor of the narrower objectives of securing freedom and a degree of material security for themselves and their followers. Even after the issuance of the 1793-1794 emancipation decrees, the revolution’s leaders, according to Geggus, “never displayed the slightest regard for democracy.”⁷

In seeking to explain why monarchical loyalties existed among slaves and freed individuals in this period, the secondary literature has offered numerous hypotheses related to both the circumstances of 1790s Hispaniola and broader Caribbean and Atlantic political currents. According to Laurent Dubois, slave rebels in the early 1790s in Saint-Domingue had varied motivations for invoking “kingly” symbols and language, including the fact that the French king had indeed undercut the power of masters in various ways

⁵ The present chapter discusses the British presence only peripherally. I examine the British occupation of parts of the island more closely in chapter 3.

⁶ Declaration of M. Peyredieu to the Municipality of Le Cap, 21 April 1793, *Centre d’Accueil et de Recherche des Archives Nationales* (hereinafter CARAN), Paris, *Comité des Colonies* (hereinafter CC) D/XXV/46, dossier 439. In the original French : “...*Jean François* qui lui disait qu’ils ne se battaient pas pour la Liberté mais pour remettre le pouvoir exécutif comme il était avant la nouvelle constitution.” Emphasis in original.

during the eighteenth century; calculations as to the benefits of alliance with the royalist Spanish in Santo Domingo against the French Republic prior to the French abolition decrees of 1793-1794; and political ideas that had emerged in the African polities from which the majority of Saint-Domingue's slaves had come.⁸ John Thornton has illustrated that royalism among slaves and ex-slaves in the Haitian Revolution indeed had deep roots in African as well as European political history. For instance, conflicts over the proper extent of a king's powers fueled many of the eighteenth-century wars in the central African kingdom of Kongo which in turn led to the taking of thousands of captives, many of whom found themselves on slave ships bound for Saint-Domingue and other parts of the Americas.⁹

Furthermore, notwithstanding the rhetoric of Sonthonax and Polverel, the history of the Americas in the century after 1789 shows quite clearly that republicanism did not always go hand-in-hand with abolitionism, while royalist powers did not always maintain slavery in their territories. Places such as the republican French Caribbean from 1792 to 1794 and the United States until 1865 retained slave labor, while the royalist British empire was the first to permanently end slavery in its domains (1834-1838). Within the context of what Thornton has called the "dynamic tension" between absolutism and more representative forms of government that characterized politics in much of Africa, Europe and the Americas during the late eighteenth century, those held in captivity in Hispaniola and elsewhere struggled to negotiate the best possible circumstances for themselves.¹⁰ As

⁷ David Geggus, "The Caribbean in the Age of Revolution," in *The Age of Revolutions in Global Context, c. 1760-1840*, ed. David Armitage and Sanjay Subrahmanyam (New York: Palgrave Macmillan, 2010), 96-97.

⁸ Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, MA: Belknap Press, 2004), 104-109, esp. 106-109.

⁹ Thornton, "I Am the Subject of the King of Kongo."

¹⁰ Thornton, "I Am the Subject of the King of Kongo," 187.

Dubois has written, “both royalist and republican discourses were deployed, indeed subsumed, by insurgents in the articulation of their central goal: a reform and, eventually, an abolition of slavery.”¹¹ Those slaves and freed individuals who espoused ideas associated with monarchism had their own distinct visions of “liberty” that helped to bring about the formal end of slavery in Saint-Domingue (and subsequently Santo Domingo).

Through their words and their actions, slaves and former slaves in revolutionary Hispaniola mounted rhetorical and political challenges to the old colonial order that reverberated far beyond the island to influence the formation of modern ideas of political legitimacy. At the core of the definition of political legitimacy lies the question of who can exercise authority over others, and on what terms. The political discourses of individuals such as Biassou emerged within the context of the options they faced and the choices they made during the wars of the early 1790s. With the partial exception of several U.S. states, Hispaniola after 1793 was the site of the hemisphere’s first experiment with general emancipation, where administrators, former slaves, ex-masters, and others grappled with the notion of a society where all possessed citizenship and the rights to their own bodies.

In the Haitian Revolution, slaves, freed individuals, and free-born persons “of color” infused republican and royalist discourses with the example of their struggles and the ideas born of these struggles. Those former slaves like Biassou who were fortunate enough to have the opportunity to record their thoughts left a lasting written record of their political ideas, but their counterparts without such privilege left their own record by

¹¹ Laurent Dubois, “An Enslaved Enlightenment: Rethinking the Intellectual History of the French Atlantic,” *Social History* 31, no. 1 (February 2006), 11.

means of their actions. During the first half of the 1790s in Hispaniola, multiple local and international forces created radical new political possibilities in a world that had been largely defined by racial subjugation and the reduction of human beings to units of labor—possibilities epitomized by former slaves’ reworkings of the images and ideas of colonialism to create new spaces of liberation and broader political participation.

The Shadow of the “Long” Eighteenth Century: Santo Domingo and the Ogé Rebellion

On 23 February 1791, executioners working in the service of the French colonial regime in Saint-Domingue tortured and executed Vincent Ogé and Jean-Baptiste Chavannes, placing their heads on pikes afterwards as grisly warnings to those who would emulate them. A wealthy merchant from the northern Dominguan town of Dondon, Ogé had been in Paris on business in 1789 when he became involved in a struggle led by another rich Dominguan man of color, Julien Raimond, to secure voting rights for propertied free men of color and to enable them to serve in the French National Assembly. During his stay in Paris, Ogé met with several prominent lawyers and political figures including the Marquis de Lafayette and the British abolitionist Thomas Clarkson. He also filed a *cahier de doléances* (petition of grievances) to the National Assembly in an attempt to eliminate laws that disenfranchised people of color. Ogé then departed Paris following the Assembly’s passage of a law on 28 March 1790 whose ambiguous wording Ogé and others interpreted to grant political rights to all male property owners regardless of race. After arriving in Saint-Domingue in October 1790, Ogé and the free-colored militia officer Chavannes wrote to Governor Philibert François Rouxel de Blanchelande demanding that he immediately recognize the political rights for free men of color

ostensibly granted in the 28 March law. Following Blanchelande's rebuff, Ogé and Chavannes raised an armed force of over three hundred free men of color in the parish of Grande Rivière, about a dozen miles from Le Cap. Despite winning several victories against troops sent by the colonial regime to crush their uprising, Ogé and Chavannes eventually disbanded their army and departed Grande Rivière. They sought refuge in Spanish Santo Domingo but were extradited by Governor-General Joaquín García in January 1791. The following month, French authorities executed Ogé and twenty-three of his followers and sentenced another thirteen to slavery.¹²

While scholars have mostly framed the Ogé affair within the context of the struggle for racial equality in Saint-Domingue and the French empire, it also emerged from a distinct Dominican political and racial context. In both of the island's colonies some non-whites had long managed to create and exploit certain avenues for relative social mobility; these histories converged in the Ogé affair and other episodes in the Haitian Revolution. As a prominent member of the most economically and politically influential free-colored population in the history of the colonial Americas, Ogé himself epitomized the unique power of this intermediate group in French Saint-Domingue. Although there was an enormous degree of economic diversity within this group (called *gens de couleur libres*, or "free people of color," in local parlance), by 1790 the *gens de couleur libres* represented about half of the free population in Saint-Domingue. Among their number were men and women who owned plantations and slaves; *gens de couleur libres* also practiced a number of urban and rural trades. They also constituted the bulk of

¹² John Garrigus, "'Thy coming fame, Ogé! Is sure:' New Evidence on Ogé's 1790 Revolt and the Beginnings of the Haitian Revolution," in *Assumed Identities: The Meanings of Race in the Atlantic World*, ed. John Garrigus and Christopher Morris (College Station, TX: Texas A&M University Press, 2010), 19-

the colonial militia or *maréchaussée* which was dedicated to defending internal order—a task which often translated into keeping slaves docile and productive as well as recapturing those who refused and fled the plantations.¹³

Historians such as John Garrigus, Laurent Dubois and others have attributed the emergence of this relatively wealthy segment of the free-colored population partly to patterns of manumission, marriage and inheritance that enabled some freed people and their descendants to accumulate significant resources over time. Many free-colored individuals also profited greatly from their entrepreneurship in the cultivation of coffee, the basis of Ogé's wealth, which was favored by much of the colony's mountainous topography and which required little start-up capital relative to sugar.¹⁴ Furthermore, as Garrigus has shown, the cultivation of indigo proved integral in the rise of a "prosperous free colored class" in parts of Saint-Domingue's remote southern province by 1760.¹⁵

Tensions gradually emerged between members of this "prosperous free colored class" and the influx of poor white settlers who traveled to the colony from France seeking their fortune. These conflicts help account for the racist turn of colonial politics and law starting in the 1760s. Many of the racist laws and practices against which Ogé protested derived in part from a fierce backlash against free-colored social and economic mobility that transpired in the latter part of the eighteenth century in French Saint-

45; John Garrigus, *Before Haiti: Race and Citizenship in French Saint-Domingue* (New York: Palgrave Macmillan, 2006), 236-249; and Dubois, *Avengers of the New World*, 80-88.

¹³ Dubois, *Avengers of the New World*, 30 and 64-67; Garrigus, *Before Haiti*, 2-3, 100-109 and 201-213; and Stewart R. King, *Blue Coat or Powdered Wig: Free People of Color in Pre-Revolutionary Saint-Domingue* (Athens: University of Georgia Press, 2001), xv-xvi. According to Stewart R. King, the French had formed the *maréchaussée* early in the eighteenth century in large part to defend Saint-Domingue against attack from Spanish Santo Domingo and to assist in the capture of fugitive Dominguan slaves who had crossed into the Spanish part of the island. King, *Blue Coat or Powdered Wig*, 57-58.

¹⁴ Garrigus, *Before Haiti*, Introduction and chapters 1-3; and Dubois, *Avengers of the New World*, chapter 3.

Domingue. Garrigus has argued that as the plantation complex in Saint-Domingue solidified after the end of the Seven Years' War in 1763, the relatively high degree of racial tolerance that had prevailed earlier became undermined by a wave of new legislation (passed by colonial authorities and supported by many white settlers) that ranged from restrictions on interracial dining to prohibitions on non-whites holding public office. These laws had several interrelated aims: to ensure the political disfranchisement of free people of color; to curb their rising economic power; to weaken the deep familial, social and economic ties that many whites had shared with many *gens de couleur libres*; and to limit the free-colored population's numbers by means of taxes and other hindrances to manumission.¹⁶

Not surprisingly, many free people of color had angrily protested these restrictions and the racist logic which underlay them. Several influential representatives of this group had worked in Paris to further the cause of racial equality, of which the two best-known were Ogé and Julien Raimond, a wealthy indigo planter of French and African ancestry from the southern part of Saint-Domingue.¹⁷ Raimond, Ogé and their partisans had demanded the repeal of these racist laws and the granting of full political rights to free men of color to match their contributions in taxes and defense to Saint-Domingue. Nonetheless, many free-colored activists had refused to advocate the immediate end of slavery in Saint-Domingue or in any other French colony, hoping to defuse white opponents' constant accusations of undermining the slaveholding order by

¹⁵ John Garrigus, "Blue and Brown: Contraband Indigo and the Rise of a Free Colored Planter Class in French Saint-Domingue," *The Americas* 50, no. 2 (October 1993): 233-263 (quote is from p. 237).

¹⁶ Garrigus, *Before Haiti*, esp. Introduction and chapters 5 and 8. See also Dubois, *Avengers of the New World*, chapter 3, esp. 60-65.

¹⁷ For information on Julien Raimond's background and role in struggles against institutionalized racism in Saint-Domingue in the 1780s and early 1790s, see Garrigus, *Before Haiti*, esp. Introduction and chapters 4-

framing their attainment of juridical equality as a means by which to strengthen authorities' and masters' control over the huge slave population.¹⁸ The campaign of Ogé and Raimond for racial equality acquired new meanings—and, the two men hoped, a greater chance of success—upon the advent of the French Revolution with the king's summoning of the Estates General (1788), the fall of the Bastille prison (14 July 1789), and the proclamation of the Declaration of the Rights of Man and Citizen in late August 1789. Nevertheless, free-colored demands for equality continued to meet with ferocious opposition in both metropolitan France and in the colonies. The escalation of the white-free-colored conflict into an armed struggle in Saint-Domingue the first years of the 1790s led some to seek refuge from the racial violence across the border in Santo Domingo. For instance, one man on 24 February 1790 fled an armed confrontation in the western town of Saint-Marc to “take refuge in the Spanish part.”¹⁹

Though these free-colored activists walked a political tightrope in arguing for race-neutral laws for the colony's free population while often defending a slave system that by the late eighteenth century had become intensely racialized, their actions helped to enable the passage of metropolitan laws that abolished first institutionalized racism and then slavery. The advancement of demands for equality and access to the institutions of governance by the counterparts of the *gens de couleur libres* in Santo Domingo likewise

9; and John Garrigus, “Opportunist or Patriot? Julien Raimond (1744-1801) and the Haitian Revolution,” *Slavery and Abolition* 28, no. 1 (2007): 1-21.

¹⁸ Free-colored activists working against discriminatory legislation split over the question of slavery. While some joined or supported the abolitionist Society of the Friends of the Blacks (founded in 1788 by the activist and politician Jacques-Pierre Brissot), others such as Raimond (who owned dozens of slaves) argued that granting free men of color equal citizenship rights would reward and ensure their vital role in protecting the slave system. Garrigus, *Before Haiti*, chapters 7-8 (esp. 234-263).

¹⁹ Notes from San Rafael, 1 March 1790, *Archivo General de Indias* (hereinafter AGI), Seville, Spain, *Audiencia de Santo Domingo* (hereinafter ASD) 1027. In the original text: “*El día siguiente llegó... a refugiarse en la parte Española.*” On these armed white-free-colored conflicts, see Carolyn Fick, *The*

influenced Spanish authorities' responses to the crises in Saint-Domingue and laid some of the groundwork for the claims-making of formally freed Dominicans after the advent of formal emancipation there in 1795. While Dominguan authorities had passed these racist laws in late colonial Saint-Domingue largely in response to perceived non-white mobility, in Spanish Santo Domingo the frequent inability of colonial authorities to enforce the multiplicity of racist statutes that had been on the books for centuries, along with the relative paucity of white settlers, provided openings for many free individuals of African heritage. According to Richard Turits, such individuals sometimes attained important positions in the military, Church, government, and other institutions in defiance of laws that barred non-whites from these posts.²⁰

From the vantage point of those targeted by racial repression in Saint-Domingue, this relative mobility sometimes appeared to constitute evidence of Dominican society's greater egalitarianism. In one extended argument against racist legislation written to the French Minister of the Navy in 1786, Raimond had contended that the inhabitants of Spanish Santo Domingo did not share the "contempt" that the French in Saint-Domingue held towards free people of color, who "enjoy in this part of the island [Santo Domingo] the consideration that every honest citizen ought to expect from society."²¹ Yet Ogé quickly discovered that Santo Domingo's own entrenched racial order strongly influenced his reception in the eastern part of the island.

Making of Haiti: The Saint Domingue Revolution from Below (Knoxville: University of Tennessee Press, 1990), chapter 5.

²⁰ Richard Turits, "Par-delà les plantations: Question raciale et identités collectives à Santo Domingo," *Genèses* 66 (March 2007), 58-59.

²¹ Raimond to Minister of the Navy Castries, 1786, *Archives Nationales d'Outre-mer* (hereinafter ANOM), Aix-en-Provence, France, *Collection Moreau de St Méry* (hereinafter CMSM) F3 91. In the original text: "Les Espagnols qui partagent avec nous l'Isle de St Domingue, ne font point éprouvée aucune espèce de mépris aux sujets semblables à la classe des suppliants. Ils jouissent dans cette partie de l'isle de la considération que tout citoyen honnête doit attendre de la société."

Ogé and his contingent of survivors (who numbered twenty-six according to a 15 July 1791 report by the Council of the Indies, Spain's principal governing body on colonial matters) had crossed the border into Santo Domingo in the hopes that Spanish authorities, who had long quarreled with their French counterparts on a variety of issues, might grant these men asylum or even military support.²² Both the language and context of Ogé's appeal to these Spanish leaders and the justifications offered by the latter for rejecting these entreaties reflected the centrality of Spanish Santo Domingo in these struggles to open the arena of citizenship.

As a well-off property owner who had rejected some sympathizers' suggestions that he mobilize slaves, Ogé gambled on winning the support of some elite Dominicans, yet in the end he could not escape his association with the ferment in the neighboring colony.²³ In a 12 November 1790 letter to Spanish colonial officials, Ogé presented himself not as a rebel leader but as an "Ambassador" who along with other "men of color from the French part" had been sent to Santo Domingo to "swear an Oath of Loyalty" as "faithful subjects of the King of Spain as of the King of France." In Ogé's recounting, he and his followers had been wrongfully arrested and detained in Hinchá (near the colonial border) after soliciting a "Passport" from the "Commandant of San Rafael." While Ogé had hoped that the French government would make good on the promises implicit in the 1789 Declaration of the Rights of Man and Citizen to abolish the racist laws that had consigned even wealthy slaveholding non-whites in Saint-Domingue to second-class citizenship, he was savvy enough to appeal to the political convictions of his Spanish

²² Report on Ogé affair by Spanish Council of the Indies, 15 July 1791, AGI ASD 1029.

²³ Dubois, *Avengers of the New World*, 134-135. See also Julius Scott, "The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution" (PhD diss., Duke University, 1986),

hosts during his stay in Santo Domingo. “The disappointments that men of color have experienced in the French part for two hundred years,” Ogé asserted, “[and] the aid and the refuge that they have had in the Spanish part unites them more than ever to your Fatherland.”²⁴

In presenting his plight as part of a long history of racial conflict and assistance-granting that had transpired across the entire island, Ogé suggested that the stakes of his campaign involved Spanish Santo Domingo. On this point Governor García and other Spanish authorities agreed, but for very different reasons. In offering asylum to Ogé and his partisans, García worried that he would “violate the general treaties of alliance of both nations” on “reciprocal restitutions” of fugitives and on the “demarcations of Limits” between the two colonies that both monarchs had signed. “I would have made myself guilty,” García wrote, “if I had lent acquiescence and shelter to this wicked attempt of Ogé...betraying the obligations of friendship and mutual aid which the treaties of the sovereigns impose on these Governments.” Such assistance would moreover prove particularly egregious due to Ogé’s lack of real political authority in García’s eyes. According to García, Ogé and Chavannes had presented themselves as “ambassadors, as if there were already a Mulatto state within the French Part, capable of sending a

179-180; and Carlos Esteban Deive, *La esclavitud del negro en Santo Domingo (1492-1844)* (Santo Domingo: Museo del Hombre Dominicano, 1980), 191-200.

²⁴ Ogé to Spanish authorities, 12 November 1790, AGI ASD 1029. In the original text: “*Yo tengo el honor de escribiros la presente para preveniros que yo soy enviado de la parte de los hombres de color de la parte francesa para prestar juramento de fidelidad en vuestras manos como que nosotros somos tan fieles súbditos del Rey de España como del Rey de Francia...Nosotros habemos suplicado un Pasaporte del Señor Comandante de San Rafael, nosotros nos hemos puesto en camino para Santo Domingo, y en Hincha nosotros hemos sido detenidos, constituidos prisioneros y en Bánica nosotros hemos tenido el disgusto vernos poner los Grillos. Tengo el honor de representar a VM mi Señor que nuestra misión nos hace exentos de disgustos siendo enviados como Embajadores acerca de VM para prestar el Juramento de Fidelidad...Los disgustos que los hombres de color han probado en la parte francesa desde doscientos años, los socorros y refugio que ellos han tenido en la parte Española los une más que nunca a vuestra Patria.*”

delegation, full powers, and sovereign elections.”²⁵ Spanish officials also acted against Ogé due to anxieties that he might incite Santo Domingo’s own free-colored majority to revolt. According to the Council of the Indies, these authorities sent Ogé back to Saint-Domingue partly out of their concern to “avoid sparking the fire of sedition among the many people of castes that there are in the Spanish part.” “Although nothing has been discovered against the loyalty of the Spanish Mulattos,” the authors of this report continued, “it was suitable to continue the confidential investigations and detain the Guilty ones.”²⁶

Why did Spanish colonial authorities condemn Ogé to certain death at the hands of their French counterparts and then proceed to offer material assistance to some of the slaves who carried out the August 1791 revolt? In Santo Domingo, Ogé found himself the victim of a confluence of racial fears, ideological distrust, and political expediency. Reinterpreting his ill-fated struggle and death as an island-wide story hints at its larger reverberations and significance beyond the French world and raises new questions concerning the course of events. It also illustrates the importance of eighteenth-century

²⁵ García to don Antonio Porlier, 31 December 1790, AGI ASD 1029. In the original text: “...Ogé y Chavanne infelizmente alucinados se llegaron a imaginar con prerrogativas de embaxadores, como que ya huviese un estado de Mulatos dentro de la Parte Francesa, capaz de expedir embajada, plenos poderes, y actos de elecciones de soberano...No pudieron creer que la española aceptase su ofrecimiento sin aprontarse al instante a romper los tratados generales de alianza de ambas naciones, los municipales o contraídos a este Dominio, ya sobre restituciones recíprocas, ya sobre demarcaciones de Límites...Yo me huviera hecho reo si hubiera prestado aquiescencia y abrigo a esta malvada tentativa de Ogé...traicionando los deberes de amistad y mutuo socorro que imponen a estos Gobiernos los tratados de los soberanos.” According to Carlos Esteban Deive, the French official Cambefort demanded Ogé’s immediate extradition from Santo Domingo in accordance with the “police treaty of 1777.” Carlos Esteban Deive, “Les réfugiés français dans la partie espagnole de l’île Saint-Domingue au temps de la fronde des Grands Blancs et de la révolte des Mulâtres,” in *Saint-Domingue espagnol et la révolution nègre d’Haïti (1790-1822)*, ed. Alain Yacou (Paris: Karthala, 2007), 131.

²⁶ Report on Ogé affair by Council of the Indies, 15 July 1791, AGI ASD 1029. In the original text: “...deseando evitar q[ue] encendiese el fuego de la sedicion entre la mucha gente de castas que hay en la parte Española: Mandó a los comandantes de la Frontera que arrestasen y conduxesen presos a Sto Domingo los que entrasen en ella...aunque no se descubria cosa alguna contra la lealtad de los Mulatos Españoles, convenia continuar las indagaciones reservadas y retener los Reos.” The term “casta” had

precedents in shaping this episode's outcome. Ogé for instance seems to have hoped to exploit contentious relations between the two colonial regimes, which throughout the century had engaged in continual disputes over matters such as the extradition of fugitive slaves, the precise definition of the inter-colonial border, and French settlements on what Spanish authorities deemed to be Spanish land.²⁷ These dynamics would take new form when thousands of slaves laid waste to the plantation infrastructure of northern Saint-Domingue in late summer 1791.

“A Global Upheaval:” The 1791 Slave Revolt and Santo Domingo

varied meanings in colonial Spanish America, but it typically referred to those who were not identified as either Spanish or Indian.

²⁷ According to Moreau de St Méry, the problem of fugitive slaves crossing the colonial border had provoked spats between the two powers since at least the early eighteenth century. On 1 December 1710 for instance the rulers of French Saint-Domingue issued an order that entrusted an official named M. Beausseau de Petit-Bois to arrest all “fugitive French blacks” (*nègres fugitifs français*) in Santo Domingo and to bring legal suits against “Spaniards” (*espagnols*) who had captured these fugitives or “granted them freedom” (*leur auraient donné la liberté*). M. L. E. Moreau de St Méry, *Description topographique et politique de la partie espagnole de l'isle Saint-Domingue* (Philadelphia: Self-published by author, 1796), 2:172-174. France and Spain had also signed several treaties in the 1760s and 1770s that had stipulated the extradition of fugitives from one territory to the other and the punishment (by fines) of those who sheltered slave runaways. These accords also attempted to proscribe unauthorized settlements. For instance, one treaty drawn up on 11 December 1766 by the Captain General of Santo Domingo, don Manuel de Azlor, and Saint-Domingue's Governor M. de la Valtière stipulated in its first article that all “Black fugitives, called maroons of one or another Nation, will be exactly and in good faith returned...paying always the same price of twenty five pesos that the treaty of seventeen sixty two stipulated.” Article III stated that the “most appropriate means” were to be employed against “Black maroons, united and fortified in the untamed lands, near the Border” in order to capture them and to “totally destroy their establishments.” Article IV prohibited residents of either colony from undertaking any work “on lands beyond the limits that are conceded, nor on uncertain or disputed land” on pain of a one-hundred peso fine. Franco-Spanish treaty of 11 December 1766, AGI ASD 1101. In the original text: “*Que los Negros fugitivos, llamados cimarrones, de una y otra Nación, serán exactamente y de buena fe restituidos, como tambien los Negros [illegible], pagando siempre el mismo precio de veinte y cinco pesos que fue estipulado por el tratado de mil setecientos sesenta y dos...Sobre los Negros cimarrones, unidos y fortificados en los Montes, cerca de las Fronteras...se tomaran los medios más propios para aprender los d[ichos] Negros, y destruir totalmente sus establecimientos...Se prohíbe a todos los Havitantes de las Fronteras...de hacer trabajo alguno sobre sus terrenos más allá de los límites que están concedidos, ni sobre el terreno dudoso o disputable, vajo la pena de cien pesos de multa.*” The Treaty of Aranjuez, signed in 1777 by French and Spanish colonial officials, represented a compilation of earlier accords which attempted to resolve continuing boundary disputes and mandated the prompt return of fugitive slaves to their masters. See Carlos Esteban Deive, *Los guerrilleros negros: Esclavos fugitivos y cimarrones en Santo Domingo* (Santo Domingo: Fundación Cultural Dominicana, 1989), 191-194; and Treaty of Aranjuez, 3 June 1777, AGI ASD 1019. On the French settlements, see Joseph Solano to don Julián de Arriaga, 25 November 1774, AGI ASD 1019.

In September 1791, Governor García wrote to a count named Alange with frightening news. An armed uprising had erupted in the environs of Le Cap (called “Guárico” by the Spanish) in the northern part of the neighboring colony in which “black slaves, some free mulattos,” and even some whites had in García’s recounting undertaken a campaign to kill planters, burn the plantations, and ultimately murder “every white man” in the area (except, presumably, those involved in the revolt). Clearly shocked at the extent of the rebellion and unnerved at its potential implications for his own slaveholding colony, García informed Alange that the “public enemies,” by virtue of their superior numbers and zealous determination to wreak havoc in Saint-Domingue, had neutralized almost all French officials’ attempts to suppress them. The only individual who had experienced less than complete failure against these rebels, García wrote, was the Marquis de Rouvray, who at the head of six hundred men had “succeeded in destroying a large number of blacks,” but only at the cost of the “dismembering” of many of his men. García further wrote that “in this confederation [of rebels], one finds many blackened whites, which are those who direct the most atrocious deeds, and the most severe crimes.”²⁸ Although García thus appears to have initially credited white leaders with a significant if not the dominant role in fomenting this violence, in reality this revolt was the result of meticulous planning and execution by a well-organized cadre of slaves.

²⁸ Joaquín García to *conde del campo* Alange, September 1791, AGS GM 7149, f. 439. In the original text: “*La noche del 22 al 23 de Agosto último, se manifestó en las inmediaciones del Guarico...una sublevacion de los negros esclavos, algunos mulatos libres, y blancos (según aseguran) dando principio con el depravado hecho de Incendiar las Habitaciones Azucarerías; matando a todo hombre blanco, y proclamando la libertad...En esta confederacion, se hallan muchos blancos tiznados, que son los que dirigen los hechos más atroces, y delitos de la mayor gravedad...los enemigos públicos son muchos, y los secretos suponen son de consideración. El Mariscal de Campo Marqués de Rouvray es el único que al frente de seiscientos hombres se halla acampado, y él que ha tenido algunos choques, que aunque he conseguido destruir mucha porción de negros, ha sido a costa de desmembracion de sus tropas.*”

García did get part of the story right, though: during the night of 22-23 August 1791, hundreds of forced laborers in the northern part of Saint-Domingue rose up, destroyed the plantations on which they had toiled, and killed many of their masters. Though it had arisen in part as a result of rumors that the French king had granted all slaves three free days a week and decreed other reformist measures such as the elimination of the hated whip, the revolt soon transformed into a campaign for more capacious aspirations for freedom. The leaders of this revolt were generally relatively privileged slaves who exercised authority over other bonded laborers and who enjoyed a comparative autonomy which surpassed that of most other slaves.²⁹ These advantages enabled them to organize the rebellion efficiently and to recruit other slaves to their cause.

The early leadership of the rebellion also drew political, moral and spiritual strength from its connections to Vodou, a complex Afro-Caribbean religion which developed in eighteenth-century Saint-Domingue out of a mixture of Catholicism and the African religions that slaves brought with them across the Middle Passage and reinvented in America.³⁰ The first major leader of the great revolt, a slave named Boukman Dutty, possessed not only the secular authority of coachman on an important plantation but also, according to many accounts, exercised spiritual authority as a Vodou priest who was alleged to have presided over a ceremony which many Haitian national histories claim to have ignited the 1791 rebellion.³¹ While the precise connection between Vodou and the

²⁹ Dubois, *Avengers of the New World*, 97-98.

³⁰ For a discussion of Vodou and its effects on slave resistance and the August 1791 revolt, see Fick, *The Making of Haiti*, 41-45 and 91-94.

³¹ Conventionally referred to as the Bois-Caïman (Alligator Woods) Ceremony, this event is said to have involved a secret gathering of many slaves on the night of 14 August 1791. Boukman allegedly oversaw a pig sacrifice and a public declaration to make war on the masters and to fight for freedom. For an evaluation of the historical evidence on this event, see David Geggus, *Haitian Revolutionary Studies*

22-23 August insurrection remains hotly debated, Afro-Caribbean religious symbols and traditions fostered unity among slaves divided by birthplace, ethnicity, and language; this would help prevent the movement's disintegration following Boukman's death in November 1791. Among the men who vied for leadership of the insurrection were Georges Biassou, who also was reportedly a Vodou devotee, and a black creole (Dominguan-born) slave known as Jean-François.³²

After receiving word of the rebellion in Saint-Domingue, Governor García acted promptly to secure the Spanish portion of the island, deploying several regiments of troops under his most trusted lieutenants to the most sensitive border areas in order to secure the "defense of the border."³³ As time wore on, García observed with dismay the inability of French authorities to put down the rebellion and restore order in the colony. This owed in part to bitter divisions within Saint-Domingue's free population, which became splintered along three principal axes of conflict: political ideology (monarchism versus republicanism); race and opinions concerning the question of free-colored equality; and economic philosophy (mercantilism versus freer trade). Under these conditions, many colonists chose to abandon the lives they had known in French Saint-Domingue and emigrate. In an emotional letter to her daughter dated 4 September 1791, Madame de Rouvray, the wife of the planter who killed many rebel slaves with a force of six hundred men, exhorted her daughter to seek refuge outside of the island, preferably in Spanish Cuba, a colony only a short distance across the Windward Passage from Saint-

(Bloomington: Indiana University Press, 2002), chapter 6. For a controversial intervention positing that extant historical records do not justify the claim that such a ceremony even took place, see Léon-François Hoffman, "Un mythe national: La cérémonie du Bois-Caïman," in *La République haïtienne: Etat des lieux et perspectives*, ed. Gérard Barthélemy and Christian A. Girault (Paris: Karthala, 1993), 434-448.

³² Fick, *The Making of Haiti*, 113.

Domingue, and one where slavery and racial hierarchy remained firmly entrenched. Detailing the burning of the plantations and the death of many planters, Madame de Rouvray posed a question which many of her counterparts were no doubt also asking themselves: “How [does one of the planter class] remain in a country where the slaves have raised their hand against their masters?”³⁴ On 31 August 1791, her husband implored an unnamed “Spanish commander” to send him “aid” in his fight against the slave rebels, arguing that the lack of such assistance would contribute to the “end” of both colonies in Hispaniola in three months and the loss of all of Spain’s colonies within two years.³⁵

Other French authorities also called on Spanish officials to intervene, invoking accords signed earlier in the eighteenth century. In a letter to Governor García composed in the immediate aftermath of the 1791 slave revolt, Saint-Domingue’s Governor Blanchelande for instance requested assistance in suppressing the rebellion. Declaring that “the white race, and the class of people of color, and free blacks are united, and it is only slaves that are in open revolt, and that kill their masters, and burn the plantations,” Blanchelande invoked Article IX of a recent Franco-Spanish treaty, which had stipulated that “in case of war or of unforeseen attack on one of the two parts of the Island, the nation [that was] not attacked will provide to the other all the assistance possible in men

³³ García to Alange, September 1791, AGS GM 7149, f. 439. In the original text: “*Yo he prevenido la defensa de la frontera, y todo nuestro Territorio poniendo sobre las Armas las milicias, arreglados, y urbanos.*”

³⁴ Madame de Rouvray to her daughter, 4 September 1791, in *Une correspondance familiale au temps des troubles de Saint-Domingue*, ed. M. E. McIntosh and B. C. Weber (Paris: Société de l’Histoire des Colonies Françaises et Librairie Larose, 1959), 27. In the original text: “*Cela nous fait toujours un grand tort pour le revenu de cette année et pour l’autre et pour l’avenir, car comment rester dans un pays où des esclaves ont levé la main sur leurs maîtres?*”

³⁵ Marquis de Rouvray to “Spanish commander,” 31 August 1791, AGI ASD 1029. In the original text: “*Carta al comandante español el 31 de Agosto de 1791. Tengo el honor de prevenir a VM muy señor mio, que si VM no nos envía socorro, y prontamente, la colonia de Santo Domingo es acabada tanto por lo que*

as well as in money.” In Blanchelande’s eyes, four hundred to five hundred thousand “internal enemies” threatened to “decapitate” sixty thousand free Dominguan, and their Dominican counterparts might then suffer a similar fate. “After the defeat of the French,” the Dominguan governor wrote, “if [the slave rebels] are able to carry this out, the Spanish could have the same luck.”³⁶ In response to these entreaties, García in a 25 September 1791 letter to the Marquis de Bajamar denied that Article IX applied to the situation, which was in his mind a “domestic dispute” among “many whites and mulattos.”³⁷ Political developments in Europe also influenced García’s thinking. With the coming of the French Revolution, the French state had, according to García, “disrupted the order of its primary Laws,” and was now paying the price.³⁸

In devising a response to the slave revolt in French Saint-Domingue, Spanish administrators were caught between the wish to suppress a possible threat to their own slaveholding territory and the presence of an opportunity to undermine their longstanding rivals. In the early 1790s, these authorities became involved in a delicate diplomatic

toca a VM como para nosotros antes de tres meses. Así mismo prevengo a VM que en término de dos años España no tendrá más colonias, esto es un trastorno del globo.”

³⁶ Blanchelande to García, no date, AGI ASD 1029. In the original text: “*La raza blanca, y la clase de las gentes de color, y negros libres están reunidos, y no hay sino los esclavos que estén en el levantamiento abierto, y que matan a sus amos, e incendian las habitaciones...Que en case de guerra o de ataque imprevisto de una de las dos partes de la Isla, la nación no atacada proveerá a la otra todos los socorros posibles tanto en hombres como en dinero... Seguramente la parte francesa está bien atacada y en un grande peligro pues que tiene de cuatrocientos a quinientos mil enemigos dentro de sí. V.E. puede considerar bajo todos los respetos posibles su situación, y se verá siempre empeñada a socorrerla; aunque ella no fuese obligada (y ello lo debe), la humanidad debería traerla a impedir que sesenta mil almas sean degolladas por sus esclavos. Por otra parte no se engañe V. Yo no sé muy bien si después de haber conducido la muerte en la parte francesa, estos esclavos no formarían proyectos criminales sobre el Gobierno de V.E. Hay todo motivo de creerlo, por que después de la derrota de los franceses si ella se efectuase, los españoles deberían tener la misma suerte si ya no la sufriesen.”*

³⁷ García to Bajamar, 25 September 1791, AGI ASD 1029. In the original text: “*...le hacía ver que los disgustos de la colonia y desavenencias domésticas nacían entre sí por sus súbditos sobre dros [derechos] recíprocos, y por consiguiente no estaba en el caso de lo prevenido en el artículo 9... no ser el alboroto y sublevación de Negros esclavos, sino de muchos blancos y mulatos de consideración y de partidos enteros.”*

³⁸ García to Alange, September 1791, AGS GM 7149, f. 439. In the original text: “*No sé cómo deba mirar las colonia desde que la Francia en General, ha trastornado el orden de sus primeras Leyes.”*

game of trying to minimize the adverse effects of the Saint-Domingue revolt on their own society while often tacitly aiding the Saint-Domingue rebels, who had taken up arms against the rival colonial power that had wrested the western third of Hispaniola from the Spanish crown a century earlier. After August 1791, García thus adopted a policy of official neutrality towards the neighboring colony while permitting the provision of assistance to the slave rebels.

In Santo Domingo, Dominguan insurgents found that they could exchange items taken from ransacked plantations for much-needed arms and food. These economic and military incentives to trade became complemented by ideological ties. Even before news of the Franco-Spanish war reached the island in May 1793, many French slave rebels made appeals to God and King, partly out of a desire to foment collaboration with the Spanish. This in turn led some members of the Dominican clergy to herald these slave warriors as agents of divine retribution against the supposedly godless Republican regime.³⁹ For instance, according to a 6 March 1793 account of battles between French colonial armies and slave rebels in northern Saint-Domingue, numerous captured insurgents had claimed that “they fight for the king, who has promised them general liberty, and that they will die with weapons in their hand.” Perhaps due in part to such royalist leanings, “the principal rebel leaders withdraw towards Spain [Santo Domingo].”⁴⁰

³⁹ David Geggus, “Slave Resistance in the Spanish Caribbean in the mid-1790s,” in *A Turbulent Time: The French Revolution and the Greater Caribbean*, ed. David Geggus and David Gaspar (Bloomington: Indiana University Press, 1997), 139; and Dubois, *Avengers of the New World*, 107-108. Dubois on these pages notes that “Spanish officers” sometimes visited insurgent camps on the border.

⁴⁰ “Extract from a particular letter from Cap Français, dated 6 March [1793],” ANOM CMSM F3 197. In the original text: “*Les plus acharnés disent qu’ils combattent pour le roi, qui leur a promis la liberté générale, et qu’ils mourront les armes à la main...c’est vers l’Espagne que se retirent les principaux chefs des révoltés.*”

The extent of the Spanish monetary and military aid to slave insurrectionists remains unclear, but the French General Pamphile de Lacroix would later write of an “infernal Machiavellianism” in which both parties worked together against a common enemy.⁴¹ For their part, Governor Blanchelande and some of his subordinates angrily protested that the material benefits accruing to both the Spanish in Santo Domingo and to the insurgent slaves had fueled this clandestine trade which these French officials demanded that their Spanish counterparts suppress. “[Many Dominicans] have not ceased to trade with the brigands,” wrote one French military officer. These Dominicans continued to “encourage [the slave rebels] in their crime; to give them provisions, arms and munitions; [and] to export the furniture of the burned plantations and the product of the slaves’ thefts.”⁴²

By 6 December 1791, according to one report, ten to twelve thousand slave “rebels” were fighting under assorted chieftains; two to three thousand of these answered to Jean-François and Biassou who were based in Grande Rivière. The Comte de Gaston, this report’s author, further argued that the “Mulattos” were the “hidden leaders of the revolt” who “had spread out easily and quickly in traversing the Spanish Lands with their Comrades and their brothers from Mirebalais [western Saint-Domingue].”⁴³ For the next year and a half, the war between the French armies and the rebel slaves would remain a bloody stalemate despite compromises proposed by some rebel leaders to end the violence. Around the time of Boukman’s demise in November 1791, Jean-François had

⁴¹ Pamphile de Lacroix, *La Révolution d’Haïti* (Paris: 1819; reprint, Paris: Karthala, 1995), 92.

⁴² Quoted in Deive, *Los guerrilleros negros*, 198-199.

⁴³ Comte de Gaston, “Summary of the Current Situation in the Colony of St Domingue,” 6 December 1791, CARAN Colonies CC/9a/5. In the original text: “*Ces différents Camps sont occupés par environ 2 à 5 mille Nègres encore portant armes, ce qui élève le nombre total des révoltés à 10 ou 12 Mille actuellement...les Mulâtres chefs cachés de la révolte, se sont étendus facilement et promptement en traversant les Terres Espagnoles avec leurs Camarades et leurs freres de Mirebalais.*”

through an intermediary presented a series of conditions for surrender to the Colonial Assembly: freedom for several hundred of the principal insurgents; complete amnesty for all rebels; and the prohibition of the use of the whip. French colonial authorities rejected these demands.⁴⁴

News of the continuing bloodshed helped to enable the passage by the French National Assembly of a 4 April 1792 law that finally granted equal political rights to free people of color in Saint-Domingue in unequivocal terms following a fitful series of legislative reversals and armed clashes between whites and free coloreds.⁴⁵ The law's framers had designed it largely with the aim of ending the acrimonious struggle between these two groups so that they might put aside their differences to confront a common enemy. Yet anticipating the difficulties that would arise as authorities tried to enforce the new law, the National Assembly deployed a warship christened *America* to Saint-Domingue that contained six thousand troops (more than France had sent several decades earlier to assist in the liberation of the Thirteen Colonies), a new Governor-General, and three members of a Civil Commission named Léger-Félicité Sonthonax, Étienne Polverel, and Jean-Antoine Ailhaud. The vessel arrived in the harbor of Le Cap on 13 September 1792.⁴⁶

Sonthonax and Polverel (having been abandoned by Ailhaud soon after their arrival on the island) confronted an adversary that was perennially threatened by disunity in spite of its numerical superiority. Leaders such as Jean-François, Biassou, and an obscure but strong-willed and militarily- and politically-gifted former slave named

⁴⁴ Fick, *The Making of Haiti*, 112-117.

⁴⁵ For a copy of the 4 April 1792 law, see "Law Relative to the Colonies and to the means to pacify the troubles there," 4 April 1792, CARAN *Comité de la Marine* (hereinafter CM) D/XVI/16.

François Dominique Toussaint Louverture (who had joined the rebellion in November 1791) competed for authority over the movement.⁴⁷ At first, it appeared that Sonthonax and Polverel would prove no more willing than their predecessors to make meaningful concessions that might bring the warfare to a halt. In a 24 September 1792 proclamation to the “Free Men of Saint-Domingue,” the Civil Commissioners had declared that “slavery is necessary to agriculture and to the prosperity of the colonies, and it accords with neither our principles, nor the will of the national assembly and of the king, to affect in this regard the prerogatives of the colonists.”⁴⁸ Nonetheless, several months of military setbacks against foreign enemies as well as both enslaved and freed warriors led these men to reconsider this position.

The violence also thrust difficult choices upon more ordinary folks, who weighed whether to leave behind their homes, properties and former lives in the name of safety or to stay and attempt to survive a war whose outcome was uncertain. Many who chose the former option sought refuge in nearby Santo Domingo. This choice in large part reflected the simple fact that several of the Dominguan parishes which formed the locus of the August 1791 revolt were located on or near the border with Santo Domingo, as were important parts of the French colony’s western province that had witnessed many white-free colored battles. On 18 November 1792, García informed a man named Pedro Acuña that in late October several of García’s subordinates had helped to resettle numerous “Free mulattos” from Saint-Domingue who were “requesting asylum in our lands to free

⁴⁶ Jeremy Popkin, *You Are All Free: The Haitian Revolution and the Abolition of Slavery* (New York: Cambridge University Press, 2010), 23.

⁴⁷ Fick, *The Making of Haiti*, 116-117.

⁴⁸ Sonthonax, Polverel and Ailhaud to “Free Men of Saint-Domingue,” 24 September 1792, ANOM *Correspondance au départ* (hereinafter CD) B 277. In the original text: “*Nous déclarons que l’esclavage est nécessaire à la culture et à la prospérité des colonies, et qu’il n’est ni dans les principes, ni dans la volonté de l’assemblée nationale ou du roi, de toucher à cet égard aux prérogatives des colons.*”

themselves from the furor of the Blacks who pursue their lives.” “The Blacks traverse the entire frontier [with Santo Domingo] pursuing families of Mulattos, free Blacks, and Whites that they encounter,” García wrote. “Neither women, nor young children are pardoned, and people look from the Spanish land with great vigilance and caution.” In their efforts to assist these refugees, Spanish authorities resettled near Marmelade (a northern parish in Saint-Domingue on the colonial border) seventy-two “Persons of color of both sexes, fleeing the harshness of the Blacks.”⁴⁹ Such flight appears to have had significant demographic effects in Santo Domingo. In 1793 Fernando Portillo y Torres, the archbishop of Santo Domingo, described that colony as “a dominion on Spanish land almost more populated by Frenchmen than by Spaniards.” Many of these refugees had according to Portillo arrived on “unarmed Boats...loaded with Frenchmen, and French women, who flee from the colony [Saint-Domingue].”⁵⁰

Enslaved refugees also made their way across the border to Santo Domingo, prompting some Spanish and French colonial authorities to temporarily close ranks for the sake of peace and stability. In November 1792, Gaspar de Casasola, a Spanish official in the town of Dajabón near the border with Saint-Domingue, promised the acting governor of Saint-Domingue, Donatien Marie Joseph de Rochambeau, that he would return to French officials the nearly one hundred fugitive slaves under his control plus

⁴⁹ García to Pedro Acuña, 18 November 1792, AGS GM 7157, f. 71. In the original text: “*El 27 se presentaron en el Limite...veinte y seis mulatos Libres con quatro mugeres suplicando el asilo de nuestros terrenos para libertarse del furor de los Negros que perseguían sus vidas...Los Negros recorren toda la parte de frontera persiguiendo a las familias de Mulatos, Negros libres y Blancos que encuentran; no son perdonados ni mugeres, ni los niños de menor edad, y se miran desde el terreno español con una vigilancia y cuidado grande. En los días siguientes han pasado por Villarubia setenta y dos Personas de color de ambos sexos, huyendo del rigor de los Negros, los quales han sido recibidas y pasadas a la Mermelada como los antecedentes.*”

⁵⁰ Fernando Portillo y Torres to Pedro Acuña, 25 September 1793, AGI ASD 1110. In the original text: “*Muy Señor mio, una colonia dominada, y débilmente sostenida por Negros, y Mulatos, y un dominio en terreno Español mas poblado casi de franceses, q[ue] de Españoles...Se han hecho varias presas, o por*

any who fled to Dajabón in the future in order to preserve “the strongest union of the two nations” and to “return to the colony [Saint-Domingue] its former happiness.”⁵¹ In a report on military victories against the “brigands” in this border area dated 9 November 1792, Rochambeau asserted that Casasola had exhibited the “happiest dispositions” towards his request for the prompt return of “many blacks who have taken refuge in Laxavon [Dajabón], that I have claimed from the governor by virtue of [several] treaties” signed between the two powers.⁵²

The vicissitudes of race, imperial rivalry, and ideological conflict thus produced contradictory colonial policies in Santo Domingo with respect to the crisis in Saint-Domingue. The outbreak of war between France and Spain in Europe in 1793 would transform this situation and reshape the political geography of the island.

Slave-Based Realpolitik⁵³ and the War for Hispaniola, 1793-1795

On the eve of the August 1791 slave uprising, a piece in a periodical based in Le Cap called *Les Affiches Américaines* had compared French soldiers under the *ancien régime* to “such perfect slaves,” who were subject to the most “cruel prejudice.” By

mejor decir sorpresas de Barcos desarmados, y casi sin tripulacion, cargados de franceses, y francesas, que huyen de la colonia.”

⁵¹ Gaspar de Casasola to Rochambeau, 9 November 1792, AGS GM 7157, f. 70. In the original Spanish: “Yo daré cuenta a S.E. el Señor mi Gral que espero me aprobará esta mi determinacion a favor de los desgraciados propietarios en obsequio de V.E. y de la mas estrecha union de las dos naciones...yo espero que V.E. hara volver a la colonia su antigua felicidad.”

⁵² Report by Rochambeau on military events in northern Saint-Domingue, 9 November 1792, CARAN CC D/XXV/113, dossier 896. In the original text: “...il y a beaucoup de nègres réfugiés à Laxavon, que j’ai réclamés du gouverneur en vertu des traités, et qui seront remis aux maîtres, en justifiant de la propriété, sans rétribution, ainsi que les mulets, chevaux et autres animaux. J’ai trouvé à cet égard les plus heureuses dispositions de la part de Don Cassazola, gouverneur Espagnol à Laxavon.”

⁵³ I borrow the concept of *realpolitik* within an early-modern Caribbean context from Philip Boucher’s use of the term to describe the role of the so-called “Island Carib” Amerindians in the imperial rivalries between the British, French and Dutch in the Caribbean, especially the Lesser Antilles. See Philip Boucher, *Cannibal Encounters: Europeans and Island Caribs, 1492-1763* (Baltimore: Johns Hopkins University Press, 1992), 2.

contrast, under the new order a man of even the humblest of backgrounds could acquire full citizenship following sixteen years of military service.⁵⁴ On both sides of the Atlantic in the first years of the 1790s, uprisings against repressive old regimes in the French world and beyond gave rise to numerous rhetorical and armed contests over the shape of a new social order and the relationship that ought to exist between a state and its citizens. As this article's publication in a colonial periodical implies, these struggles in mainland France and in the *outré-mer* (overseas) territories became closely intertwined.⁵⁵ As the efforts of slaves and free-coloreds were bringing about the end of institutionalized racism in the colonies, those who sometimes invoked the image of the "slave" as a rhetorical device for political ends were helping to effect radical change in the French political structure.

In September 1792, just as Sonthonax and Polverel were disembarking in Saint-Domingue, political leaders in France had abolished the monarchy and proclaimed the birth of the French Republic, replacing the National Assembly with a new legislative body called the National Convention. The execution of the French King Louis XVI on 21 January 1793 following a trial by the National Convention helped to provoke Britain and Spain to declare war on France the following month.⁵⁶ News of the advent of war reached

⁵⁴ "Variétés: Parallèle entre la situation actuelle du Soldat, et celle de l'ancien régime," *Les Affiches Américaines*, no. 62, 3 August 1791, microfilmed at University of Florida's Special Collections. In the original text: "Il était si parfaitement esclave, qu'un citoyen n'osait parler de son fils soldat sans réveiller l'idée d'un mauvais sujet, et les lois de police contre le soldat favorisaient ouvertement ce cruel préjugé."

⁵⁵ Scholarship in recent decades in French and English has foregrounded the "*outré-mer*" dimensions of the French Revolution, departing from earlier scholarship on this revolution which had largely ignored this. See for instance Laurent Dubois's two books cited in this chapter as well as Yves Bénot, *La Révolution Française et la fin des colonies* (Paris: Découverte, 1988); and Yves Bénot, *La démesure coloniale sous Napoléon*, 2nd ed. (Paris: Découverte, 2006).

⁵⁶ Though this act of regicide was the immediate catalyst for Spain's declaration of war against France, the decision of Spain's rulers to abandon their longstanding alliance with their neighbor resulted from a confluence of geopolitical and diplomatic developments. For details on this decision, see Barbara Stein and Stanley Stein, *Edge of Crisis: War and Trade in the Spanish Atlantic, 1789-1808* (Baltimore: Johns Hopkins University Press, 2009), chapter 2.

the Caribbean that spring; this prompted the Spanish in Santo Domingo and the British in nearby Jamaica to seize this opportunity to try to conquer France's prized colony whose leaders were still in the throes of their battle against the slave rebels. All three belligerents soon discovered that the tropical, disease-ridden climate and the distance from Europe impeded their efforts to take or retain Saint-Domingue, which led them to turn to recruiting soldiers and officers among the thousands of slaves who had honed their fighting skills in one and a half years of battle against the French. Forced to appeal to these slaves' aspirations for freedom, these powers offered liberty to those who would enlist in their colonial armies; this entailed intense ideological competition between divergent concepts of political legitimacy. The concept of "liberty" thus became a major point of contention among the warring factions in Hispaniola and other Caribbean islands.

To the initial consternation of French authorities and masters, many slaves, free non-whites, and others in Hispaniola closely followed the unfolding of revolution in France and the political discourses of egalitarianism and freedom that appeared in the Declaration of the Rights of Man and other documents. After 1793 these same authorities would attempt to harness the power of such ideologies by presenting the French Republic as the only guarantor of these values. The colonial press frequently printed politically-charged tracts, extracts from legislative sessions, and correspondences such as a passionate exhortation to the Spanish King Charles IV for reform contained in the 13 March 1793 edition of the Saint-Domingue-based *Moniteur Général*. In a 20 December 1792 letter, an unnamed "gentleman from Fraga [Spain]" (*gentilhomme de Fraga*) bemoaned the "religious despotism" and "holy barbarism of the tribunals of the Faith"

which the Spanish monarch supposedly championed, calling upon the sovereign to “give us [the King’s subjects] the liberty to think and to write.” “Only a tyrant could dread the light,” this man wrote, “and you without a doubt do not want this miserable name [of a tyrant] to accompany yours to the tomb.”⁵⁷

Enslaved men and women in Saint-Domingue were engaged in their own struggle against oppression, and their actions would take the French Revolution farther than the Fraga “gentleman” or even the Jacobins had intended. While the Jacobins’ act of regicide in the name of political liberty played a central role in enabling the emancipation of slaves in Saint-Domingue, Dominguan slaves ultimately made the Haitian Revolution on their own terms.

If in 1791 many slaves had taken up arms partly due to the belief that King Louis had interceded on their behalf, then the news of this king’s death (and the ensuing declarations of war) would have even greater implications for their conquest of freedom and political rights. Governor García in Santo Domingo reported receiving word of these events on 9 May 1793, at which time he promptly mobilized three militia companies of whites and two of *morenos* (dark-skinned individuals).⁵⁸

Yet even before García learned of the war declaration, he had begun to move beyond his previous policy of providing tacit aid to the insurgents behind a veneer of official neutrality to an even more audacious plan: the active recruitment of these rebels based on the extension of offers of freedom in exchange for military service. As news of

⁵⁷ “Letter from a gentleman from Fraga, to the king of Spain, 20 December 1792,” *Moniteur Général de Saint-Domingue*, 13 March 1793, AGS GM 7157, f. 108. In the original text: “*Ton auguste père mérita la reconnaissance de la nation Espagnole; il nous gouverna avec douceur et modération; son règne fut marqué par des bienfaits dont nous ne perdrons pas la mémoire. Il affaiblit le despotisme religieux, il adoucit la barbarie sacrée des tribunaux de la Foi...rends-nous la liberté de penser et d’écrire: il n’y a qu’un tyran qui puisse redouter la lumière, et tu ne veux pas sans doute que ce nom exécrationnel accompagne le tien au tombeau.*”

a growing diplomatic crisis with France reached the island, García proclaimed on 19 April 1793 that, with the blessing of the Spanish monarch, he was implementing a policy that would “admit under [the king’s] sovereign protection all the [Saint-Domingue] Blacks who have sustained the war against the diabolical maxims of the whites.”⁵⁹ In a 14 May 1793 letter to don Pedro de Acuña, García detailed the successes of three emissaries in their overtures to the three “Chiefs” (*Gefes*) Jean-François, Georges Biassou, and Hyacinthe. “All [of these black leaders] with their soldiers are disposed to follow the royal standards of His Majesty, live under his royal Protection, and [they are] ready to sacrifice their lives in honor of his crown,” García told Acuña.⁶⁰ These leaders’ allegiance to García nonetheless emerged within the context of their own calculations of their possibilities for freedom.

Jean-François, Biassou, Toussaint Louverture, and other onetime rebel leaders who accepted Spain’s offer became part of a military unit known as the “Black Auxiliaries of Carlos IV” that Spanish colonial authorities kept segregated from the “Spanish militias” that had long defended Santo Domingo.⁶¹ The French under Sonthonax, Polverel, and a military officer named Étienne Laveaux soon followed suit, coupling their offer of liberty for slaves who chose to enlist with the attempt to achieve a greater degree of racial integration within the military in the spirit of the 4 April 1792

⁵⁸ García to Pedro de Acuña, 24 May 1793, AGS GM 7157, f. 129.

⁵⁹ García to Gaspar de Casasola, 19 April 1793, AGS GM 7157, f. 120. In the original text: “*Las últimas noticias y órdenes que recibo de la corte manifiestan un próximo rompimiento de n[uestra] corte contra la Francia. El Rey se digna confiar de mi zelo los aciertos y el buen éxito en todos los casos, y me faculta para admitir bajo su soberana Protección, a todos los Negros que han sabido sostener la guerra contra las diabólicas máximas de los blancos.*”

⁶⁰ García to Pedro de Acuña, 14 May 1793, AGS GM 7157, f. 124. In the original text: “*...tengo el honor de hacer presente a V.E. que todos con sus soldados están dispuestos a seguir los reales estandartes de S.M., vivir bajo su real Protección, y prontos a sacrificar sus vidas en honor de su corona.*”

⁶¹ Jorge Victoria Ojeda, *Tendencias monárquicas en la revolución haitiana: El negro Francisco Petecou bajo las banderas francesa y española* (Mexico City: Siglo XXI Editores, 2005), 57.

law.⁶² The imperial conflict thus transformed the thousands of rebel slaves from despised insurgents to coveted targets of intensive military recruitment campaigns. In the words of Julius Scott, this battle between the Spanish and the French in the Caribbean “involved a struggle for hearts and minds as much as a military contest.”⁶³ John Garrigus has argued that the pen was as important as the sword in starting the Haitian Revolution; similarly, the battleground of ideas was at least as important as the field of martial combat in the Revolution’s unfolding.⁶⁴

Nonetheless, these warriors needed weapons. Jean-François and other black officers repeatedly requested and often received arms and provisions from other Spanish officials, though financial stringencies and other considerations resulted in the inconsistent distribution of these items.⁶⁵ European powers had been waging armed struggles against each other on American battlefields for centuries before 1793, and some of these battles had involved the arming of slaves. Yet according to David Geggus, the 1793-1795 war between France and Spain in the Caribbean marked a significant departure from previous instances in which authorities had armed New World slave populations. While prior official sanction of martial activity among slaves had chiefly

⁶² Dubois, *Avengers of the New World*, 146.

⁶³ Scott, “The Common Wind,” 233.

⁶⁴ Garrigus, *Before Haiti*, 227.

⁶⁵ The continual rivalry between the leaders of these “black auxiliaries,” which perpetually undermined their unity, appears to have been related to the distribution of resources by the Spanish high command to these leaders. In a letter dated 16 September 1793, Biassou’s subordinate Charles Belair complained that while Jean-François’s men had received “considerable sums” from Spanish authorities, Biassou’s forces had only obtained a very small recompense for their “two years” of “fight[ing] without any interest other than for the King.” This caused much “envy” among Biassou’s men and prompted many of them to “desertion” to the ranks of Jean-François. Belair to Joaquín García, 16 September 1793, AGS GM 7157, f. 21. In the original text: “*Tengo el honor también de exponer a vuestra grandeza q[ue] después de dos años también que yo combato sin ning[ún] otro interes q[ue] p[or] el Rey nuestro amo sin haver tocado el menor sueldo hasta este momento...Mr. Juan Fran[cisco] ha tocado hasta este momento sumas consideradas y de las que él ha esparcido en parte en nuestros campos, y de que ha resultado q[ue] muchas de nuestras gentes han sido exitadas a la desercion. Los oficiales igualmente del Mr. Juan Fran[cisco] han tocado su paga lo que no ha dejado de causar alguna embidia entre nuestros oficiales.*”

involved arming them in a condition of clear subjugation, in 1793 French and Spanish colonial authorities appealed to slaves who had “effectively already freed themselves.”⁶⁶ Moreover, the political and ideological terrain was for the first time amenable to the possibility of general liberty. “With the greatest ardor they speak in [Le Cap] of granting Freedom to all the Blacks, and expatriating them so that they carry the lighted fuse in one hand and in the other the revolution to this entire new world,” García had warned Pedro de Acuña on 13 January 1793. According to García, many partisans of the revolution in France wished to “achieve, or put in motion the treacherous ideas that the first moments of the French Revolution displayed in its seditious Public Papers.”⁶⁷

The coming of war with France impelled García and other Spanish authorities to appeal to groups with seemingly diametrically opposed interests. While they were forced to recognize the aspirations of some of these “Blacks” for “Freedom,” they also sought to attract French royalist émigrés. Moreover, they refused to consider the possibility of a general emancipation in Santo Domingo. On 13 July 1793, an official in the city of Santo Domingo (probably García) explained to a subordinate (likely a man named don Luís Quero) that the writer understood “the arduous undertaking of reconciling the wills of the French whites, with the Blacks our allies upon whom [the whites] yesterday looked with a superiority and scorn that is evident.”⁶⁸

⁶⁶ David Geggus, “The Arming of Slaves in the Haitian Revolution,” in *Arming Slaves: From Classical Times to the Modern Age*, ed. Christopher Leslie Brown and Philip D. Morgan (New Haven: Yale University Press, 2006), 220.

⁶⁷ Joaquín García to Pedro de Acuña, 13 January 1793, AGS GM 7157, f. 83. In the original text: “*Con el maior calor se habla en el Guarico de dar Libertad a todos los Negros, y expatriarlos para que ellos lleven la mecha en una mano y en otra la revolucion por todo este nuevo mundo, y conseguir, o poner en execucion las perfidas ideas que los primeros momentos de la revolucion Francesa manifestaron en sus sediciosos Papeles Publico.*”

⁶⁸ Letter contained in Antonio del Monte y Tejada, *Historia de Santo Domingo* (1890-1892; reprint, Ciudad Trujillo [Santo Domingo], 1953), 4: 62-63. In the original text: “*Comprendo la ardua empresa de*

In their efforts to “reconcile the wills” of these groups, Spanish officials drew upon one of the oldest and most respected forms of traditional authority: the clergy. García deployed religious authorities in Santo Domingo in an attempt to bridge the seemingly insurmountable divide between former slaveholders and those whom they had once held in bondage and to a large extent still regarded as no more than rebel slaves.⁶⁹ García and his peers probably reasoned that this strategy would also serve to counteract the influence of the purportedly godless and anarchic radicals responsible for destroying the French monarchical regime. Above all, Spanish officials aimed to utilize religion as a form of social cohesion to lessen the dangers to the colonial regime and former masters of arming these former bondsmen. While the use of spiritual control to buttress political and military authority may not surprise those familiar with Spanish colonialism in the Americas, this would prove to be no ordinary colonial war.

In April 1793, García had entrusted don José Vázquez, a curate from Dajabón, with the task of not only ministering to but effectively recruiting the services of Jean-François. According to a detailed account composed by García, Vázquez departed to meet with Jean-François on the night of 30 April 1793. After traveling to several plantations in search of the elusive leader, the priest finally met Jean-François when the latter presented himself with over two hundred men in tow; the fact that the enigmatic officer also arrived with twelve close advisors may not have been lost on the Catholic priest. In any event, with much pomp and circumstance on both sides, Jean-François met his interlocutor with “veneration” (*veneración*) and pledged his loyalty to the cause of

reconciliar los ánimos de los blancos franceses, con los Negros nuestros aliados que ayer miraban con una superioridad y desprecio qual es notorio.”

God and King, while Father Vázquez accepted his allegiance and promised that he and his men would be amply rewarded.⁷⁰

Although Catholic doctrine had long provided certain rudimentary rights for slaves throughout Spanish America, rarely had prominent religious officials interacted with slaves or ex-slaves on terms of equality or near equality.⁷¹ In Santo Domingo in early 1793, Father Vázquez and Jean-François engaged in a complicated ritual which suggests that this was no simple story of subordination. Not only did Jean-François keep the priest waiting for several hours and only appear (in elegant clothes and on horseback) after the latter sent an underling out to find him, the black leader also obtained promises of munitions, food, clothing, and high military ranks for himself and his followers. Though Jean-François and his partisans did show a certain amount of deference as well as “love and loyalty” to the priest and his cause, offering to “sacrifice their lives for the Spanish Crown,” this was no different than what white Spanish subjects at the time might have pledged in a political crisis.⁷² Furthermore, Vázquez played the role of not just a religious leader but also a political ambassador and military advisor. Thus, even as the Spanish sought to reaffirm their power through the figure of the priest, Jean-François in

⁶⁹ This utilization of religious authorities caused some Spanish officials on the island to complain that the conflict with France had become a “war of Pater Noster and Ave Maria.” Quoted in Geggus, *Haitian Revolutionary Studies*, 175.

⁷⁰ García to Acuña, 14 May 1793, AGS GM 7157, f. 124.

⁷¹ The thirteenth-century Castilian collection of laws known as the *Siete Partidas* held slavery to be against “natural reason” and enumerated certain rights for the enslaved as well as means by which those in bondage might become free. Robert J. Burns, ed., and Samuel Parsons Scott, trans., *Las Siete Partidas* (Philadelphia: University of Pennsylvania Press, 2001), 4:977 (*Partida* IV, Title XXI, Law I). While high Catholic officials in both Europe and America mostly refused to speak openly against slavery before the nineteenth century, an Afro-Brazilian leader of the Lisbon-based Confraternity of Our Lady of the Rosary named Lourenço da Silva persuaded the papacy in a visit to Rome in the 1680s to issue an anti-slavery declaration which was “among the most notable statements on human rights ever to have been published by the papacy.” Richard Gray, “The Papacy and the Atlantic Slave Trade: Lourenço da Silva, the Capuchins and the Decisions of the Holy Office,” *Past and Present* no. 115 (May 1987): 52-68 (quote is from p. 52).

⁷² García to Acuña, 14 May 1793, AGS GM 7157, f. 124. In the original text: “*Juan Fran[cisco] como los demás dieron muestras de amor y lealtad, ofreciendo sacrificar sus vidas por la corona española.*”

his actions and words created new possibilities for the assertion of political will by those who had only months or years earlier toiled in servitude. Religious doctrines, political ideas, and material and military circumstances combined in unique ways to empower this leader to negotiate on equal terms with a priest sent to recruit him to defend a colonial regime. Jean-François acceded to these entreaties, but on his own terms and largely for his own ends.

Spanish appeals to traditional authority may well have resonated with ideas of monarchy and religion rooted in not only European but also African traditions. The kingdom of Kongo, from which thousands of slaves came to Saint-Domingue, had been Christianized by the Portuguese in the fifteenth century, but the participants in the wars in Hispaniola in the early 1790s drew upon other ideas as well. Black leaders sometimes deployed language and symbols considered subversive by European colonial authorities even as they appealed to the latter for assistance. Sometime around February 1793, the black general Hyacinthe had informed Governor García that while he desired to serve the King of Spain and fight the French Republicans, his enemies had forced him into retreat. “I have the honor of assuring you,” Hyacinthe wrote, “that I am a maroon in the woods awaiting your response [to my letter].”⁷³ In his appeal to a high-ranking Spanish colonial official affirming his existence as a “maroon,” this young Vodou priest and military leader rhetorically challenged the political underpinnings of colonialism even as he claimed fidelity to the Spanish monarch. Hyacinthe’s language illustrates that ex-slaves

⁷³ Hyacinthe to Joaquín García, no date, AGS GM 7157, f. 109. In the original text: “...yo tengo el honor de aseguraros q[ue] me hallo cimarrón en los montes esperando vuestra respuesta.” On 19 April 1793, García acknowledged receiving an undated letter the previous February from “General Jacinto,” which almost certainly is the one quoted above; García in his April letter mentioned Hyacinthe’s claim to be a “cimarrón.” Joaquín García to Ignacio Caro, 19 April 1793, AGS GM 7157, f. 122. *Cimarrón* is a word that referred to slaves who had fled from their masters and is related to the English word “maroon.”

sometimes combined symbols of subversion forged out of colonialism and slavery with professions of adherence to a European monarch.⁷⁴

Hyacinthe deployed powerful language to affirm his freedom in a correspondence with a representative of a colonial regime committed to the maintenance of slavery. His French adversaries meanwhile, in response to the continued militancy of black rebels and military losses to the Spanish and British, adopted the most daring tactic of all—complete emancipation.

“The [Rebels’] Disposition is to Die before being Slaves:” The Coming of Emancipation to the Island

“The Sword of vengeance is suspended above your heads: a fatal error enchants you: what blind fury animates you, arms you against your protectors, your brothers, against your Friends, against your fatherland?” On 8 August 1793, an anonymous author or authors sympathetic to the French Republic composed a polemical tract addressed to formerly enslaved insurgents from Saint-Domingue who had taken up arms for the Spanish enemy. This author called upon these warriors to “Open your eyes, and know your true interests” by renouncing the Spanish “yoke of oppression” and proclaiming loyalty to the French Republic so that they might achieve a “perfect equality” with all other men. While declaring liberty to be an “inherent right of man,” this letter stated that

⁷⁴ Hyacinthe was involved in a series of conspiracies and rebellions, such as two revolts among slaves in January 1793. He also made entreaties to both the Spanish and the British for support. In a September 1793 letter, García detailed Hyacinthe’s capture by a “mulatto” serving the French. Joaquín García to Alange, 13 September 1793, AGS GM 7151, f. 39. According to Polverel in an 18 August 1793 letter to his colleague Delpech, the “arrest of the famous Hyacint[h]e” (*l’arrestation du fameux hyacinte*) on 13 August 1793 was integral in the French retention of the western Dominguan town of Croix-des-Bouquets. Polverel to Delpech, 18 August 1793, CARAN CC D/XXV/12, dossier 114. This capture led to Hyacinthe’s trial on charges of collaborating with the British, which ended with his acquittal by Sonthonax. Hyacinthe then met his end in mid-1794 in disputed circumstances. For more information on Hyacinthe, see Fick, *The Making of Haiti*, 139-140, 157-158, and 185-186. See also Lacroix, *La Révolution d’Haïti*, 481.

these soldiers would only enjoy this right “when you submit to order, when you put yourselves under the protection of the Law, [and] when you make yourselves useful to your Fatherland in the type of work in which it judges you ought to be employed.” Failure to do so would risk a perilous descent into an “immoral liberty” which could lead to the ruin of the Republican state itself.⁷⁵

This letter appears in the archival record copied and translated by Governor García and thus must be approached with caution, but it nonetheless allows one to gain a sense of the intensity of the effort to recruit ex-slaves. The men and women to whom this impassioned statement was addressed seemingly had had little reason to identify with the French Republic that had held many of them in bondage, let alone to claim an affinity with it as strong as the terms “brothers” and “protectors” imply. Yet by August 1793, the French Civil Commissioners Sonthonax and Polverel initiated a process of general slave emancipation in order to combat Spanish and English threats to the colony of Saint-Domingue. The French had to free the slaves who had built the colony’s prosperity in order to save the colony itself; at the heart of this seeming paradox lay the slaves’ own determination and military strength.

In May 1793, just as word of the commencement of hostilities with Britain and Spain arrived on the island, the Civil Commissioners faced a new internal threat in the

⁷⁵ “Sentimental Letters on the Santo Dom[ingo] revolution. Thursday 8 August 1793, year 2 of the French republic. Sixth Letter To the Rebels,” 8 August 1793, AGS GM 7157, f. 13. In the original text: “*Abrid los ojos, y conocec vuestros verdaderos intereses...La Espada de la venganza está suspendida sobre vuestras cabezas: un error fatal os encanta: que furor ciego os anima, os arma contra vuestros protectores, vuestros hermanos, vuestros Amigos, contra v[uestra] Patria...La ley, la razon, la Justicia, os aseguran el goce en medio de un Pueblo livre donde reyna una igualdad perfecta. Quanto es imposible que el fuego [illegible] con el agua, otro tanto es imposible que vosotros poseáis estos bienes preciosos entre un Pueblo de Esclavos arruinado bajo el Yugo de la opresión...La Livertad es un bien vosotros la gozareis; ella es un derecho inherente al hombre, pero vosotros la gozareis quando os sometais al orden, quando os alisteis bajo la proteccion de la Ley quando os hagais útiles a vuestra Patria en el genero de trabajo al qual ella juzgue aproposito de emplearos. Una Livertad licenciosa conduce a la ociosidad.*” Emphasis in original.

form of Governor François-Thomas Galbaud du Fort, who soon became a figure around whom the commissioners' many enemies began to rally. Though Galbaud, a Saint-Domingue-born property owner with pro-slavery sympathies, had been sent by metropolitan officials to Le Cap with orders to enforce the 4 April 1792 law on racial equality, he quickly became allied with factions that opposed this law and that sought to block its implementation. This brought him into direct conflict with the Civil Commissioners, who briefly imprisoned Galbaud. Following Galbaud's release, he led an armed force of thousands into Le Cap on 20 June 1793 with the aim of deposing Sonthonax and Polverel. The schism between Galbaud and the Civil Commissioners reflected the colony's deep racial and political divisions. While Galbaud relied upon the support of sailors and others who according to Jeremy Popkin "seem to have been almost entirely white," the commissioners' partisans included some white troops and many free citizens of color.⁷⁶ Forced to flee the city, Sonthonax and Polverel issued a proclamation on 21 June 1793 that emancipated all "black warriors who will fight for the republic" and that sought to improve the condition of those still in slavery.⁷⁷ These measures won many new allies for the Republic, who helped the commissioners to expel Galbaud's forces from Le Cap.⁷⁸

In the midst of this fighting, a fire ignited that virtually destroyed this once-great city. According to Popkin, the violence and the fire claimed an estimated three thousand

Julius Scott cites an apparent copy of this document from the *Archivo General de Indias* in "The Common Wind," 246.

⁷⁶ Jeremy Popkin, *Facing Racial Revolution: Eyewitness Accounts of the Haitian Insurrection* (Chicago: University of Chicago Press, 2007), 180-181.

⁷⁷ "Proclamation" of Sonthonax and Polverel, 21 June 1793, ANOM CSM F3 198. In the original text: "Déclarons que la volonté de la république française et celle de ces délégués, est de donner la liberté à tous les nègres guerriers qui combattront pour la république."

⁷⁸ For more details on the Galbaud affair, see Dubois, *Avengers of the New World*, 155-159; and Popkin, *Facing Racial Revolution*, chapter 10.

to ten thousand lives. This episode was in Popkin's words "the most murderous instance of urban conflict in the entire history of the Americas."⁷⁹ Extant accounts of these events composed by the rival parties reveal that this bitter conflict also intersected with the onset of war with Spanish forces based in Santo Domingo. In a 10 July 1793 letter to the National Convention, Sonthonax and Polverel discussed the pillage and looting of Le Cap, wherein "brigands of all colors fought over the fruit of their rapine, [and] fired their guns indiscriminately." Amidst this chaos, the commissioners found themselves among "several troops of insurgent slaves" who despite possessing numerous "Spanish cockades" had "abandoned the royal colors to take those of the republic," vowing to "serve the [French] nation against kings." "We explained to them, and they understood very well that it was kings who sold men, that the republic by contrast only wanted free men," proclaimed the commissioners. Following Galbaud's defeat, many of his former partisans who had sought to arrest the commissioners fled to Santo Domingo, where according to this account they collaborated with about a thousand "traitors" to the Republic to take three key posts in the border area.⁸⁰

In a letter that Galbaud composed on 17 July 1793 in defense of his actions, Galbaud presented himself as having engaged in a valiant struggle against the interconnected threats of the "Rebel blacks" (*nègres Révoltés*) and the Spanish enemy in

⁷⁹ Popkin, *You Are All Free*, 2.

⁸⁰ Sonthonax and Polverel to National Convention, 10 July 1793, CARAN CC D/XXV/41, dossier 408. In the original text: "*Les brigands de toutes les couleurs se disputaient le fruit de leurs rapines, se fusillaient sans distinction... À notre arrivée, au haut du cap, nous y trouvâmes diverses troupes d'esclaves insurgés qui, depuis un mois avaient quitté les couleurs royales pour prendre celle de la république. Ils vinrent audevant de nous, nous demandèrent de servir la nation contre les rois en jurant d'obéir aux commissaires civils en tout ce qu'ils leur ordonneraient... quelques compagnies se présentèrent avec la cocarde espagnole, d'autres avec les cocardes blanches; nous leur apprîmes qu'il n'y avait plus de roi en France. Nous leur expliquâmes, et ils comprirent très bien que c'était les rois qui vendaient les hommes, que la république au contraire ne voulait que des hommes libres... Sitôt qu'on a été instruit de sa défaite, tous les arrêteurs ont émigré à l'Espagnol. Leur exemple a été suivi par leurs complices. Trois postes très*

Santo Domingo. According to Galbaud, deposing the commissioners by military force was necessary in order to ensure Saint-Domingue's stability and security. With "our borders threatened by the Spanish, no army to oppose them, the impotent pain of seeing the Rebel Slaves Supported by the Spanish, [and] a universal discontent against the Commissioners," Saint-Domingue was in Galbaud's depiction in an acutely vulnerable position upon his arrival. Declaring that he was "received in Le Cap as the Savior of The Colony," Galbaud justified appointing his brother C  zar to the post of commander in the northern towns of Fort-Dauphin and Ouanaminthe as a necessary measure to combat the Spanish threat from nearby Dajab  n.⁸¹

The military and ideological threats posed by the "Black Auxiliaries" and other partisans of the Spanish as well as Galbaud helped to convince the commissioners that they must offer freedom to enslaved insurgents in order to vanquish these foes. In stating that the French Republic "only wanted free men," Sonthonax and Polverel were responding to both the fusion of "liberty" and monarchism that Biassou and others had posited and to the confluence of internal and external military challenges that threatened France's grip on Saint-Domingue. In their 21 June 1793 proclamation, the commissioners had already promised an amelioration of slaves' conditions in the colony by offering assurances that masters would not "mistreat [slaves] as before;" that slaves would receive more ample food rations and have more time for their "own affairs;" and that slaves would have "sure means by which to purchase themselves, in return for a predetermined

int  ressants de la fronti  re ont   t   livr  s par trahison et sans bruler une amorce. Mille hommes environ tant de troupes de ligne que des volontaires nationaux ont suivi les traitres."

⁸¹ Galbaud, "Succinct and Preparatory Narration [R  cit] of My Conduct in Le Cap," CARAN CC D/XXV/48, dossier 459. In the original French: "*Je fus Re  u au Cap comme le Sauveur de La Colonie...nos fronti  res menac  es par les Espagnols, aucune arm  e    leur opposer, la douleur impuissante de voir les Esclaves R  volt  s Soutenu par les Espagnols, un mecontentement universel contre les Commissaires..."*

sum.” Perhaps most notably, Sonthonax and Polverel also proposed a scheme of gradual emancipation characterized by “gradually giving freedom to blacks who will offer superior proof of their good conduct and assiduity to labor, and at the same time giving them land in property sufficient for their honest subsistence and that of their families.”⁸²

This last proposal was a radical idea in the context of the centuries of conflict in Hispaniola and other parts of the Caribbean between an economic model centered on large-scale plantation production (generally favored by officials and masters) and many slaves’ wishes for economic and personal autonomy that were rooted in the “honest subsistence” that ownership of an adequate plot of land enabled. It would remain mostly a dead letter during the emancipation era (1793-1802). Furthermore, many of the other reforms articulated in this proclamation did not advance significantly beyond those proposed in another proclamation issued by the commissioners in May 1793 (which was itself mostly a restatement of a 1784 royal edict on improving slaves’ conditions that had been blocked by the planters).⁸³ Moreover, Dominguan authorities throughout the eighteenth century had sought to regulate self-purchase in order to foment stability in the colony.⁸⁴ Sonthonax and Polverel appear to have continued to value stability and order

⁸² “Proclamation” of Sonthonax and Polverel, 21 June 1793, ANOM CMSM F3 198. In the original text: *“La république et les commissaires civils veulent aussi adoucir le sort des autres esclaves, soit en empêchant que l’on ne puisse les maltraiter comme autrefois, soit en leur donnant de meilleurs vivres, de plus grandes places pour leur aisance, plus de rechanges par an, plus de temps par semaine pour s’occuper de leurs propres affaires, plus de douceur et de respect pour les femmes enceintes et les nourrices, soit en leur donnant des moyens sûrs de se racheter, moyennant les sommes déterminées, soit enfin en donnant graduellement la liberté aux nègres qui auront donné le plus de preuves de leur bonne conduite et de leur assiduité au travail, et en leur donnant en même temps des terres en propriété suffisante à l’honnête subsistance d’eux et de leur famille.”*

⁸³ Dubois, *Avengers of the New World*, 154-155; “Proclamation” of Sonthonax and Polverel, 21 June 1793, ANOM CMSM F3 198. For instance, the 21 June 1793 proclamation included a vaguely-worded promise of “gentleness and respect for pregnant and nursing women” (*douceur et de respect pour les femmes enceintes et les nourrices*), which was also an element of the May 1793 order. Both documents also included promises to curb masters’ mistreatment of slaves.

⁸⁴ According to Sue Peabody, Article XXIX of the *Code Noir* had made it permissible for slaves to accumulate funds to purchase themselves or relatives, though this was contingent upon the master’s

above nearly all else, for they asserted in their account of the Galbaud affair that while more than half of the “insurgent slaves” in Saint-Domingue’s southern province had by the spring of 1793 returned to their plantations, motivated by “the hope of improving their condition, [and] the certainty of gradually obtaining freedom,” the arrival of Galbaud had led them to “cease working” and to “recommence their Pillaging and arson.”⁸⁵

In the months following the Galbaud affair, and despite the new proclamation, the Republicans suffered numerous defeats at the hands of the Spanish and their formerly enslaved allies. The formalization of the alliance between García and Jean-François, Biassou and Toussaint had garnered some ten thousand men for the Spanish side, and with this military assistance much of the northern part of French Saint-Domingue fell to the Spanish by the end of 1793.⁸⁶ Julien Raimond would later write that “eight to ten

permission. Sue Peabody, “*Négresse, Mulâtresse, Citoyenne: Gender and Emancipation in the French Caribbean, 1650-1848*,” in *Gender and Slave Emancipation in the Atlantic World*, ed. Pamela Scully and Diana Paton (Durham: Duke University Press, 2005), 58. The text of this article reads: “*Voulons néanmoins que les maîtres soient tenus de ce que leurs esclaves auront fait par leur commandement, ensemble de ce qu’ils auront géré et négocié dans les boutiques, et pour l’espèce particulière de commerce à laquelle leurs maîtres les auront préposés; et en cas que leurs maîtres n’aient donné aucun ordre et ne les aient point préposés, ils seront tenus seulement jusqu’à concurrence de ce qui aura tourné à leur profit; et si rien n’a tourné au profit des maîtres, le pécule des dits esclaves que leurs maîtres leur auront permis d’avoir en sera tenu, après que leurs maîtres en auront déduit par préférence ce qui pourra leur en être dû; sinon, que le pécule consistât en tout ou partie en marchandises dont les esclaves auraient permission de faire trafic à part, sur lesquelles leurs maîtres viendront seulement par contribution au sol la livre avec leurs autres créateurs.*” Louis Sala-Molins, *Le Code Noir, ou le calvaire de Canaan* (Paris: Presses Universitaires de France, 1987), 148.

⁸⁵ Sonthonax and Polverel to National Convention, 10 July 1793, CARAN CC D/XXV/41, dossier 408. In the original text: “*...l’espoir d’un meilleur sort, la certitude d’obtenir graduellement la liberté, avait fait rentrer sur les ateliers plus de la moitié des esclaves insurgés de la partie du Sud; ils ont cessé de travailler, ils ont recommencé le Pillage et l’incendie parce qu’on leur a persuadé que la France avait envoyé un général pour faire couper la tête aux commissaires civils ennemis du roi et de notre saint religion.*”

⁸⁶ Dubois, *Avengers of the New World*, 153; and Deive, *Los guerrilleros negros*, 207-209. In addition to their fighting abilities, these new recruits also provided the Spanish with invaluable intelligence on the enemy. For instance, according to Julius Scott these black troops were the “eyes and ears of the Spanish in Santo Domingo.” Scott, “The Common Wind,” 244-245. Indeed, in a 22 October 1793 letter, García acknowledged that “the Chiefs of our black allies were the first ones who delivered to my hands the Proclamation of the Commissioner [Sonthonax].” He was referring to the general emancipation decree of 29 August 1793. García to Alange, 22 October 1793, AGS GM 7151, f. 66. In the original text: “*Como los*

thousand French blacks under the orders of Jean François, armed for their Liberty at the beginning of the revolution; were attracted by the Spanish government” via the bestowal of “titles and decorations” on rebel leaders and promises of “Liberty for all black soldiers in the name of the King of Spain.”⁸⁷

In an effort to change the course of the war, Sonthonax and Polverel issued two orders in July and August of 1793 that loosened restrictions on manumission. In the first, dated 11 July, the commissioners decreed that a marriage contracted between one free and one enslaved partner would liberate the unfree person as well as the couple’s children. Declaring that “the free man who has neither a wife nor children, can only be a savage or a brigand,” these men appealed to newly freed people’s demands for equal citizenship rights in Article VIII of the proclamation, which established that “Enslaved women who have married as we have specified, and all enslaved children legitimated by this marriage, will all become free and genuinely free, and they will gain all the rights that belong to citizens; they will not need any other freedom paper [as] the marriage paper will suffice to legitimate all of the children.” In the version of this order that they translated into Creole, the commissioners employed somewhat more expansive language on Republican citizenship than in the French version, but they also more explicitly lauded

Gefes de nuestros negros aliados fueron los primeros que pasaron a mis manos la Proclamacion del Comisario...”

⁸⁷ Julien Raimond, “Means to Take Possession of the Spanish Part of St Domingue and to form an armed force to defend it from the English Enterprises,” 7 Vendémiaire an 4 (29 September 1795), CARAN AF/II/64. In the original text: “*Environ huit à dix mille noirs français sous les ordres de Jean François, armés pour leur Liberté au commencement de la révolution; furent attirés par le gouvernement Espagnol dans la Partie de l’isle qui vient de nous Être cédée. Le gouvernement Espagnol pour Parvenir à se faire de ces hommes une force considérable pour nous combattre et conserver son sol, n’eut besoin que de flatter l’amour propre de quelques uns des chefs, par des titres et des décorations et en promettant la Liberté à tous les noirs soldats au nom du Roy d’Espagne.*” Emphasis in original.

the “love” that freed people ought to exhibit for their labors.⁸⁸ Many slaves appear to have taken advantage of this mechanism for manumission, as Sonthonax reported on 30 July 1793 that the Municipal Bureau of Le Cap was receiving at least thirty marriage “*déclarations*” per day. “Weddings follow quickly, and celebrations of the hymn become for [the newlyweds] those of Liberty,” Sonthonax wrote.⁸⁹

French colonial slave law—codified in the 1685 *Code Noir*—was somewhat unclear on the relationship between marriage and manumission, for while Article IX of

⁸⁸ For the Creole version of this proclamation on marriage, see Proclamation of Sonthonax and Polverel, 11 July 1793, ANOM CMSM F3 198. For the French version, see Proclamation of Sonthonax and Polverel, 11 July 1793, ANOM CMSM F3 286. The original text of the opening declaration in the Creole version is: “*Monde qui libe et qui pas gagné ni femme ni petite, li pas capabe bon sujet; li va toujou tourné sauvage ou ben brigand; cila qui mérité la liberté vrai, et qui connaît tout ça li vaut, li pas lé jamais souffri que femme à li aque petites à li resté dans z’esclaves.*” The key paragraph of the preamble in Creole is: “*Nous voit, et toute monde voit tant comme nous, que dans cilà yo qui pas libe, soit n’homme ou ben femme, cila qui marié ben légitime, c’est cila yo qui meyors, qui plus fidèles, qui plus aimé maitre à yo, qui aimé travail passé toutes les zautes; yo gagné meyor quior; yo pas couté mauvais parole, mauvais monde qui vlé débauché yo; c’est nion qui chose qui ben vrai oui. Et ben, si c’est mariage qui fait tout ça, qui rende toutes z’esclaves qui ben mariés, meyors, nous cré yo va meyors encore quant toutes z’esclaves là yo qui ben mariés ben légitimes va libes. Yo pas gagné maites encor, c’est la république qui maite à yo comme à nous toutes. Plus yo va aimé femme à yo et petites à yo, plus yo va aimé la république, plus yo va gagné quior et la force pour défende li.*” This paragraph in French is as follows: “*On a remarqué, même parmi les hommes non libres, que ceux qui étaient époux et pères, étaient les plus fidèles, les plus affectionnés à leurs maîtres, les plus laborieux, les plus incorruptibles. Si le mariage a produit ces effets salutaires sur eux, que n’opérera-t-il pas sur ces mêmes hommes devenus libres? Ils n’ont plus d’autres maîtres que la patrie; leur amour pour elle deviendra d’autant plus énergique, qu’ils auront plus de tendresse pour leurs femmes et pour leurs enfans.*” The Creole text of Article VIII is: “*Femme z’esclave et qui va marié comme nous sorti dire, et toutes petites a li qui z’esclaves et qui va légitimes par mariage là io toutes va libes et bon libe, et io va gagné toutes les droits qui parteni citoyens; io pas lé besoin l’aute billet liberté passé papier à mariage là assez outi io va metté legitime à toutes petite la.*” This same article in the French version is: “*La femme esclave ainsi mariée, et les enfans esclaves ainsi légitimés seront libres et réputés tels, et jouiront de tous les droits des citoyens, sans qu’il soit besoin d’autre titre de liberté, que l’acte de déclaration de mariage et de légitimation énoncée en l’article précédent.*” Note that the Creole version of this article portrays freed people as “winning” their citizenship rights, while the French text depicts them as simply “enjoying” these rights. On 21 August 1793, Sonthonax amended this 11 July marriage decree by extending by a week the window of time within which it was possible for free men (especially soldiers) to marry and thereby manumit enslaved women. This new order also authorized notaries to draw up marriage contracts between a free man and a slave woman. Proclamation of Sonthonax, 21 August 1793, ANOM CMSM F3 198.

⁸⁹ Sonthonax to National Convention, 30 July 1793, CARAN CC D/XXV/5, dossier 52. In the original text: “*Les noces se font en suite, et les fêtes de L’hymne deviennent pour eux celles de la Liberté.*” Sue Peabody has argued that in utilizing marriage as a form of social control, Sonthonax was motivated by “Republican ideologies of womanhood” that “held that a woman’s relationship to the state was mediated through her husband.” Peabody, “*Négresse, Mulâtresse, Citoyenne,*” 66. Suzanne Desan also organized a recent study of the family in revolutionary France around the contention that the family was “an arena of social and

the *Code* stipulated that when a “free man...will marry his said slave in the forms observed by the Church, [she] shall be freed by this means, and the slaves [children] rendered free and legitimate,” the wording of this article seems to imply that this only applied when the free man was the master of the slave whom he married. Moreover, Article XIII made it clear that this principle did not apply when the man was enslaved and the woman free and that the children followed the condition of their mother rather than automatically gaining their freedom by virtue of their parents’ marriage.⁹⁰ The *Code* was nonetheless clearer on the rights of freed persons. In declaring that individuals freed under the terms of their 11 July order would “gain all the rights that belong to citizens,” the commissioners simply reaffirmed Article LIX of the *Code Noir*, which had promised

political contestation during the French Revolution.” Suzanne Desan, *The Family on Trial in Revolutionary France* (Berkeley: University of California Press, 2004), 2.

⁹⁰ The wording of Article IX of the *Code Noir* is: “Free men who will have one or several children from concubinage with their slaves, as well as the masters who will have permitted this, will each be condemned to a fine of two thousands pounds of sugar. And if they are the masters of the slave by whom they will have had these children, we wish that beyond the fine, they be deprived of the slave and the children, and that she and they be confiscated for the profit of the hospital, without ever being able to be manumitted. We do not nonetheless intend for this article to apply, when the free man who was never married to another during his concubinage with his slave, will marry his said slave in the forms observed by the Church, who shall be freed by this means, and the slaves [children] rendered free and legitimate.” Article XIII reads: “We wish that if a slave husband has married a free woman, both male and female children shall follow the condition of their mother and shall be free like her in spite of the servitude of their father; and if the father is free and the mother enslaved, the children shall be slaves in the same manner.” In the original text, Article IX reads: “*Les hommes libres qui auront eu un ou plusieurs enfants de leurs concubinages avec leurs esclaves, ensemble les maîtres qui les auront soufferts, seront chacun condamné en une amende de deux mille livres de sucre. Et s’ils sont les maîtres de l’esclave de laquelle ils auront eu les dits enfants, voulons qu’outre l’amende, ils soient privés de l’esclave et des enfants, et qu’elle et eux soient confisqués au profit de l’hôpital, sans jamais pouvoir être affranchis. N’entendons toutefois le présent article avoir lieu, lorsque l’homme libre qui n’était point marié à une autre personne durant son concubinage avec son esclave, épousera dans les formes observées par l’Eglise sa dite esclave, qui sera affranchie par ce moyen, et les esclaves rendus libres et légitimes.*” Article XIII reads: “*Voulons que si le mari esclave a épousé une femme libre, les enfants tant mâles que filles suivent la condition de leur mère et soient libres comme elle nonobstant la servitude de leur mère [père]; et que si le père est libre et la mère esclave, les enfants soient esclaves pareillement.*” Sala-Molins, *Le Code Noir*, 108 and 116. For recent translations of these articles, see Laurent Dubois and John Garrigus, *Slave Revolution in the Caribbean, 1789-1804: A Brief History with Documents* (New York: Palgrave, 2006), 51. See also Peabody, “*Négresse, Mulâtresse, Citoyenne,*” 57.

that “freed persons” would enjoy the same rights as those who had never lived in bondage.⁹¹

The deep legal history of French Saint-Domingue was also evident in an order that Sonthonax issued on 1 August 1793. In an attempt to reverse nearly a century of legislative obstacles to manumission, Sonthonax decreed that henceforth a master could free his slave “notwithstanding all opposition and without needing to satisfy the formality of posting and publication that preceded the ratification of liberties, which is and remains abrogated.” Though the master still had to appear before his municipality and present either a “title of property” or the testimony of three citizens of the area in order to legalize the manumission, there was no requirement to obtain the approval of higher authorities.⁹² This countermanded laws from 1711 and 1713 that had removed absolute authority over manumissions from masters by requiring colonial authorities and the king to approve in writing all proposed manumissions. The legal scholar Malick Ghachem has characterized these laws as constituting a transformation in “the understanding of what it meant to possess property in slaves in Saint-Domingue.” By implicitly rejecting the view that slavery was “characterized in the formal terms of absolute domestic sovereignty,” these authorities had decided to “insert themselves into the master-slave relationship.”⁹³

⁹¹ Sala-Molins, *Le Code Noir*, 200. The original French reads: “*Octroyons aux affranchis les mêmes droits, privilèges et immunités dont jouissent les personnes nées libres.*”

⁹² Proclamation of Sonthonax, 1 August 1793, ANOM CMSM F3 198. In the original text: “*Article Premier. Tout homme habile à disposer de ses meubles pourra affranchir son esclave, non obstant toutes oppositions et sans avoir besoin de remplir la formalité des affiches et publication qui précédaiient la ratification des libertés, laquelle est et demeure abrogée. Art. II. Celui qui voudra affranchir son esclave présentera à la municipalité du lieu de sa résidence l’acte de manumission, et la municipalité sera tenue de le viser, si le maître justifie de la propriété. Art. III. A défaut du titre de propriété, le témoignage de trois citoyens domiciliés sera admis, ainsi que la preuve par titre d’une jouissance sans trouble depuis un an.*”

⁹³ Malick Ghachem, “Sovereignty and Slavery in the Age of Revolution: Haitian Variations on a Metropolitan Theme” (PhD diss., Stanford University, 2002), 60-61.

In this August proclamation, Sonthonax seemingly removed himself from the “master-slave relationship” in returning to masters much of their authority to free their slaves.

This proclamation combined liberationist language with a somewhat paternalistic view of manumission. “Among a people who esteems liberty to be foremost among positive goods,” Sonthonax declared, “the law ought to protect the slave who has earned the rights to be Free, and the master who commits an act of justice in granting to society an individual worthy of being part of it; that manumissions, finally, ought to be freed from the formalities that humanity and the health of the body politic both condemn.”⁹⁴ Earlier in the eighteenth century, Dominguan authorities had by contrast justified these “formalities” as a means to thwart the perceived grave threat to the “body politic” that excessive manumissions were held to represent.⁹⁵ Nonetheless, the underlying logic of both of these measures was remarkably similar: that properly-designed manumission policies were essential to minimize the risks inherent in a slave society; and that the enslaved had to “earn the rights to be Free” in order to attain entrance into society as a free citizen.

Many of the men and women who took up arms against their masters in late August 1791 invoking the name of Louis XVI likely understood that since at least the promulgation of the *Code Noir*, a political and legal tradition of “top-down” regulation of slavery had existed in tension with the wishes of masters for more complete control over those whom they deemed to be their property. In disavowing the authority to make major

⁹⁴ Proclamation of Sonthonax, 1 August 1793, ANOM CMSM F3 198. In the original text: “*Que chez un peuple qui compte la liberté pour le premier des biens, la loi doit protéger l’esclave qui a mérité d’être Libre, et le maître qui commet un acte de justice en donnant à la société un individu digne d’en faire partie; que les manumissions, enfin, doivent être affranchies de ces formalités que réprouvent également l’humanité et la saine politique.*”

⁹⁵ Ghachem, “Sovereignty and Slavery,” 60-61.

legal changes to the slave regime in September 1792 and in granting masters more power over manumissions in August 1793, Sonthonax appears to have acted in accordance with this long history of planters' zealous protection of their privileges even as he expanded the possibilities to escape from slavery in Saint-Domingue.

The combination of continuing military defeats against the Spanish and their ex-slave allies and the ideological threats posed by freed leaders such as Biassou nonetheless pushed Sonthonax to contemplate abandoning his piecemeal and conservative approach to regulating slavery in favor of more radical measures. In a letter to the National Convention dated 30 July 1793, Sonthonax had argued that the defeat of the "Spanish power" in Hispaniola would represent the first step in the "inauguration of Liberty in the new world" (*l'inauguration de la Liberté dans le nouveau monde*). He went on to advance a succinct argument for general emancipation in Saint-Domingue that rejected the claims of his royalist enemies to political legitimacy:

It is now up to you, citizen representatives, to pronounce upon a great matter, which is the state of unfree people in the colony. The time of prevarications, of false considerations, of hypocritical moderation has passed; [t]he prejudices that once blinded the slaves are no more, and the [National] convention is too Just and too fond of humanity, to not proclaim great principles. The declaration of rights no longer permits [the convention] to tolerate one man being the property of another: Slavers and kings should be placed on the same line: they must cease their tyranny, and abandon their prey, or they will disappear from the surface of the globe.⁹⁶

⁹⁶ Sonthonax to National Convention, 30 July 1793, CARAN CC D/XXV/5, dossier 52. In the original French: "Notre entreprise est trop glorieuse pour que les obstacles nous effrayent: il s'agit de ruiner à St Domingue la puissance espagnole... Il vous reste maintenant, citoyens représentants, une grande question à juger, c'est l'état des personnes non libres dans la colonie. Le temps des tergiversations, des faux ménagements, du moderantisme hypocrite est passé: Les préjugés qui aveuglaient les esclaves ne sont plus, et la convention est trop Juste et trop amie de L'humanité, pour ne pas proclamer les grands principes. La déclaration des droits ne lui permet plus de tolérer qu'un homme puisse être la propriété d'un autre: les Nègriers et les rois doivent être mis sur la même ligne: qu'ils cessent de tyranniser, qu'ils abandonnent leur proie, ou bien qu'ils disparaissent de dessus la surface du globe."

Sonthonax appears to have aimed to disarm the potency of the Spanish arguments that merged the royalist sentiments that many slaves possessed with their aspirations for freedom. Perhaps in an effort to counter Sonthonax's anti-royalist writings, Biassou on 25 August 1793 issued a proclamation to all those serving under the Spanish in the Spanish-occupied part of Saint-Domingue. Imploring these individuals to continue to reject the "seduction" and "deception" of the French Republican siren song of liberty that was but a "chimera," Biassou portrayed the French Civil Commissioners as representing a continuation of the French colonial forces that had fought in vain for two years to "reduce us to the most astonishing servitude." As nothing less than "enemies of the human race," the French Republicans in Biassou's mind not only fought against the cause of liberty but did not possess the right to grant liberty to anyone, as only "our master," the Spanish king, had that right.⁹⁷

Defusing these arguments entailed a redefinition of political legitimacy that rejected monarchism by implicating it in enslavement. While this was in line with political and intellectual developments in continental France, local concerns on the island imbued these ideological conflicts with new meanings. In positing close connections between royalism, slavery, and their Spanish foes, Sonthonax and then Polverel aimed to co-opt the liberation discourses of Biassou and others, creating the ideological

⁹⁷ "Proclamation" of Georges Biassou, 25 August 1793, AGS GM 7157, f. 15. In the original text: "*El tiempo de la seducción, y de engaño no debe estar entre nosotros: yo conozco vuestro valor para saber vencer todo consejo perfido que se os podría dar...Desconfiaos mucho os digo, de todas sus maniobras, y de todas promesas que os hagan semejantes hombres tocante a la libertad, por que todo es quimera, y estan muy distantes de pensar del mismo modo que os hacen ver; todo se reduce a engaño, del que se sirven industriosamente: y si tenían derecho de acordarnos la libertad, por que trajeron quince mil hombres para volvernlos a reducir a la mas asombrosa servidumbre?...Dos años conceqütivos sin interrupcion contra nosotros, y contra la propia voluntad de S.M. el Rey nuestro amo (quien es solo el que puede darnos libertad, y mantenernos en tranquilidad en nuestros hogares) os dicen que ya no existe el Rey.*"

foundations for the decree emancipating all slaves in the North of Saint-Domingue that Sonthonax issued on 29 August 1793.

Though Sonthonax advanced legalistic arguments to explain his decision to reverse his previous stance on slavery, he presented this 29 August proclamation as a revolutionary triumph for all newly freed people in the colony.⁹⁸ In the preamble to this emancipation decree, Sonthonax condemned both African and European kings as enslavers, asserting that “kings are only happy in a society of slaves: it is they who, on the coasts of Africa, sold you to the whites: it is the tyrants of Europe who would wish to perpetuate this notorious traffic. The REPUBLIC adopts you as its children; kings only aspire to place you in chains or to destroy you.” Towards the end of this preamble, Sonthonax reiterated the enormous stakes involved in the Franco-Spanish conflict: “And you, citizens fooled by the notorious royalists; you who, under the flags and the liveries of the cowardly Spaniard, fight blindly against your own interests, against the freedom of your wives and children, finally thus open your eyes to the immense advantages that the Republic offers you. Kings promise you freedom: but do you see that they grant it to their subjects?”⁹⁹

⁹⁸ Sonthonax argued that the “representatives of this [French] Republic” had “untied the hands of the Civil Commissioners in granting them the power to provisionally change *police [power] and plantation discipline*,” citing Article III of a 5 March 1793 decree of the National Convention that had supposedly “delegated” to Sonthonax the authority to make these changes. Sonthonax, “Proclamation in the Name of the Republic,” 29 August 1793, ANOM CMSM F3 198. In the original text: “*Ce sont les représentans de cette même République qui, pour venir à votre secours, ont délié les mains des Commissaires Civils en leur donnant le pouvoir de changer provisoirement la police et la discipline des ateliers. Cette police et cette discipline vont être changées: un nouvel ordre de choses va renaître, et l’ancienne servitude disparaîtra...Exerçant les pouvoirs qui lui ont été délégués par l’art. III du décret rendu par la convention nationale de 5 mars dernier.*” Emphasis in original.

⁹⁹ Sonthonax, “Proclamation in the Name of the Republic,” 29 August 1793, ANOM CMSM F3 198. In the original text: “*La République Française veut la liberté et l’égalité entre tous les hommes sans distinction de couleur; les rois ne se plaisent qu’au milieu des esclaves: ce sont eux qui, sur les côtes d’Afrique, vous ont vendus aux blancs: ce sont les tyrans d’Europe qui voudraient perpétuer cet infâme trafic. La RÉPUBLIQUE vous adopte au nombre de ces enfans; les rois n’aspirent qu’à vous couvrir de chaînes ou à vous anéantir...Et vous, citoyens égarés par d’infâmes royalistes; vous qui, sous les drapeaux et les livrées*

In the key article of this 29 August order, Sonthonax proclaimed that “[a]ll the blacks and mixed-bloods, currently in slavery, are declared free to enjoy all the rights associated with the title of French citizen; they will nonetheless be subject to a regime whose details are contained in the following articles.”¹⁰⁰ After issuing a series of gradual emancipation orders, Polverel followed Sonthonax and declared the institution of slavery dead in Saint-Domingue’s other two provinces, the West and South, on 31 October 1793. The French National Convention ratified these emancipation orders the following February and extended them to the entire French empire. As in the case of the 4 April 1792 decree granting equal rights to free people of color, the coming of general emancipation the following year resulted in part from elites’ realizations that they faced few alternatives if they wished to defeat powerful internal and external foes and retain the ravaged but still valuable colony of French Saint-Domingue. Yet whereas the 1792 act ostensibly did not undermine the foundations of slavery in the colony and indeed merely reaffirmed what had been stipulated in the *Code Noir* over a century earlier, the 1793 slave emancipations dismantled the slave system which had created much of France’s wealth and transformed the great majority of the colony’s inhabitants from enslaved laborers to citizens.

On 10 September 1793, Sonthonax composed a letter to Polverel that suggests the extent to which the advancement of demands from below that impelled Sonthonax to take this measure. Sonthonax wrote to Polverel that he had received in Le Cap a petition with

du lâche espagnol, combattez aveuglement contre vos propres intérêts, contre la liberté de vos femmes et de vos enfants, ouvrez donc enfin les yeux sur les avantages immenses que vous offre la République. Les rois vous promettent la liberté: mais voyez-vous qu’ils la donnent à leurs sujets?” Emphasis in original.

¹⁰⁰ Sonthonax, “Proclamation in the Name of the Republic,” 29 August 1793, ANOM CMSM F3 198. In the original text: “*Tous les nègres et sang-mêlés, actuellement dans l’esclavage, sont déclarés libres pour jouir de tous les droits attachés à la qualité de citoyen français; ils seront cependant assujettis à un régime dont les dispositions sont contenues dans les articles suivants.*”

over six hundred signatures—including those of many “landowners”—urging him to “declare the general liberty of all the slaves in the Northern Province.” In this same letter, Sonthonax decried French royalist émigrés and the “Spanish” for enticing “brigands” to fight on their side by appealing to the “liberty that [the would-be French king] Louis XVII had accorded them.” “If our armies had disadvantages,” Sonthonax claimed, “it was because the black soldiers fought with repugnance against their brothers, who had [as] the excuse for their error, the desire to see the black race enjoy the rights of man.”¹⁰¹

Recognizing the potential implications of these emancipation decrees, Governor García struck back. Impelled to act by the possibility that the commissioners’ “ideas and intentions will take their place in the hearts of our black allies,” García promulgated two counter-proclamations in October 1793.¹⁰² While he directed the first proclamation at the “whites and people of honor” (*blancos y gentes de honor*)¹⁰³ living in Saint-Domingue who might be persuaded to swear allegiance to the Spanish monarch, García composed the other in order to reassure his black troops that the cause of “God, King and State” (*Dios, del Rey y del Estado*) was just.¹⁰⁴

In his first proclamation, García offered a simple and stark choice: submit to the will of the Spanish monarch and swear to henceforth “be loyal and obedient Spaniards”

¹⁰¹ Sonthonax to Polverel, 10 September 1793, CARAN CC D/XXV/5, dossier 53. In the original text: “*Il est très vrai que le 25 août la commune du Cap assemblée a arrêté qu’il me serait fait une pétition individuelle pour me demander de prononcer la liberté générale de tous les esclaves de la Province du Nord. Vergniaud a été le rédacteur de cette pétition revêtue de plus de six cents signatures dont plusieurs ont été données par des propriétaires... Vous savez sur tout que les espagnols et les émigrés n’obtenaient quelque crédit sur l’esprit des brigands qu’en leur faisant sonner bien haut la liberté que Louis XVII devait leur accorder, que si nos armées avaient des desavantages, c’était parce que les soldats noirs se battaient avec répugnance contre leurs freres, qui avaient pour excuse de leur erreur, le désir de voir l’espèce noire jouir des droits de L’homme.*”

¹⁰² García to Alange, 22 October 1793, AGS GM 7151, f. 66. In the original text: “*Viviendo s[iempre] con los cuidados que exige la conducta de los comisarios civiles de la colonia y atento a sus inectivas, y que no llegue el caso de que sus ideas e intenciones tengan lugar en el corazon de nuestros negros aliados...*”

¹⁰³ García to Alange, 22 October 1793, AGS GM 7151, f. 66.

in exchange for royal protection and the rewards of the king's "highest equity and benevolence," or face swift military persecution. García promised that "all good French people, without distinction of state or condition" would receive the king's protection should they join the Spanish side and vowed that Spanish rule would bring about the "reflourishing" (*reflorecia*) of Saint-Domingue and usher in a new era of "prosperity" and "stability."¹⁰⁵ While García did not explicitly mention slavery, many of the colonists to whom García addressed his communication would doubtless have equated "prosperity" and "stability" with the restoration of white supremacy and plantation slavery in Saint-Domingue.

While in his first proclamation García spoke of "liberating" Saint-Domingue from the French Republicans, he offered a very different definition of liberty to former slaves. To his black troops García presented the Civil Commissioners as having recently "promised in the Parish Church of [Le Cap] in the presence of the Most Holy Sacrament, and with the agreement of the People, that a thousand lives would be lost before permitting the Slaves to attain liberty." García framed the emancipation decrees of 1793 not as laudatory acts of noble statesmen but rather as desperate and insincere maneuvers undertaken by cowards who were motivated by "insatiable ambition and greed" and who

¹⁰⁴ García to "the General Commanders, and other Chiefs of our Troops stationed in the North, South and West part," 21 October 1793, AGS GM 7151, f. 68.

¹⁰⁵ Proclamation of Joaquín García, 18 October 1793, AGS GM 7151, f. 67. In the original text: "...*ahora repito en el mismo Augusto Real nombre que todos serán recibidos generosamente para libertarles de las aflicciones que les contristan, confunden y destruyen, para fomentar su prosperidad, recibir su comercio y establecer el buen orden y tranquilidad para distinguir a los benemeritos y admitir a todos los buenos franceses, sin distincion de estado, calidad, ni condicion bajo el alto asilo y proteccion de S.M. concediéndoles todas las gracias y prerrogativas que gozan los de la parte española...aunque estoy bien informado que los más de los ánimos están dispuestos y ansiosos de lograr la honrosa suerte de ser españoles fieles y obedientes a S.M...Que serán protegidas todas las ciudades, villas, y Pueblos, y las personas y bienes de todos los que se sometiesen al Rey, N[uestro] Señor y tratados con la mayor equidad y benevolencia...*"

“only aspire to...despotism.”¹⁰⁶ In depicting these men as hypocritical tyrants, García hoped to remind recruits that only a short time earlier, Sonthonax and Polverel as well as their predecessors had fought against many slaves’ efforts to gain their freedom. In a letter to the Marquis de Bajamar composed in January 1792, García had in fact conceded (if only to discredit his rivals) that slavery in Saint-Domingue was “horrendous,” and that the futility of slave insurgents’ attempts to extract promises of emancipation from French authorities had only made the former more determined. “The disposition [of the rebels],” García had stated, “is to die before being slaves.”¹⁰⁷ García’s 1793 proclamation to the black warriors urged them to remember the Civil Commissioners’ attempts to forestall emancipation while ignoring García’s prior staunch support of slavery and strict racial hierarchy. Indeed, the January 1792 letter quoted above was written in order to procure military supplies to protect Santo Domingo’s western border from the “black masses habituated to the mountain.”¹⁰⁸

The newly liberated “black masses” of French Saint-Domingue soon discovered that Sonthonax and Polverel wished to rebuild that colony’s plantation infrastructure,

¹⁰⁶ García to “the General Commanders, and other Chiefs of our Troops stationed in the North, South and West part,” 21 October 1793, AGS GM 7151, f. 68. In the original text: “*Que aquella libertad de sus Proclamaciones es una nueva prueba de su insaciable ambicion, y codicia: Que solo aspiran a su lucro y despotismo, y del miedo con que viven del furor de sus enemigos por el evidente peligro de ser cogidos sin remedio; de su perfidia, y sacrilega abominable conducta, pues ellos mismos prometieron en la Yglesia Parroquial del Guarico a presencia del Santisimo Sacramento, y con concurso del Pueblo, que primero perderian mil vidas, que permitir que los Esclavos se hiciesen libres.*”

¹⁰⁷ García to the Marquis of Bajamar, 25 January 1792, AGS GM 7157, f. 46. In the original text: “*...la disposición es de morir antes que ser esclavos. Esta resolución no tiene en mi concepto la menor duda. La esclavitud es horrorosa en la colonia.*”

¹⁰⁸ García to the Marquis of Bajamar, 25 January 1792, AGS GM 7157, f. 46. In the original text: “*Entonces han de ser batidos los negros y entonces hemos de ser inundados por esta abierta Linea que ofrece mucha estension a una negrada habituada a la montaña y malos pasos.*” As a Colonel in Santo Domingo in the 1780s, Joaquín García had sought to limit self-purchase by slaves on the grounds that this practice deprived masters of productive labor and caused them to lose a valuable investment. García had also spoken out against granting manumission upon a slave-owner’s death and had strongly supported the maintenance of a rigid racial order even among the free population. See Turits, “Par-delà les plantations,” 66 n. 10; and Richard Turits, *Foundations of Despotism: Peasants, the Trujillo Regime, and Modernity in Dominican History* (Stanford: Stanford University Press, 2003), 36-37.

which would entail a multitude of restrictions on their hard-won freedom. In his August 29 freedom proclamation, Sonthonax established the foundations of a strict labor code that would in turn serve as the basis for subsequent “free” labor regimes in the colony for the next eight years. Seeking to generate revenue and procure manpower to fuel the French Republican war effort against the Spanish and French royalists, Sonthonax set forth a series of instructions that sought to tie ex-slaves to their plantations or enlist them in Republican armies. “A new order will be reborn,” Sonthonax declared in this 29 August order, “and the old servitude will vanish. Do not believe nonetheless that the liberty that you will enjoy, is a state of laziness and idleness... Return to your plantations or the location of your former owners, you will receive a salary for your troubles; [and] you will not be subjected anymore to the humiliating punishment that had once been inflicted on you.”¹⁰⁹

In Articles IX-XI of the 29 August proclamation, Sonthonax laid out the crux of his labor code: the “blacks currently attached to the plantations of their former masters, will be required to remain there; they shall be employed in cultivating the land;” currently-enlisted black soldiers could opt for plantation labor, but only if they received permission from their commanding officer and found a suitable replacement; and the

¹⁰⁹ Sonthonax, “Proclamation in the Name of the Republic,” 29 August 1793, ANOM CMSM F3 198. In the original French: “...un nouvel ordre de choses va renaître, et l’ancienne servitude disparaîtra. Ne croyez cependant pas que la liberté dont vous allez jouir, soit un état de paresse et d’oisiveté. En France, tout le monde est libre, et tout le monde travaille; à Saint-Domingue, soumis aux mêmes lois, vous suivrez le même exemple. Rentrés dans vos ateliers ou chez vos anciens propriétaires, vous recevrez le salaire de vos peines; vous ne serez plus assujettis à la correction humiliante qu’on vous infligeait autrefois; vous ne serez plus la propriété d’autrui; vous resterez les maîtres de la vôtre, et vous vivrez heureux.” Following his 31 October 1793 proclamation that freed all remaining slaves in Saint-Domingue, Polverel promised to issue his own labor code, but was not able to do so until 7 February 1794 due to illness. Carolyn Fick, “Emancipation in Haiti: From Plantation Labour to Peasant Proprietorship,” *Slavery and Abolition* 21, no. 2 (August 2000), 18-19. For more information on the labor regimes devised by Sonthonax and Polverel, see Fick, *The Making of Haiti*, chapter 7. For an analysis of similar developments in 1790s Guadeloupe, see Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004), chapters 6-7.

“formerly enslaved cultivators” must continue to labor on their old plantations for one year, unless a judge of the peace granted them permission to change plantations.

Moreover, within two weeks of the issuance of this proclamation, all men who did not own property and were not in the military, working on a plantation, or in domestic service were to be arrested and imprisoned, while women who did not have “known means of existence” and were not engaged in either plantation work or domestic labor were to also be detained. Plantation laborers and domestics also had to remain in their local district unless they received written permission from a municipality.

Along with these restrictions came certain limited rights. While Sonthonax followed the old *Code Noir* in granting the *cultivateurs* (those now freed from slavery) the right to have Sundays to themselves, he surpassed the *Code* in abolishing the whip and in giving these *cultivateurs* two hours per day to cultivate their own grounds. In another departure from the slave regime, these plantation laborers were to receive a salary (drawn from one quarter of plantation revenue), and children aged ten to fifteen years could only be employed in guarding animals and in gathering and sorting coffee and cotton. Article XIX remarkably stipulated that the *cultivateurs* were to receive small plots of land that were to be “divided equitably between each family, with respect to the quality of the land and the quantity that should be accorded,” which could potentially have served as a basis for the attainment of greater economic independence by former slaves. Precisely for this reason, this article was virtually ignored by successive Republican administrators in Saint-Domingue.¹¹⁰

¹¹⁰ Sonthonax, “Proclamation in the Name of the Republic,” 29 August 1793, ANOM CMSM F3 198. In the original French: “IX. *Les nègres actuellement attachés aux habitations de leurs anciens maîtres, seront tenus d’y rester; ils seront employés à la culture de la terre. X. Les guerriers enrôlés qui servent dans les camps ou dans les garnisons pourront se fixer sur les habitations en s’adonnant à la culture, et obtenant*

Resistance to this new plantation regime commenced as soon as news of the 29 August proclamation became known. In his letter to Polverel dated 10 September 1793, Sonthonax complained that “the warriors have constantly refused to force the cultivators and the laborers to work.”¹¹¹ Dominican authorities strove to win over some of these discontented individuals by offering their own path to freedom. In a 10 September 1793 letter to García, Biassou’s trusted subordinate Charles Belair proposed a plan that would eventually manumit new military recruits while maintaining a subservient labor force on the plantations of a newly-conquered Spanish Saint-Domingue. Arguing that “a force without discipline is a Ship without a rudder,” Belair proposed the formation of three “Regiments of Blacks” who would be recruited in all three provinces of Saint-Domingue. Each regiment would contain two thousand four-hundred men. Each soldier would “hire

*préalablement un congé de leur chef ou un ordre de nous, qui ne pourront leur être délivrés qu'en se faisant remplacer par un homme de bonne volonté. XI. Les ci-devant esclaves cultivateurs seront engagés pour un an, pendant lequel temps ils ne pourront changer d'habitation que sur une permission des juges de paix, dont il sera parlé ci-après, et dans les cas qui seront par nous déterminés...XIX. Les cultivateurs auront en outre les places à vivres; elles seront réparties équitablement entre chaque famille, en égard à la qualité de la terre et à la quantité qu'il convient d'accorder...XXI. Depuis l'âge de dix ans à celui de quinze, les enfans ne pourront être employés qu'à la garde des animaux ou à ramasser et trier du café et du coton...XXVII. La correction du fouet est absolument supprimée; elle sera remplacée, pour les fautes contre la discipline, par la barre pour un, deux ou trois jours, suivant l'exigence du cas. La plus forte peine sera la perte d'une partie ou de la totalité des salaires; elle sera prononcée par le juge de paix et des assesseurs; la portion de celui ou de ceux qui en seront privés accroîtra au profit de l'atelier...XXIX. Les cultivateurs ne pourront être contraints de travailler le dimanche: il leur sera laissé deux heures par jour pour la culture de leur place. Les juges de paix régleront, suivant les circonstances, l'heure à laquelle les travaux devront commencer et finir...XXXIII. Dans la quinzaine du jour de la promulgation de la présente proclamation, tous les hommes qui n'ont pas de propriétés, et qui ne seront ni enrôlés, ni attachés à la culture, ni employés au service domestique et qui seraient trouvés errants, seront arrêtés et mis en prison. XXXIV. Les femmes qui n'auront pas de moyens d'existence connus, qui ne seront pas attachées à la culture ou employées au service domestique, dans le délai ci-dessus fixé, ou qui seraient trouvées errantes, seront également arrêtées et mises en prison. XXXV. Les hommes et femmes mis en prison dans les cas énoncés aux deux articles précédens, seront détenus pendant un mois, pour la première fois; pendant trois mois, pour la seconde; et la troisième fois, condamnés aux travaux publics pendant un an. XXXVI. Les personnes attachées à la culture et les domestiques ne pourront, sous aucun prétexte, quitter, sans une permission de la municipalité, la commune où ils résident; ceux qui contreviendront à cette disposition seront punis de la manière déterminée dans l'art. XXVII.” The proclamation’s final article declared that “the dispositions of the Code Noir remain provisionally abrogated” (*Les dispositions du Code Noir demeurent provisoirement abrogées*).*

¹¹¹ Sonthonax to Polverel, 10 September 1793, CARAN CC D/XXV/5, dossier 53. In the original French: “...les guerriers ont constamment refusé de forcer les cultivateurs et les ouvriers au travail.”

himself out,” and after a set period of time (approximately twelve years) of “having served His Majesty faithfully,” these soldiers “will be owners of their will” and be “recognized as the other vassals of His Catholic Majesty.” During these twelve years these recruits would seemingly occupy a liminal position between slave and free man. Rather than receiving a stipend, each soldier would instead obtain compensation for his services in arms, clothing, and rations from the King, but the greatest reward would come from promoting the “happiness and the glory of this Powerful Monarch.”¹¹²

Belair also outlined a labor regime for the rest of the “blacks” in Saint-Domingue under Spanish rule that shared significant similarities with the plans of Sonthonax and Polverel. In Belair’s proposal, “[a]ll the blacks who are still in the conquered parts” of Saint-Domingue would be “obligated to return without delay to their plantations to perform the work that Your Greatness [García]” should deem necessary. Every person, including children, who failed to adhere to this rule would be arrested, detained, and further penalized according to his or her specific infraction. Finally, no exiled plantation

¹¹² Belair to Joaquín García, 10 September 1793, AGS GM 7157, f. 16. In the original text: “V[uestra] Grandeza no ignora que una tropa sin disciplina es un Navío sin timón: que de ninguna manera puede conducirse una tropa sin disciplina severa; es un rebaño que jamás puede juntar un Pastor. Ahora pues yo suplico a V[uestra] Grandeza de permitirnos de levantar tres Regimientos de Negros en la Parte del Norte, del Oeste y del Sur. Los tres Regimientos estarán sumisos exactamente a la disciplina de S.M. Catholica... Cada soldado de los hombres Negros que componen desde ahora n[uestros] exercitos en la parte conquistada de Santo Domingo serán obligado a contratar un enganchamiento que S.M. Catholica tasará la duracion del tiempo que no podrá ser mucho menos de doce años; Los quales después de espirado dicho tiempo y habiendo servido fielmente a S.M. serán dueños de sus voluntades; es decir de continuar su servicio o de retirarse y serán desde aquel momento reconocidos como sus otros vasallos de S.M. Católica. Todos serán vestidos, Armados y equipados a expensas de S.M. prometiendo de pagar provisoria y exactamente todas las Armas que están en las manos de n[uestros] soldados para formar los dichos Regimientos. La Paga de cada soldado empezará a correr desde el día en que ellos havrán contratado su engancham[iento]; ellos tampoco recibirán algun salario por su enganchamiento queriendo solamente dar señales de n[uestro] reconocim[iento] a S.M. Catholica de sus fieles subditos y que no aspiran sino a la felicidad y a la Gloria de este Poderoso Monarca.”

owner would be able to return to his property or “command his blacks” until the Spanish king authorized this.¹¹³

This plan envisioned an island united under the regime of the Spanish king and the plantation, and while it did not propose to grant some of the rights that were enumerated in Sonthonax’s 1793 labor code, the similarities between the two programs weaken the distinction between the free French Republic and the slaveholding Spanish monarchy that Sonthonax and Polverel tried to impress upon potential recruits. The survival of both the August 1793 emancipation decree and of the French Republic itself was very much in doubt in the fall of 1793; this, combined with the many restrictions that Sonthonax placed on freed individuals’ liberty, may have made the Spanish plan appear preferable to French labor codes for some would-be recruits had it been implemented. Furthermore, while Belair’s proposal appears to have emerged at least partly as an immediate reaction to the first French emancipation decree, it also ought to be understood within the context of the long history of Spanish-American authorities’ granting some slaves their liberty in exchange for military service. This in turn resulted in part from the profound dependence of Spanish colonial officials on black military units for the defense of numerous parts of the far-flung empire.¹¹⁴

¹¹³ Belair to Joaquín García, 10 September 1793, AGS GM 7157, f. 16. In the original text: “*Todos los negros o negras que están ya en los Cuarteles (o Partidos) conquistados, de que los primeros que no han contratado enganchamiento o que no estén en el caso de servir a S.M., así como todas las negras y negritos estarán obligados a volver sin alguna dilacion a sus Havitaciones para hacer el trabajo que V[uestra] Grandeza nos prescribirá sobre esto. Todos los negros o negras que no estén en sus habitaciones y que no estén empleados en el exercito serán arrestados, y conducidos a presencia del Comandante del más cercano campo que los interrogara y les impondrá la pena que hubiesen merecido...Ningún Habitante de los que estubieren antes sobre sus Haciendas podrá volver a ellas ni mandar a sus negros hasta que se haya mandado otra cosa por S.M. Católica.*”

¹¹⁴ On the military recruitment of slaves in Spanish America, see Jane Landers, “Transforming Bondsmen into Vassals: Arming Slaves in Colonial Spanish America,” in Brown and Morgan, *Arming Slaves*, 120-137.

Fundamentally, both the French and Spanish labor regimes tried to limit the work options of ex-slaves to either the plantation or the army while offering concessions that would entice these individuals to serve one of the belligerent sides. Yet despite these similarities, the decrees of general emancipation became an increasingly effective recruiting tool for the French Republic in the months after August 1793. In Dubois's words, general emancipation came to represent the "key weapon of war" that helped to reverse the fortunes of the Republic in the Caribbean.¹¹⁵ French recruitment efforts among the newly freed may have been bolstered by the fact that both the Spanish and the British (who invaded the island in September 1793) not only preserved slavery in the areas that they conquered but also found eager allies in many planters who had a vested interest in maintaining slavery.¹¹⁶ Sonthonax also skillfully exploited bitter memories of the Ogé affair to win support. In a letter to Pedro Acuña dated 25 September 1793, the archbishop Fernando Portillo y Torres accused Sonthonax of distorting recent history to suit his own agenda. "You will note, Your Excellence," wrote the archbishop, "the care of Sonthonax in reminding the Mulattos who compose his forces, and the Blacks of ours whom he has managed to conquer, of the wretched extradition of Oge, blaming even more the Spanish who did it, than the Murderers who took his life, for he knows well that this is to rub salt in the wound, that the former [the Mulattos] have not been able to forget."¹¹⁷

¹¹⁵ Dubois, *A Colony of Citizens*, 193.

¹¹⁶ On these alliances, see David Geggus, *Slavery, War and Revolution: The British Occupation of Saint Domingue 1793-1798* (Oxford: Oxford University Press, 1982), chapter 3.

¹¹⁷ Fernando Portillo y Torres to Pedro Acuña, 25 September 1793, AGI ASD 1110. In the original text: "...notará V.E. el cuidado de Santhonax en recordar a los Mulatos q[ue] componen sus fuerzas, y a los Negros n[uestros] a quienes procura conquistar, la indigna entrega de Oge, culpando aun mas a los Españoles que la hicieron, que a los Asasinos que le quitaron la vida, por que sabe bien que es restregarles la llaga, que los primeros no han podido olvidar."

Incessant disputes between rival factions and leaders among the “Black Auxiliaries” further undermined the Spanish cause. In the spring of 1794, Toussaint Louverture, who had loyally commanded troops under the Spanish flag since joining that nation’s forces in 1793, turned on Jean-François and Biassou and proclaimed his allegiance to the French Republic. While the precise reasons for Toussaint’s “*volte-face*” remain unclear, the decision likely resulted from a confluence of the emancipation decrees of 1793-1794, Toussaint’s personal enmity with both Jean-François and Biassou, and the worsening military situation of the Spanish on the island.¹¹⁸ The defection of Toussaint—who commanded four thousand troops and the talented military leaders Jean-Jacques Dessalines, Moïse, and Henri Christophe—struck a fatal blow to the Spanish campaign for Saint-Domingue.¹¹⁹ With Toussaint came control over perhaps half of the land that the Spanish had conquered north of the Artibonite River, and by the end of 1794 Toussaint had captured Jean-François’s stronghold of Grande-Rivière as well as the towns of San Rafael and Saint-Michel.¹²⁰ Despite losing the important posts of Saint-Marc, Arcahaye, Mirebalais, Léogane, and Grand-Goâve to the British by mid-1794, the French Republicans’ victory over the Spanish became a *fait accompli* by the end of that year.¹²¹

During a particularly terrible month for the Spanish war effort in Hispaniola, July 1794, Jean-François ordered a massacre that created an irreparable rift between the Spanish colonial high command and this ex-slave officer. Two months earlier, Joaquín del Sasso, the Spanish commanding officer in the key border town of Fort-Dauphin, had

¹¹⁸ Geggus, *Haitian Revolutionary Studies*, chapter 8.

¹¹⁹ Dubois, *Avengers of the New World*, 178-179.

¹²⁰ Geggus, *Haitian Revolutionary Studies*, 131; Dubois, *Avengers of the New World*, 182.

¹²¹ Fick, *The Making of Haiti*, 185.

written to García to express his fear of a “new nation of barbarians that has Sworn in its Heart to decapitate all the whites.” In order to prevent these “barbarians” from “recreat[ing] some night in this Place [Fort-Dauphin] the terrible, and tragic scene of the fire in [Le Cap],” Sasso urged García to expel all the “blacks, and mulattos” from the Fort-Dauphin area and replace them with two companies of “émigré whites.”¹²² In his response, García rejected this proposal, citing the loss of manpower that this would entail.¹²³ Yet two months later, events in Fort-Dauphin would shatter the already tense relationship between García and the “Black Auxiliaries” and further accelerate the defeat of the Spanish.

Located in the rich northern province of Saint-Domingue near the Spanish border, the small town of Fort-Dauphin had by the 1780s become an important military base and commercial hub. Its proximity to Santo Domingo facilitated (often illicit) trade in French manufactures for Spanish horses and cattle, while its sugar- and coffee-producing littoral made it a thriving market for those products. Fort-Dauphin’s location near both the commercial nerve center of Le Cap and the Dominican border led French authorities to station a significant garrison there, even as this town’s free population numbered only 560 souls in 1780.¹²⁴ These factors made Fort-Dauphin a major prize in the Franco-

¹²² Joaquín del Sasso to García, 17 May 1794, AGS GM 7151, f. 222. In the original text: “...se intenta repetir alguna noche en esta Plaza la terrible, y tragica escena del incendio del Guarico. El medio de impedirlo es sacar de aquí con [illegible] o fuerza a los negros, y mulatos, y formar dos compañías de blancos emigrados a quienes su propia conservación ha de precisar a defender sus hogares, y Personas con valor, y energía, siendo de infinita importancia. Esta creación para q[ue] los españoles, y franceses fieles reúnan sus intereses...y puedan resistir a esta nueva nación de barbaros que tiene Jurado en su Corazon degollar a todos los blancos.”

¹²³ García to Joaquín del Sasso, 17 May 1794, AGS GM 7151, f. 223.

¹²⁴ King, *Blue Coat or Powdered Wig*, 30-32. On 26 December 1796, the French military officer Grandet wrote: “the most important and probable Expedition that the Enemy [the British] could undertake is without a doubt the capture of Fort-Liberté [the new name of Fort-Dauphin], that would assure it an infinitely useful Port in the winds of Le Cap and all the means to entertain the revolt among our cultivators, in connecting...its invasions from the West with those from the North.” Grandet, “Defense Project for Fort Liberté,” 6 Nivôse an 5 (26 December 1796), ANOM *Direction de Fortification des Colonies* (hereinafter

Spanish war. After a siege lasting several months, the residents and garrison of the town and parish of Fort-Dauphin surrendered to the Spanish General Gabriel Aristizával on 28 January 1794.¹²⁵ The surrender accord signed this same day between these parties included a provision specifying that “the Political rights of the men of color, our brothers, will be completely preserved,” to which Aristizával had responded that this depended on “the intentions of S.M.C. [the Spanish king].”¹²⁶

Fort-Dauphin would nonetheless become renowned less as a bastion of racial equality than as the site of a gruesome massacre. On 9 July 1794, Nicolás de Toledo informed don Joseph Antonio Urizar, a member of the *Audiencia* (high appeals court) of Santo Domingo, that their nominal ally Jean-François had two days earlier entered Fort-Dauphin with over five hundred heavily-armed followers and proceeded to massacre many “French whites,” sparing neither the sick nor the weak. “[We] do not know the origins of this attack, nor the number of French whites sacrificed,” Toledo wrote, “only

DFC) 4, no. 310. In the original text: “*L’Expédition la plus importante et la plus vraisemblable que l’Ennemi puisse projeter est sans doute la prise du Fort-Liberté, qui lui assurerait un Port infiniment commode au vent du Cap et tous les moyens d’entretenir la révolte parmi nos cultivateurs, en liant pour ainsi dire ses invasions de L’Ouest avec celles du Nord.*”

¹²⁵ According to an eyewitness account penned by a French officer named Knapp, Jean-François, who led eight thousand “French blacks” and three to four hundred “Spanish infantrymen,” launched a three-month siege of Fort-Dauphin (whose garrison contained only three hundred men) on 9 October 1793. On 13 January 1794, Aristizával led a marine attack on this post with six “line ships” (*vaisseaux de ligne*), two frigates, and assorted other vessels against a French garrison of around four hundred men. Losses suffered in these attacks prompted numerous French citizens and military commanders to capitulate to the Spanish on 28 January 1794. Knapp, “Items Concerning the Capture of Fort-Dauphin by the Spanish in Saint-Domingue, January 1794,” *Service Historique de l’Armée de Terre* (hereinafter SHAT), Vincennes, France, Xi 71. In the original text: “*Telle était notre position quand le 8 [octobre] nous fûmes sommés de nous rendre pour Jean François chef des révoltés coalisés avec les Espagnols et campées à une lieu et demie de la ville, son armée était formée de plus de 8,000 nègres français et d’environ trois ou quatre cents hommes d’infanterie Espagnols...*”

¹²⁶ Surrender accord between don Gabriel Aristizával and the “garrison and inhabitants of Fort Dauphin,” 28 January 1794, CARAN Colonies CC/9a/8. In the original text: “*Les droits Politiques des hommes de couleur, nos frères, seront conservés dans toute leur intégralité...D’après les intentions de S.M.C.*”

that there are so many [bodies] that there are many streets which one cannot cross.”¹²⁷

Scholars have answered Toledo’s question concerning the death toll with a figure of around seven hundred, but his speculations on Jean-François’s motivations for carrying out the killing remain unresolved.¹²⁸ As Spanish fortunes declined following Toussaint’s defection, Jean-François may have come to believe that he had less to lose by committing such an act and may have seen these seven hundred victims as embodiments of the French forces that had persecuted him and his fellow slave rebels earlier in the decade. These colonists also might have been unfortunate victims of an atmosphere of intense suspicion and enmity in which accusations of disloyalty or sedition were often tantamount to a death sentence.¹²⁹

According to a second-hand account penned by an officer in the 186th French Regiment named Grandet, who recounted what had been told to him by a freedman named Noël who had recently switched allegiances from Spain to France, the Fort-Dauphin area’s “Spanish commander” departed the town the night before the killings, after which Jean-François entered with eight hundred “blacks” and Father Vázquez, the curate of Dajabón, who delivered a sermon immediately prior to the massacre. Grandet placed the number killed at 734, slightly less than the figure of 742 offered by a French

¹²⁷ Nicolás de Toledo to Joseph Antonio Urizar, 9 July 1794, AGS GM 7159, f. 4. In the original text: “*Estos Emisarios concuerdan con la primera relacion, mas no saben el principio de este atentado, ni el numero de franceses blancos sacrificados, solo sí que son tantos que muchas calles no se podia pasar.*”

¹²⁸ Geggus, *Haitian Revolutionary Studies*, 180; Dubois, *Avengers of the New World*, 180. See also Popkin, *Facing Racial Revolution*, chapter 13.

¹²⁹ Though the extremely tendentious nature of the few extant first-hand accounts of the massacre makes it quite difficult to separate fact from fiction, one such account suggests that Jean-François may have feared that these French colonists were collaborating with rivals. This account was written by an anonymous French refugee who fled the burning of Le Cap in June 1793 and then in 1794 returned to the Fort-Dauphin area where his family had owned a plantation. This refugee claimed that Jean-François and his men “tried to palliate their crime by saying that they had been informed that we [the French colonists] wanted to revolt against them and deliver that part of the island to the English, who were already in possession of other parts. Another excuse given was that Jean François, outraged at the return of the French proprietors,

merchant called Mirande who composed a first-hand account of the event following his escape from Fort-Dauphin.¹³⁰ While these accounts interpreted the event as a cowardly slaughter of innocent unarmed civilians, Jean-François in an 11 July 1794 letter sought to exculpate himself by presenting the violence as an unauthorized overreaction by some of his men to the threat of French attacks. According to Jean-François, though these French colonists had invited retaliation by having captured and sold several of his officers, the violence was caused by a few of his officers and enlisted men who “without reason and without understanding fired upon all the French Whites against my orders and intentions.” Though Jean-François could not “stop their fury and their rage” for several hours, he was able to save “many French people” from death. Despite their differences, most of these accounts agreed on one point: that the Spanish officials in the area who were not part of the Black Auxiliaries did not intercede to stop the killing. In Jean-François’s words, they “abandoned all the posts” prior to the attack.¹³¹

Jean-François’s accusations of captive-selling suggest that part of the controversy that erupted in the aftermath of the Fort-Dauphin violence revolved around the question of whether those once held as slaves in Saint-Domingue were now “masters of their own

threatened to start a rebellion of all the Negroes against the Spanish, unless he was promised that we would be delivered to him to be done with as he chose.” Quoted in Popkin, *Facing Racial Revolution*, 263.

¹³⁰ Account of Grandet on Fort-Dauphin massacre, 7 July 1794, ANOM CMSM F3 199. In the original French: “...il me dit qu’il y avait tous les jours des Espions, qu’il savait surement qu’il n’y Existait aucun blanc français, que le nombre des assassinés se montait à 734, qu’il y avait à Peu Près 200 espagnols dont la moitié était malade...la veille le commandant espagnol est allé à Mont Christ, et on a armé les nègres qui ne l’étaient Pas. jean françois est Entré le lendemain avec huit cent nègres, le curé de l’axavon a Prêché; après le sermon les Espagnols se sont retirés au fort, et le massacre a commencé.” Emphasis in original. The Mirande account is discussed in Popkin, *Facing Racial Revolution*, 252-253.

¹³¹ “Declaration made by the General Jean-François on all the matters that have been the Cause of the affair that took place on 7 July in Fort-Dauphin,” 11 July 1794, ANOM CMSM F3 199. In the original text: “*Mais plusieurs de mes soldats et quelques uns de mes chefs sans raisonnement et sans entendement firent feu sur tous les Blancs français contre mes ordres et intentions. Il me fut impossible d’arrêter leur fureur et leur rage jusqu’à 5 heures après midi que je les ai apaisé, et sauvé beaucoup de français qui se sont embarqués...Sieur Commandant Casasola et de tous les chefs Espagnols qui abandonnèrent tous les postes...*”

will,” to use the phrase of the earlier Spanish decree. Though Jean-François in his 11 July 1794 apologia denied charges of engaging in slaving, declaring that “I Jean-François would pay with my blood [for] all their Blacks whom I had taken from the Republicans and whom I sold,” strong evidence implicates him and Biassou in slaving during the Franco-Spanish war.¹³² Historian Jorge Victoria Ojeda has moreover argued that French officials condemned Jean-François for participating in the “sale of French prisoners or soldiers to different persons from the Spanish part, which was labeled as an action contrary to rights.” García apparently refuted these charges, “saying that the Spanish troops (including the auxiliaries) did not capture soldiers, but only enslaved thieves, and those who claimed to be free were treated as such.”¹³³ At stake was not simply the question of whether Jean-François and others had sold other human beings, but also the scope of the rights possessed by “those who claimed to be free.” After 1795, those held in bondage in Santo Domingo would advance claims to such rights on the basis of the 1794 French emancipation decree, which in turn would give rise to disputes that called into question the universality of French Republican abolition and equal citizenship.

In the immediate aftermath of the Fort-Dauphin massacre, García was nonetheless less interested in such questions of rights and more concerned with disposing of the man who stood accused of slaughtering many landowners and onetime slaveholders. In an

¹³² “Declaration made by the General Jean-François on all the matters that have been the Cause of the affair that took place on 7 July in Fort-Dauphin,” 11 July 1794, ANOM CMSM F3 199. In the original text: “...moi Jean François payerais de mon sang tous leurs Nègres que j’avais pris sur les Républicains et que j’ai fait vendre.” In a letter to the French government, a former Cavalry Captain and General Inspector of sequestered plantations in Saint-Domingue named Charles Malenfant asserted that Jean-François had sold many “Blacks” (*Noirs*) to Cuba and Puerto Rico during this war. Charles Malenfant to French government, undated, CARAN Colonies CC/9a/20. Furthermore, on 29 August 1793, Joaquín Cabrera, the Commandant of San Rafael, wrote to Biassou to thank him for hunting down and capturing a “black slave” (*nègre esclave*) named André who had fled to French Saint-Domingue. Cabrera to Biassou, 29 August 1793, CARAN Colonies CC/9a/8.

¹³³ Ojeda, *Tendencias monárquicas*, 79.

October 1794 letter to García, the Republican military commander Étienne Laveaux acknowledged a proposal that García had recently made to exchange Jean-François and fifty of his most trusted subordinates for a number of Spanish prisoners held by the French. Laveaux replied that García would have to sweeten the deal by surrendering fifty additional men before he would accept. The Frenchman also rejected García's more gruesome offer to deliver him the head of Jean-François, insisting that although the black officer was indeed an "Enemy of the Republic" (*Enemigo de la República*) he was more valuable to the French alive than dead due to the "powerful influence of Jean-François over the Blacks." While this deal never materialized, this exchange attests to the vital importance of leaders like Jean-François to the French Republic. Indeed, Laveaux stated in his letter to García that a change in the loyalties of Jean-François would be highly beneficial in ensuring that the French Republic "conserve its colonies."¹³⁴

Despite the refusal of Jean-François and Biassou to switch sides, the Republic did indeed conserve Saint-Domingue. Led by Toussaint Louverture and Laveaux, the Republicans retook the principal parts of Saint-Domingue that the Spanish had captured in the year following Toussaint's defection and forced this enemy to capitulate in 1795.¹³⁵ On 22 July 1795 in Basel, Switzerland, France and Spain signed the Treaty of Basel, which ended hostilities between the two powers and ceded the Spanish portion of Hispaniola to France. While this year in some respects witnessed the commencement of a

¹³⁴ Étienne Laveaux to Joaquín García, 21 October 1794, AGS GM 7151, f. 463. In the original text: "*La republica Francesa quiere conservar sus colonias, estoi enterado del poderoso influxo de Juan Francisco sobre los Negros, que tiene consigo, y su perdon, igualmente que el de su Tropa dependerá del uso que querrá hacer de su entendimiento: no quiero de ningun modo la muerte de esos hombres, pero si su arrepentimiento.*"

¹³⁵ In 1794, Sonthonax and Polverel were forced to depart Saint-Domingue for France to defend themselves against charges brought by émigré planters that they had usurped legitimate authority in issuing the emancipation decrees. Though Polverel died during the proceedings, Sonthonax won his trial and returned

series of imperial crises in the Spanish world that led to the loss of most of this power's colonies in the New World by 1830, for those held in or recently liberated from servitude in Hispaniola, the year 1795 represented both a turning point in and the continuation of a long struggle for a freedom that they would eventually have to defend against the French Republic—and the Napoleonic French empire that followed—in addition to the forces of the Spanish and the British.

Conclusions

The advent of “emancipation” in Hispaniola was a Dominican as well as a Haitian story. The major transformative events that transpired on the island in the first half of the 1790s—including the Ogé episode, the successful free-colored struggle for legal equality, the 1791 slave revolt and its aftermath, and the Franco-Spanish war—were rooted in the intertwined histories of both sides of the island. While the changes that occurred during these years resulted in part from political, intellectual and military developments that arose in many corners of Africa, Europe and the Americas, the slave societies of both parts of Hispaniola—and the long history of resistance to enslavement in each—formed the local context for these transformations.

Jean-François and Georges Biassou experienced firsthand this linkage between the local and the international. Their fate became a delicate political issue once news of the cession reached the island, as Spanish colonial authorities became caught between the obligation to reward these men and their followers for their military services, and racially-charged fears that they would directly or indirectly incite insurrection among free

to Saint-Domingue in 1796 as a member of a new Civil Commission. Dubois, *Avengers of the New World*, 180 and 196.

and enslaved non-whites in disparate parts of the Spanish empire. Though many of the former “Black Auxiliaries” received modest pensions, they were sent to places as far-flung as Honduras, Yucatán (Mexico), Panamá, and Trinidad, as well as Florida, Spain, Cuba and Santo Domingo as a result of policies designed to split them up and reduce their supposed threat. Biassou relocated to Florida, while his rival Jean-François followed a complicated itinerary, ultimately ending up in the southern Spanish city of Cádiz.¹³⁶ Although they had gained their freedom as well as material rewards and military ranks by defending the oldest colonial empire in the Americas, these exiles found mixed receptions in different parts of this empire due to the revolution that they had helped make.

In claiming to be the “king of the counter-revolution,” Georges Biassou at once defended something very old and helped to create something very new. In the act of affirming the rights of freed individuals such as himself as political actors, Biassou’s words and actions undermined race-based subordination and hierarchy. His bold statement of political inclusion is emblematic of the ways in which slaves, freed individuals, and free-born non-whites created and advanced their own ideas of political legitimacy during the period, and draws attention to dynamics that would recur in the years to come.

¹³⁶ Geggus, *Haitian Revolutionary Studies*, chapter 12; and Jane Landers, “Rebellion and Royalism in Spanish Florida: The French Revolution on Spain’s Northern Colonial Frontier,” in Gaspar and Geggus, *A Turbulent Time*, 156-177.

Chapter Two

“The Courage to Conquer their Natural Liberty:” The Invisibility of Emancipation in French Santo Domingo, 1795-1801

On the evening of 30 October 1796, a Sunday (the day of the week often chosen by slave rebels in the Americas), approximately 120 “*cultivateurs africains*” (African cultivators) from the Boca Nigua plantation rose up in revolt with the alleged “horrible plan” to kill the plantation’s director Juan Bautista Oyarzával and all of the other whites there.¹ Organized around an elaborate hierarchy headed by a “queen” named Marie-Anne, these insurgents used drums to incite potential followers to action and often resorted to more forceful recruitment measures if this failed. Employing a type of guerrilla warfare characterized by the tried-and-true Caribbean pattern of retreat to the mountains, the rebels initially succeeded in forcing Oyarzával and his partisans to flee to nearby Santo Domingo city by setting fire to buildings and canefields, but they were

¹ “Order of the Provisional Agent [Philippe-Rose Roume] on the Praiseworthy Conduct of the Spaniards [concerning] a Revolt of blacks [*nègres*] in the Spanish Part,” 9 Nivôse an 5 (29 December 1796), *Archives Nationales d’Outre-mer* (hereinafter ANOM), Aix-en-Provence, France, *Collection Moreau de St Méry* (hereinafter CMSM) F3 200. The original French reads: “...*plus de cent vingt cultivateurs africains de la même habitation [Boca Nigua] Endoctrinés Par trois des anciens compagnons du brigand Jean François, avaient conçu l’affreux dessein d’assassiner le vertueux Jean-Baptiste Oyarzabal fondateur de la dite habitation, ainsi que les autres blancs de Boca Nigua.*” Emphasis in original. In his “*compte rendu*” (report) to Santo Domingo’s Governor Joaquín García on the Boca Nigua revolt, the judge Manuel Bravo y Bermudez claimed that the “rebels” (*révoltés*) numbered 110-120, not counting women and children. “Report by the Judge Bravo y Bermudez to the President of Santo Domingo [Joaquín García] on the Revolt of the Blacks of the Plantation of Oyarzábal or Yranda,” 14 December 1796, ANOM CMSM F3 200. Roberto Cassá has estimated that over two hundred “slaves” (his word) were involved in the uprising. Roberto Cassá, “Les effets du Traité du Bâle,” in *Saint-Domingue espagnol et la révolution nègre d’Haïti (1790-1822)*, ed. Alain Yacou (Paris: Karthala, 2007), 206.

eventually routed by the forces of Santo Domingo's Governor Joaquín García, who oversaw the capture of many of the insurgents and the execution of the ringleaders.²

On 22 July 1795, slaveholding Spain had ceded its oldest colony of Santo Domingo to the French Republic by the Treaty of Basel. The French National Convention had decreed the abolition of slavery in the entirety of France's domains on 4 February 1794, and the wording of the Treaty of Basel and that of the general emancipation law together imply that slavery became illegal in Santo Domingo upon this cession.³ Nonetheless, servitude was apparently not eliminated by this stroke of a pen. The French and Spanish authorities who crafted the two most informative extant reports on the Boca Nigua episode framed it as a slave revolt, more than a year after apparent emancipation. Why did Philippe-Rose Roume, the French government's principal envoy to Santo Domingo—who in a later letter to municipal authorities in the Dominican town of San Juan de la Maguana extolled the virtues of “Our immortal Revolution”—bestow the highest praise upon García and other Spanish political and military leaders for their swift

² “Order” of Roume, 29 December 1796, ANOM CMSM F3 200. In his report, Bravo y Bermudez meticulously listed the “blacks” (*nègres*) whose dead bodies his troops had recovered in the fighting and described in detail the guerrilla-style combat that pitted his forces against elusive rebels. Bravo y Bermudez to García, 14 December 1796, ANOM CMSM F3 200.

³ The Treaty of Basel stipulated that Spain “cedes and abandons in all property to the French Republic the entire Spanish part of the isle of Saint Domingue, in the Antilles.” Treaty of *Bâle* (Basel), 4 Thermidor an 3 (22 July 1795), *Centre d'Accueil et de Recherche des Archives Nationales* (hereinafter CARAN), Paris, AF/III/61. In the original text: “*En échange de la restitution portée par l'article IV le Roi d'Espagne, pour lui et ses successeurs, cède et abandonne en toute propriété à la République française toute la partie Espagnole de l'isle de Saint Domingue, aux Antilles.*” On 4 February 1794, the French National Convention passed a law which stipulated that: “THE NATIONAL CONVENTION declares that the slavery of Blacks in all the [French] Colonies is abolished: as a result it decrees that all men, without distinction of color, residing in the colonies, are French citizens, and shall enjoy all the rights assured by the [French] constitution.” “Decree of the National Convention...That abolishes the Slavery of Blacks in the Colonies,” 16 Pluviôse an 2 (4 February 1794), CARAN Colonies CC/9a/9. In the original text: “*LA CONVENTION NATIONALE déclare que l'esclavage des Nègres dans toutes les Colonies est aboli: en conséquence elle décrète que tous les hommes, sans distinction de couleur, domiciliés dans les colonies, sont citoyens Français, et jouiront de tous les droits assurés par la constitution.*” Emphasis in original.

repression of the “slave” revolt while condemning the “crimes” that the *cultivateurs* had supposedly committed in Boca Nigua?⁴

Boca Nigua was the largest and most profitable plantation in Santo Domingo, located near Santo Domingo city. Concentrating principally on sugar, it was coveted for its productive capacity by a succession of Spanish and French authorities. Nonetheless, these facts alone do not adequately explain the elision of “emancipation” in these accounts. While the account of the judge Manuel Bravo y Bermudez, who commanded the military force that put down the uprising, explicitly labeled the rebels “slaves,” in his report Roume substituted the word “*cultivateur*” for “slave” and depicted the insurgents as enslavers who forced other laborers on the plantation to join the uprising on pain of becoming “reduce[ed] to slavery.”⁵ A student of slave revolts in the Americas who lacked specific knowledge of the situation in Santo Domingo under French rule might be forgiven for reading these reports as quintessential examples of colonial administrators’ responses to a slave rebellion.⁶

⁴ Roume to municipal authorities of San Juan de la Maguana, 1 Floréal an 5 (20 April 1797), CARAN Colonies CC/9a/20; “Order” of Roume, 29 December 1796, ANOM CMSM F3 200. The original French from the 20 April 1797 letter is: “...vous allez apprendre à nous Connaître, vous verrez que Jamais nous ne confondons Le vertueux Père et fils de famille, égarés par des hommes méchants et Intrigants...remerciez le ciel de ce que vous vous trouvez [illegible], même en dépit de votre erreur, à Jouir de tous les bienfaits de Nôtre immortelle Révolution.” The text of the relevant portion of Roume’s 29 December 1796 order is: “Enfin tout annonçait que l’Espagne ne pourrait remettre à la France cette colonie [Santo Domingo], que dans un État de dévastation totale que [illegible] de tous les crimes, que l’on a vu commettre dans l’ancienne partie française, car le complot, les moyens, les actes étaient parfaitement semblables.”

⁵ “Order” of Roume, 29 December 1796, ANOM CMSM F3 200; Bravo y Bermudez to García, 14 December 1796, ANOM CMSM F3 200. The original French in the 29 December 1796 document is: “Que les révoltés comptaient ensuite forcer les autres cultivateurs de la colonie, à porter comme eux le fer et le feu sur toutes les propriétés territoriales, en réduisant à l’esclavage, ceux qui s’y refuseraient.” See also the 14 December 1796 report that Bravo y Bermudez submitted to García on the Boca Nigua uprising, which is preserved in *Archivo General de Indias* (hereinafter AGI), Seville, Spain, *Audiencia de Santo Domingo* (hereinafter ASD) 1033.

⁶ Many aspects of the Boca Nigua rebellion appeared in numerous slave revolts in the Americas. These included rebels’ appointment of a leader bearing a royal title, the salience of drums, the rebels’ guerrilla tactics, and authorities’ savage repression of the uprising. While the literature on slave rebellions in the hemisphere is vast, two particularly illuminating analyses of major revolts are: David Gaspar, *Bondmen and Rebels: A Study of Master-Slave Relations in Antigua* (Durham: Duke University Press, 1985); and

The Boca Nigua affair and other episodes suggest that “emancipation” was in many ways invisible in French Santo Domingo. Nonetheless, the conflicts that ensued when numerous men and women advanced claims to their rights as French citizens against those who would hold them as slaves came to encompass not only the legality of slavery in that colony but also the perceived moral legitimacy of enslavement itself. I argue that this colony became a crucial battleground in the political and philosophical conflicts over the terms and meaning of liberty and citizenship that transpired on this island and beyond during the second half of the 1790s.

Was there an “emancipation” in Santo Domingo after 1795? Despite the seemingly radical rupture of the French declaration of universal emancipation, much continuity existed in both parts of the island between the slave regime and what followed. In French Saint-Domingue, the legal consignment of most freed people to the roles of plantation laborer or soldier impelled many onetime slaves to seek freedom on their own terms by armed resistance, flight, and other means. Some of these individuals sought this freedom across the border in Santo Domingo, even as those still in bondage in the eastern part of the island often found that their conditions were very similar to what they had known under slavery.

Slavery had been an important factor in the intricate diplomatic negotiations in which Spain and France engaged on the question of sovereignty over Santo Domingo and other colonies. Theory and practice were not one and the same, however, as became clear

João José Reis, *Slave Rebellion in Brazil: The Muslim Uprising of 1835 in Bahia*, trans. Arthur Brakel (Baltimore: Johns Hopkins University Press, 1993). Moreover, in his discussion of the Boca Nigua revolt, David Geggus attempted to place it roughly within a typology of slave rebellions. David Geggus, “Slave Resistance in the Spanish Caribbean in the Mid-1790s,” in *A Turbulent Time: The French Revolution and the Greater Caribbean*, ed. David Geggus and David Gaspar (Bloomington: Indiana University Press, 1997), 147-149.

in the Boca Nigua rebellion and other violent conflicts that transpired over the extent of freed Dominicans' rights. These rights also became the subject of political and discursive contests whose political, moral, economic and intellectual stakes were enormous. While scholars have devoted considerable attention to the complicated application of French universal emancipation in such places as Saint-Domingue and Guadeloupe, this matter in Santo Domingo has not attracted the same scrutiny.⁷ Several factors account for this relative scholarly neglect, including the lesser emphasis that French authorities placed on Santo Domingo relative to other places and the strikingly distinct historiographical traditions of Haiti and the Dominican Republic. While Saint-Domingue was the more lucrative prize for the many political and military factions that competed for power on the island, their relative inattention to Santo Domingo in fact made it a crucible in contests over the nature and boundaries of freedom and equality. Rather than existing as a mere blank spot on a map besides revolutionary Saint-Domingue, Santo Domingo was a central theater in the unfolding of French Republican emancipation (1793-1802).⁸ Santo Domingo's peculiar status after 1795—and the status of the thousands of people whom many planters and others still claimed as slaves there—had significant implications for

⁷ For Saint-Domingue, among the best-known works are: C. L. R. James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution*, 2nd ed. (1938; reprint, New York: Vintage, 1963); Carolyn Fick, *The Making of Haiti: The Saint Domingue Revolution from Below* (Knoxville: University of Tennessee Press, 1990); and Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, MA: Belknap Press, 2004). On Guadeloupe, see Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004); and Frédéric Régent, *Esclavage, métissage, liberté: La Révolution française en Guadeloupe 1789-1802* (Paris: Grasset, 2004). David Geggus and Carlos Esteban Deive are among the few scholars who have examined “emancipation” in Santo Domingo after 1795. See (among other works) Geggus, “Slave Resistance in the Spanish Caribbean,” and Carlos Esteban Deive, *La esclavitud del negro en Santo Domingo (1492-1844)* (Santo Domingo: Museo del Hombre Dominicano, 1980), chapters 10 and 19.

⁸ For such a map, see Philip Curtin, *The Rise and Fall of the Plantation Complex: Essays in Atlantic History*, 2nd ed. (New York: Cambridge University Press, 1998), 159. This map, entitled “Saint Domingue about 1790,” presents the eastern portion of Hispaniola as simply “Spanish Santo Domingo” next to a detailed depiction of the main cities and sugar-growing areas in French Saint-Domingue.

the central questions that emerged from and drove one of the great revolutions in world history.

In some ways, Santo Domingo's political situation during this time was not so different from that of other parts of the French empire such as Martinique and La Réunion, where foreign invasions and local opposition combined to thwart the application of the 1794 emancipation decree.⁹ Nonetheless, several factors distinguished Santo Domingo from these other places: its physical proximity to Saint-Domingue, the focal point of revolutionary ferment in the Caribbean; Santo Domingo's lack of a prior history of French colonization; and the many connections that this colony shared with the far-flung possessions of Spain, its longtime colonial master. These facts—along with the conspicuous absence in Santo Domingo of plantation infrastructure on any appreciable scale since the sixteenth century—make its story under French rule quite distinct.

In July 1795, the Treaty of Basel formally ended two years of armed conflict between republican France and royalist Spain. While the origins of this conflict lay in events in Europe, its outcome was strongly influenced by the actions of thousands of slaves-turned-soldiers in the Caribbean. For both formally freed Dominicans and the numerous Dominguan ex-slaves who ventured across the border for political and economic reasons, the proper application of French Republican law to this territory was no arcane diplomatic exercise. The stakes included access to a plot of land to call one's own; autonomy from the tyranny of the plantation; and control over one's own person

⁹ On Martinique, see Rebecca Schloss, *Sweet Liberty: The Final Days of Slavery in Martinique* (Philadelphia: University of Pennsylvania Press, 2009); and David Geggus, "The Slaves and Free Coloreds of Martinique during the Age of the French and Haitian Revolutions: Three Moments of Resistance," in *The Lesser Antilles in the Age of European Expansion*, ed. Robert Paquette and Stanley Engerman (Gainesville: University Press of Florida, 1996), 280-301. On La Réunion, see Richard B. Allen, "The Constant Demand of the French: The Mascarene Slave Trade and the Worlds of the Indian Ocean and

and labor power. The struggles over these matters that emerged in both parts of Hispaniola after 1795 had deep roots in Dominican as well as Haitian history. As the situation of freed Dominicans became tied to developments across the border in Saint-Domingue and across the Atlantic in France, the inability—or unwillingness—of Republican authorities to effectively free many individuals in Santo Domingo threatened to destroy the French Republic’s credibility, undermining this republic’s dearest professed values and their most radical manifestation.

In recent decades, a number of scholars have convincingly presented “emancipation” in many parts of the Americas as an ongoing process rather than the culmination of a series of political and military struggles.¹⁰ French authorities’ treatment of the Boca Nigua uprising, quasi-independent “maroon” communities, and the seemingly intractable problem of illegal slaving in Santo Domingo exposed some of the political, social and racial fissures of this process there. At the same time, these issues generated an abundance of impassioned if somewhat grandiloquent affirmations of liberty and equality from the pens of French officials, pages that now fill cartons of documents in Paris and Aix-en-Provence.

Despite Santo Domingo’s formal cession to France, Spanish authorities managed to retain a substantial amount of power there from 1795 to 1801. While one prominent

Atlantic during the Eighteenth and Nineteenth Centuries,” *Journal of African History* 49, no. 1 (2008): 43-72.

¹⁰ Among these works, the most directly relevant to this study are: Frederick Cooper, Thomas C. Holt, and Rebecca J. Scott, *Beyond Slavery: Explorations of Race, Labor, and Citizenship in Postemancipation Societies* (Chapel Hill: University of North Carolina Press, 2000); Thomas Holt, *The Problem of Freedom: Race, Labor and Politics in Jamaica and Britain, 1832-1938* (Baltimore: Johns Hopkins University Press, 1992); and Ada Ferrer, *Insurgent Cuba: Race, Nation, and Revolution, 1868-1898* (Chapel Hill: University of North Carolina Press, 1999). For the United States, see the successive volumes under the editorship of Ira Berlin, Leslie Rowland and others. See for instance Ira Berlin and Leslie M. Harris, eds., *Slavery in New York* (New York: New Press, 2005); and Ira Berlin, Joseph P. Reidy, and Leslie S. Rowland, eds.,

scholar has labeled these years a “long and curious twilight period” characterized by the effective retention of Spanish law and the institution of slavery, the more optimistic French administrators imagined that French rule would usher in not a twilight but a dawn—that of the implementation of universal emancipation in Santo Domingo.¹¹ Ultimately, the epistolary and armed conflicts that arose in the context of the confused political situation in Santo Domingo challenged the political and presumed moral bases not only of the enslavement of Dominicans but also of the concept of a slave society itself.

The Constitutional and Diplomatic Contexts of Santo Domingo’s Political Crisis

The tumultuous political climate of the 1790s in the Atlantic World involved a complicated interplay of radical new ideas and centuries-old political and social practices. Since the sixteenth century, the Americas in general and the Caribbean in particular had been sites of colonial conflict and gamesmanship. This did not change appreciably in the revolutionary era. Nonetheless, the military conflagrations of the 1790s and the exchanges of territory that they often occasioned depended to a great degree on thousands of freed individuals who had won their liberty through military conquest and political activism.¹² These men and women played integral roles in defining and advancing novel ideas of citizenship and freedom. Their ability to enjoy these rights in turn depended substantially on the outcome of these political and armed struggles.

Freedom’s Soldiers: The Black Military Experience in the Civil War (Cambridge: Cambridge University Press, 1998).

¹¹ Geggus, “Slave Resistance in the Spanish Caribbean,” 140.

¹² For succinct accounts of the international political contexts of the upheaval of the late eighteenth and early nineteenth centuries, see Curtin, *The Rise and Fall of the Plantation Complex*, chapter 11; and David Geggus, *Haitian Revolutionary Studies* (Bloomington: Indiana University Press, 2002), chapter 11.

In this light, bringing Santo Domingo under French rule involved much more than a simple change in legal jurisdiction; it also entailed the political conversion of its inhabitants from Spanish subjects into French citizens. In an assessment of the situation in Santo Domingo presented to the French government in 1797, Roume confidently predicted that if his readers were to follow his recommendations of reducing taxes on the colony's impoverished residents and sending "wise and illustrious" French settlers there, then within three years, "our new brothers" in Santo Domingo would become "perfect [French] republicans."¹³ In Roume's eyes, one particular subset of these "new brothers" merited special attention: the colony's newly freed population. Roume suggested that in order to integrate them into the new regime, priests in Santo Domingo would "accustom the landowners and the cultivators [the former slaves] to the regime of liberty." In their efforts to achieve the "reintegration of the former slaves to the indispensable rights of humanity," these clerics would be aided by the "paternal regime" and "good education" that freed Dominicans had received from their former masters.¹⁴

¹³ Some evidence suggests that many French settlers already resided in Santo Domingo. David Geggus has argued that at the time of the execution of the Boca Nigua ringleaders (December 1796), "French migrants from Saint Domingue... outnumbered Spaniards on the [Santo Domingo] city streets." Geggus, "Slave Resistance in the Spanish Caribbean," 146. Furthermore, according to the French General Antoine Chanlatte, many French people of "all colors, all principles and all opinions" had immigrated from Saint-Domingue to Santo Domingo partly to escape the turmoil in Saint-Domingue. Report of General Antoine Chanlatte "to the French government and to all of the Friends of National Sovereignty and of order," 20 Prairial an 8 (9 June 1800), CARAN Colonies CC/9b/2. In the original text: "*Beaucoup de français de toutes les couleurs, de tous les principes [et] de toutes les opinions ont successivement fréquenté la partie Espagnole...*"

¹⁴ Report submitted by Roume to "French Government Commission in the [Caribbean] Islands," 1 October 1797, in *Cesión de Santo Domingo a Francia (correspondencia de Godoy, García, Roume, Hedouville, Louverture, Rigaud y otros, 1795-1802)*, ed. Emilio Rodríguez Demorizi (Ciudad Trujillo [Santo Domingo]: Impresora Dominicana, 1958), 280-281. The Spanish translation contained in this compilation reads: "*La mayor parte de los clérigos criollos son dignos de vuestra estimación, merecen una protección especial y serán de una grande utilidad si los confiais la misión de acostumar a los propietarios y a los cultivadores al régimen de la libertad... Vos los trataréis bien, yo no puedo dudarlo, ciudadanos Agentes, no exigiréis de ellos si no es lo impuestos proporcionados a su miseria actual: animaréis sus plantaciones y sus hatos; los haréis francos de toda gavela sobre la venta de sus débiles productos; les dejaréis francesizarse gradualmente por sí mismos, y por medio de los consejos del exemplo y de franceses sabios e ilustrados... que pondreis en cada ciudad y pueblo y que obraran de concierto con los cabildos (o*

What were the precise terms by which these “new brothers” might become “perfect republicans?” The contentious matter of the citizenship rights of the inhabitants of both France’s overseas possessions and of the metropole itself represented one of the great political questions of the 1790s. Within a historical context in which political and military conflicts on several continents shattered old political arrangements and created powerful new ideals and ideologies, France’s own political transformations were closely linked to those of its *outré-mer* territories. In the year of its formal acquisition of Santo Domingo, France underwent the fall of the Jacobin-dominated government headed by the Committee of Public Safety and the subsequent creation of a new political order led by the five-member Executive Directory. This political crisis at home was intimately tied to a destabilizing crisis of empire, as the 1795 French constitution that created the Directory also proclaimed the principle of legal integration in an attempt to more forcefully incorporate France’s various holdings into a single legal regime.¹⁵

municipalidades). Si vos haréis todo esto, yo me hago responsable de nuestros nuevos hermanos, que antes de tres años habréis hecho perfectos republicanos...En cuanto a la reintegración de los antes esclavos en los derechos imprescindibles del género humano, ellos adquirirán progresivamente la plenitud en menos de 18 meses sin que cueste una lágrima a la humanidad, mediante que (yo lo repito) vos lo encarguéis a los curas dándoles las instrucciones concernientes...Por este método no experimentaréis la mas ligera dificultad, sea por causa de la enorme inferioridad de los nuevos libres, sea en consecuencia del régimen paternal de sus antiguos amos, y de la buena educación que ellos han recibido.”

¹⁵ This constitution also established a bicameral legislature composed of 750 men. Known simply as the *corps législatif* (Legislative Body), this legislature was divided into the *conseil des cinq cents* (Council of Five Hundred) and the *conseil des anciens* (Council of the Ancients). The overnight creation of thousands of new French citizens by the 1794 emancipation law was an essential factor in the formulation of the doctrine of legal integration. Anne Pérotin-Dumon has portrayed as a “paradox” the fact that “the French Republic [was] the most assimilationist in the moment when it [lost] contact with its colonies.” For Pérotin, the 1794 emancipation edict was the “Cornerstone of the assimilationist edifice” of the new French regime (*Pierre d’angle de l’édifice assimilationniste*). Anne Pérotin-Dumon, *Être patriote sous les tropiques: La Guadeloupe, la colonisation et la Révolution (1789-1794)* (Basse-Terre: Société d’Histoire de la Guadeloupe, 1985), 19. Dominique Rogers makes a useful distinction between “integration,” wherein “one is allowed to enjoy the same rights and advantages as other members of a society but without being viewed as one of them,” and “assimilation,” which entails not only the enjoyment of equal rights but also complete acceptance as “an ordinary member of the community.” Dominique Rogers, “On the Road to Citizenship: The Complex Route to Integration of the Free People of Color in the Two Capitals of Saint-Domingue,” in *The World of the Haitian Revolution*, ed. David Geggus and Norman Fiering (Bloomington: Indiana University Press, 2008), 69. The many restrictions on freed people’s mobility and exercise of political

The underlying idea of this document was simple: France's colonies constituted an "integral part" of its empire, and as such were to be governed by the same corpus of laws that applied in France itself.¹⁶ This had extremely important implications for the matter of citizenship rights. Under a single set of laws, no legal distinctions separated the inhabitants of the colonies from those of mainland France: all were French citizens with the same rights, including the right not to be enslaved or consigned to a distinct social and legal status based on perceived color or purported ancestry. This marked a radical shift from the legal paradigm that had prevailed under the *ancien régime* in which the presence of different legal situations based on geography had constituted the principal framework for confining slavery and specific types of institutionalized racism to the colonies.¹⁷ Accordingly, those with abolitionist leanings generally welcomed the advent of legal integration and viewed with trepidation any hint of its dismantling.

The application of this new legal order to Santo Domingo was fraught with conflict. For many, the fate of the "integral part" doctrine was closely tied to that of emancipation itself: a return to the old geographically-based legal segregation might portend the re-legalization of slavery and/or the racial caste system. The doctrine's application in Santo Domingo thus held signal importance not only for freed Dominicans but also for the legal and political bases of the French Republican emancipationist project

rights in both parts of the island after 1794 meant that they were largely deprived of even the more limited rights of "integration."

¹⁶ Quoted in Dubois, *Avengers of the New World*, 196.

¹⁷ The legal situation of slavery and racial hierarchies in France in the eighteenth century was complex. The standard reference on these matters is Sue Peabody, *"There are No Slaves in France: The Political Culture of Race and Slavery in the Ancien Régime"* (New York: Oxford University Press, 1996). For a recent discussion of the deep legal history of eighteenth-century Saint-Domingue, especially with respect to the contours of manumission, see Malick Ghachem, "Sovereignty and Slavery in the Age of Revolution: Haitian Variations on a Metropolitan Theme" (PhD diss., Stanford University, 2002). See also Jennifer Heuer, *The Family and the Nation: Gender and Citizenship in Revolutionary France, 1789-1830* (Ithaca, NY: Cornell University Press, 2005).

itself. Tellingly, in a pro-slavery missive to Napoleon dated 28 April 1800 in which several prominent Dominican planters and political leaders decried the supposed “perils” of “suddenly calling the slave to an indefinite liberty,” these individuals proposed that France apply a set of “particular laws” to Santo Domingo that would place it under a legal order separate from that of either Saint-Domingue or France—the precise opposite of legal integration.¹⁸ As a major legal principle of the French empire between its proclamation in the 1795 constitution and its formal elimination four years later,¹⁹ legal integration became connected to universal emancipation; developments in Santo Domingo presented formidable challenges to both.²⁰ Writing from Le Cap, Julien Raimond, the former proponent of free-colored rights who went on to occupy influential political posts in revolutionary Saint-Domingue, told Napoleon on 19 August 1800 that the promulgation of the 1799 French constitution had provoked rumors among the

¹⁸ “The Town Council, the President of Justice and the Commandant of the Forces of Santo Domingo” to First Consul Napoleon Bonaparte, 28 April 1800, CARAN Colonies CC/9b/17. The authors of this letter proposed that these “particular laws” be implemented in Santo Domingo with the aim of establishing a system of gradual emancipation in which servitude would be “softened” and eventually eliminated without any “spilling of blood.” In the original French: “*Il convient de donner à la partie espagnole des lois particulières, indépendantes et tout à fait différentes de celles qui ont été adoptées pour la colonie française, en songeant aussi aux moyens d’adoucir la servitude qui s’abolira par degrés, sans commotion, sans trouble, sans incendie, sans effusion de sang en passant du régime actuel à un autre plus conforme aux principes de la philosophie et de l’humanité.*” Among these men was the Boca Nigua plantation’s director Juan Bautista Oyarzával.

¹⁹ Napoleon’s Constitution of the Year VIII (promulgated in December 1799) revoked the guarantee of equal rights for the inhabitants of all French domains, proclaiming that the overseas territories would once again be subject to “special laws” based on economic, climatic, and cultural factors. For more on these constitutional and legal changes and the developments that brought them about, see Dubois, *Avengers of the New World*, 241-242 (quote is from p. 241); Dubois, *A Colony of Citizens*, 352-353; and Victor Schoelcher, *Vie de Toussaint Louverture* (Paris: Karthala, 1982 [1889]), 302.

²⁰ One 29 June 1800 letter conveyed some of the potential implications of the “special laws” for Santo Domingo. Its author, a businessman and *homme de loi* (man of the law) named Cottet, proposed the creation of a “Prefecture” in Santo Domingo, which he claimed was in line with the 1799 French constitution and its “particular laws” for the colonies. According to Cottet, this new prefecture would facilitate the consolidation of French rule in Santo Domingo by means of “rally[ing] around [the prefecture] the rest of the white population.” This pointedly exclusivist political proposition suggests that the particular laws in Santo Domingo could be seized upon by those who sought to undermine emancipation and racial equality. Correspondence of Cottet, 10 Messidor an 8 (29 June 1800), ANOM CMSM F3 202. In the original French: “*Le 1^{er} avantage de la préfecture placée à Sto Domingo serait d’affranchir la*

“Blacks” in Hispaniola that “the Spanish Part of the Island would be shortly returned to Spain, and that an army would then arrive to reestablish slavery.”²¹

Administrators in Saint-Domingue after 1793 sought to oversee the transformation into French citizens of the nine-tenths of that colony’s population who had been enslaved prior to that date. Across the border, the continuing influence of pro-slavery Spanish authorities, as well as the repressive measures to which French officials periodically resorted, served to limit the possibilities for meaningful change in the condition of Santo Domingo’s freed population. These challenges became compounded by intransigence on the part of even those French officials who were seemingly well-disposed to the endeavor of ensuring equal rights for all.²²

The principal document that set the formal terms of Santo Domingo’s incorporation into the French empire was the Treaty of Basel, signed on 22 July 1795 by representatives of France and Spain in the Swiss town of that name. The tensions between the provisions of this treaty that pertained to the cession and the “integral part” doctrine proclaimed two months later gave rise to complex legal and political disputes that tested French resolve to free those held in bondage in Santo Domingo. Article IX of

représentation nationale, des avancées sans cesse renouvelées, auxquelles elle se trouve exposée dans la partie française. Le 2^e [serait] de pouvoir rallier autour d’elle les restes de la population blanche.”

²¹ Julien Raimond to Napoleon, 1 Fructidor an 8 (19 August 1800), CARAN Colonies CC/9b/2. In the original French: “...on leur dit que les Colonies n’étant pas comprises dans l’acte constitutionnel, elles seront régies par un système particulier, et que les Loix organiques qu’on leur annonce sera un nouveau code noir basé sur l’ancien...une foule de lettres anonimes, et d’autres signées de noms de personnes connues ajoutent que la Partie Espagnole de l’Isle serait incessamment rendue à l’Espagne, et que delà on ferait arriver une armée pour rétablir l’esclavage.”

²² In a 5 March 1797 tract entitled “Means Proposed to Assure the Tranquility of Saint-Domingue,” Étienne Laveaux asserted that although the current French constitution had indeed declared the colonies to be “integral parts” of the French empire, “their position, their distance [from France], the events that have transpired there, since the revolution, and the disasters that have resulted from this necessitate for these climates particular regulations.” Laveaux to Minister of the Navy and Colonies, 15 Ventôse an 5 (5 March 1797), ANOM CMSM F3 201. In the original French: “*La Constitution déclare les Colonies parties intégrantes, mais leur position, leur éloignement, les événements qui s’y sont succédés depuis la révolution et les désastres qui en ont été le résultat nécessitent pour ces climats des règlements particuliers.*”

the treaty established the fact and conditions of Santo Domingo's cession to France; its two most important components were a clause that allowed Dominican emigrants to migrate with their belongings to a Spanish colony elsewhere within one year of the treaty's signing and a provision that stipulated the replacement of Spanish military units with French ones, to occur at the earliest possible moment.²³

Diplomats entrusted with negotiating the terms of Spain's surrender to France immediately confronted the issue of the political status of three Spanish territories claimed by France: Santo Domingo, the vast Louisiana territory, and Guipúzcoa, a small and rugged Basque province in the Pyrenees. While the geopolitical and economic stakes involved in the possession of each area varied, the contentious negotiations that France and Spain undertook with respect to their montane European frontier were closely tied to those that concerned the Caribbean.²⁴ "The Guipuzcoans are not mature for liberty as we conceive of it," wrote the French diplomat Bourgoiny to the Committee of Public Safety in a 20 March 1795 letter. "They would surely be bad French citizens. Their customs, their language, [and] their prejudice would make their amalgamation with the [French] Republic very difficult not to say impossible: and it is our principle to consult and not to force the wish of peoples to incorporate them to us."²⁵ This letter attests to a central contradiction within the political and intellectual edifice of the French Republic: while

²³ For a copy of this treaty, see Treaty of Basel, 22 July 1795, CARAN AF/III/61; and Wenceslao Vega B., *Los documentos básicos para la historia dominicana* (Santo Domingo: Taller, 1994), chapter 10.

²⁴ Peter Sahlins has proposed an "oppositional model of national identity" in which "the proximity of the other across the French-Spanish boundary structured the appearance of national identity long before local society was assimilated to a dominant center." Following the Haitian Revolutionary era, relations between Haiti and the Dominican Republic (on the official level and sometimes on the popular level) often conformed to this logic. Peter Sahlins, *Boundaries: The Making of France and Spain in the Pyrenees* (Berkeley: University of California Press, 1989), 9.

²⁵ Bourgoiny to Committee of Public Safety, 30 Ventôse an 3 (20 March 1795), CARAN AF/III/61. Emphasis in original. The original French is: "...les guipuscoans ne sont pas mûrs pour la liberté telle que nous la concevons et seraient à coup sûr de mauvais citoyens français. Leurs mœurs, leur langage, leurs

professing adherence to supposedly universal values, many French authorities simultaneously claimed that certain groups of people possessed deeply-ingrained traits that rendered them unfit for French Republican citizenship, at least prior to a process of education and adjustment.²⁶

In the Caribbean, such anxieties became infused with the toxin of racism, which was in turn closely linked to the question of the applicability of the 1794 emancipation edict. In their deliberations over the possible transfer of Santo Domingo and Louisiana to France, French and Spanish officials grappled with the potential economic and political implications of a change in political authority for each colony's slave system and enslaved population.²⁷ According to a letter by Roume to the French Minister of the Navy and Colonies dated 31 December 1795, the Spanish Marquis d'Iranda, who owned the Boca Nigua plantation, had proposed granting Spanish Louisiana to France, instead of Santo Domingo, on the grounds that the French "regime of equality" would reduce Santo Domingo's profitability by liberating the "unfortunate cultivators."²⁸ By contrast, in a series of instructions issued to Bourgoiny on 6 May 1795, the Committee of Public

préjugés rendraient leur amalgame avec la République fort difficile pour ne pas dire impossible: et il est dans nos principes de consulter et non pas de forcer le vœu des peuples pour les incorporer à nous."

²⁶ In an undated refutation of Bourgoiny's claims, an anonymous individual wrote that the Guipozcoans were the "same people" (*le même peuple*) as the French Basques. "Observations on the Letter of Bourgoiny of 30 Ventôse," CARAN AF/III/61.

²⁷ The Treaty of Basel went through at least one draft before emerging in its final form. Article IX of an initial draft stipulated that both Santo Domingo and Louisiana were to be ceded to France. "Treaty Project between the French Republic and the King of Spain," undated, CARAN AF/III/61. Spain retained Louisiana in 1795 but formally lost this territory to France by a secret treaty signed on 1 October 1800. For a discussion of the importance of developments in Hispaniola for the political status of Louisiana at the turn of the nineteenth century, see Robert Paquette, "Revolutionary Saint Domingue in the Making of Territorial Louisiana," in Geggus and Gaspar, *A Turbulent Time*, 204-225.

²⁸ Roume to Minister of the Navy and Colonies, 10 Nivôse an 4 (31 December 1795), CARAN Colonies CC/9a/20. In the original French: "[Le Marquis d'Iranda] qui préconisait il y a 12 ans la Liberté des africains, dit aujourd'hui que c'est une injuste folie qui attaque de droit de propriété et qui anéantira le commerce français: cet homme qui par le Moyen de privilèges Exclusifs, [illegible] le fruit des travaux et des souffrances, des Malheureux cultivateurs de Sto Domingo, ne voit plus dans le Régime de l'Égalité que la diminution de profits excessifs."

Safety contended that Spain would prove less reluctant to relinquish Santo Domingo than Louisiana due to the “dangers to which the liberty of our blacks exposes” Spain’s assets on Hispaniola.²⁹

On 9 October 1797, the Council of Five Hundred decreed a reorganization of the island’s political structure that was to reflect the new division of France into *départements*. The North, West and South Provinces that had comprised pre-revolutionary French Saint-Domingue became transformed into *départements* bearing these names, while the former Spanish colony to the east would henceforth consist of the *départements* of Samaná and Inganno. Samaná’s jurisdiction was to include much of Santo Domingo’s north, while Inganno would encompass the south and southeast, including Santo Domingo city. In an attempt to impose a greater degree of administrative control over the eastern part of the island, the Council of Five Hundred also ordered the establishment of several tribunals in diverse locales including Santo Domingo city, the northern second city of Santiago, and the eastern town of Seybo.³⁰

In seeking to reinvent the island’s political topography, the Council appears to have envisioned the integration of both parts of the island into a new political and legal arrangement. For instance, on 15 January 1798 the Council of Five Hundred ordered that

²⁹ “Instructions for the Citizen Bourgoiny, Entrusted [*Chargé*] by the Committee of Public Safety to Negotiate Peace with Spain,” 17 Floréal an 3 (6 May 1795), CARAN AF/III/61. In the original French: “[I]l y a grande apparence que l’Espagne, si elle ne consulte que ses intérêts, abandonnera plus facilement la première [Santo Domingo] que la seconde [Louisiana]. Les dangers auxquels la liberté de nos nègres expose les possessions actuelles à Saint-Domingue, lui font sans doute attacher peu de prix à leur conservation.” Similarly, the anonymous author of a tract on the commercial implications of the 1795 peace with Spain composed around July-August 1795 preferred the acquisition of Louisiana to that of Santo Domingo because the “free Regime in that colony [Santo Domingo]” made that colony’s “provisioning in Blacks” next to impossible. Anonymous, “Spain: Commerce, Borders, Alliance,” CARAN AF/III/62. In the original text: “...La cession de la Louisiane préférablement à celle du reste de l’isle St Domingue...l’approvisionnement en Nègres devient presque impossible depuis l’établissement d’un Régime libre dans cette Colonie.”

³⁰ Council of Five Hundred order on administrative reorganization, 18 Vendémiaire an 6 (9 October 1797), CARAN *Assemblées du Directoire* (hereinafter AD) C 518.

the number of deputies that the “Isle of Saint Domingue” would elect to the *corps législatif* would be determined according to departmental organization, as each of the island’s five *départements* could send one deputy to the *corps* in the month of Germinal, year 6 (21 March-19 April 1798). This reorganization also brought Dominican towns such as Neyba and Dajabón under the jurisdiction of one of the three Saint-Domingue *départements*.³¹ While political schemes formulated in France established the parameters of the integration of both colonies into a new legal order, the forms that such attempted reorganization would take on the island were conditioned by the longstanding disputes over the island’s political boundaries that remained unresolved in the post-cession years. In his assessment of the deliberations of Governor García on the worth of Santo Domingo, the French Minister of Foreign Relations in a 19 October 1800 letter to Napoleon articulated several reasons why García might be willing to relinquish the authority that he still possessed if granted a suitable opportunity. These reasons included the colony’s poverty and administrative expenses; the possibility that García “feared the propagation of the principles proclaimed in the French part on the liberty of the blacks;” and the frequency of illicit cross-border trading. Underlying all of these matters was the recurrence of “violations of territory” after a 1777 Franco-Spanish treaty had supposedly resolved the border issue and the persistence of the “desertion of discontented blacks” across the old boundary line.³²

³¹ Council of Five Hundred order on electoral reorganization, 26 Nivôse an 6 (15 January 1798), CARAN AD C 521.

³² French Minister of Foreign Relations to Napoleon, 27 Vendémiaire an 9 (19 October 1800), CARAN Colonies CC/9b/2. In the original text: “*Il craignait la propagation des principes proclamés dans la partie française sur la liberté des noirs...J’ajouterai que pendant longtemps les parties française et Espagnole avaient eu des contestations sur leurs limites respectives, que, même depuis la convention de 1777, qui avait déterminé leur ligne de démarcation, il s’était élevé entr’elles des discussions fréquentes sur des violations de territoire...Enfin le contact des deux territoires favorisait de part de d’autre la désertion des noirs mécontents, et l’on n’en obtenait l’extradition qu’avec peine.*”

Closely intertwined with the uncertainty of boundaries was the question of the geographical reach of purportedly universal French Republican rights. Should “emancipation” stop at the French Republic’s borders as they had stood in the spring of 1795? This idea emerged as a possible means by which to reconcile the goals of defending emancipation and promoting commerce with the slaveholding colonies that surrounded the French Caribbean’s outposts of abolition. One tract on the commercial situation between France and Spain dated July or August 1795 argued that Santo Domingo ought to remain a Spanish possession because it would generate more wealth as a meat-producing colony under the “regime of Slavery of the Blacks” (*le régime de l’Esclavage des Nègres*) than it would under a system of free labor. By this line of reasoning, Dominican traders could exchange their meat for assorted French manufactures, which in turn would enable these French products to legally reach other Spanish colonies in accordance with Spain’s notoriously strict commercial restrictions.³³ Allowing slavery to flourish in foreign territories while reaping the attendant commercial rewards would by this logic absolve the French Republic of its moral obligations towards those held in bondage in these lands. Napoleon would later revisit the idea of confining general emancipation and slavery to distinct geographical areas in his protracted deliberations on the issue of the labor system(s) that would prevail in his domains.

In their attempts to determine the status of Santo Domingo, French and Spanish diplomats confronted a bitter and longstanding point of contention that was rooted in the island’s political and economic history. In a report submitted by the French diplomat

³³ “Observations on the New Commercial Links between France and Spain,” Thermidor an 3 (19 July-17 August 1795), CARAN AF/III/61. This argument was coupled with the racist assertion that the West Indian isles were less desirable for France’s long-term economic prospects than Louisiana because only “Blacks”

Bourgoiny to the Committee of Public Safety on 26 March 1795, Bourgoiny enumerated a long list of grievances that he planned to address to his Spanish counterpart. Among these was the assertion that most of Santo Domingo's land was worked by "our fugitive blacks" (*nos nègres fugitifs*) from Saint-Domingue whom the Spanish had allowed and encouraged to immigrate and cultivate the land in flagrant violation of repeated accords between the two nations for the swift extradition of enslaved fugitives. Bourgoiny further insisted that the Spanish had demonstrably failed to make proper use of this labor force. Only the French, with their superior capital and enlightened economic policies, could in his estimation fully harness the potential of this colony to produce large quantities of sugar, coffee, cotton and other cash crops.³⁴ Though he elided the question of the status that these laborers would occupy upon the "eventual" cession of Santo Domingo to France, Bourgoiny highlighted the degree to which labor practices and economic development in the two colonies were interconnected.

These diplomats were but a few among numerous parties ranging from top officials to those claimed as slaves who engaged in heated debates on both sides of the Atlantic concerning the economic, social, and political ramifications of bringing general emancipation to Santo Domingo, Louisiana, and other territories. Should the drive for profit trump the rights of the inhabitants of France's newly-acquired lands to their persons and to enjoy the fruits of their labor? Did a conflict between these goals even

(*Nègres*) were supposedly suitable for working in the former areas, whereas Louisiana's climate was allegedly hospitable to whites as well as blacks.

³⁴ "Report on the Eventual Cession of the Spanish Part of Saint-Domingue to the French Republic," Bourgoiny to Committee of Public Safety, 6 Germinal an 3 (26 March 1795), CARAN AF/III/61. Bourgoiny also asserted that Santo Domingo under French rule could generate perhaps three times as much wealth as Saint-Domingue. In the original French: "*Vous n'avez dans cette colonie presque d'autres terrains cultivés que ceux qui le sont par nos nègres fugitifs que vous vous êtes plusieurs fois engagés formellement à nous rendre et que cependant vous vous êtes toujours obstinés à garder. Vos colons les accueillent, reçoivent d'eux une portion des produits de leur culture et leur abandonnent le reste.*"

exist, or conversely did the removal of the coercion and deprivation of enslavement actually enhance workers' productivity? Framed in various ways, these questions were all subsets of one overarching issue: could or should a new political unit be configured without slavery? Slaves in Saint-Domingue and other French colonies had offered their own emphatic answer to this question, and had by their actions compelled Paris to dismantle the institution of slavery throughout French domains. When freed people in Santo Domingo recognized the limitations of "emancipation" in their own colony, they too asserted their rights in ways that varied from relocation to open rebellion. The heavy-handed French response to the largest of these revolts and to other challenges to the persistence of servitude revealed some of the deficiencies of the efforts to incorporate Santo Domingo into an order of legal integration and emancipation.

Debates over Emancipation and Citizenship in Santo Domingo

In a letter to the Minister of the Navy composed two days after the start of the Boca Nigua revolt, the French official Roume praised the plantation director Oyarzával in the highest terms, depicting him as a virtuous defender of both the "regime of general Liberty" and of profit maximization on his plantation.³⁵ Those who rebelled at Boca Nigua evidently had other ideas. Following the promulgation of the general emancipation decrees of 1793-1794, many French administrators such as Roume strove to reconcile the objectives of recreating a profitable plantation system and upholding the "regime of

³⁵ Roume to Minister of the Navy and Colonies, 11 Brumaire an 5 (1 November 1796), CARAN Colonies CC/9a/20. In the original French: "*Le [Citoyen Don] Juan Oyarzaval, ce Vertueux Philosophe, cet ami de l'humanité, cet homme qui ne vit que pour faire le bien, et qui répand le bonheur sur Tous ceux qu'il commande...après avoir sacrifié les plus belles années de sa Vie, et dépensé des Sommes que l'on évalue à plus Deux Millions des Colonies, Le [Citoyen] Oyarzaval commençait à Jouir du fruit de ses Travaux et se promettait une augmentation de produit, par l'établissement du régime de la Liberté générale.*"

general Liberty.” As the case of Boca Nigua attests, their solutions often involved forms of force that in some ways recalled the days of slavery. Nonetheless, the formal cession of Santo Domingo to France provoked a series of political and philosophical contests among French and Spanish officials over the justice of enslaving other human beings.

Long before the slaves of the northern plain of Saint-Domingue had taken up arms against their masters on that fateful evening in August 1791, administrators’ and planters’ desires to extract profit from a sizeable corps of servile laborers had impelled Amerindian and African slaves in Saint-Domingue and other parts of the Americas to pursue alternative modes of production that afforded these slaves a substantial degree of autonomy and a measure of control over their labor power and the products of their labor. The conflicts between these opposed visions continued into the era of emancipation. In the course of his varied assignments in Hispaniola during the first decade of the Haitian Revolution, Roume devised seemingly contradictory ways to address these tensions. With the exception of Toussaint Louverture, Roume was the most influential among all French Republican figures based in the Caribbean in the protracted saga of Santo Domingo’s status after 1795. In order to communicate and implement the new legal order organized around the “integral part” doctrine and the Treaty of Basel to Hispaniola, the French Directory had chosen to follow the precedent of sending a five-man Civil Commission to the island. Among this commission’s members were the architect of Dominguan general emancipation, Léger-Félicité Sonthonax; the onetime political activist Julien Raimond; and “Particular Agent” Roume, in whom the Directory invested the task of overseeing Santo Domingo’s transfer to France. Despite his prior administrative experience on the

island, Roume did not accomplish this objective. He did nonetheless play a consequential role, at times undermining emancipation and on occasion promoting it.³⁶

Boca Nigua was in fact one in a series of servile revolts that transpired in Santo Domingo during the revolutionary years.³⁷ These uprisings took place in the shadow of the upheaval in French Saint-Domingue, and events in the neighboring colony appear to have influenced the Boca Nigua insurgents. Both Roume and Judge Bravo for instance suspected the hand of Dominguan former slaves (specifically three men who had once been allied with the ex-slave leader Jean-François) in instigating the Boca Nigua revolt.³⁸

In the struggles that emerged after 1795 over the rights of those claimed as slaves in Santo Domingo, French officials' continued reliance upon Spanish authorities to run

³⁶ Roume served in Saint-Domingue and Santo Domingo in a variety of capacities from 1791 to 1801; his colonial experience was a factor in his appointment in 1795 as the Directory's "Particular Agent" in Santo Domingo, where he served for eighteen months. As one of the original Civil Commissioners sent to Saint-Domingue by the French government to ensure the survival of the slave system, Roume had accepted in a 15 May 1791 letter to Deputy Barnave of the French National Assembly that body's reaffirmation of the importance of slavery in the overseas colonies. According to this letter, the fact that nine-tenths of Saint-Domingue's population was enslaved meant that varying "gradations" (*grades*) between white and slave ought to exist, such that people who were at least three "degrees" removed from African ancestry should be able to claim a "white" racial status. Roume to Barnave, 15 May 1791, CARAN W 13. The original French reads: "*Il est certain que si les Amis des Noirs avaient été plus conséquents qu'ils ne l'ont été, vous n'auriez pu répondre aux raisons contre l'Esclavage, qu'en proposant de renoncer à la Souveraineté Nationale sur la Colonie... Enfin [mon] Plan conserve deux grades intermédiaires entre les Blancs et les Esclaves. Savoir celle composée des Hommes de couleur membres des Assemblées primaires de leur classe-et celle des Élus qui ayant Tous les Droits des Blancs se rapprochant néanmoins des Esclaves par la teinte de la peau tant qu'elle n'est pas effacée, car J'ajoute qu'il est ridicule de ne pas classer parmi les blancs une Personne qui est éloignée de la touche nègre au 4^e degré, ou même au 3^e.*" Though Roume's racial views later became more egalitarian, a distinct undercurrent of racial differentiation continued to exist in his correspondences.

³⁷ Scattered revolts broke out in Hinchá (in 1793) and in Samaná (May 1795). Reports by Spanish authorities who arrested several insurgents in Hinchá alleged that the example of Saint-Domingue helped to inspire the uprising. See Geggus, "Slave Resistance in the Spanish Caribbean," esp. 140-141. On the 1795 uprising, see Joaquín García to conde del campo Alange, 17 May 1795, *Archivo General de Simancas* (hereinafter AGS), Simancas, Spain, *Guerra Moderna* (hereinafter GM) 7160, f. 126; and Carlos Esteban Deive's account of the revolt in *La esclavitud del negro*, 471.

³⁸ Roume portrayed these rebels as having been "Indoctrinated" (*Endoctrinés*) by three former companions of Jean-François, though rumors abounded that other individuals from Saint-Domingue or even the British might also have helped to incite these *cultivateurs* to revolt. "Order" of Roume, 29 December 1796, ANOM CMSM F3 200. Judge Bravo asserted that his forces had arrested and detained "3 brigands of Jean-François" near the Boca Nigua plantation. Bravo y Bermudez to García, 14 December 1796, ANOM CMSM F3 200.

both Santo Domingo's few plantations and the colony's central administration impeded the prospects for radical change.³⁹ "The Minister [of the Navy] is also asked to inform the French government; not only of the merit and indomitable courage of our co-citizens from Haiti [Spanish landowners and authorities], but also of the necessity (already presented numerous times by the Provisional Agent [Roume]) to only proceed with the Frenchification of the Country with all appropriate prudence," counseled Roume in his report on Boca Nigua.⁴⁰

What precisely would this "Frenchification" entail? In Saint-Domingue at this time, French authorities were busy attempting to enforce labor regimes that sharply circumscribed the rights of *cultivateurs* and sought to ensure their continued submission to political authorities and to their former masters. The French Civil Commissioners Léger-Félicité Sonthonax and Étienne Polverel had devised labor codes in 1793-1794 that aimed to ensure a subordinate labor force while granting freed people certain rights and

³⁹ In his report on Boca Nigua, Roume praised the Spanish officials who put down the revolt for enabling the "conservation" of the colony for the French, who would soon take possession of Santo Domingo. "Order" of Roume, 29 December 1796, ANOM CMSM F3 200. In the original French: "[L]e Ministre de la marine, et des Colonies est [illegible] prié de faire connaître au directoire exécutif les services Rendus à la France et à l'Espagne, à l'occasion de la révolte des cultivateurs de Boca Nigua, par Monsieur le Président [Don] Joaquin Garcia...[list of many other Spanish officials]...tant à l'effet d'obtenir, En leur faveur les remerciements du Peuple français, votés par ses représentants, qu'afin de faire solliciter, par l'ambassadeur de France en Espagne, les avancements et récompenses qui leur sont dus, pour avoir efficacement secondé les intentions de sa majesté catholique, relativement à la conservation d'une colonie, qu'il est de son honneur de remettre intacte."

⁴⁰ "Order" of Roume, 29 December 1796, ANOM CMSM F3 200. In the original French: "Le ministre est aussi prié de faire connaître au gouvernement français; non seulement le mérite et l'indomptable courage de nos concitoyens de Hayti, mais encore la nécessité (déjà présentée plusieurs fois par l'agent Provisoire) de ne procéder à la francisation du Pays, qu'avec toute la prudence convenable." Roume's references to "Haiti" several years before that country's birth are a source of curiosity for some scholars. According to David Geggus, Roume was influenced by diverse intellectual and political currents, including French Republican ideals, notions of the "noble savage," and enduring anti-Spanish "black legend" prejudices. In a July 1796 letter to Santo Domingo's archbishop, Roume called ex-slaves "the new French of Haiti," and in a 3 May 1797 letter to the commandant of the national guard and "all the new French [people] of the three colors, formerly alleged free people and slaves of Maguana [Santo Domingo]," Roume claimed that the "Haitians" in Santo Domingo had "inspired" him with their potential to become good Republican citizens. Geggus, *Haitian Revolutionary Studies*, 212-216 (quotes are from pp 212 and 216). For the 3 May 1797 letter, see Roume to "new French" et al, 14 Floréal an 5 (3 May 1797), CARAN Colonies CC/9a/20. In the

privileges that they had not possessed as slaves, such as a salary derived from a quarter of the plantation revenues. The successors of Sonthonax and Polverel in Saint-Domingue continued to pursue these policies, while their counterparts in Santo Domingo likewise sought to curtail the liberties of the newly freed. Roume and the few other French officials who served in Santo Domingo before 1801 indeed appear to have equated the Boca Nigua insurgents with the restive *cultivateurs* whom they perceived to threaten their authority in Saint-Domingue. After all, the French Republican regime could hardly expect to establish a profitable plantation society in Santo Domingo if it could not control the labor force on its principal plantation. In Boca Nigua, Roume undermined the liberation that he professed to bring to this part of the island. In the midst of such a transformational revolution, this seeming throwback to an *ancien régime* mode of analyzing a “slave rebellion” provided a significant example of how struggles for and against liberty in both colonies were deeply intertwined.⁴¹

Despite the two accounts that portrayed the Boca Nigua uprising as a slave rebellion, these *cultivateurs* appear to have been, juridically speaking, free men and women who could claim certain political rights by virtue of having come under the rule of emancipationist France. In the aftermath of the Treaty of Basel’s signing, French and Spanish officials clashed in impassioned debates over these rights that tested the boundaries of emancipation. Though French officials on the island were not of a single mind, Santo Domingo’s cession elicited a concerted effort on the part of some of these officials to institute in that colony a regime that would at once finally realize the colony’s

original text: “*J’en suis pénétré de joie: D’un côté j’y vois l’attention que vous avez donnée à mes conseils; ces conseils sont ceux, du vif intérêt que m’inspirent les haïtiens...*”

⁴¹ The Boca Nigua revolt also shared some similarities with plantation uprisings that occurred in revolutionary Saint-Domingue, which I discuss in chapter 3.

economic potential and impose a more egalitarian political and social order. In the instructions that it gave Agent Roume on 24 December 1795, the Directory had charged him with winning over “our new co-citizens” in a bid to curb emigration from the colony and secure the support of the political and economic elite. Were freed Dominicans to be considered among these “new co-citizens?” These instructions were quite unclear on this matter. While condemning the “horrible [former] right of the slavery of one man over another,” these orders contended that French emancipation law did not constitute an “infraction of the right of colonial property” except in the case of those who were “blinded by vile interest.” Entreating the “free slaves” of Santo Domingo to refrain from “abus[ing] their freedom,” these orders asserted that the Spanish had treated their slaves “with a humanity worthy of winning their friendship.” In a marked departure from the treatment of Dominguan planters following the advent of emancipation, the Directory took pains to promise abundant land and other material benefits to Dominican former slaveholders who had suffered a “real [economic] loss” as a result of the liberation of their slaves.⁴²

⁴² “Instructions to the French Government Agent in the Spanish Part of the Island, Roume,” 3 Nivôse an 4 (24 December 1795), in Rodríguez Demorizi, *Cesión de Santo Domingo a Francia*, 29-36. The translated Spanish text reads: “*Importa sobre todo hacer que nuestros nuevos conciudadanos amen la Republica y procurar conservar si es posible en la Isla toda aquella parte preciosa de su población...Si el acto constitucional v. g. aniquila el derecho horrible de la esclavitud de un hombre sobre otro hombre, dotado igualmente que él de una alma racional, es claro que este artículo no puede mirarse como una infracción del derecho de propiedad colonial, sino por gentes llenas de preocupaciones, o cegadas por el vil interés. Y esta objecion deve tener aun menos fuerza entre los españoles, los que, sobre tener menos esclavos que las demas naciones europeas establecidas en América, los han tratado siempre con una humanidad capaz de grangearlos por amigos. Deven, pues, los nuevos colonos franceses humanos y generosos, esperar que sus esclavos libres ya no abusarán de su libertad, sino que le serán al contrario siempre adictos y que no se separaron de su lado como hijos reconocidos. Mas quando la libertad de los esclavos fuese una perdida real para sus dueños quedaría esta suficientisimamente compensada con la garantía que la Constitucion les ofrese de la propiedad del territorio, la qual era antes precaria en la parte española de la Isla, con la perspectiva de las utilidades de un comercio mas extenso que antes y con las demas ventajas que les resultarán de un Gobierno republicano.*”

This rather timid and equivocal defense of emancipation left room for claims-making by both newly-freed French citizens in Santo Domingo (and their defenders) and opponents of abolition. Would “emancipation” in Santo Domingo involve the sudden elimination of the legal status of “slave” as in the 1793-1794 French Republican emancipations? Would it instead entail a kind of gradual emancipation as envisioned by many *ancien régime* thinkers and by some Dominican landowners and officials? Or, would it simply mean no substantial change in the condition of theoretically freed Dominicans? The significant out-migration from Santo Domingo that commenced in 1795 gave rise to a thorny legal question that tested the nature of “emancipation” there. Could refugees departing Santo Domingo after 1795 legally transport with them human beings whom they claimed as slaves under Article IX of the Treaty of Basel, which allowed Dominicans up to one year after the treaty’s promulgation to migrate to another Spanish colony with their belongings?⁴³ Or, conversely, did the inalienable rights of these French citizens preclude anyone from declaring them to be his or her property, even in the case of flight to an area where slavery was still the law of the land?

In his 30 September 1795 notes on a *mémoire* (report) by a general named Regnier, Agent Roume outlined this legal conundrum and sided with the anti-slavery position. Forcefully condemning slavery as a “violation of natural law” that had become unlawful in all French domains following the 1794 emancipation decree, Roume argued that the “natural right” of “liberty” superseded the “civil right” of property. Though he

⁴³ The exact wording of the relevant part of the treaty is: “The inhabitants of the Spanish part of Saint-Domingue who, by motives of [self-] interest or others, would prefer to transport themselves with their goods in the possessions of His [Spanish] Catholic Majesty will be able to do so within one year after the date of this treaty.” Treaty of Basel, 22 July 1795, CARAN AF/III/61. The original French reads: “*Les habitants de la partie Espagnole de Saint Domingue qui, par des motifs d’intérêt ou autres, préféreraient de se transporter avec leurs biens dans les possessions de Sa Majesté catholique pourront le faire dans l’espace d’une année à compter de la date de ce traité.*”

naively expected that Dominicans would “rush to Enjoy the Benefits of the French Revolution,” Roume nonetheless anticipated a conflict wherein the “Spanish Property Owner” would attempt to transport his or her alleged “Slave” out of Santo Domingo as “one of [his or her] Goods” in defiance of the latter’s claims to possess the right to remain in the colony as a “French citizen.” Roume proposed a back-door solution to the problem: simply tell a freed Dominican that he or she could travel to Saint-Domingue and hide out there during the year allowed by the Treaty of Basel for Dominicans’ emigration with their properties.⁴⁴

Fear of freed Dominicans mounting such a bold defense of their rights possibly helped motivate landowners and authorities there to adopt a variety of strategies to protect their perceived interests. In a 1795 report written for the Committee of Public Safety, the Vice-Admiral Trugeot correctly predicted that fear of the “effects of the liberty of the blacks” on their social and economic position would impel many

⁴⁴ Roume, “Reflections on the Report of Regnier,” 8 Vendémiaire an 4 (30 September 1795), CARAN AF/II/64. In the original French: “*Or, chez les Espagnols les prétendus Esclaves font partie des Biens d’un Habitant; Tandis que chez les français l’Esclavage était aboli long temps avant le Traité de Paix: Puisqu’il l’a été, d’abord implicitement, par la Déclaration des Droits, et, ensuite nominativement par le Décret du 16 Pluviôse de l’an Deux. Le Propriétaire Espagnol peut dire, par conséquent, Je veux transporter mon Esclave comme faisant partie de mon Bien; Et le Nègre, de son côté, peut répondre, Je veux rester comme étant citoyen français...Donc, dans l’Espèce actuelle, l’Esclavage étant une violation du droit naturel, Tant pis pour l’Espagne si elle n’a pas entendu son traité de la même manière que la France: Et l’on peut dire en outre, que la Propriété n’étant qu’un Droit civil, la propriété doit être évincée, toutes les fois qu’elle osera lutter contre la Liberté qui est de droit naturel. Par conséquent le Nègre gagnerait sa cause d’une manière péremptoire...J’espère que cette Difficulté n’est que Théorique, parce que je suis persuadé que Tous les Propriétaires de Sto Domingo s’empresseront de Jouir des Bienfaits de la révolution française. Il est vrai qu’il se présente un moyen d’éluder la Question, ce serait de conseiller secrètement au Nègre réclamant, de fuir à la Partie française, et d’y rester caché pendant l’année du délai fixé pour l’Emigration; mais cette escobarderie me paraît être incompatible avec la majesté du Peuple français.*” In his 25 September 1795 report to the Committee of Public Safety, Adjutant-General L. Regnier had defended the alleged right of Dominicans to emigrate from Santo Domingo with their “slaves” (*esclaves*) per the Treaty of Basel while also proposing the deployment of several French “commissioners” to Santo Domingo to “prepare [the colony’s inhabitants] to enjoy the Benefits of liberty.” Adjutant-General L. Regnier, “Report on the Island of St Domingue for the Spanish Part Presented to the Committee of Public Safety Section of Foreign Affairs,” 3 Vendémiaire an 4 (25 September 1795), CARAN AF/II/64. In the original text: “*Je propose donc D’y envoyer...une certaine quantité Mais en petit nombre des commissaires*

Dominicans to try to flee that colony with their possessions, including their “blacks.” This development would exacerbate what the vice admiral judged to be France’s fundamental problem in Santo Domingo: that it could only realize the “inestimable advantage” of fulfilling this colony’s significant economic potential when authorities succeeded in compelling its “Blacks” to perform agricultural labor. These concerns led Trugeot to propose the swift appointment to Santo Domingo of an “Agent of the Republic” who would reassure property owners that their fears of “anarchy” were misplaced.⁴⁵ In his appeal to former slaveholders rather than to the colony’s freed residents, as well as in his explicit claim that “Black” labor was essential in any effort to stimulate the colony’s agricultural production, Trugeot suggested that no radical change in Santo Domingo’s social order was in the works.

The rights of the formerly enslaved in Santo Domingo nonetheless became the subject of a spirited debate between the French officer Étienne Laveaux and Santo Domingo’s Governor García. As a self-professed “Apostle of Liberty,” Laveaux took García to task for his perceived hypocrisy in promoting the Spanish king as the fount of liberty in the 1793-1795 Franco-Spanish war and then subsequently claiming that Spain

chargés d’éclairer ces peuples sur leurs véritables intérêts et les préparer à Jouir des Bienfaits de la liberté.”

⁴⁵ Vice-Admiral Trugeot to Committee of Public Safety, “approved” by the Committee on 25 Fructidor an 3 (11 September 1795), CARAN AF/III/61. In the original French: “*La possession de la partie espagnole de St Domingue sera pour la France d’un avantage inappréciable, lorsque nos forces navales régénérées pourront en protéger l’étendue, Lorsque l’énergie du Directoire Exécutif aura pu calmer l’effervescence des passions, rattaché le Noir à la culture par de sages règlements, et rétabli le respect des Lois dans cette Colonie si longtemps désolée...D’un autre part le Gouvernement espagnol est vraisemblablement lui-même pressé par les Propriétaires qui désirent Evacuer ce territoire et emporter avec eux leurs mobiliers et leurs Nègres. Nous devons nous attendre à prendre possession d’un désert, car les habitants riches, ou fanatiques, s’empresseront de fuir les effets de la Liberté des noirs, de celle du Culte et la présence d’un gouvernement républicain que l’on a calomnié en l’associant à toutes les atrocités commises à St Domingue. D’après cette dernière considération, il paraîtrait bien essentiel d’envoyer dans la partie Espagnole de St Domingue et le plutôt possible un Agent de la République, estimé par son dévouement et ses Talents auquel le nouveau Système Colonial fut parfaitement connu, ainsi que les localités de cette*

had not abolished slavery. To García's assertion that preventing refugees from leaving Santo Domingo with their "slaves" would lead to their "ruin," Laveaux's retort was simple: free soil trumped property rights. According to Laveaux, after France's attainment of sovereignty over Santo Domingo, no individual could claim another as his or her property there.⁴⁶

García's response, dated 19 December 1795, drew upon the centuries-old Spanish-American practice of conferring manumission upon certain individuals or groups for services deemed advantageous to the promotion of imperial and colonial objectives. García argued that the liberties granted in the recent Franco-Spanish conflict were no different, and that individual emancipations did not in any sense portend an eventual end to the institution of slavery in an entire polity.⁴⁷ By this line of argumentation, some people in Santo Domingo and other Spanish colonies would continue to remain in a state of perpetual bondage, implying that emigration with "slaves" (*esclavos*) was entirely justified.⁴⁸ In a letter to the Spanish Prime Minister Manuel de Godoy composed twelve days earlier, García had presented slavery as the "most useful and beneficial asset" to Dominicans and accused Laveaux and a French "Deputation" of undermining the institution by recklessly disseminating "Printed Decrees about the general Liberty of the

Colonie: il y propagerait nos principes de justice, il engagerait les propriétaires à ne rien craindre de l'anarchie." Emphasis in original.

⁴⁶ Laveaux to García, Brumaire an 4 (23 October-21 November 1795), AGI ASD 1033. In the original text: "Vos me decís q[ue] el Tratado concede un año para determinarse a la permanencia, q[ue] los súbditos de vuestro Rey tienen la mayor parte de sus bienes en esclavos, que las leyes Españolas no han abolido la esclavitud, y que violando esta consideración yo he procurado la ruina de los súbditos de vuestro Rey... Yo soy un Apóstol de la Libertad."

⁴⁷ There is an extensive literature on slavery and emancipation in colonial Spanish America. For some important recent contributions that foreground questions concerning manumission, see Jane Landers, "Maroon Women in Spanish America," in *Beyond Bondage: Free Women of Color in the Slave Societies of the Americas*, ed. David Gaspar and Darlene Hine (Bloomington: Indiana University Press, 2004), 3-18; and Matthew Restall, ed., *Beyond Black and Red: African-Native Relations in Colonial Latin America* (Albuquerque: University of New Mexico Press, 2005).

⁴⁸ García to Laveaux, 19 December 1795, AGI ASD 1033.

Blacks.” Such actions could, García fretted, incite unrest or rebellion among Santo Domingo’s “slaves.”⁴⁹

Behind the Laveaux-García exchange was the central driving question of the Haitian Revolution: could a polity exist entirely without slaves—or ought it to? For Laveaux, García, Roume and many others, the efficacy of emancipation’s implementation in Santo Domingo had implications far beyond that colony. The competing visions of a free society versus a land where some remained enslaved represented nothing less than a conflict over the viability of human bondage itself.

Joseph Antonio Urizar, a member of Santo Domingo’s high appeals court, recognized this. In a one-hundred page apologia of the slave regime in Santo Domingo, Urizar engaged with the liberal ideas of the French and Haitian Revolutions and sought to reconcile the power of these discourses with his own conviction that slavery must endure in his land. In his 25 June 1795 “Discourse on the Modification, and Limits of Slavery,” Urizar urged his fellow Dominican administrators to adopt “certain prudent and tactful measures so that the bad example and corruption [of Saint-Domingue]” would not spread to Santo Domingo. Explicitly confronting the arguments that “all men are naturally free” and that the “right of peoples” meant that no human being ought to be enslaved, Urizar responded that while “all peoples concur that men by nature are born free,” the

⁴⁹ García to “Prince of Peace” [Godoy], 7 December 1795, in Rodríguez Demorizi, *Cesión de Santo Domingo a Francia*, 26-27. In the Spanish original: “Con fecha de 21 de Noviembre ultimo anuncié a V.E. de la Diputación que me dirigió M. Laveaux Comandante General de la Parte de la Colonia que posee la República Francesa en esta Isla con motivo de instruir a V.E. de su conducta tan impolitica como opuesta al sosiego de estos Habitantes Españoles cuyo más util y benefico caudal en el día consiste en la esclavitud que ha de emplear desde luego donde quiera que arriben y que han pretendido alborotar con la dispersión de Decretos Impresos sobre la Libertad general de los Negros...Há sido necesario verter especies contrarias a las suyas con que pretenden que todos los esclavos se escapen o incendien los cañaverales y Edificios de Campo.” According to David Geggus, though French Republican authorities in Santo Domingo towards the end of 1795 distributed copies of the prior year’s emancipation edict and affirmed

exigencies of Spanish law and especially of the material interests and property rights of slave-owners demanded that slavery be maintained.⁵⁰

While Spanish and Spanish-American thinkers and political figures had since the early sixteenth century grappled with issues concerning the rights of subject populations, Urizar confronted the libertarian discourses of the twin revolutions that had engulfed Santo Domingo and the demands articulated by thousands of former slaves who had won their liberty through military and political struggle. Many of his peers in Santo Domingo came to essentially the same conclusions that he did, though with less evident deliberation. According to a report issued by a French government commission to the Minister of the Navy dated 26 December 1796, “several residents” of Santo Domingo had presented to the Spanish king a request that the Treaty of Basel be annulled on the grounds that it would deprive these individuals of “their properties founded on Slavery.”⁵¹ In another correspondence to the Minister of the Navy, one Jean-Baptiste Formy contended that Dominican “slave-owners” did not wish to become “Republicans” due to their opposition to the “Liberty of the Blacks.” This necessitated “extraordinary

slavery’s abolition on the entire island, these measures only had a limited effect. Geggus, “Slave Resistance in the Spanish Caribbean,” 140.

⁵⁰ “Discourse on the Modification, and Limits of Slavery, Formed by D[on] Josef Antonio de Urizar of the Supreme Council of the Indies...” 25 June 1795, AGI ASD 1032. In the original text: “*Es la libertad hija de la naturaleza, y clama esta incesantem[ente] por aquella...Siendo la esclavitud de derecho de gentes, y opuesta al derecho natural, hay muchos que juzgan no devia producir efecto contra un derecho preponderante qual es el respetable de la naturaleza: Que todos los hombres naturalmente son libres, y así el derecho de gentes no puede excluir lo que la naturaleza aborrece...Todas las gentes concuerdan en que los hombres por naturaleza nacen libres...la necesidad que hay en las actuales circunstancias de tomar algunas prudentes, y políticas medidas para que no trascienda el mal exemplo, y corrupcion...*” Much of this liberationist language echoed the *Siete Partidas*, a thirteenth-century Spanish law code that constituted the foundation of slave law (and much else) in colonial Spanish America. In this tract, Urizar also proposed a sort of apprenticeship system wherein a slave would earn his or her freedom by working for his or her master over the course of a number of years.

⁵¹ “The Commission Delegated by the French Government to the [Caribbean] Islands” to the Minister of the Navy and Colonies, 6 Nivôse an 5 (26 December 1796), CARAN Colonies CC/9a/11. In the original French: “*Nous avons appris, depuis quelques temps, que quelques habitants de cette partie de l’Isle avaient présenté au Roi d’Espagne une requête tendant à engager Sa majesté catholique à annuller l’effet du traité*

forces” to take proper possession of the colony and thwart such entrenched opposition.⁵²

In an undated letter, Laveaux was even blunter. “The Spanish have put them [freed Dominicans] into slavery,” Laveaux lamented. “They have put them under the torture of the whip, [and] they have rendered them even more unfortunate than before.”⁵³ Such assertions made a mockery of the naiveté and wishful thinking of officials such as Roume, who in a 5 August 1796 communiqué to his colleagues on the Civil Commission had declared that Dominicans “all know that slavery is incompatible with our principles” and that one “Proclamation” of amnesty to them was worth more than an army of fifty thousand men.⁵⁴

Entreaties that French officials directed to the ex-slaves themselves sought to assuage their anxieties that the regime of emancipation and the “integral part” principle were doomed to fail. In one 3 June 1796 proclamation that he issued in both French and Creole and distributed to ex-slaves, Sonthonax attempted to appeal to newly freed people’s vernacular understandings of citizenship rights and social order. This proclamation prohibited on pain of imprisonment the mere suggestion that “liberty has

de Bâle qui les détache de la Monarchie espagnole, pour les réunir à la France: Ils invoquent la pitié du Roi d’Espagne en faveur de leurs propriétés fondées sur l’Esclavage.”

⁵² “Descriptive Report concerning the Spanish Part of St Domingue as well as [the] French [part],” submitted by Jean-Baptiste Formy to the Minister of the Navy and Colonies, an 5 (22 September 1796-21 September 1797), CARAN Colonies CC/9a/15. In the original French: “*Les habitants propriétaires d’Esclaves de cette partie ne sont pas en général content de devenir Républicains à cause de la Liberté des Noirs, ils craignent de Souffrir dans leurs personnes et propriétés dans la prise de possession...Et c’est ce qui les détermine à vendre le plus d’animaux qu’ils peuvent...il faudra pour prendre possession des forces plus qu’ordinaires pour empêcher des mouvements qui pourraient avoir lieu si on manque de moyens pour les prévenir ou les étouffer dès leur naissance.*”

⁵³ Laveaux to “Commander in Gonaïves,” undated, CARAN Colonies CC/9a/20. In the original: “*Les espagnols, Les ont fait dans L’esclavage, Les ont Réuni sous le supplice du fouet, Les ont Rendus encore plus malheureux qu’auparavant.*”

⁵⁴ Roume to “his colleagues the commissioners delegated by the French government in the [Caribbean] islands,” 18 Thermidor an 4 (5 August 1796), CARAN Colonies CC/9a/11. In the original text: “*Je vous réponds, sur ma tête, des anciens Espagnols de Santo Domingo et des villes de l’intérieur, tous ne [illegible] que pour la tranquillité du Pays et la [illegible] aux lois de la république, tous savent que l’esclavage est incompatible avec nos principes... Cette Proclamation vous vaut mieux qu’une armée de 50 mille hommes puisqu’elle vous a gagné d’une manière irrésistible les cœurs de tout le monde.*”

not been irrevocably granted, [and] that the intention of the French government is to place back into irons men who should never have had to bear them.” In its preamble, this proclamation reiterated the foundational principles of the emancipationist government; the wording of this preamble was much more legalistic in the French version than in the Creole. While the French version simply stated that a man “CANNOT SELL HIMSELF NOR BE SOLD; HIS PERSON IS NOT AN ALIENABLE PROPERTY” and that “the *French Colonies are integral parts of the Republic, and are subject to the same constitutional law,*” the Creole translation included more colorful and descriptive presentations of liberty. The French government “says...that it wants all people to be free and equal,” the Creole version declared. “[The French government] in this manner also says that it wishes people to work for money, but that it absolutely does not wish to see nor to hear of people selling themselves, nor of others being able to buy them, because it says in this way that one who is able to speak cannot be sold as a horse or a pig as in a market.” On the “integral part” doctrine, Sonthonax stated in Creole that the French government “wishes that all the French Isles are but one with the great country of France, and that all become free as in France.” In his intention to translate the “sacred law” of February 1794 into “all of the languages that are spoken” on the island, Sonthonax hoped to advance the universalist aims of this decree.⁵⁵ In this endeavor, he engaged with indigenous concepts of rights.

⁵⁵ Proclamation of Sonthonax, 15 Prairial an 4 (3 June 1796), ANOM CMSM F3 200. In the French version, the text is as follows: “*Citoyens, si la déclaration des droits, qui fait la base de...notre constitution, et dont les articles premier et quinze sont conçus en ces termes: Art. 1^{er}. Les droits de l’homme en société, sont la LIBERTÉ, L’ÉGALITÉ, la SURETÉ, la PROPRIÉTÉ; Art. 15. Tout homme peut engager son temps et ses services, MAIS IL NE PEUT SE VENDRE NI ÊTRE VENDU; SA PERSONNE N’EST PAS UNE PROPRIÉTÉ ALIÉNABLE...Si l’article 6 du titre premier de la constitution, portant que les Colonies françaises sont parties intégrantes de la République, et sont soumises à la même loi constitutionnelle...Les commissaires seront tenus de proclamer, dans toute l’étendue de l’Isle, et dans tous les idiomes qu’on y parle, l’ABOLITION de l’ESCLAVAGE, la LIBERTÉ et l’ÉGALITÉ DES HOMMES*”

This proclamation's translation into Creole was a deeply political phenomenon that centered on concepts of freedom and citizenship that had emerged among Creole-speaking freed people. This process of translation, far from simply working to assimilate these individuals into a European model of "civilization" as Sonthonax had hoped, attests to the political and intellectual dialogue between French leaders and the colony's formerly enslaved population as well as the profound importance of local concepts of political legitimacy in the transformations of the revolutionary era.⁵⁶ The importance of such translation was not lost on a man named Dufay who in a 12 August 1795 tract had argued that it was necessary to distribute twenty or thirty thousand copies of the 4 February 1794 liberty decree in Saint-Domingue, translated into Creole as well as English and Spanish, in order to help stabilize this French colony.⁵⁷

Santo Domingo was also an important arena of conflict over changing conceptions of the relationship between economic and political freedom. The dismantling of slavery in Saint-Domingue and subsequently in other places beginning in the late

DE TOUTES LES COULEURS, l'engagement pris par la République française dans l'acte même de la constitution, de maintenir de toute sa puissance cette loi sainte demandée depuis si long-temps par toutes les voix de l'humanité... Tout citoyen qui dira dans les marchés ou ailleurs que la liberté n'est pas irrévocablement rendue, que l'intention du gouvernement français est de remettre aux fers des hommes qui n'auraient jamais dû en porter, sera saisi sur le champ et conduit chez le juge de paix qui, sur la déposition de deux témoins qui attesteront avoir entendu lesdits propos, les enverra en prison." In the Creole version, the text is: "*Li dire comme ça que li voulé que toute monde libre et égaux, li di comme ça encore que li voulé ben que monde travail pour l'argent, mais que li pas voulé voir ni tandé absolument que monde vende corps yo, ni que l'aute monde capable achetté yo, parce que li di comme ça que monde qui conné parlé n'a pas chouval ni cochon pour vende corps yo tant comme dans yon marché... l'assemblée nationale France di comme ça que li voulé que toute les Isles françaises faire rien que yon avec grand pays la France, et que toute monde va libre la comme en France.*" Emphasis in original.

⁵⁶ Sonthonax to National Convention, 30 July 1793, CARAN *Comité des Colonies* (hereinafter CC) D/XXV/5, dossier 52. In the original text: "*La précaution que nous avons prise de faire traduire nos principales proclamations en créole, et même quelques décrets de la convention, inspire aux africaines du respect pour les loix. Je ne doute pas que la civilisation de ce peuple ne soit très rapide.*"

⁵⁷ "Measures Proposed by Dufay to Come in This moment to the Aid of St Domingue," 25 Thermidor an 3 (12 August 1795), ANOM CMSM F3 267. In the original text: "*Il faut envoyer le décrêt du 16 Pluviose au nombre de vingt ou trante mille Exemplaires, traduit en Creole... il faudrait aussi L'imprimer En anglais et en Espagnol.*" Polverel had translated the Declaration of the Rights of Man into Creole and distributed it to

eighteenth century coincided with the rise of new concepts of economic freedom that vilified the old mercantilist trade restrictions that had underpinned both French and Spanish colonialism in favor of more unfettered markets in both goods and labor. In the wake of Adam Smith's 1776 publication of *The Wealth of Nations*, the idea that men and women were naturally driven to pursue their own self-interest, which could in turn benefit society as a whole, was rapidly gaining currency in many parts of the world. In the Haitian Revolution, and subsequently in the British Caribbean following the British abolition of slavery, the fusion of these ideas with political liberationist discourses paradoxically gave sanction to new forms of authoritarian control. At the heart of this paradox was the idea—first articulated by Sonthonax and later espoused by Julien Raimond, Roume, Toussaint and others—that industriousness and one's participation in labor markets (especially in the areas of plantation work and military service) were essential determinants of one's worth as a free citizen and prerequisites for full membership in a political community.

Historian Thomas Holt has persuasively contended that both the end of chattel slavery in the British world and Britain's later relinquishing of formal domination over most of its former colonies were “framed in ways that masked a new coercion even as [they] yielded new opportunities for self-determination.”⁵⁸ Holt's *The Problem of Freedom* is in many ways a powerful argument for the notion that coercion lies at the heart of modern “liberty”—and that to understand how this concept has acquired such intellectual and political resonance in the modern world, one must comprehend the violent processes by which political leaders in post-slave societies sought to subordinate

former slaves when he issued his 31 October 1793 emancipation decree. Dubois, *Avengers of the New World*, 164.

those whose freedom they claimed to uphold. This often entailed the advancement of arguments that couched the continuation of profoundly hierarchical labor relations within the guise of free labor. For instance, the municipal administration of Le Cap wrote to Sonthonax on 21 August 1797 that “free hands are better suited to cultivate tropical soil than enslaved hands.”⁵⁹ Furthermore, in a 24 December 1795 letter to a “French citizen in Santo Domingo” named Francisco Gascue, Roume had declared that the new regime of general liberty would in fact stimulate a greater degree of agricultural prosperity than had been possible under slavery, as the “joy” of labor and the *cultivateurs*’ newfound ability to claim a share of its fruits would create powerful new incentives for them to maximize their productivity. Yet in the same breath, Roume proposed importing “Unfortunate Slaves” from Africa and manumitting them in Hispaniola, arguing that a period of temporary indentured servitude was necessary to pay off their debts and habituate them to life as free and productive French citizens.⁶⁰

In their attempts to both meet perceived labor needs and realize the promise of universal emancipation in Santo Domingo, various individuals proposed a variety of political and military solutions. The anonymous author of one tract that was probably written around the time of Santo Domingo’s cession insisted upon the necessity of

⁵⁸ Holt, *The Problem of Freedom*, xviii.

⁵⁹ Municipal administration of Le Cap to Sonthonax, 4 Fructidor an 5 (21 August 1797), CARAN Colonies CC/9a/15. In the original text: “*Si celui qui, le premier, osa parler de liberté lorsqu’on combattait encore pour l’esclavage; si celui qui vient de donner la preuve, que des mains libres sont plus propres à fertiliser le sol des tropiques que des mains esclaves...*”

⁶⁰ Roume to don Francisco Gascue, 3 Nivôse an 4 (24 December 1795), CARAN Colonies CC/9a/20. The original text reads: “*Quant aux colons qui craindraient la perte de leurs revenus, comme une conséquence nécessaire à la liberté générale, assurez les que leurs fortunes, loin de Diminuer vont s’accroître à leur Maximum par cette même liberté générale: En effet, n’est-ce pas à present que nous pourrons, sans être des voleurs et des assassins, aller en affrique retirer des Malheureux Esclaves et leur Rendre la liberté en les transplantant sur le sol américain: ils y arriveront libres comme nous; Mais, fut-il pas juste, En même temps, que ces hommes qui nous devront leur Existance Morale soient Engagés pour un temps, Equivalent au prix de leur Rançon...les Nègres travailleront, donc, et cela avec d’autant plus de vigueur et d’assiduité,*

informing the “blacks” of Santo Domingo that the “[French] government” intended to grant them “Complete Liberty.” This author further suggested that the colonial government ensure that ex-slaves were paid a portion of plantation revenues and that it issue a Spanish-language proclamation declaring these former slaves “French citizens.” Most urgently, Spanish authorities must recognize these “blacks [who were] formerly their Slaves” as French citizens and put an immediate halt to their “Kidnap[ping] By force.”⁶¹ As these freed men and women pursued a meaningful liberty characterized by full citizenship rights and economic autonomy, men such as García and Urizar envisaged a much more restricted existence for them. In this these Dominican leaders were joined by French Republican officials who, while pontificating on the virtues of liberty and the injustice of bondage, themselves strove to impose restrictions on the lives of freed people in Santo Domingo in much the same vein as the limits placed around “emancipation” in Saint-Domingue.

Numerous examples of this tendency are evident in the primary source record. One is Roume’s handling of the Boca Nigua affair; another is the authoritarian treatment of French Dominguan migrants who sought personal and economic freedom in the former Spanish colony. On 21 July 1798, the French Directory’s main agent in Saint-Domingue, General Gabriel Marie Theodore Joseph d’Hédouville, issued an “*arrêté*” (order) targeting what he viewed as a “formal invasion of the territory belonging to the [French]

qu’ils seront soutenus par le sentiment de l’Excellence humaine, et qu’ils seront provoqués par le gout de jouissance qu’ils ignoraient auparavant.”

⁶¹ Anonymous, “Notes” on Hispaniola, undated, CARAN AF/III/63. In the original text: “[I]l est bien urgent de faire connaître à tous les noirs de la Partie Espagnole l’intention du gouvernement à les rendre à une Entière Liberté ainsi que la part des productions à laquelle ils doivent Prétendre en continuant à [illegible] les habitations sur lesquelles ils Étaient considérés comme Esclaves. Une Proclamation en Espagnol, qui les dirait qu’ils sont citoyens français, dès le moment que le traité de cession [illegible] Été signé, suffirait pour les conserver tous dans cette colonie...il faut convenir avec L’Espagne que les noirs ci

Republic.” The alleged perpetrators of this “invasion” were neither foreign soldiers nor malefactors such as pirates. Rather, Hédouville’s targets were French citizens whose “crime” was nothing more than attempting to move within an island that was theoretically unified under Republican rule. In their efforts to escape from the repressive labor regimes and onerous military duties that characterized post-emancipation society in Saint-Domingue, many *cultivateurs* had tried to relocate to the “open land” of Santo Domingo. Hédouville’s response was to empower the military to forbid any further settlement (or “usurpation” of land) in Santo Domingo by Dominguan migrants who did not possess a proper land title.⁶²

These tactics were not unique to white administrators from the metropole, as both Toussaint Louverture and his adopted nephew General Moïse pursued similar policies. On 19 October 1799, Toussaint in a letter to Roume asserted that “a great number of our cultivators take refuge in the Spanish part,” which weakened Saint-Domingue’s labor force and therefore constituted an “abuse” that needed to be suppressed.⁶³ Despite his

devant leurs Esclaves Et qui sont considérés par la république comme citoyens ne Pourront Être Enlevés Par force.”

⁶² “Order Concerning Establishments formed on the Border that Separates the Former Spanish Part from the French Part of St-Domingue, by Citizens Who Have Not Been Authorized There,” 3 Thermidor an 6 (21 July 1798), CARAN Colonies CC/9a/18. In the original French: “*L’Agence du directoire exécutif, Instruit que plusieurs citoyens ont formé, sans y avoir été autorisés, des établissements sur la frontière qui séparait la partie ci-devant espagnole de la partie française; Que beaucoup d’autres cultivateurs encouragés par cet exemple se disposent à quitter, avec leurs familles, leurs anciennes habitations, pour aller en établir de nouvelles dans cette partie; Considérant que ces établissements sont un envahissement formel du territoire appartenant à la République, et qu’ils enlèvent à la partie française et aux habitations déjà en valeur, des bras qui leur sont nécessaires...L’administration des domaines nationaux se fera rendre compte, dans le plus bref délai, des usurpations faites sur les terrains vagues situés à l’ancienne limite des deux parties française et espagnole de Saint-Domingue, principalement dans les arrondissements de Saint-Michel et Saint-Raphaël...Les commandans militaires sont chargés, sous leur responsabilité, de veiller à ce qu’aucun habitant ou cultivateur de la partie française, ne forme sur la limite de la partie ci-devant espagnole, aucun établissement dans les terrains vagues, sous quelque prétexte que ce soit, si les habitans ou cultivateurs n’y sont pas autorisés, ou s’ils n’ont pas un titre de propriété.*”

⁶³ Toussaint to Roume, 27 Vendémiaire an 8 (19 October 1799), CARAN Colonies CC/9a/26. The original French reads: “*J’ai aussi à vous observer, Citoyen agent, qu’un grand nombre de nos Cultivateurs se réfugie dans la partie Espagnole, soit pour se soustraire au travail, que parce qu’ils ont commis quelques fautes, dont ils en craignent le châtiment, il serait urgent de prévenir cet abus, dont il en résulterait par la*

popularity among freed Dominguan, Moïse shared Toussaint's opinion on this matter. In a 14 October 1799 missive, Moïse urged Roume to "take measures" to stem the "desertion" of many Dominguan migrants to Santo Domingo, since their absence from Saint-Domingue was detrimental to both agriculture and the military. Moïse suggested as a solution the establishment of a "gendarmerie" that would serve the two functions of stopping such unauthorized migration and protecting the *cultivateurs* from becoming victims of slaving to Havana, Caracas and assorted other locales within the Spanish empire.⁶⁴ By voting with their feet, these *cultivateurs* sought to attain their own version of "liberty," which collided with the political and economic agendas of black and white French colonial officials.

While recurring conflicts between masters and colonial officials concerning the precise terms of and oversight over manumission represent a significant aspect of the history of eighteenth-century Saint-Domingue, the ambiguous political and legal situation in French Santo Domingo made the contours of liberty there even more complicated.⁶⁵

The French scholar Agnès Renault has closely examined struggles over the limits of freedom in Santiago de Cuba, where thousands of French refugees from Saint-Domingue

Suite l'abandon des cultures." In his attempts to restrict travel between the two parts of the island, Toussaint decreed that travel between Saint-Domingue and Santo Domingo required a special passport which cost more than one that only permitted travel within Saint-Domingue. Regulation of Toussaint Louverture, 25 Floréal an 8 (15 May 1800), ANOM CMSM F3 202.

⁶⁴ Moïse to Roume, 22 Vendémiaire an 8 (14 October 1799), CARAN Colonies CC/9a/26. In the original French: "*Il serait bien nécessaire pour le bien de la chose publique que vous preniez des mesures pour empêcher l'émigration qui se fait des français dans la partie espagnole, il vaut de se sauver une grande partie des jeunes gens que j'avais mis en réquisition pour compléter la 5^e et [illegible] aussi des cultivateurs de différents quartiers qui désertent pour aller dans la dépendance de San Yago. Il faudrait de toute nécessité empêcher ces désertions qui ne peuvent que nous être désavantageuses tant pour la culture que pour la troupe. Je ne sais qu'un moyen pour couper court à tout, cela ce serait de prendre possession de cette partie, alors on établirait une bonne gendarmerie qui surveillerait aux brigandages qui se commettent, car nos cultivateurs qui [illegible] par les espagnols, sont en partie déportés à la Havane, Caraque, et différentes isles espagnoles.*"

⁶⁵ For a discussion of these conflicts over manumission, see Ghachem, "Sovereignty and Slavery," chapter 1.

relocated during the Haitian Revolutionary period. Many of these refugees sought to circumvent the 1794 French emancipation edict by forcing or persuading fellow French citizens to migrate with them from Saint-Domingue and other places to slaveholding Cuba. While these purported masters usually “totally ignored” the emancipation decree’s existence, there was at least one instance in which Spanish authorities on that island denied a French refugee’s ownership claim to a child on the grounds that this boy had obtained his liberty by the order of general emancipation.⁶⁶

Did many French and Spanish authorities and other free persons “totally ignore” the French Republican emancipation law in Santo Domingo? The evidence suggests that some forms of servile labor persisted in that colony despite the initial fervor of Roume, Laveaux and others. Numerous archival documents for instance refer to “slaves” in Santo Domingo after 1795. In his comprehensive report on the four Dominican *communes* (local districts) of Axabon (Dajabón), Santiago, Puerto Plata, and Montechristi dated June or July 1797, the French Fortifications Director Charles Vincent stated that impoverished free Dominicans in Montechristi shared the few possessions they owned with their “Slave[s].”⁶⁷ Moreover, according to another report that was probably written by Vincent

⁶⁶ Agnès Renault, “Les conditions d’affranchissements des esclaves appartenant aux immigrés français résidant à Santiago de Cuba entre 1791 et 1825,” paper presented at conference entitled *Affranchis et descendants d’affranchis dans le monde atlantique (Europe, Afrique et Amériques) du XVe au XIXe siècle: Statuts juridiques, insertions sociales et identités culturelles* (Musée d’Aquitaine, Bordeaux, France, 13-16 May 2009), 4. Publication forthcoming; paper cited with the author’s written permission. According to Sue Peabody, in suits for freedom brought by Dominguan migrants claimed as slaves in Pennsylvania and Maryland from 1794-1808, these purported slaves’ lawyers “apparently ignored the cataclysmic innovation of the French and Haitian Revolutions: the emancipation of all slaves” in Saint-Domingue and the French empire as a whole in 1793-1794. Sue Peabody, “Free Upon Higher Ground: Saint-Domingue Slaves’ Suits for Freedom in U.S. Courts, 1792-1830,” in Geggus and Fiering, *The World of the Haitian Revolution*, 268.

⁶⁷ “Military Reconnaissance of the Four Districts of Ajabon, Saint Yago, Porto-Plate and Montechrist, as well as of the Portion of the Coast that Extends from Fort-Liberté to Porto-Plate Inclusively, Followed by a Project [for] a Defensive System for this Extent of the Coast and of the Country,” Messidor an 5 (19 June-18 July 1797), ANOM *Direction de Fortification des Colonies* (hereinafter DFC) 5, no. 910. In the original

around the same time, the social and economic relations that were embedded in slavery caused would-be masters to insist that the extension of the French “decree of general liberty” to Santo Domingo would lead to their “inevitable ruin.” This report’s author further argued that “the day of the refusal of the Blacks to obey their master, would be the day of their destruction,” as these purported masters—“terrible men”—would not hesitate to retaliate.⁶⁸

For many Dominicans, the social and racial hierarchies that had become deeply woven into the fabric of slave society proved at least as important as economic concerns. In a 12 December 1795 letter to don Eugenio de Llaguno y Amirola, the high court official Urizar denounced the “printed material” and “verbal exhortations” that Laveaux and other partisans of the French Republic had directed at “our Black slaves” and boasted that these individuals were impervious to these influences. “Our fortune, and Providence have been able to dispel all of their attempts [to sway these ‘slaves’],” Urizar proclaimed. “The most admirable thing being that our slaves are those who detest them [the French entreaties] the most...generally they all excuse themselves to their liberties, and they prefer our slavery, singing its praises.”⁶⁹

French: “*L’habitant de Montechrist, tout autant et plus que celui de Porto de Plata, vit aujourd’hui des faibles ressources qu’il partage journellement avec L’Esclave qui les lui crée.*”

⁶⁸ “Reflections of Political Economy on the Three Spanish Jurisdictions of Montechrist, San Yago and Port de Plata, Relative to their Reunion with the [French] Republic,” undated, ANOM DFC 5, no. 914. In the original: “*La nécessité apparente pour L’Espagnol d’être forcé à quelque genre d’industrie en passant sous la dénomination française, n’est pas le seul mot qu’il redoute: Le Système Colonial de la France lui paraît d’un danger bien plus menaçant, et il croit sa ruine inévitable dans L’introduction du décret de la Liberté générale...Le jour du refus des Noirs d’obéir à leur maître, serait le jour de leur destruction chez le très grand nombre des hattiens, hommes terribles et inexpugnables.*” If this report was indeed composed by Vincent, then it would likely have carried some weight in French official circles, as Vincent was an important French colonial official with considerable experience in Hispaniola who would later serve as one of Napoleon’s main informants on the situation there. He had served in Saint-Domingue since 1786 and became one of Toussaint’s most trusted allies. Madison Smartt Bell, *Toussaint Louverture: A Biography* (New York: Vintage, 2007), 218.

⁶⁹ Urizar to Amirola, 12 December 1795, AGI ASD 1033. In the original text: “*...los tres Comisarios que havia embiado a este Gobierno, y quad terribles se hacían sus impresos, y exhortaciones verbales de que*

When confronted with challenges from below, slaveholders and those who claimed this status in Hispaniola and elsewhere often resorted to two contradictory tactics: to deny that slaves could possess the agency to take such initiatives (rendering such a possibility “unthinkable” in Michel-Rolph Trouillot’s well-known terms); and to express fear that the perceived contagion of revolt would spread.⁷⁰ Those who claimed others as their property in Hispaniola during the Haitian Revolutionary period displayed both of these reactions. After 1795, some Spanish officials attempted to either attribute unrest among servile laborers to external actors or to simply deny that a problem existed at all. Such intransigence provoked arm-twisting from French Republican authorities who were themselves often ambivalent about the virtues of emancipation on the island. In a tacit admission that his earlier exhortations on the elimination of slavery in Santo Domingo had not achieved the intended result, Agent Roume in a letter to the Municipal Administration of Montechristi dated 22 March 1800 urged his interlocutors to view “your former alleged Slaves” as “friends” who were “interested, as are you, in the maintenance of public order and the prosperity of the colony.”⁷¹

Observers gave varying estimates of the number of “slaves” in Santo Domingo. In a 26 June 1800 letter to “citizen Perregaux,” the Marquis d’Iranda claimed that ten to twelve thousand “Slaves” lived among Santo Domingo’s population of approximately

pudiesen causar alguna mosion en nuestros Negros esclavos a quien lisongeaban tanto para atraerlos a sus ideas; pero nuestra fortuna, y providencia han podido desvanecer todos sus intentos, siendo lo mas admirable que nuestros esclavos son los q[ue] mas los detestan...generalmente todos se excusan a sus libertades, y prefieren nuestra esclavitud cantandola por mas dichosa, que aquella.”

⁷⁰ Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), chapter 3.

⁷¹ Roume to Municipal Administration of Montechristi, 1 Germinal an 8 (22 March 1800), CARAN Colonies CC/9b/17. In the original French: “*Ne voyez plus dans nos nouveaux frères, vos ci-devant Esclaves prétendus, que des amis intéressés, comme vous, au maintien de l’ordre public et à la prospérité de la colonie.*”

one hundred and fifty thousand individuals of “diverse castes.”⁷² One report on Santo Domingo stated that most of the colony’s “ten thousand slaves” tended to animals and worked in the main cities. According to this report, the “free population” of Santo Domingo numbered around fifty thousand, the majority of whom were “of color or mixed.”⁷³

Those who made these seemingly nonchalant mentions of Dominican “slaves” naturalized an unstable category, and some of those who sought their freedom found themselves in situations that differed little from the circumstances of slaves in the pre-revolutionary era. In October 1798, Hédouville removed Moïse from his post as commander of Republican military forces in Fort-Liberté (formerly Fort-Dauphin) and replaced him with an officer named Grandet. Moïse in turn accused Grandet of working against emancipation by capturing fugitives from Santo Domingo who had fled across the border and returning them to those who claimed to be their masters. (Ironically, this is exactly what the French themselves had long pressured the Spanish to do with Dominguan slaves, with limited results).⁷⁴ In a 12 September 1798 letter to Moïse, the gendarmerie commander Étienne Albert condemned Grandet for fomenting disorder in the Fort-Liberté area and told Moïse that a “Spanish army” had begun to “arrest all their

⁷² Marquis d’Iranda to Perregaux, 26 June 1800, CARAN Colonies CC/9b/17. The original text reads: “*On y compte cependant 150 Mille individus de diverses castes, parmi les quels il y a tout au plus de 10 à 12 Mille Esclaves.*”

⁷³ “*Précis on the Current Position of Saint Domingue and the Provisional Measures to Take,*” undated, CARAN Colonies CC/9a/32. In the original text: “*Cette partie espagnole est tranquile par sa nullité; il n’y existe pas au total plus de dix mille esclaves répandus dans les hates pour soigner les animaux, ou servir dans les principales villes. La population libre s’élève à plus de cinquante mille âmes, dont La plus part sont de couleur ou métis.*” Emphasis in original.

⁷⁴ Dubois, *Avengers of the New World*, 222.

blacks who are in the French part.”⁷⁵ These Dominican “slaves” found themselves in a struggle to eke out an existence across the colonial border in a situation that was similar to that of their Dominguan counterparts who were the targets of the anti-migration orders of Hédouville, Moïse and Toussaint.

As a former slave leading an army composed mostly of fellow freedmen, General Moïse had reason to be suspicious of hostility from various quarters towards general emancipation. “Since the emancipation of the slaves and the decree of 16 Pluviôse [4 February 1794], the inhabitants of the former Spanish part keep their cultivators...in the most severe servitude and treat them with more cruelty than ever before,” Moïse contended in a 9 October 1798 letter to Hédouville. In this correspondence, Moïse accused Grandet of complicity in the efforts of many Dominicans to recapture the *cultivateurs* whom they considered to be their “property;” part of Moïse’s case rested on Grandet’s alleged attempts to arrest “vagabonds” in the area.⁷⁶

Though he had won a small victory in deposing Moïse, General Hédouville’s position was weak. On 23 October 1798, partly as a result of his ill-conceived provocation of Toussaint’s ire in the Moïse affair, Hédouville found himself on a ship departing Saint-Domingue, having little to show for his brief time there other than assorted correspondences containing high-minded rhetoric about liberty, a strengthened black army command in a crucial part of the island, and a bruised ego.

⁷⁵ Étienne Albert to Moïse, 26 Fructidor an 6 (12 September 1798), CARAN Colonies CC/9a/23. In the original French: “*On est venu me dire qu’une armée Espagnole est venue arrêter tous leurs nègres qui sont dans la partie française.*”

⁷⁶ Moïse to Hédouville, 18 Vendémiaire an 7 (9 October 1798), CARAN Colonies CC/9a/23. The original text reads: “*Je ne suis pas Surpris, Citoyen Agent, que [illegible] de votre justice que le chef de Bd. Grandet [illegible] visiter le Maribaroux et fort liberté pour faire arrêter les vagabonds ...depuis l’affranchissement des esclaves et le décret du 16 Pluviôse les habitants de la partie ci-devant espagnole tiennent leurs cultivateurs dans...l’asservissement le plus dur et les traitent avec plus de cruauté qu’ils n’ont jamais fait auparavant...Ces habitants espagnols considérant encore les noirs comme une propriété.*”

If these Dominican fugitives lived in a liminal space at the interstices of slavery and freedom, then the situation of the “maroon” communities near the island’s colonial border was perhaps even more precarious. The very existence of such settlements in a land that was theoretically under a regime of emancipation attested to the ambiguities of “freedom” in this time and place. These issues proved especially salient in the case of the best-known of these communities, which the source record typically refers to as “Maniel.”

* * *

“The citizens of Maniel, who saw in each Frenchman an enemy of their liberty, while the horrible reign of despotism and aristocracy lasted, Can now only see in each of us a brother and a defender, since we have decided to give men of all countries, and especially the African people, the full enjoyment of the sacred and enduring rights of the human race.” So spoke Roume, who hoped that the political transformations in France and Saint-Domingue would facilitate the incorporation of those from Maniel into the Republican sphere. By presenting France as the sole guarantor of the “sacred and enduring rights of the human race,” Roume negated the types of liberty that those from the enclave had carved out for themselves, justifying his actions on the premise that “the totality of the island ha[s] become an integral Part of the territory of France.”⁷⁷ Roume

⁷⁷ “Order of the Provisional Agent in the Spanish Part of St Domingue on the Independent Blacks...of Maniel,” 29 Thermidor an 4 (16 August 1796), ANOM CMSM F3 200. In the original French: “...*Que la totalité de l’isle étant devenue Partie intégrante du territoire de la France, il est impossible de laisser subsister Plus longtemps un ordre de chose incompatible avec limite de la république...Que les citoyens du maniel qui voyaient dans chaque français un ennemi de leur liberté, tant que dura le règne horrible du despotisme et de l’aristocratie, ne Peuvent plus voir dans chacun de nous qu’un frère et un défenseur, depuis que nous avons osé replacer l’homme de tout pays, et particulièrement le peuple africain dans la pleine jouissance des droits sacrés et imprescriptible du genre humain.*” A copy of this order is preserved in CARAN Colonies CC/9a/11.

and his French successors in Santo Domingo adopted a model that the slaveholding Spanish had developed in their dealings with Maniel: the combination of the carrot of resettlement and inducements by religious figures to proclaim loyalty to the colonial state and the stick of military incursions.

The cession of Santo Domingo to emancipationist France raised the question of the continued viability and status of “maroon” communities after emancipation. In an undated letter to the Minister of the Navy, a judicial commissioner named Minuty argued that the pre-revolutionary practice of appointing a French agent to Santo Domingo to assist in the recapture of “Black maroons” was “illusory” and “useless” in the present context given the 1794 general emancipation decree and the subsequent cession of Santo Domingo to France.⁷⁸ The archival evidence nonetheless suggests that the basic contours of the relationship between colonial authorities and these communities remained much the same after 1795.

While scholars have long debated the role of maroons in enabling the great slave uprising that eventually led to the establishment of independent Haiti, my own contribution centers on the limitations of French Republican emancipation as revealed in the case of Maniel.⁷⁹ The *de facto* independence of many of these communities, their location near the border, and their inclusion of many fugitive slaves from both parts of

⁷⁸ Minuty to Minister of the Navy and Colonies, undated, CARAN Colonies CC/9a/21. In the original text: “*Sous l’ancien Régime le Gouverneur français de St Domingue nommait auprès du Gouverneur Espagnol un Commissaire, dont les fonctions se bornaient aux représentations à faire sur l’usurpation des Limites, et à la réclamation des Déserteurs et Nègres marrons. Le Decret du 16 Pluviose et la Cession de la partie Espagnole à la France, ont rendu ces fonctions illusoires, et sous ce point de vue la délégation d’un Commissaire français à Santo Domingo devenait inutile.*”

⁷⁹ In *Les marrons de la liberté* (Paris: L’École, 1972), Jean Fouchard argued that maroons played an important role in the 1791 slave uprising. Gabriel Debien in *Les esclaves aux Antilles françaises, XVIIe-XVIII siècles* (Basse-Terre: Société d’Histoire de la Guadeloupe, 1974) by contrast downplayed the importance of maroons in this event. For a succinct overview of this argument, see Fick, *The Making of*

the island had provoked numerous disputes between the French and Spanish colonial governments before 1789. After 1795, the French employed many of the same policies that the Spanish colonial state had utilized with respect to Maniel, even relying upon some of the same religious authorities to cajole the “maroons” into submission. In an *arrêté* issued on 16 August 1796, Roume declared that quasi-independent political “order[s]” such as Maniel were “incompatible” with an indivisible French Republic. He appointed a delegation to communicate his wishes to the members of this community, proclaiming the necessity of “instruct[ing]” them on “their rights and duties” as French Republican citizens. This was especially pressing given the perceived threat of their co-optation by either British or royalist French factions. Roume took this measure despite his assertion in the same document that these individuals were a “respectable population of African citizens who had the courage to conquer their natural liberty” and who “have found themselves needing to be constantly on guard against both governments [French and Spanish], which has Produced a type of Small independent State, Located at the limits of the two colonies.”⁸⁰

In his attempts to subdue those who had “had the courage to conquer their natural liberty,” Roume employed the same Spanish priest whom Dominican authorities had

Haiti, 5-9. David Geggus in *Haitian Revolutionary Studies* (p. 46) called Maniel an “important test case” in determining the precise “connection between marronage [slave flight] and revolution in Saint Domingue.”⁸⁰ “Order of the Provisional Agent on the Independent Blacks of Maniel,” 16 August 1796, ANOM CMSM F3 200. In the original text: “*Considérant qu’il existe dans la Partie des sources et du maniel une Population respectable de citoyens affricains qui ont eu le courage de conquérir leur liberté naturelle et de forcer le général Bellecombe à la sanctionner lui-même. Que ces citoyens, qui par la nature de leur position Politique étaient également en but aux deux Gouvernements français et espagnol de Saint Domingue, se sont trouvés dans la nécessité d’être sans cesse en garde contre l’un et l’autre Gouvernement, ce qui a Produit une espèce de Petit État indépendant, Placé aux limites des deux colonies. Que la totalité de l’isle étant devenue Partie intégrante du territoire de la France, il est impossible de laisser subsister Plus longtemps un ordre de chose incompatible avec limite de la république... Qu’il est urgent de détromper nos frères du maniel en les Éclairant sur la vraie nature de leurs droits et de leurs devoirs...instruire nos nouveaux frères sur les objets dont la connaissance leur importe le plus; de leur faire connaître leurs droits et leurs devoirs.*”

entrusted with the spiritual instruction of those from Maniel and their resettlement in Catholic *poblaciones* (settlements).⁸¹ In a 16 August 1796 letter to this priest, Juan Bobadilla, Roume called upon him to “conquer for the French Republic the hearts” of the “African population” of Maniel—a task which Roume presumed would be facilitated by the “absolute trust” that these individuals supposedly placed in Bobadilla. “His Catholic Majesty, in ceding to us the Spanish part of Saint-Domingue, ceded to us the Land that this population [of Maniel] inhabits; and we cannot permit them to form a state *independent of our laws, on a portion of our own territory,*” declared Roume.⁸² By enlisting Bobadilla—who had on 25 January 1790 deemed it necessary to “achieve the perfect civilization and reduction to Christian life of those [Maniel inhabitants] who for so long have groaned under the harsh servitude of heathenism”—Roume allied himself with a man who had long worked to undermine the precarious independence that the Maniel inhabitants had forged.⁸³ Whether the stated ideological justification was the achievement of a Christian “perfect civilization” or that of French Republican “liberty,”

⁸¹ This Spanish resettlement policy apparently dated back to at least the 1760s. Moreau de St Méry stated that the Spanish king issued an order on 21 October 1764 requiring his subjects to “consider [some French fugitive] blacks as free, and to attempt to advise them by gentleness to form communities, nonetheless taking the necessary precautions to ensure that these communities do not threaten public tranquility.” M. L. E. Moreau de St Méry, *Description topographique et politique de la partie espagnole de l’isle Saint-Domingue* (Philadelphia: Self-published by author, 1796), 2:177. In the original text: “*Mais la cédule prescrit au contraire de considérer ces nègres comme libres, et de tâcher de les engager par la douceur à former des peuplades, en prenant toutefois les précautions nécessaires pour que ces peuplades ne menacent pas la tranquillité publique.*”

⁸² Roume to Bobadilla, 29 Thermidor an 4 (16 August 1796), CARAN Colonies CC/9a/11. Emphasis mine. In the original French: “*Il s’agit d’une Peuplade d’affricains...L’on m’a assuré, Mon très Révérend Père, que vous jouissiez dans cette peuplade d’une confiance absolue...c’est donc à vous, Mon Révérend, que je dois m’adresser, pour vous prier au nom de la France et de l’Espagne, de vous charger de conquérir à la République française les cœurs de ces mêmes hommes. Sa Majesté Catholique en nous cédant la partie Espagnole de Saint Domingue, nous a cédé le Terrain qu’habite cette peuplade; et nous ne pouvons permettre qu’il se forme un état indépendant de nos Lois, sur une portion de notre propre territoire.*”

⁸³ Bobadilla to don Antonio Porlier, 25 January 1790, AGI ASD 1102. In the original text: “*...lograr la perfecta civilizacion y reduccion a vida christiana de los que por tanto [tiempo] han gemido bajo la dura servidumbre del gentilismo.*”

each colonial state sought to incorporate the residents of this community into a centralized state.

Despite these continuities, the revolutionary upheaval appears in some instances to have undermined attempts to assert state authority over these communities. In a report written in Santo Domingo on 8 February 1811, a man named Juan Caballero stated that Spanish authorities led by a judge, a battalion lieutenant, and the priest Bobadilla had in the late 1780s persuaded some maroons to form a town called San Cristóbal del Naranjo at the foot of the Baoruco Mountains in southwest Santo Domingo, where Bobadilla regularly administered the holy sacraments. Nonetheless, upon Santo Domingo's cession to France in 1795, the intrusion of many French "*negros y mulatos*" led to the dissolution of San Cristóbal del Naranjo and the dispersion of its residents into the mountains.⁸⁴ Caballero himself boasted of having resettled over one hundred families in San Cristóbal del Naranjo, forming two military companies from these new settlers for the defense of the colony.⁸⁵ If Caballero's account is to be believed, then the French and Haitian Revolutions had complex effects on these "maroons," driving some of them into the mountainous interior and integrating others into the new colonial state as soldiers.⁸⁶

Even after the formal dismantling of the "integral part" doctrine in 1799, French regimes continued their aggressive efforts to draw Maniel's inhabitants into the

⁸⁴ According to Carlos Esteban Deive, French slaves had constituted much of the population of Maniel before the Revolution, and after the August 1791 slave uprising in Saint-Domingue, the migration of enslaved Dominguan to this community became even more pronounced. This compelled Governor García and other Spanish authorities to attempt to secure San Cristóbal del Naranjo against the numerous French slaves who sought refuge in Maniel. Carlos Esteban Deive, *Los cimarrones del Maniel de Neiba: Historia y etnografía* (Santo Domingo: Banco Central de la República Dominicana, 1985), 68-69.

⁸⁵ Report of Juan Caballero, 8 February 1811, AGI ASD 1042.

⁸⁶ In a 5 January 1798 letter to the Minister of the Navy, a Saint-Domingue deputy named J. Rey-Delmas asserted that "the former insurgents of Maniel" had placed themselves "under the Tricolor [French Republican] flag." J. Rey-Delmas to Minister of the Navy and Colonies, 16 Nivôse an 6 (5 January 1798),

Republican fold. French colonial governments in Santo Domingo under Toussaint Louverture (1801-1802) and the Napoleonic General François Kerverseau (1802-1803) complemented these political and religious efforts at persuasion with a more militaristic approach.

Ultimately, the political, legal and philosophical conflicts that emerged over the rights of freed Dominicans after 1795 reflected and helped to shape a story of both great hope and bitter disappointment. While Santo Domingo's cession to France had elicited hopes that the new regime could transform this colony into a land without slavery, this possibility became undermined by assorted legal, political, and attitudinal obstacles. Although these conflicts attest to the revolutionary potential of emancipation and equal citizenship in Santo Domingo, they also revealed some of the problems that led to the failure of these ideals to materialize in that colony under French Republican rule.

CARAN Colonies CC/9a/19. In the original French: "...*les anciens insurgés du Maniel et d'Oco s'étaient venus ranger d'eux même sous le drapeau Tricolore.*" Emphasis in original.

Chapter Three

Santo Domingo in the Rise of Toussaint Louverture, 1795-1801

On 26 January 1801, the forces of Toussaint Louverture, a former slave fighting under the banner of liberty, marched into the city of Santo Domingo. Finding relatively little armed opposition, they proclaimed their governance over the former Spanish colony in the name of the French Republic. At this pivotal moment, the colony's inhabitants found themselves at the center of the era's most contentious conflicts over slavery, the existence and legitimacy of racial hierarchies, and the relationship between colony and metropole.

Though Toussaint's capture of Santo Domingo city in 1801 altered the island's political trajectory, in some respects the invasion did not constitute a radical rupture from the past, as it was in fact the culmination of a series of military incursions that Toussaint had made into the colony since 1795. These in turn reflected in part Toussaint's knowledge of Santo Domingo gained through his service in Spain's armies earlier in the 1790s. Having risen from the status of Spanish "auxiliary" to that of an indispensable leader in the French Republican campaign for the island, Toussaint and the thousands of warriors who served under him wrested numerous strategically-crucial Dominican posts from British, Spanish, and royalist French enemies in the second half of the 1790s. Their efforts served both to bring these areas under French Republican control and to augment Toussaint's rapidly growing power. In their reshaping of the colonial border, these

military episodes also left a lasting legacy for the island's political geography. Finally, they posed an important if limited challenge to the practice of holding one's fellow human beings in bondage.

The military history of Santo Domingo from its cession to France until Toussaint's *coup d'état* five and a half years later suggests the salience of the Dominican aspect of the revolutionary conflict in comprehending Toussaint's rise to power and transformation from a military commander to a political leader. Though its poverty and relative strategic insignificance had long relegated it to the status of outlier in the Spanish empire, Santo Domingo after 1795 became the object of fierce competition among several factions. As he became more powerful, Toussaint came to embrace a goal that had eluded all before him since the late seventeenth century: the political and military union of the entire island of Hispaniola under a single regime. This brought him into conflict with the Minister of the Navy in Paris, who in accordance with the wishes of first the Directory and subsequently the Consulate (Napoleon's regime) sought to thwart Toussaint's ambitions in Santo Domingo. In the six years following Santo Domingo's cession, two opposing visions for Hispaniola's political future clashed: that of Toussaint of an island united under his rule; and that of Napoleon and the Minister of the Navy who saw the status quo of partition as the best way to limit Toussaint's authority.¹ Though Toussaint would triumph in this struggle, the Napoleonic vision of division would in many ways characterize the island's history in the two centuries following Toussaint's brief reign in Santo Domingo.

¹ I am grateful to John Garrigus (personal communication, 22 October 2010) for suggesting that Toussaint may have wished to eliminate the contentious border in his effort to bring the entire island under his control.

These conflicts transpired against the backdrop of warfare among a multitude of factions for control over the island and its resources. Also at stake in these battles was the status of thousands of individuals as slaves or citizens. Though the 1795 Treaty of Basel had stipulated the end of the Spanish authority over the island's eastern part, this did not put a stop to frequent armed contests involving partisans of Spain, France and Britain for control of important areas on and near the colonial border. Moreover, while the ejection of the slaveholding British from the island in 1798 ostensibly stood as a significant triumph for the cause of liberty, new threats to emancipation's survival would emerge in the ensuing years. After the British defeat, Toussaint faced off against his former ally André Rigaud, a onetime goldsmith and veteran of the war in the Thirteen Colonies who sought to preserve his quasi-independent regime in the southern part of Saint-Domingue. Following Toussaint's defeat of Rigaud in 1800 and invasion of Santo Domingo city the following year, the struggle for Santo Domingo reached its dénouement with Toussaint's promulgation in 1801 of a constitution which formalized the unification of the island under his authority.

Distinct Dominican and Dominguan racial ideologies converged in this moment of "liberation." In Santo Domingo, Toussaint and many of his followers confronted members of a small but vocal elite who clung to their old privileges and vociferously objected to the potential racial and political implications of rule by the emancipationist French Republic, especially once Toussaint assumed the mantle of supreme leadership. His invasion also elicited significant opposition among many partisans of the French Republic.

Race was closely interwoven with—indeed, inseparable from—the military and political conflicts that reshaped the island’s political landscape in these years. In the Haitian Revolution, “a constant and powerful pull between racism and antiracism,” to borrow Ada Ferrer’s phrase, at once created new avenues for the attainment and exercise of citizenship rights and gave rise to new forms of discrimination and domination.² Faced with an army of thousands of ex-slaves standing at the gates of the oldest capital city in the Americas, many French and Spanish commoners and officials betrayed the undercurrent of racism that lay beneath the island’s revolutionary transformations.

Santo Domingo was at the heart of two interconnected imperial crises that had profound implications for the political history of the Caribbean and the hemisphere. Toussaint’s ill-fated attempt to unify the island under his rule ultimately proved to be a crucial aspect of an integrated history of geopolitical conflict and factional warfare that eventually morphed into an anti-colonial struggle.

Santo Domingo in the Defeat of the British

In a missive to his rival General Gabriel Hédouville dated 5 September 1798, Toussaint Louverture dreamed of a hemisphere without slavery. If only France could vanquish its foes in the Caribbean, Toussaint declared, then it might realize its supreme and urgent goal: “the maintenance and the propagation of universal liberty” in “all of the Americas.”³ Nonetheless, before Toussaint or any other Dominguan leader could

² Ada Ferrer, *Insurgent Cuba: Race, Nation and Revolution, 1868-1898* (Chapel Hill: University of North Carolina Press, 1999), 198. While Ferrer was referring to the nineteenth-century Cuban wars of independence, her argument applies equally to the Haitian Revolution.

³ Toussaint to Hédouville, 19 Fructidor an 6 (5 September 1798), *Centre d’Accueil et de Recherche des Archives Nationales* (hereinafter CARAN), Paris, Colonies CC/9a/23. In the original text: “...maintien et à la propagation de la liberté universelle, vers laquelle l’amérique entière ne saurait tarder d’arriver, si elle ne cesse de regner à St Domingue sous l’empire des lois et de la vraie égalité.”

properly conceive of the advent of abolition to Chile or Canada, he had to attend to matters much closer to home. There was indeed much to attend to, as these years seemed to inflict one disappointment after another on defenders of emancipation. Though interspersed with fleeting triumphs, successive political setbacks for the causes of abolition and revolution in France culminated in the rise of Napoleon in 1799 and his dissolution that year of the short-lived French constitution of 1795 that had erased distinctions in citizenship rights for all the inhabitants of that nation's realms.⁴

The cause of "universal liberty" also faced several grave threats in Hispaniola itself. Though the defeat of Spain in 1795 represented an apparent triumph for French Republican emancipation, Toussaint and other French leaders still had to contend with the thousands of British troops who occupied a number of important parts of the island. With their domination of the seas, numerous bases in the Caribbean, and strongholds in the Dominguan towns of Port-au-Prince, Môle St-Nicholas, Jérémie, and Saint-Marc, the redcoats posed a formidable threat to the diverse factions that fought under the tricolor flag. French strategists moreover soon came to understand that the spacious and poorly-

⁴ The erosion of "revolution" in France in the latter half of the 1790s was the result of multiple forces. The fall of the Jacobins in Paris and the rise to power of first the Directory and then the Consulate (the regime that Napoleon instituted in 1799) represented transitions to progressively more conservative regimes that sought to reverse what they viewed as the excesses of the "Terror" (1793-1794). Furthermore, according to the standard narrative, the so-called "planter lobby" composed of powerful onetime plantation owners and sympathetic politicians steadily gained influence in French metropolitan politics during these years. In denouncing what they considered to be the excesses of "emancipation," members of this lobby pointed to continuing violence in the colonies as evidence of the alleged inability of ex-slaves to become responsible citizens. According to Laurent Dubois, some of the arguments of pre-revolutionary emancipationist thinkers and Republican overseers of emancipation in the colonies also helped to pave the way for a return to slavery. These arguments included placing plantation and military labor at the heart of citizenship and asserting that strict control of labor and mobility was the only viable means of ensuring that the colonies would remain lucrative economic enterprises for France. See Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004), chapter 14 (esp. 347-353). For an interpretation that downplays the role of the "planter lobby" in pushing Napoleon to abandon emancipation and deploy his 1801 expedition to Saint-Domingue, see Philippe Girard, "Napoleon Bonaparte and the Emancipation Issue in Saint-Domingue, 1799-1803," *French Historical Studies* 32, no. 4 (Fall 2009): 587-618.

defended eastern part of the island offered their bitter foe a potential staging ground for attacks on Saint-Domingue.

The confusion surrounding Santo Domingo's political status exacerbated these problems. Notwithstanding the Treaty of Basel's stipulation that "the King of Spain...cedes and abandons in all property to the French Republic the entire Spanish part of the isle of Saint Domingue, in the Antilles," much of the old Spanish colonial administration including Governor Joaquín García stayed on, struggling for power with the few French officials who claimed authority in Santo Domingo.⁵ This situation kept Santo Domingo in a political limbo in which its residents could not be certain who their true rulers were. It also made the colony susceptible to foreign invasion. As the Spanish Ambassador del Campo noted in a 1797 letter to the French Minister of Foreign Relations, the "extraordinary and unexpected delay" of Santo Domingo's transfer to France had rendered it vulnerable to British designs.⁶

The vagaries of European geopolitics further complicated the political and military situation on the island. In 1796, Spain's rulers opted to ally with France, thus dissolving the tenuous peace that the Iberian power had briefly enjoyed with Britain. Yet unlike in 1793, this geopolitical change did not translate into a new war on the island, where Spanish authorities and those Dominicans who did not emigrate after 1795 coexisted with numerous factions including French royalists, the British military forces, and assorted French Republican politico-military units. Among the latter, the two most

⁵ Treaty of *Bâle* (Basel), 4 Thermidor an 3 (22 July 1795), CARAN AF/III/61. In the original text: "*En échange de la restitution portée par l'article IV le Roi d'Espagne, pour lui et ses successeurs, cède et abandonne en toute propriété à la République française toute la partie Espagnole de l'isle de Saint Domingue, aux Antilles.*"

⁶ Spanish Ambassador del Campo to French Minister of Foreign Relations, 23 May 1797, CARAN AF/III/62. In the original text: "*...le délai extraordinaire et inattendu de la Reddition de la partie Espagnole avait favorisé à l'infini les intrigues et les progrès du parti anglais.*" Emphasis in original.

important were the semi-autonomous domain in the southern province of Saint-Domingue under the general André Rigaud and that led by Toussaint Louverture, who during the Franco-Spanish war of 1793-1795 had established a stronghold in the western Dominguan provincial town of Gonaïves. Although Paris had delegated the Civil Commission that included Philippe-Rose Roume and Julien Raimond as its designated authority in Saint-Domingue following this war, most of the real power lay in the hands of Toussaint and Rigaud.

Toussaint's military and political success against the British proved integral in his rise. Upon the conclusion of the Franco-Spanish war, Toussaint was merely one among many competing Republican military leaders; three years later, he personally negotiated the departure of British forces from the island. In the intervening period, his military victories against this enemy earned him many accolades, of which the most notable was his promotion by the Civil Commissioner Léger-Félicité Sonthonax to the post of commander-in-chief of all French military forces in Saint-Domingue following a major victory over the redcoats in Mirebalais in 1797.⁷ Moreover, Toussaint's numerous conquests in Santo Domingo during these years helped to cement his authority and that of the embattled Republic on the island.

The 1795 cession of the *partie espagnole* presented the Republic with both a potentially lucrative new possession and unforeseen dangers.⁸ France's acquisition of this sizeable new territory had formally eliminated a longstanding rival from the island and (at least on paper) had delivered to the Republic numerous settlements whose strategic

⁷ See Carolyn Fick, *The Making of Haiti: The Saint Domingue Revolution from Below* (Knoxville: University of Tennessee Press, 1990), 196.

⁸ *Partie espagnole* refers to the "Spanish part" of the island. This term appears repeatedly in the primary source record.

and economic importance dated back to the seemingly intractable Franco-Spanish conflicts of the eighteenth century. The threat of formidable British encampments scattered throughout Saint-Domingue and the presence of many Dominguan settlers in Santo Domingo doubtless increased the perceived stakes involved in securing control of Santo Domingo, especially since many of these migrants were probably traders who had long engaged in prosperous commerce in cattle along the old borderland (particularly in the central area near Mirebalais). Further north, vulnerable Dominican towns abutted the coveted sugar zones of Saint-Domingue's economic heartland.

Competition for these resources became exacerbated by conflicts over the legal condition of those claimed as slaves in Santo Domingo. Several French officials accused both the British and the Spanish of exploiting the tumult to illegally enslave hundreds of French citizens; their protection constituted an ancillary motive for French incursions into Santo Domingo during these years.

While the British retention of slavery in their zones of occupation on the island prevented many of those who ought to have been free by virtue of the 1794 emancipation edict from attaining their freedom, the choices available to the approximately seventy thousand slaves who lived under British occupation in Saint-Domingue were in some respects not so different than those that Dominguan freed people faced.⁹ Those cheated of their freedom by the British military occupation for instance could (if male and able-bodied) take advantage of the same avenue to liberty that had proven instrumental in

⁹ This figure is from David Geggus, *Slavery, War and Revolution: The British Occupation of Saint Domingue 1793-1798* (Oxford: Oxford University Press, 1982), 291. It is Geggus's estimate of this population just prior to the spring of 1797. Geggus has also argued that slavers imported over 2,500 slaves into the areas of British occupation in Saint-Domingue from 1793 to 1798. David Geggus, "The French Slave Trade: An Overview," *William and Mary Quarterly* 58, no. 1 (January 2001), 125.

enabling the decrees of general emancipation: military service.¹⁰ Dependent upon local soldiers to fight their battles, the British continued the practice of arming slaves, offering eventual liberty and meager provisions in exchange for risking one's life for a foreign occupier.¹¹ Several thousand enslaved men accepted this grim trade-off, gambling on gaining their freedom through the wielding of arms rather than as a result of an uncertain military triumph of a French Republic that might in any event end up scrapping general emancipation. According to Geggus, the Dominguan "black corps" serving the British numbered 6,700 men as of late 1796, of whom around five thousand were slaves.¹²

Toussaint's campaigns against the British in Santo Domingo centered on the localities of Bánica, Las Caobas (or Lascahobas), San Juan de la Maguana, and Neyba in the center-west and southwest of Santo Domingo. This terrain constituted a choke point that connected northern Saint-Domingue's once-rich sugar zones with the crucial post of Mirebalais and the fertile Dominican interior. The British occupied these vital towns in successive military advances from late 1796 to the middle of 1797.¹³ By this latter date,

¹⁰ Laurent Dubois has highlighted the continuities between colonial militia and military service (especially on the part of free men of color) and military policies that developed in the emancipation period. See Laurent Dubois, "Citizen Soldiers: Emancipation and Military Service in the Revolutionary French Caribbean," in *Arming Slaves: From Classical Times to the Modern Age*, ed. Christopher Leslie Brown and Philip D. Morgan (New Haven: Yale University Press, 2006), 233-254.

¹¹ In a 7 August 1794 proclamation, the British commander Thomas Brisbane promised "[i]ndulgence and pardon" to "those of the insurgent slaves who will at the [illegible] which I shall give them, render themselves up to their Masters and recommence their labours." This offer also included monetary recompense to enslaved former enemy combatants who surrendered arms and munitions. Brisbane also declared that he "will admit a certain number of [these former enemy soldiers] who shall present themselves into an armed corps which I am raising and which will be entirely composed of faithful slaves" who were to receive wages and who would "obtain their liberty by [their] service." "Proclamation of Thomas Brisbane commanding for his Majesty...at St Marc, L'Arcahay, and their dependencies," 7 August 1794, *Archives Nationales d'Outre-mer* (hereinafter ANOM), Aix-en-Provence, France, *Collection Moreau de St Méry* (hereinafter CMSM) F3 199.

¹² David Geggus, "The Arming of Slaves in the Haitian Revolution," in Brown and Morgan, *Arming Slaves*, 225-226. Geggus estimated that approximately six thousand former slaves served in this "black corps" on the eve of the British evacuation from the island in July 1798. Geggus, *Slavery, War and Revolution*, 315.

¹³ See the long report on military events in these areas which is preserved as: "Procès-Verbal on the Open Campaign [on] 13 Pluviôse Year 6 [1 February 1798] Against the Enemies of the French Republic by the Army of St Domingue," 1 February 1798, CARAN Colonies CC/9a/19. Mirebalais in particular held vital

John Simcoe, the British Governor appointed to the island, commanded around 14,800 men who opposed Toussaint's armies of fifteen to twenty thousand.¹⁴

For the British, this disadvantage in manpower became compounded by an even greater weakness: continued reliance upon slavery. By choosing to maintain slavery while relying on the military service of bondsmen, the British in many senses had the worst of both worlds. Their refusal to proclaim general abolition translated into an inability to claim the moral and political legitimacy that emancipationist France utilized so effectively in its military campaigns in Hispaniola and elsewhere. At the same time, the use of slave soldiers undermined the slave society that the British were trying to preserve, weakening plantation discipline and providing guns and training to men who would in many cases end up among Toussaint's forces.¹⁵

Following in the footsteps of Sonthonax and Polverel, Toussaint took full advantage of the British refusal to relinquish dependence on slave labor. On an island where rivals constantly hurled accusations at each other of secretly harboring wishes to restore slavery, the politically-savvy Toussaint recognized the potency of such claims against an adversary whom he could credibly accuse of employing forced servitude. In one detailed recounting of his military exploits dated 9 April 1797, Toussaint proclaimed

strategic and economic importance due to its fertile land and its position as a gateway to the lucrative cattle trade with Santo Domingo. Madison Smartt Bell, *Toussaint Louverture: A Biography* (New York: Vintage, 2007), 143.

¹⁴ David Geggus concludes that Toussaint had twenty thousand men serving under him around early 1797. Geggus, *Slavery, War and Revolution*, 221. In a 5 May 1797 letter to the "Captain General of the Province of Venezuela," Agent Roume asserted that Toussaint led a force of fifteen to eighteen thousand "Africans" who were "as disciplined and subordinated as the best European troops." Roume to "Captain General of the Province of Venezuela," 16 Floréal an 5 (5 May 1797), CARAN Colonies CC/9a/20. In the original text: "*Le Général Toussaint Louverture, à la tête d'une armée de 15 à 18 mille affricains, aussi bien disciplinés et subordonnés que les meilleures troupes Européennes...*"

¹⁵ According to Geggus, by March 1798 numerous soldiers from the British black corps had deserted to the French side. For instance, in the Arcahaye plain more than three hundred enslaved troops left the British to join Toussaint's ranks. Geggus, *Slavery, War and Revolution*, 375-376. See also Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, MA: Belknap Press, 2004), 215-217.

that ousting the British occupiers in Mirebalais would liberate “thousands of unfortunates,” whose suffering just happened to occur in a zone that was the “key” that linked Saint-Domingue’s three provinces and the “former Spanish part” to each other.¹⁶ Other highly-placed Republican officials echoed Toussaint’s concerns. In a 28 June 1796 letter to Sonthonax, General Donatien Rochambeau (who briefly served as the “Commandant in Chief of the Spanish part of Saint-Domingue”) accused the British of retaining slavery in Puerto Plata and Samaná (in Santo Domingo’s north), where they had established footholds. According to Rochambeau, the British “have sent Emissaries into the interior of the country [Santo Domingo] to permit on their part the maintenance of the Catholic religion, [and] the conservation of Slavery and of properties, if [the colony’s] inhabitants wanted to rally to the Side of Great Britain.” In Rochambeau’s estimation, this siren song would prove all the more seductive to these areas’ inhabitants due to the pervasive “prejudices that the Spanish always have about the difference of Colors.”¹⁷

For many inhabitants of Santo Domingo, the British offered two attractions that the French Republicans did not: the maintenance of slavery and a coherent royalist political order. Many Dominicans thus found common cause with the British despite the antagonism between the two European metropolises after 1796 and the exhortations that

¹⁶ “*Procès-Verbal* of the Expedition of the Division General Toussaint Louverture, in Mirebalais and its Dependence,” 20 Germinal an 5 (9 April 1797), CARAN Colonies CC/9a/15. In the original text: “*Le Mirabalais, par sa situation, peut-être regardé comme la clef qui conduit dans l’intérieur de Saint-Domingue, soit dans les parties de l’Ouest et du Sud, soit dans celle du Nord, et dans la partie ci-devant espagnole. Les anglais, possesseurs de cette paroisse, en connaissaient l’importance, et n’avaient rien négligé pour fortifier de toute part cette dépendance, qui leur était si précieuse...La commission du gouvernement, jalouse de conserver à la France cette Colonie, et de rendre à la liberté des milliers de malheureux, m’avait manifesté son désir d’attaquer le Mirebalais, dont la possession nous procurerait infailliblement celle de l’Escabobe et de Banique, et intercepterait la communication de l’ennemi avec les quartiers de Vallière et de la Grande Rivière, alors en révolte.*”

¹⁷ Rochambeau to Sonthonax, 10 Messidor an 4 (28 June 1796), CARAN Colonies CC/9a/15. In the original text: “*...ils ont envoyé des Emissaires dans l’intérieur du pays pour promettre de leur part le maintien du culte catholique, la conservation de l’Esclavage et des propriétés, si les habitants voulaient se*

Toussaint and other French leaders directed at them to pledge their loyalty to France. As the news of Santo Domingo's cession became known on the island in late 1795, many Dominicans sided with Britain against France, welcoming British ships into their ports, making secret agreements with the British that involved pledging allegiance in exchange for protection, and enlisting in the military forces of France's main remaining foreign adversary on the island.¹⁸ In a 31 July 1796 letter to the Spanish commander in Bánica, Toussaint claimed that a "great number" (*grand nombre*) of Las Caobas residents had defected to the British side.¹⁹ Three days earlier, Toussaint had argued that French forces' assumption of control over Santo Domingo was necessary in order to thwart both English and Spanish designs on the entire island.²⁰

"Almost all of the inhabitants abandoned the country [Santo Domingo], which at the time of my departure only offered the tableau of Misery," lamented the French General François Kerverseau in an 1801 report on Santo Domingo.²¹ Those who did not emigrate occupied an ambiguous position between the French and British belligerents. While persistent suspicions that many Dominicans harbored pro-slavery inclinations and were conspiring with France's enemies against general emancipation undermined relations between them and French authorities, these *espagnols* ("Spaniards"), as they

rallier sous les Bannières de la grande Bretagne...Vous m'avez encore paru instruit des préjugés que les Espagnols ont toujours sur la différence des Couleurs."

¹⁸ Geggus, *Slavery, War and Revolution*, 183.

¹⁹ Toussaint to the "Commandant for the King of Spain in Banique [Bánica]," 13 Thermidor an 4 (31 July 1796), CARAN Colonies CC/9a/12.

²⁰ Toussaint to [name illegible], 28 July 1796, CARAN Colonies CC/9a/12. In an 11 April 1797 proclamation to the residents of Bánica, Las Caobas, San Juan and Neyba, Toussaint depicted the English as the "common enemies" (*nos ennemis communs*) of the Spanish and the French. "Proclamation of the Division General Toussaint Louverture..." 22 Germinal an 5 (11 April 1797), CARAN Colonies CC/9a/12.

²¹ "Report on the Spanish Part of St Domingue from its Cession to the [French] Republic, by the Treaty of Basel, to its Invasion by Toussaint Louverture," submitted by Kerverseau to the Minister of the Navy and Colonies, 13 Fructidor an 9 (31 August 1801), CARAN Colonies CC/9b/23. In the original text: "*La presque totalité des habitants abandonna le pays, qui à l'époque de mon départ n'offrait encore que le tableau de la Misère...*"

were typically called in extant records, in fact served on all sides during these border skirmishes in the latter half of the 1790s. In an account of recent military events written for Toussaint on 16 October 1798, his trusted general Moïse commented on the mixed benefit that armed “Spanish” recruits brought to the French. While acknowledging the military asset that a “large Spanish Cavalry” that was “assimilated” to French forces in the northern border area represented for the Republic, Moïse warned that many members of this cavalry might retain their loyalty to Spain, the “Sworn Enemy nation of the Liberty of the Blacks.”²²

Moïse’s ambivalence towards Dominicans may have also stemmed in part from incidents such as the surrender of Bánica to the British in August 1796. In a 17 September 1796 statement before Agent Philippe-Rose Roume, a French-born settler named Pierre-Claude Clément, who had lived in the parish of Bánica for eighteen years, provided a vivid description of Bánica’s surrender to the British by its former Governor Domingo Figueré around early August 1796. Though most of Bánica’s residents including Figueré swore an oath of loyalty to the British in a local church, Clément refused to do so, which led Figueré to issue an order for his capture “dead or alive” (*mort ou vif*). These Bánica residents’ “fear of black troops” (more specifically, “black republican troops”) represented in Clément’s reading of the situation a significant motivator that drove them into the arms of the British. “If White Republicans came to take possession [of Santo Domingo], then we would be able to count on the fidelity of the majority of [Santo Domingo’s] inhabitants,” Clément related through Roume, “but if

²² Moïse to Toussaint, “Report on the Unfortunate Events [that have] Taken Place in Fort-Liberté on the 23rd, 24th and 25th of Vendémiaire, Year 7 of the French Republic [14, 15, and 16 October 1798],” 14-16 October 1798, CARAN AF/III/210. In the original text: “...une *nombreuse Cavalerie Espagnole* (nation

blacks come, and above all only blacks,” then the Republic’s support among Dominicans would quickly evaporate.²³

Despite such assertions, Dominican officials appear to have made overtures to their French counterparts when it suited their interests. On 20 July 1797, the Commissioners Raimond and Sonthonax related that Governor García had requested in a 4 July 1797 letter that they deploy a number of troops to the northern Dominican towns of Montechristi and Laxavon (Dajabón) and that they make arrangements to soon take possession of these places. According to the commissioners, García was motivated by the wish “to oppose an invasion by the English” on the island. In response to this entreaty, these French officials sent an officer named Grandet to assume control over these areas. In addition to replacing Spanish troops with French ones in accordance with the Treaty of Basel, Grandet had orders to oversee an administrative and judicial transformation of these posts. This entailed the replacement of Spanish “public functionaries” with French administrators, with all official correspondence to be henceforth written in French. Nonetheless, “Spanish civil laws” were to remain in force in these areas unless they contradicted the French constitution of 1795.²⁴ In this moment, the blend of Spanish and

Ennemi Jurée de la Liberté des Noirs) aux ordres de Grandet, assimilés aux Troupes de la Garnison et à la Garde nationale...” Emphasis in original.

²³ Statement of Roume, 1 jour complémentaire an 4 (17 September 1796), CARAN Colonies CC/9a/12. In the original text: “*Déclare de plus le Comparant, que lorsque les Républicains virent prendre possession de Banica, les habitants eurent peur des troupes noires et s’enfuirent...Ajoute que la répugnance des habitants de cette partie de l’Isle ci-devant Espagnole, est pour les troupes noires Républicaines est presque invincible en ce moment, que s’il venait des Blancs Républicaines en prendre possession, on pourrait compter sur la fidélité de la plus grande partie des habitants, mais que s’il vient des noirs, et sur tout rien que des noirs, les anglais ennemis éternels des Républicains et quelques [illegible], car il s’en trouve d’ainsi disposés, tourneront au détriment de la République, cette crainte mal fondée qui ne peut cependant être dissipée que par une épreuve favorable.*”

²⁴ Commissioners’ order on Montechristi and Dajabón, 2 Thermidor an 5 (20 July 1797), ANOM CMSM F3 201. In the original text: “*La commission, considérant que les motifs exprimés dans la lettre du président, sont de réunir les troupes employées dans ces deux places à celles qui sont déjà sous ses ordres, dans le dessein de s’opposer à une invasion de la part des anglais dans le Sud-Est de l’île, lui font un devoir de laisser lesdites troupes à la disposition du président, et de faire occuper par des troupes*

French authority in Santo Domingo intersected with the imperial war being waged for control of Hispaniola.

As this war progressed, both the British and the French invested a significant amount of manpower in Santo Domingo. In January 1798, Toussaint deployed a force of eleven thousand men serving under Moïse with orders to march from Fort-Liberté in Saint-Domingue's north to Las Caobas, where they were to subdue a unit of English and Spanish soldiers that included a number of "black troops" in the service of the English.²⁵ Moïse captured Las Caobas on 6 February 1798.²⁶ This triumph helped to break the back of the British occupation by closing off a vital interior transit route. Moreover, Toussaint's incorporation of Hinchta and Las Caobas into the French Republican sphere altered the island's political geography by bringing these areas under French/Haitian governance.²⁷

Despite the British deployment of twenty thousand men to Saint-Domingue in the five years to 1798, the tide of war had begun to turn decisively against the redcoats by the

françaises les postes évacués par les espagnoles... Aussitôt après la publication de la constitution et sa transcription sur les registres des corps administratifs, tous les fonctionnaires publics desdites communes, nommés par le roi d'Espagne ou ses agens, et même par les assemblées du peuple, cesseront leurs fonctions... Provisoirement et jusqu'à ce que par le corps législatif il en soit autrement ordonné, les lois civiles espagnoles continueront à être suivies dans les arrondissemens des communes de Monte-Christ et de Laxavon, en tout ce qui ne contrariera pas la constitution française." In a 24 May 1797 proclamation to the residents of Las Caobas, Neyba, Bánica and San Juan de la Maguana, Toussaint ordered the same type of reorganization in these areas that he had recently taken from the British. Proclamation of Toussaint, 24 May 1797, CARAN Colonies CC/9a/11.

²⁵ "Attack Plan for the Brigade Generals Moyse and Dessalines," 9 Pluviôse an 6 (28 January 1798), CARAN Colonies CC/9a/19. In the original text: "*Le Général de brigade Moyse partira du Fort Liberté avec le 5^e régiment, et autres troupes sous ses ordres qui doivent former onze cent hommes pour se rendre à Lescaôbe, où sont plusieurs camps d'anglais et d'espagnols et troupes noires qu'ils ont séduites et gardés sous leurs ordres.*" Emphasis in original.

²⁶ Report submitted to Toussaint on the military situation in Mirebalais and environs, Germinal an 6 (21 March-19 April 1798), CARAN Colonies CC/9a/19.

²⁷ Cartographic evidence suggests that Hinchta was an important border area. One map of the island from the 1770s placed Hinchta within a zone that was in dispute between France and Spain. ANOM *Atlas Moreau de St-Méry* F3 296, no. A5. Another map from Year 11 (September 1802-September 1803) included Hinchta as part of the "Isle of Saint-Domingue" without a demarcation of the old colonial border. ANOM *Atlas Moreau de St-Méry* F3 289, no. 42.

conclusion of the battle in Las Caobas.²⁸ This culminated in the negotiated capitulation and evacuation of all British forces from the island by the end of 1798. The combination of military setbacks, defections to French ranks, disease, and pressing matters elsewhere conspired to convince many British leaders on both sides of the Atlantic that Hispaniola represented a vast monetary sinkhole whose costs far outstripped the meager benefits that Britain had derived from its five-year military presence on the island. Casualties suffered by the British in their wars against the French on other Caribbean islands such as Martinique and St Vincent bolstered the argument for British military disengagement in this region. Indeed, even the most ardent defender of an aggressive British expansionist policy in the Caribbean would have found it difficult to defend an enterprise that cost the lives of sixty thousand British troops in the region in the 1790s.²⁹ Shortly after General Thomas Maitland assumed command of British forces in Hispaniola in March 1798, discussions between representatives of the two powers commenced on the terms of a British withdrawal.

Developments in both parts of the island accelerated this process. In the month of Maitland's arrival, Toussaint penetrated a set of British forts that had kept the French out of Arcahaye on Saint-Domingue's west coast, which severely weakened Britain's position in the area. He achieved similar successes in Santo Domingo. In a 4 March 1798 letter to Roume, Toussaint claimed to have retaken Neyba, San Juan and other parts of Santo Domingo, condemning in the strongest terms those who had betrayed the French Republic by serving the "Freedom-killing project" (*projet Liberticide*) of the British.

²⁸ This figure is based on the estimates given by Geggus in *Slavery, War and Revolution*, Appendix F (pp 403-404).

According to Toussaint, these conquests (especially that of Las Caobas) had helped to secure Mirebalais for the Republicans and to draw together disparate parts of the island under his rule.³⁰

Despite such ominous implied threats of retaliation, the extrication of remaining British troops from the island was achieved mostly without further bloodshed. In the spring and summer of 1798, Toussaint and Maitland agreed upon terms for the surrender of Britain's three remaining significant posts in Hispaniola: Port-au-Prince in the west, Jérémie in the south, and Môle Saint-Nicolas in the north. In both its results and in the means by which it was achieved, this great power's exit from the island reflected and augmented Toussaint's power. The departure of Toussaint's last remaining foreign nemesis was accomplished without the consultation, much less the approval, of the indignant General Hédouville, who theoretically outranked Toussaint. Britain's defeat signaled Toussaint's emergence as an independent statesman and led to a new and particularly brutal military phase of the revolution. The war with the British also helped to establish an enduring Haitian power base in Santo Domingo whose legacies still resonate on the island today.³¹

Santo Domingo and the War of the South

“It is painful for us, after having, by our sensible, laborious and reasonable conduct, served the general good, to see ourselves faced with slander, oppression, and as

²⁹ This figure is from Dubois, *A Colony of Citizens*, 224. The figure encompasses British military engagements not only in Saint-Domingue but also in Martinique, Guadeloupe, St Lucia, St Vincent, and Grenada in the 1790s.

³⁰ Toussaint to Roume, 14 Ventôse an 6 (4 March 1798), CARAN Colonies CC/9a/18.

³¹ For details on the negotiations that transpired between Toussaint and Maitland, see Bell, *Toussaint Louverture*, 157-160; and Dubois, *Avengers of the New World*, 215-219.

the prey of our old despots.” Fresh from his triumph over the British, Toussaint in this address to “all good Frenchmen” (*tous les bons Français*) of Saint-Domingue expressed his unwillingness to rest on his laurels, lest his many enemies succeed in killing or deposing him. Years of war and political intrigue had made Toussaint profoundly suspicious of those around him, as evidenced in his assertion in this address that a number of would-be assassins were preparing to first dispatch him and then “pass as saviors of the Colony.”³² Though this discourse served a distinct political purpose, Toussaint’s anxieties were not entirely unfounded. Following the expulsion of the British, his onetime ally Rigaud would become his most formidable foe. In their war of attrition, both men would claim the mantle of “savior of the Colony,” yet the conflict would leave a bitterly divisive legacy for the Haitian nation.

Hardened by several years of combat against external enemies, the French Republican armies in Saint-Domingue turned on each other after the departure of the British, coalescing into two principal factions led by Toussaint and Rigaud. As the noted Trinidadian scholar C.L.R. James might have observed, internecine warfare among victorious liberation forces following the common enemy’s defeat would later become a recognized pattern (indeed, almost a trope) in twentieth-century Third World decolonization. As with so many other matters, the Haitian Revolution provided an important early example of this phenomenon. Both of these belligerent groups professed

³² Toussaint Louverture, “Continuation of the address of the general in chief, TOUSSAINT LOUVERTURE, to all good Frenchmen, to true and sincere friends of liberty, to all its defenders,” in 4 January 1799 edition of *Le Citoyen Véridique: Gazette du Port-Républicain*, ANOM CMSM F3 202. In the original text: “*Mes assassins alors devoient passer pour les sauveurs de la Colonie...Qu’il est douloureux pour nous, après avoir, par notre conduite sage, laborieuse et modérée, fait le bien général, de nous voir en butte à la calomnie, à l’oppression, et en proie à la tyrannie de nos anciens dominateurs.*”

loyalty to the French Republic and its ideals, trading accusations of treason and of concocting malicious plots to re-establish the despised institution of slavery on the island.

Though the battle against the British had forced Toussaint, Rigaud and the Ministry of the Navy into a fragile coexistence, this alliance broke down soon after the last British troops left the island. Any hopes of a lasting peace after years of carnage were soon thwarted by a confluence of circumstances. These included the bitter rivalry that emerged between two ambitious leaders as well as deep-seated animosities between Toussaint's predominantly *nouveau libre* following (based primarily in Saint-Domingue's North and West) and the partisans of Rigaud, who had established a stronghold in the colony's southern province earlier in the 1790s; many officers and plantation owners under Rigaud were *anciens libres*.³³ Christened by scholars the "War of the South," this conflict involved the commission of atrocities by both sides throughout Saint-Domingue and culminated in Rigaud's defeat and exile from the island in the summer of 1800. While the scholarly literature has usually focused on this conflict's complex racial and political dynamics as well as the sheer devastation inflicted by Toussaint's forces (most notably those under the command of his general Jean-Jacques Dessalines) in the southern province and in Jacmel in particular, this war also intersected with the question of Santo Domingo's status and Toussaint's longstanding designs on that colony.

³³ The term *anciens libres* ("formerly free") generally referred to people of color who had either been born free or had acquired their liberty before the revolution, while the term *nouveaux libres* ("newly free") indicated those who had gained their freedom in the 1793-1794 general emancipations. The most concise overview of the political legacies of these divisions for independent Haiti is Michel-Rolph Trouillot, *Haiti, State against Nation: The Origins and Legacy of Duvalierism* (New York: Monthly Review Press, 1990). In his treatment of the War of the South, however, Laurent Dubois cautions against interpreting this war as simply a conflict between these two groups, as many "[formerly] free-coloreds and whites" fought under Louverture, while a number of "ex-slave leaders" were loyal to Rigaud. Dubois, *Avengers of the New World*, 232.

Due in part to Saint-Domingue's economic importance, many outside parties had a stake in the outcome of the "War of the South." While the North Americans and the British lent their support to Toussaint, Spanish authorities and other elite Dominicans generally favored his rival. This perhaps owed in part to the aversion that many of them had towards Toussaint and to their possible affinities for Rigaud's plantation society in the south. At the center of these intrigues was Roume's chosen agent in Santo Domingo, Antoine Chanlatte, who worked both diplomatically and militarily to undermine Toussaint. According to an anonymous letter to the Minister of the Navy dated 13 August 1800, Chanlatte collaborated with Spanish officials in Santo Domingo to send a deputy to Paris to discuss the issue of sovereignty over the colony. At the same time, Chanlatte lent his support to Rigaud, whose five thousand men could not withstand the onslaught of Toussaint's ten thousand, though a protracted siege of Rigaud's main stronghold of Jacmel was necessary to subdue him.³⁴ According to Pierre Pluchon, the Spanish in Santo Domingo "openly" supported Rigaud over Toussaint, which became apparent in an angry August 1800 letter to Roume in which Toussaint accused the Spanish of offering aid in men, munitions and arms to his enemy.³⁵

Both the Spanish authorities in Santo Domingo and Rigaud wished to preserve their power, while Toussaint felt that the realization of his political ambitions necessitated dispatching both. This led to a degree of cooperation between these adversaries of Toussaint. This collaboration nonetheless had its limits, as Governor

³⁴ Report to Minister of the Navy and Colonies, 25 Thermidor an 8 (13 August 1800), CARAN Colonies CC/9b/18.

³⁵ Pierre Pluchon, *Toussaint Louverture: Un révolutionnaire noir d'ancien régime* (Paris: Fayard, 1989), 290-291. In a 26 April 1800 report, the military strategist Charles Vincent insisted that the "surest means" (*Le plus sûr moyen*) to end the fratricidal conflict would be the swift deployment of a force of twelve to fifteen hundred men on three warships to Jacmel through Santo Domingo city, which was the only port

García and other Spanish authorities were astute enough to recognize the imbalance of power between the forces of their favorite Rigaud and those of Toussaint. According to a 19 October 1800 report, if the defeated Rigaud had fled to Santo Domingo, then he would have received a cold reception by García due to the latter's fear of retribution at the hands of Toussaint.³⁶ This did not prevent Rigaud from soliciting munitions and other assistance from Spanish officials in nearby Cuba, an effort that he hoped would be facilitated by these officials' anxieties concerning the revolution in Hispaniola. In a 30 June 1800 request for military aid addressed to Havana's Captain General, the Marquis de Someruelos, Rigaud waxed melodramatic, insisting that Toussaint was determined to not only remove Saint-Domingue from the French orbit but also (with British aid) to bring about the loss of all of Spain's New World colonies.³⁷

The Haitian Revolution lent itself to hyperbole, and Rigaud appears to have known how to manipulate the fears of white Spanish administrators. Nevertheless, Toussaint did lead a formidable military force—perhaps the strongest one in the Caribbean at that time. Though he had entered into a secret accord with General Maitland in 1798 to desist from supporting any seditious movements in Jamaica, Toussaint's massive army could threaten neighboring governments—as García was to discover in early 1801. Moreover, though he conducted his diplomacy as if he ran an independent state, Toussaint was acutely aware of his vulnerability to and dependence on the great powers that quite literally surrounded him. Toussaint's lucrative commerce with the

suitable for provisioning these men and preparing them for battle. Vincent, "Considerations on the Means of Ending the Civil War in St-Domingue," 6 Floréal an 8 (26 April 1800), CARAN Colonies CC/9b/17.

³⁶ Anonymous report on military events in Hispaniola, 27 Vendémiaire an 9 (19 October 1800), CARAN Colonies CC/9a/28.

³⁷ Rigaud to Someruelos, 11 Messidor an 8 (30 June 1800), *Archivo General de Indias* (hereinafter AGI), Seville, Spain, *Papeles de Cuba* (hereinafter Cuba) 1709.

United States for instance was integral to his ability to arm and outfit his thousands of troops. According to historian Sigfrido Vázquez Cienfuegos, in September 1800 Toussaint received in Le Cap twenty thousand rifles, ten thousand pairs of pistols, five hundred chairs, and sixty thousand pounds of gunpowder via trade with the US. As they nervously observed these exchanges, Santo Domingo's leaders presciently feared that Toussaint might use these weapons against them.³⁸ They had reason to be concerned, as Toussaint keenly understood the military foundations of his power and the necessity of channeling the martial energies of thousands of slaves-turned-citizens. "The Blacks of Saint-Domingue took up arms to obtain their rights of man and liberty," declared Toussaint in a 15 April 1799 letter to a French metropolitan legislator named Rallier. "They imitated the French people, the Whites, men of color and free Blacks of this colony. It was without doubt a holy insurrection."³⁹ Toussaint aimed to harness the power of this "holy insurrection" for his own ends while at the same time placating other powerful rulers who feared a repeat of the uprising in Hispaniola among their own enslaved populations.

Reconciling these sharply opposing interests proved a daunting task even for a diplomat and politician as adept as Toussaint, who recognized that Saint-Domingue and Santo Domingo were both part of an interconnected series of struggles over political sovereignty, the contours of the metropole-colony relationship, and the legitimacy of colonialism itself. In a 9 June 1800 report, Chanlatte discussed a fascinating bit of North

³⁸ Sigfrido Vázquez Cienfuegos, *Tan difíciles tiempos para Cuba: El gobierno del Marqués de Someruelos (1799-1812)* (Seville: Universidad de Sevilla, 2008), 50.

³⁹ Toussaint to Rallier, 15 April 1797, CARAN Colonies CC/9a/23. In the original text: "*Les Noirs de St Domingue ont pris les armes pour obtenir leurs droits d'homme et la liberté. Ils ont imité le peuple français, les Blancs, homme de couleur et Nègres libres de cette colonie. C'était sans doute une sainte insurrection.*"

American, French, Haitian, and Dominican diplomatic history that illustrates one of the ways in which the question of sovereignty over Santo Domingo intersected with these geopolitical and diplomatic developments. In 1798, the United States had declared an embargo on trade with France in retaliation for repeated attacks by French privateers on North American vessels; this was the so-called “Quasi War.” Nonetheless, aware of the profits that its traders had long derived from commerce with Saint-Domingue, the United States Congress created a special exclusion to this trade interdiction that permitted commerce with those parts of the French empire that were judged to have separated themselves from direct French control and with which lucrative commercial exchange could be conducted. This provision became known as “Toussaint’s Clause” because it chiefly concerned Saint-Domingue.⁴⁰ According to Chanlatte, the US government excluded the port of Santo Domingo from Toussaint’s Clause (thus legally barring its citizens from trading there) on the grounds that it had come under French sovereignty per the 1795 Treaty of Basel yet had not fallen under Toussaint’s control.⁴¹ Toussaint thus benefited from the trade permitted by the relatively sympathetic Adams administration, while Dominicans were denied the benefits of legal trade with North Americans. This may have served to further weaken Dominican authorities’ military position by 1801. While internal dynamics drove the War of the South, external forces such as trade and diplomacy strongly influenced the strength of each belligerent party.⁴²

⁴⁰ For more details on “Toussaint’s Clause,” see Bell, *Toussaint Louverture*, 170-171.

⁴¹ Report of General Antoine Chanlatte “to the French government and to all of the Friends of National Sovereignty and of order,” 20 Prairial an 8 (9 June 1800), CARAN Colonies CC/9b/2.

⁴² For a discussion of the centrality of diplomacy and foreign policy in the War of the South, see Philippe Girard, “Black Talleyrand: Toussaint Louverture’s Diplomacy, 1798-1802,” *The William and Mary Quarterly* 66, no. 1 (January 2009), 102-110.

Rigaud's defeat made Toussaint the most powerful individual on the entire island. "Far from restricting himself to military functions," Chanlatte lamented in a report dated 20 June 1800, Toussaint "has extended his authority to all of the branches of social organization. It has been a long time since anything has been done outside of his influence."⁴³ On 19 February 1799, General Kerverseau, whom the French metropolitan government had appointed to serve as the "Commissioner of the Executive Directory in the Former Spanish Part of Saint-Domingue," composed a frank letter to the Minister of the Navy in which he discussed Toussaint's growing power.⁴⁴ By this time, Moïse controlled the *arrondissements* (districts) of Montechristi and Dajabón in the former Spanish colony's north, and Toussaint's ambitions concerning the rest of that colony were becoming ever more readily apparent. While Kerverseau dismissed rumors that Toussaint was planning an invasion into Santo Domingo as "simple conjecture," Kerverseau vowed to employ all means at his disposal to prevent such an incursion. This was in line with his wishes to defer the complete transfer of political and military authority there from the Spanish to the French until the "legal taking of Possession" of Santo Domingo had transpired.⁴⁵ Such legal niceties stood in marked contrast to the

⁴³ Chanlatte to Minister of the Navy, 20 June 1800, CARAN Colonies CC/9a/24. In the original text: "*Loin de se tenir dans les bornes des fonctions militaires, il a étendu son autorité sur toutes les branches de l'organisation sociale. Il y a longtemps que rien ne se faisant que par son influence.*"

⁴⁴ François Kerverseau had several tours of duty in Santo Domingo in the revolutionary period. For an overview of Kerverseau's career and a transcription of one of his important correspondences regarding Toussaint, see Pierre Pluchon, ed., *Toussaint Louverture d'après le général de Kerverseau* (Port-au-Prince: Éditions le Natal, 1999). Madison Smartt Bell has speculated that Kerverseau's antipathy towards Toussaint may have resulted partly from jealousy at the high rank that Toussaint held when Kerverseau was first sent to Saint-Domingue in 1796. Bell, *Toussaint Louverture*, 217.

⁴⁵ Kerverseau to Minister of the Navy and Colonies, 1 Ventôse an 7 (19 February 1799), CARAN Colonies CC/9b/23. In the original text: "*À l'égard du projet que l'on suppose au Général Toussaint Louverture de se mettre en possession de la Partie ci-devant Espagnole, il est probable que ce n'est qu'une simple conjecture, à laquelle la terreur qu'il inspire dans les quartiers les plus voisins de la Colonie Française a donné quelque consistance...ne doutez pas, Citoyen Ministre, que Je n'emploie tous les moyens qui seront en mon pouvoir, pour lui en deffendre l'entrée, et que Je ne requiere le Gouvernement Espagnol de*

military situation on the ground. According to a report presented to the “Consuls of the Republic” in September or October 1800, Toussaint had possessed nine parishes in Santo Domingo as of the previous Germinal (22 March-20 April 1800), and he also had imprisoned numerous Dominicans in Port-au-Prince.⁴⁶

These words of caution and resignation rang true for a succession of French administrators (including Sonthonax, Hédouville, and his successor Roume) who between 1797 and 1801 found themselves on long, lonely voyages from Saint-Domingue back to France, whiling away the days of the passage contemplating how they would explain to authorities in Paris their failure to subordinate this ex-slave to the will of this global military power. Meanwhile, the multitudes of freed men and women who comprised the bulk of Toussaint’s power base were becoming increasingly apprehensive as their once-trusted leader imposed coercive labor regimes that tied them to their old plantations and invited back many of the refugee planters who had once held them in bondage. This led some of these ex-slaves to engage in periodic armed resistance that Toussaint swiftly crushed.⁴⁷

Toussaint’s ability to thwart these varied challenges to his authority depended on a masterful command of the arts of war and politics; a willingness to employ brute force; an indefatigable intensity (Toussaint reportedly slept only a few hours per night); and a

garantir, s’il le faut, par les armes, des possessions qui demeurent sous sa garde et sa responsabilité jusqu’à la prise légale de Possession.”

⁴⁶ Report to “Consuls of the Republic,” Vendémiaire an 9 (23 September-22 October 1800), CARAN Colonies CC/9b/18.

⁴⁷ In a 2 December 1801 letter to the Minister of the Navy, Roume, writing from exile in Philadelphia, related that he had predicted an “explosion of discontent” on the part of the “blacks” against the “so-called governor Toussaint Louverture.” Roume to Minister of the Navy and Colonies, 11 Frimaire an 10 (2 December 1801), CARAN Colonies CC/9b/2. In the original French: “*La première de mes lettres contient un fidèle précis de l’état des choses à St Domingue au moment de ma déportation: elle annonçait comme très prochaine l’explosion du mécontentement des nègres contre le prétendu gouverneur Toussaint Louverture.*” In October 1801, Toussaint put down several plantation uprisings in Saint-Domingue’s north,

powerful charisma enhanced by skillful appeals to the ideals of liberty and equal citizenship. While Napoleon was storming through parts of Europe and the Middle East in a succession of military conquests in the 1790s, Toussaint was gaining prominence through his own martial triumphs in Hispaniola. Napoleon's ability to translate his military victories and professed loyalty to revolutionary ideals into widespread political support enabled his *coup d'état* of 18 Brumaire year VIII (9 November 1799) which overthrew the Directory and replaced it with a regime headed by Napoleon known as the Consulate.⁴⁸ Toussaint's similar abilities facilitated his assumption of authority over France's most prized colony around the same time. Aware of their interdependency and of the other's power, these men maintained a cautious coexistence in the final years of the eighteenth century. Nonetheless, a fatal combination of geopolitical shifts and a collision of egos unraveled this *entente* and led Bonaparte to make the catastrophic decision to try to oust Toussaint rather than continue their old relationship. Fear of a Napoleonic invasion force in turn factored centrally into Toussaint's fateful decision to invade the capital of the former Spanish part of Hispaniola. In taking each of these actions, both of these leaders strove to forcefully transform an unclear political situation into an unequivocal imposition of authority. Both episodes in turn proved to be quite costly for these men, and both transpired within the larger political context of emancipation's dismantling in the French world.

Toussaint's Invasion of Santo Domingo City

which he blamed on Moïse. This led to Toussaint's execution of Moïse in November of that year. For details on these events, see Dubois, *Avengers of the New World*, 247-248.

⁴⁸ For more information on Napoleon's rise and fall, see Steven Englund, *Napoleon: A Political Life* (New York: Scribner, 2004). For a reexamination of the political, legal, and social legacies of Napoleon's

Except perhaps in the most lopsided conflicts, a military intervention is a calculated risk. In addition to military and civilian casualties, decision-makers often consider the potential economic costs versus gains, the loyalty of the target zone's population, and the implications of all of these matters for one's international political standing. As the French would discover in Saint-Domingue/Haiti in the early nineteenth century, violent assertions of control over coveted territory can lead to disastrous conflagrations. While Napoleon's deployment of military force to depose Toussaint in late 1801 and early 1802 owed largely to the perceived economic and strategic stakes involved, the motivations behind Toussaint's invasion of Santo Domingo city a year earlier are less immediately apparent. Why did Toussaint divert thousands of his best troops to the enterprise of conquering the nerve center of a territory that had long languished in poverty and neglect? Why did he add this burden to his already overflowing agenda of consolidating his authority over Saint-Domingue, ensuring the loyalty of diverse and often antagonistic sectors of the population, rebuilding its economy, and navigating the treacherous waters of international diplomacy?

The answer, quite simply, is that Santo Domingo mattered in all of these areas. Toussaint came to view the submission of Santo Domingo as vital to furthering his interconnected objectives of increasing plantation production and of ensuring his own political survival. Wresting parts of Santo Domingo from the British had given him a foothold in this colony; with the dispatching of Rigaud, Toussaint saw the Spanish administration in Santo Domingo city as the final obstacle to the realization of his wish to unite the entire island under his authority. In invading Santo Domingo city, Toussaint

European conquests, see Paul W. Schroeder, *The Transformation of European Politics 1763-1848* (Oxford:

sought to realize the economic potential of a colony that offered the plantation entrepreneur twice as much land as Saint-Domingue; assert his political and military authority over the island; augment his army with Dominican recruits;⁴⁹ enhance his credibility as a champion of emancipation by stamping out the widespread illegal slaving of French citizens that transpired in Santo Domingo; and forestall the anticipated landing of a military expedition from mainland France in the former Spanish territory.

Of these objectives, the final was the most salient. Mounting tensions with Napoleon exacerbated Toussaint's anxieties concerning a possible French invasion of a vast area where several of his prior adversaries had disembarked. In 1796, Moreau de St Méry had written that Santo Domingo was "open and defenseless," exposing neighboring Saint-Domingue to "all manner of attacks and abuses."⁵⁰ Two years later General Hédouville had entered Hispaniola through its eastern part, while in April 1800, a Civil Commission with orders from Paris to prevent Toussaint from taking control of Santo Domingo arrived in that colony on the frigate *L'Africaine*.⁵¹ Both Toussaint and his many adversaries thus understood the strategic importance of Santo Domingo and the stakes involved in controlling it. Toussaint "wishes to enlist in his army the blacks of the

Clarendon Press, 1994), esp. chapter 8.

⁴⁹ In a report composed to the Minister of the Navy on the eve of Toussaint's conquest of Santo Domingo city, one Saint-Domingue official wrote that the attempts of Toussaint and other "black leaders" (*chefs noirs*) to recruit soldiers in Santo Domingo would become frustrated by the fact that the colony contained "only three thousand black slaves, including women, the elderly and children." Saint-Domingue official [name illegible] to Minister of the Navy and Colonies, 25 Brumaire an 9 (16 November 1800), CARAN Colonies CC/9b/18. In the original text: "*En s'emparant de la partie espagnole, je sais bien que ces chefs comptent y trouver, dans leur Couleur, de quoi augmenter leurs forces et par consequent leurs moyens de défense; mais ils ignorent peut-être que cette partie ne renferme que trois mille noirs esclaves, y compris les femmes, vieillards et enfans.*"

⁵⁰ M. L. E. Moreau de St Méry, *Description topographique et politique de la partie espagnole de l'isle Saint-Domingue* (Philadelphia: Self-published by author, 1796), 2:191. In the original text: "*Dans l'état présent des choses, la colonie espagnole, placée au vent de la partie française, étant, en quelque sort, ouverte et sans défense, cette dernière se trouve elle-même exposée à toutes les attaques et à toutes les insultes.*"

⁵¹ Chanlatte to Minister of the Navy, 20 June 1800, CARAN Colonies CC/9a/24.

Spanish part and [add] to his coffers the considerable funds that are located there [in Santo Domingo],” wrote the anonymous author of a letter to the Minister of the Navy in August 1800. “With these forces he believes that he can prevent the French from disembarking on the island, and he will stop at nothing to achieve this objective.”⁵² One observer from Baltimore remarked that Toussaint intended to “conquer the Spanish part of St Domingue” partly out of determination to “prevent, if he can, the landing of French troops, which he presumes should arrive and attack him from that side.”⁵³

In one telling indication of the primacy of such strategic concerns, the Dominican scholar Emilio Cordero Michel, who has written favorably of Toussaint’s occupation to the point of hyperbole, stated that the “real reason” for Toussaint’s invasion and occupation of Santo Domingo in 1801 was his wish to “consolidate his politico-military regime.”⁵⁴ The major secondary works that treat this subject indeed concur that Toussaint’s worries about a possible French invasion strongly motivated his conquest of Santo Domingo city. In their histories of the Haitian Revolution, both C. L. R. James and Laurent Dubois emphasized the strategic factors impelling Toussaint to take Santo Domingo. These included Toussaint’s desire to consolidate his power and control all of

⁵² Report to Minister of the Navy and Colonies, 25 Thermidor an 8 (13 August 1800), CARAN Colonies CC/9b/18. In the original text: “...il voudrait réunir à son armée les noirs de la partie espagnole et à sa bourse les fonds considérables qui s’y trouvent; avec ces forces il croit pouvoir empêcher les français de débarquer dans l’isle, et il ne néglige rien pour parvenir à ce but.”

⁵³ Anonymous report from Baltimore, 30 September 1800, CARAN Colonies CC/9b/2. In the original text: “On écrit de Baltimore, que l’on vient d’être instruit des préparatifs que faisait Toussaint L’Ouverture pour conquérir la partie Espagnole de St Domingue...en empêchant, s’il le peut, le débarquement des troupes françaises, qu’il présume bien devoir arriver et l’attaquer de ce côté là...”

⁵⁴ Emilio Cordero Michel, “Toussaint en Saint-Domingue espagnol,” in *Saint-Domingue espagnol et la révolution nègre d’Haïti (1790-1822)*, ed. Alain Yacou (Paris: Karthala, 2007), 252. On p. 255, Cordero Michel claimed that Toussaint’s rule in Santo Domingo created a “democratic fervor” and a “democratic period without precedent.” In *La Revolución haitiana y Santo Domingo* (Santo Domingo: Editora Nacional, 1968), 60-61, Cordero Michel likewise contended that under Toussaint’s regime “the immense majority of the population of Spanish Santo Domingo lived under a democratic climate and a prosperity never known in its history.”

the island's ports in order to thwart the arrival of hostile forces.⁵⁵ According to Carolyn Fick, Toussaint was attuned to the rise of disconcerting reaction in France and the imminent possibility of a French invasion of Saint-Domingue, and his actions in Santo Domingo amounted to a pre-emptive strike. Toussaint, however, contributed to bringing about the very invasion that he had feared, for the capture of Santo Domingo helped convince Bonaparte that Toussaint enjoyed too much autonomy and needed to be ousted.⁵⁶ Madison Smartt Bell in his biography of Toussaint highlighted the ominous political circumstances that appeared to threaten both French Republican emancipation and Toussaint's political life. These included Napoleon's accession to supreme authority in France and the promulgation of the 1799 French constitution whose reinstatement of "special laws" for the colonies harkened back to slavery and the *ancien régime*.⁵⁷

In articulating his rationale for invading Santo Domingo city, Toussaint also pointed to threats to French citizens' freedom that had emerged on the island itself. The chaos of the Franco-Spanish war had transformed Santo Domingo into a focal point for circum-Caribbean human trafficking, and the suppression of such outrages became an important concern for Republican leaders including Toussaint. During this war, the generals Jean-François and Georges Biassou had sold hundreds if not thousands of other human beings into bondage before being unceremoniously relegated to remote corners of Spain's empire. In a 28 February 1803 letter to Colonial Prefect Hector Daure, a naval officer named Vermonnet stated that slavers working under Jean-François had sold 4,742 slave children (*negrillons*) through Santo Domingo to assorted Spanish colonies.

⁵⁵ C. L. R. James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution*, 2nd ed. (1938; reprint, New York: Vintage, 1963), 237-240; and Dubois, *Avengers of the New World*, 236-238.

⁵⁶ Fick, *The Making of Haiti*, 204-206.

⁵⁷ Bell, *Toussaint Louverture*, 186-187.

Vernonnet estimated that around one hundred of these captives went to Cuba, two hundred to Caracas, two hundred to Campeche (Mexico), three hundred to Trujillo (Honduras), and 250 to Grenada.⁵⁸ Toussaint strove to distance himself from his former comrades in proclaiming his adamant opposition to the illegal slaving that occurred under the noses of Spanish and French officials in the eastern part of the island in the years following its formal cession.

Since emancipation represented the ideological and political linchpin of the French Republican presence in the Caribbean after 1794, at stake in the fate of these captives was nothing less than the Republic's credibility.⁵⁹ In a 24 January 1796 letter to the Minister of the Navy, Roume insisted that the "alleged Slaves of Santo Domingo, knowing that they can remain on the island as French citizens, do not wish to permit their so-called Owners to transport them with them like vile herds of cattle."⁶⁰

While the scope of such slaving is difficult to determine, the evidence suggests that many French citizens in Hispaniola became ensnared by it. On the final day of 1795, a resigned Agent Roume informed the Minister of the Navy that a don Joaquín Pueyo, who had served as the *alcalde* (mayor) of the city of Santiago de los Caballeros (northern Santo Domingo) for twenty-five years, held such sway among the city's population that French officials had asked him to intervene to prevent some "men of color" and "free blacks" from emigrating to Cuba. In what could be read as a tacit admission of slavery's continued existence in Santo Domingo, Roume related that Pueyo was "considered as the

⁵⁸ Vernonnet to Daure, 9 Ventôse an 11 (28 February 1803), *Service Historique de l'Armée de Terre* (hereinafter SHAT), Vincennes, France, B7 13.

⁵⁹ On this slaving, see Bell, *Toussaint Louverture*, 93; and Dubois, *Avengers of the New World*, 237.

⁶⁰ Roume to Minister of the Navy and Colonies, 4 Pluviôse an 4 (24 January 1796), CARAN Colonies CC/9a/20. In the original text: "...les prétendus Esclaves de Sto Domingo, sachant qu'ils peuvent rester dans l'île en qualité de citoyens français, n'ont pas voulu permettre que les soi-disant Propriétaires les transportent avec eux comme de vils troupeaux."

protector of the free [people] and the slaves of African blood” in Santo Domingo.⁶¹ Many other captives lacked such a “protector.” In a letter dated 9 July 1796, several French captives in Puerto Rico beseeched the “Citizen General of the Island [of] St-Domingue” to intercede on their behalf. By their account, more than two thousand “citizens” from Martinique and Saint-Domingue had been “sold as slaves” in Puerto Rico.⁶² “There exists in Puerto Rico according to exact information a great number of men of all colors [who were] formerly Legally Free,” affirmed General Rochambeau (the above letter’s presumed addressee) in a correspondence to the Directory dated 17 July 1796. Among these captives were “those who were part of the First Battalion of Chasseurs of Martinique and who had been sold to the English by their loathsome leader who is here under your eyes and Resold by them to the Spanish.”⁶³

Most captives did not possess the power of literacy to aid them in their quests for liberation. Those without such tools nonetheless sought other means to escape their predicament, such as soliciting the assistance of potentially sympathetic officials. This is evident in an April 1797 report that a Spanish royal official named don Bernardino Vlearze composed for the Directory. In the report, Vlearze related that France’s enemies had captured “many French prisoners of war of all colors” from Saint-Domingue

⁶¹ Roume to Minister of the Navy and Colonies, 10 Nivôse an 4 (31 December 1795), CARAN Colonies CC/9a/20. In the original text: “*Le second D[on] Joachin Pueyo, est alcalde depuis 25 ans à St Yago de los Cavalleros. Il est Riche, c’est un homme religieux et qui jouit d’une confiance si entière, que le Gouvernement fut obligé de recourir à lui dans un temps où les hommes de Couleur et les Nègres libres de cette partie de l’isle, voulaient aller chercher une existence moins malheureuse à la Havane; le C[itoyen] Pueyo parvint à les faire rester; et depuis lors, il est considéré comme le protecteur des libres et des esclaves du sang Africain.*”

⁶² “Prisoners of Puerto Rico” to “Citizen General of the Island [of] St-Domingue,” 21 Messidor an 4 (9 July 1796), CARAN Colonies CC/9a/15. In the original text: “*Les Cytoyens de l’isle de la Martinique et vendu en qualité d’esclave nous sommes plus de deux mille ou de l’isle de la Martinique et de St Domingue.*”

⁶³ Rochambeau to the “Particular Agents of the Executive Directory,” 29 Messidor an 4 (17 July 1796), CARAN Colonies CC/9a/15. In the original text: “*Il existe à Porto Rico d’après des renseignements exacts un grand nombre d’hommes de toute couleur anciennement Légalemant Libres, ceux qui faisaient partie du*

and had sent them to Cuba, Caracas, and Puerto Rico, where an “auditor” named François Yugarze separated whites and people of color in order to sell the latter “as Slaves.” Estimating the number of French citizens held “in Slavery in these Islands” at more than two thousand, Vlearze noted that while most “white” prisoners were surrendered to the enemy in prisoner exchanges, all of the imprisoned “men of Color” were enslaved. These captives “who claim to have not lost their natural Liberty, made a claim to it; but they do not have the support of anybody to draft their representations, because they are Slaves of the Auditor, the Judges and the men of Distinction.”⁶⁴ These slavers sought to re-create race-based slavery against the determined opposition of French citizens who had been violently deprived of their freedom. The perpetrators sought to graft the historically novel racial justification for enslavement onto the ancient deprivation of “natural liberty” from captives taken in war. These slavers created gradations of unfreedom based in part on ascribed racial status.

What did “liberty” mean for these captives? Who had the power to remove or restore it? The issue of illicit enslavement thrust Santo Domingo into the center of a contest over the moral and juridical foundations of liberty. For instance, even as he denounced these abuses, Vlearze argued that the “Laws [of the French Republic] are

premier Bataillon des chausseurs de la Martinique et qui ont été vendus aux anglais par leur infâme chef qui est ici sous vos yeux et Revendus par eux aux Espagnols.”

⁶⁴ Report of don Bernardino Vlearze, noted “for the [French] Directory,” 13 Germinal an 5 (2 April 1797), CARAN AF/III/63. In the original text: “À St Domingue, on fit beaucoup de Prisonniers de guerre français de toute couleur. On les dispersa dans différentes Isles comme à Cuba et Caracas; ensuite à Porto Rico où l’auditeur faisait séparer les Blancs de ceux de Couleur, afin de vendre les derniers comme Esclaves...On compte plus de Deux Mille français en Esclavage dans ces Isles; plusieurs se sont sauvés à la Guadeloupe...on a échangé les Blancs, excepté trois...quant aux hommes de Couleur, on n’en a pas rendu un seul et ils sont Esclaves. Ces derniers, qui prétendent n’avoir pas perdu leur Liberté naturelle, l’ont réclamée; mais ils n’ont ni appui, ni personne pour rédiger leurs représentations, parce qu’ils sont Esclaves de l’Auditeur, des Juges et des hommes de Distinction.”

worthless, because only Kings can make and abrogate them.”⁶⁵ Moreover, in his 20 June 1800 report to the Minister of the Navy, Chanlatte contended that Dominican authorities and residents were working to delay the French “taking of possession” of Santo Domingo to “buy time to kidnap the blacks who are on the estates or domestics to transport them to the lands of slavery.”⁶⁶

Such arguments played into the hands of Toussaint, who viewed this slaving as a justification for intervention in parts of Santo Domingo. This built on the liberationist pronouncements that had characterized his earlier campaigns against the British. In a 29 October 1799 letter to Roume, Toussaint condemned the “humiliations” perpetrated against “French cultivators” in Santo Domingo and urged Roume to put a stop to the practice.⁶⁷ For his part, Roume adopted a rather personal approach to the problem. In a 23 February 1800 letter to Someruelos, Roume claimed that many “black French citizens” were being captured from Saint-Domingue and sold “as slaves” in Cuba. Invoking both the French emancipation decree of 1794 and the Franco-Spanish alliance, Roume demanded that Someruelos immediately liberate all captive French citizens in Cuba and intercede more specifically in the case of a man named Jean Le Sol, whose liberty was a

⁶⁵ Report of Vlearze, 2 April 1797, CARAN AF/III/63. In the original text: “...ses Loix ne servant à rien, parce qu’il n’y avait que les Rois qui puissent en faire et les abroger.”

⁶⁶ Chanlatte to Minister of the Navy, 20 June 1800, CARAN Colonies CC/9a/24. In the original text: “On ne manquera pas non plus de dire que cette suspension de la prise de possession n’a eu d’autre objet que d’obtenir du tems pour enlever les noirs qui sont sur les habitations ou domestiques pour les transporter dans les terres de l’esclavage.”

⁶⁷ Toussaint to Roume, 7 Brumaire an 8 (29 October 1799), CARAN Colonies CC/9a/23. In the original text: “Je vous remercie de la bonté que vous avez eu d’écrire au général Chanlatte, pour vérifier la dénonciation faite contre les vexations commises dans la Partie Espagnole, envers des cultivateurs français, et suis d’avance persuadé que vous les ferez cesser, s’il est vrai qu’elles ont eu lieu.”

special concern for Roume and for a French official in Santiago de Cuba named Pothier.⁶⁸

When it became clear that Roume could not suppress these violations of emancipation law, Toussaint decided to take the matter into his own hands. In an impassioned missive to Roume dated 18 January 1800, Toussaint decried the frequent sales of “black French Citizens” through Azua (in southern Santo Domingo) to points elsewhere and claimed that many “Spaniards” engaged in this “despicable trafficking.” Consequently, “it seems to me that to save the French of this part [Santo Domingo] and preserve the black Citizens from slavery, it is necessary to take a part” of Santo Domingo—specifically Azua and other locations of such enslaving.⁶⁹ Professions of antislavery were closely connected to Toussaint’s desire to augment his political power. While Toussaint’s sympathies with the plight of these captives may have been genuine, one cannot lose sight of the larger context in which “emancipation” had become closely linked to imperial warfare and expansion.

⁶⁸ Roume to Someruelos, 4 Ventôse an 8 (23 February 1800), CARAN Colonies CC/9b/1. In the original text: “*Le citoyen Pothier, Receveur des Droits de la République à Saintiago de Cube, m’a instruit par sa lettre du 4 Pluviose dernier (24 Janvier 1800) que des Particuliers ont l’audace de transporter de St Domingue à l’isle de Cube, des citoyens noirs français pour les vendre comme esclaves et que des habitants de votre isle ignorant sans doute l’immortelle déclaration des Droits de l’homme et nos autres lois Républicaines, qui garantissent la liberté de tous les français, de quelque Couleur qu’ils soient, que ces habitants, dis-je, achètent ces mêmes citoyens français ainsi transportés pour être vendus.*”

⁶⁹ Toussaint to Roume, 28 Nivôse an 8 (18 January 1800), CARAN Colonies CC/9b/1. In the original text: “*On y vend les Citoyens noirs français. Ce n’est point, à dire vrai, à Maguana, Farfan, etc. qu’on les vend, mais on commence par emmener ces malheureux à Azua, pour delà les conduire et les vendre plus loin. Des Personnes d’Azua même sont venues me faire ce rapport. Vous voyez bien, Citoyen Agent, que les vendeurs se soutiennent entr’eux, malgré les renseignements que vous a donnés le général Chanlatte, qui vous mande que ce trafic infâme n’a pas lieu, néanmoins il est clair que les Espagnols de la partie conquise même le font encore, mais bien secrètement. En conséquence, Citoyen agent, il me semble que pour sauver les français de cette partie et préserver de l’esclavage les Citoyens noirs, il faut prendre un parti quelconque, puisque nous ne pouvons en ce moment prendre possession de Santo Domingo, je vous engage à prendre possession d’Azua et autres endroits...*” Numerous other correspondences by Toussaint to Roume and others also attest to his declared intention to halt these atrocities. In one letter to Roume dated 26 February 1800 for instance, Toussaint denounced the “freedom-killing commerce” (*commerce liberticide*) that existed in Santo Domingo. Toussaint to Roume, 7 Ventôse an 9 (26 February 1800), CARAN Colonies CC/9b/1.

In both parts of the island, the overseers of emancipation made “liberty” contingent upon grateful service to the Republic. The professed goal of rescuing hapless victims of enslavement by perfidious enemies fit in well with such political narratives of state-centered liberation. It also brought to the fore the degree to which French officials felt the need to resort to relics of the slave past in order to root out present outrages. “On the nineteenth of the previous month,” wrote Chanlatte, then a Brigade General in Santo Domingo, to Roume on 21 January 1800, “a Black Citizen (as we still have the humiliating necessity here to distinguish Colors) notified me that the Citizeness Thérèse, woman of color had sold to a Spaniard named Miguel Pérez, a black Citizeness named Flore, attached to her service.”⁷⁰ Chanlatte’s perceived “humiliating necessity” constitutes an early example of a dilemma that post-emancipation societies in the French world and beyond would confront over the following two centuries: whether to rely upon terms associated with inequality and stigmatization in order to eradicate continuing vestiges of past injustice.⁷¹

Despite the advent of formal emancipation in Santo Domingo, some evidence suggests that some Republican authorities also utilized old mechanisms of manumission in order to liberate citizens from bondage. In this, they confronted the legacies of the unresolved matter of the terms of manumission in colonial Saint-Domingue. According to Malick Ghachem, the “persistent absence of any real consensus as to what constituted a

⁷⁰ Chanlatte to Roume, 1 Pluviôse an 8 (21 January 1800), CARAN Colonies CC/9b/1. In the original text: “*Le dix neuf du mois dernier un Citoyen Noir (car ici nous sommes encore dans l’humiliante nécessité de distinguer les Couleurs) vint me prévenir que la Citoyenne Thérèse, femme de couleur avait vendu à un Espagnol nommé Miguel Perez, une Citoyenne noire nommée Flore, attachée à son service.*”

⁷¹ Scholarship on the histories of race in modern France and the Francophone world is steadily expanding. For notable recent contributions, see Herrick Chapman and Laura L. Frader, eds., *Race in France: Interdisciplinary Perspectives on the Politics of Difference* (New York: Berghahn Books, 2004); and Minayo Nasiali, “Native to the Republic: Negotiating Citizenship and Social Welfare in Marseille ‘Immigrant’ Neighborhoods since 1945” (PhD diss., University of Michigan, 2010).

valid manumission in colonial [Dominguan] society” had hindered the ability of administrators to devise and enforce coherent policies regulating slavery and manumission.⁷² After 1795, new ambiguities concerning legal condition arose on the island. On 12 January 1800, Miguel Pérez declared that he had sold Flore for two hundred *gourdes* to a man named Lacoste in response to pressures exerted by a “French Commissioner” who insisted that Flore was “free.”⁷³ This strategy of bringing about the sale of a formally freed woman in order to secure her liberty would recur in Santo Domingo under French rule.

In late 1799 and early 1800, French authorities took more direct measures to combat this slaving: establishing a “Provisional Court of Peace” (*Tribunal Provisoire de Paix*) in Santo Domingo city that called several Dominican witnesses to testify on this trafficking; and compelling Governor García to pledge to “root out this abominable abuse.” In the extant records of testimony before this court, all four individuals summoned denied any knowledge of the capture or sale of any French citizens in either part of the island. Furthermore, in a 20 January 1800 order, García imposed a fifty-peso fine on any notary who validated the sale of another human being. He also declared that any “private paper” that documented such a sale would henceforth be “null and void,” except as “evidence, for full knowledge of the fraud” that had transpired, with the sale price being applied towards the “expenses of justice.”⁷⁴

⁷² Malick Ghachem, “Sovereignty and Slavery in the Age of Revolution: Haitian Variations on a Metropolitan Theme” (PhD diss., Stanford University, 2002), 90.

⁷³ Declaration of Miguel Pérez, 12 January 1800, CARAN Colonies CC/9b/1. In the original text: “*Je déclare que Morales, m’a remis en gage une négresse nommée Flore, âgée de 20 à 25 ans, et qu’ayant été réclamée, comme libre par M. le Commissaire français, je l’ai remis au C[itoyen] Lacoste qui m’a fait un billet de deux cents gourdes...*”

⁷⁴ “Extract of Minutes of the Provisional Court of Peace, Established in [Santo] Domingo,” 25 Brumaire an 8 (16 November 1799), CARAN Colonies CC/9b/1; order of Joaquín García, 20 January 1800, CARAN Colonies CC/9a/26. In the original text from the García order: “*Haviendose quejado a este gobierno el*

In his order, García had professed to transform written documentation into a tool of liberation, while the tribunal had sought in vain to create a written record of evidence of enslavement that might assist in rescuing captives. Toussaint likewise recognized the primacy of the law and the written word in pursuing his political objectives. Along with his epistolary vilification of this captive-trading, Toussaint advanced the legalistic argument that he must take possession of Santo Domingo in order to fulfill the terms of the Treaty of Basel.⁷⁵ These claims were two sides of the same coin. By asserting his control over Santo Domingo, Toussaint appears to have envisioned himself as fulfilling a deferred promise of liberty to thousands of men and women who had been cheated of their rights by greedy Dominican “masters” and inept French metropolitan envoys. Attempting to judge Toussaint’s actions within the rubric of cynicism versus sincerity misses the point that in the Caribbean in the 1790s, violent conflict, tight control of labor, and struggles over “emancipation” were intimately connected.⁷⁶

Señor Comisario de la Republica francesa de la detestable facilidad con que los franceses, y Españoles, ceden los negros de la Colonia para traerlos a vender a la parte Española y pedido en consecuencia me sirviese tomar providencia que cortase de raiz este abominable abuso...en manera alguna los compren por papel privado que desde luego se tendra por nulo, y solo servira de prueba, para pleno conocimiento del dolo con que se ha celebrado, el contrato, y perderá el valor, y precio en que lo hubiere comprado, así como el vendedor pudiendo ser havido se condena en la exhibicion real de precio que desde luego se aplica a gastos de justicias.”

⁷⁵ In a 27 April 1800 letter to General Chanlatte, Toussaint argued that he was deploying his general Pierre Agé to Santo Domingo to “make the necessary arrangements for this taking of possession” of Santo Domingo in accordance with the “peace treaty drawn up between this power [France] and the King of Spain.” Toussaint to Chanlatte, 7 Floréal an 8 (27 April 1800), CARAN Colonies CC/9b/18. In the original text: “*D’après l’arrêté de l’agent du directoire à Saint-Domingue en date de ce jour, mon cher général, relatif à la prise de possession, au nom de la république, de la partie ci-devant Espagnole, cedée à la France par le traité de paix conclu entre cette puissance et le Roi d’Espagne; j’envoie, conformément à ce qu’il prescrit, le général de brigade Agé...pour prendre les arrangements nécessaires à cette prise de possession.*”

⁷⁶ I arrive at this conclusion partly due to Philip Girard’s argument that “[i]n Louverture’s mind international diplomacy and Saint Domingue’s political and social developments did not operate on separate planes but were instead interwoven...Louverture’s desire for self-preservation might seem crassly self-serving, but he saw himself and the future of emancipation as inextricably linked. His continued tenure as governor of Saint Domingue was in his eyes not only a matter of personal survival but also a guarantee of freedom for the entire black population of the island.” Girard, “Black Talleyrand,” 91.

Toussaint's concern with legal protocol and the written record strongly informed his strategies vis-à-vis Santo Domingo. With over ten thousand men at his command, he could have quickly and easily overrun the paltry Spanish defenses guarding Santo Domingo's capital city long before his eventual invasion. He nonetheless felt obliged to secure the formal acquiescence of Roume, the Republic's highest-ranking representative in the eastern part of the island. Agent Roume repeatedly refused Toussaint's demands that he issue an *arrêté* granting the general formal authorization to take political control over the colony of Santo Domingo. Roume advanced several legal, economic and geopolitical arguments to support his position. In his numerous letters to Toussaint, Roume insisted that the metropolitan government had not granted either of them the authority to legally assume control over Santo Domingo, whose poverty would in any case place heavy burdens on a treasury already severely strained by armed conflicts on several continents. Roume furthermore contended that no such transfer of power in Santo Domingo ought to occur until the "troubles" that afflicted the island had subsided.⁷⁷ The inhabitants of Santo Domingo "did not refuse to become French," General Kerverseau echoed, "but they did not claim to render themselves subjects of Toussaint; it was not to Toussaint but to the [French] Republic that the King of Spain ceded this portion of the Isle."⁷⁸

Toussaint was undeterred by such claims. After his efforts to cajole Roume into issuing the *arrêté* through diplomatic means failed, Toussaint adopted a more forceful

⁷⁷ Roume to Toussaint, 4 Pluviôse an 8 (24 January 1800), CARAN Colonies CC/9b/1; Chanlatte to Minister of the Navy, 20 June 1800, CARAN Colonies CC/9a/24.

⁷⁸ Kerverseau, "Report on the former Spanish part," 13 August 1801, Rochambeau Papers, University of Florida's Special Collections (hereinafter RPUF), no. 77. In the original text: "*Certes, ils ne refuseraient pas de devenir français; mais ils ne prétendaient pas se rendre les sujets de Toussaint; ce n'était pas à Toussaint mais à la République que le Roi d'Espagne avait cédé cette portion de l'île.*"

approach. According to Chanlatte, Toussaint deployed a force of seven to eight thousand “blacks” to Le Cap to compel Roume “on pain of pillage and fire” to grant the authorization. “They demanded of him [Roume] with the tone of revolt distribution of lands, complete liberty to work how and where they wish and for their benefit, [and] finally an order for the taking of possession of the Spanish part.”⁷⁹ They were only successful in winning the last of these demands. In another report, Chanlatte asserted that Toussaint had “promised” these eight thousand or so followers the “Spanish part,” and when these individuals had cornered Roume, they demanded that he “grant the cultivators ownership over half of the land” and the ability to “enjoy completely the benefit of liberty...to work for their profit instead of working for that of the landowners.”⁸⁰ Their aspirations would meet with bitter disappointment following Toussaint’s capture of Santo Domingo city and subsequent implementation of pro-planter land-use laws and highly restrictive labor policies.

Driven at least in part by these hopes for a more genuine liberty, these several thousand individuals forced Roume to issue a 27 April 1800 *arrêté* that authorized the

⁷⁹ Antoine Chanlatte, “Historical Summary of the Deeds that Preceded the Invasion of the Territory of the Former Spanish Part of Saint-Domingue by Toussaint Louverture,” 8 Prairial an 9 (28 May 1801), CARAN Colonies CC/9b/18. In the original text: “*Un attroupement d’environ 7 à 8000 noirs formé par ses ordres se réunit à une demie lieue du Cap d’où il somma la ville de leur envoyer, sous peine de pillage et d’incendie, le citoyen Roume et l’administration municipale qui s’y rendirent pour soustraire la ville à cette nouvelle calamité. Aussitôt qu’il fut au milieu de cette horde sanguinaire, il fut assailli d’injures de menaces et même de corps. On lui demanda avec le ton de la révolte le partage de terres, la liberté indéfinie de travailler comme et où l’on voudrait et à leur profit, enfin un arrêté pour la prise de possession de la partie Espagnole.*”

⁸⁰ Chanlatte to the French government, 9 June 1800, CARAN Colonies CC/9b/2. In the original text: “*...les Noirs auxquels on promet la partie Espagnole, pourvu qu’ils parviennent à obtenir du citoyen Roume, qu’il en ordonna la prise de possession...On dit au Citoyen Roume...qu’il fallait qu’il donnât aux cultivateurs la propriété de la moitié des terres; qu’il fallait aussi pour jouir pleinement du bienfait de la liberté que ces mêmes cultivateurs eussent la faculté de travailler à leur profit au lieu de travailler à celui des propriétaires.*”

taking of possession of Santo Domingo by Toussaint.⁸¹ “I will never sign the death order of these peaceful inhabitants of the Spanish part,” Roume had supposedly declared. “Since I face the alternatives of being sacrificed or of requesting this taking of possession [of Santo Domingo], my choice is made, France will avenge me...!”⁸² Though Roume issued a second *arrêté* on 16 June 1800 that annulled the previous one, Toussaint appears to have taken little notice of this. In a letter to García dated 20 December 1800, Toussaint invoked Roume’s 27 April 1800 order—along with the abuses that his envoy General Pierre Agé had allegedly suffered at the hands of Spanish authorities—as justifications for his impending intervention in Santo Domingo city.⁸³ Frustrated by Roume’s continued obstinacy, Toussaint detained his adversary in an undignified residence in Dondon (northern Saint-Domingue) in November 1800 and then deported him to Philadelphia nine months later.⁸⁴

In his efforts to take Santo Domingo, Toussaint also faced opposition from other quarters. Neither the Spanish authorities in Santo Domingo city nor many Dominicans had ever accepted the legitimacy of French Republican rule, and the prospect of an invasion by Toussaint appears to have exacerbated these sentiments. In 1800 and 1801, elite Dominicans addressed several petitions to Spanish officials requesting that the colony’s transfer to France be deferred until a more propitious moment. On 22 July 1800, a group of Dominicans composed a petition to García in which they denounced the French regime as “only a friend and protector of the slaves” and asserted that Republican

⁸¹ Secretary-General of the Agency of the French Government in Saint-Domingue to Minister of the Navy and Colonies, 15 Thermidor an 9 (3 August 1801), CARAN Colonies CC/9b/2.

⁸² Chanlatte to the French government, 9 June 1800, CARAN Colonies CC/9b/2. In the original text: “*Je ne signerai point l’arrêt de mort de ces paisibles habitants de la partie Espagnole et puisque je suis dans l’alternative d’être sacrifié ou de demander cette prise de possession, mon choix est fait, la France me vengera...!*”

⁸³ Pluchon, *Toussaint Louverture: Un révolutionnaire noir d’ancien régime*, 291.

officials had armed onetime bondsmen and formed gendarmerie units from them.⁸⁵

Furthermore, on 2 December 1800, the Spanish Ambassador informed the French Foreign Minister that several prominent citizens of Santo Domingo city had addressed a petition to the Spanish king requesting deferral of the transfer of power until a “more favorable” moment arrived. For these petitioners, several factors made such a delay necessary: the “disorder and anarchy that reign in the part of the island under France;” Toussaint’s “quite openly declared intentions” to sever ties with France; his purported practice of pressing “whites” into forced labor; and his pillaging of many Dominicans’ houses and other properties.⁸⁶

Despite the stark racial overtones of these petitions, Santo Domingo had a complex history of relative social mobility for those of African descent. A combination of legal, social, and economic dynamics had left a “powerful heritage of contradictions” in colonial Santo Domingo, which according to Richard Turits “combined racial hierarchy

⁸⁴ Girard, “Black Talleyrand,” 112.

⁸⁵ Petition to Joaquín García, 22 July 1800, in *Cesión de Santo Domingo a Francia (correspondencia de Godoy, García, Roume, Hedouville, Louverture, Rigaud y otros, 1795-1802)*, ed. Emilio Rodríguez Demorizi (Ciudad Trujillo [Santo Domingo]: Impresora Dominicana, 1958), 552-553. In the original text: “No es menos, señor, la opresion en que nos hallamos con el Comandante que tenemos y las fatigas que nos hace sufrir; lo primero es un general maltratamiento a todo vecino, siendo solo amigo y valedor de los esclavos; de ellos no más se fia; de ellos es la dicha [g]armanderia, asi las guardias de la frontera.”

⁸⁶ Spanish Ambassador to French Minister of Foreign Relations, 11 Frimaire an 9 (2 December 1800), CARAN Colonies CC/9b/2. In the original text: “La ville de St Domingue, capitale de l’isle de ce nom, vient d’adresser une requête au Roi, où elle demande que S.M. ordonne de différer et de remettre à une époque plus favorable la tradition de la partie Espagnole de cette isle à la France. Voici les raisons sur lesquelles la demande est motivée. Le désordre et l’anarchie qui règnent dans la partie de l’isle soumise à la France, la férocité de Toussaint Louverture, les cruautés qu’il exerce envers les blancs, ses intentions assez ouvertement prononcées de se rendre indépendant, ses menaces continuelles de venger l’esclavage qui a pesé jusqu’ici sur les nègres, les pénibles travaux dont il accable tous les blancs, sans distinction de sexe, l’avidité avec laquelle il pille leurs maisons et toutes leurs propriétés...” According to Chanlatte, members of assorted Dominican “secular and regular cabildos” (town councils) and other prominent residents of the colony sent petitions to colonial authorities demanding the “suspension” of Santo Domingo’s cession to France until new orders from France and Spain had sorted out the confused political situation there. Chanlatte, “Historical Summary,” 28 May 1801, CARAN Colonies CC/9b/18. In the original text: “Dans cette crise terrible les Cabildos séculier et régulier et tous les habitants présentèrent des pétitions très humbles, mais très fortes, dans lesquelles on demandait la suspension de cette prise de

and a significant degree of racial integration, racist laws with relatively fluid practices, as well as racial slavery...with a deracialization of certain forms of liberty.”⁸⁷ Over the course of several centuries, a complicated racial order had emerged in Santo Domingo wherein the absence of a strong white elite and the development of a comparatively autonomous free black peasantry facilitated relative mobility for persons of African descent. These developments did not eliminate racism but rather led to a situation in which according to Silvio Torres-Saillant the “social distance between blacks and whites shrunk significantly” as substantial numbers of people of African descent became “decolorized in the eyes of the ruling class.”⁸⁸

This disjuncture between racist law and somewhat more egalitarian reality in Santo Domingo had not been lost on Moreau de St Méry, who had misinterpreted relative social mobility as evidence of a virtually color-blind society except in law. While conceding that a wide variety of laws had been on the books in Spanish Santo Domingo that had barred “freed people” from most important positions and stipulated other indignities such as a ban on freed women wearing precious metals, Moreau had insisted that these laws were “in absolute disuse.” “Color prejudice,” Moreau had argued, “so powerful in other nations, where it establishes a barrier between the white and the freed person or his descendants, is almost nonexistent in the Spanish part.”⁸⁹ Furthermore, in

possession jusqu’à ce que la France et l’Espagne eussent donné de nouveaux ordres qu’on demanderait sur le champ par les députés qu’on allait envoyer.”

⁸⁷ Richard Turits, “Par-delà les plantations: Question raciale et identités collectives à Santo Domingo,” *Genèses* 66 (March 2007), 54.

⁸⁸ Silvio Torres-Saillant, “The Tribulations of Blackness: Stages in Dominican Racial Identity,” *Latin American Perspectives* 25, no. 3 (May 1998), 134-135. For an important work on the historical evolution of Dominican ideas and identities concerning race in the United States as well as the Dominican Republic, see Ginetta E.B. Candelario, *Black Behind the Ears: Dominican Racial Identity from Museums to Beauty Shops* (Durham: Duke University Press, 2007).

⁸⁹ Moreau de St Méry, *Description topographique et politique de la partie espagnole*, 1:58-59. In the original text: “Le préjugé de la couleur, si puissant chez les autres nations, où il établit une barrière entre

1797, Charles Vincent, the veteran Fortifications Director for French Saint-Domingue and close friend of Toussaint, had composed a detailed report entitled “Reflections on Political Economy concerning the three Spanish jurisdictions of Montechristi, Santiago and Puerto Plata” in which he had also marveled at the perceived degree of racial integration within the Dominican elite. In his visit to the northern Dominican city of Santiago, Vincent had observed that many of its most prominent citizens had “a little of that which one calls mixed blood.” “Considerably wiser than us, the Spanish never hesitate to admit in all employment, good and talented men who are not of rigorously white origin; they even accord the distinction of Don to men of a very pronounced color provided that they possess good manners and wealth.” Vincent cited in particular the examples of Manuel Constanza, the “Black Captain of the Company of Blacks of Santiago;” Diego Silverio, a marine entrepreneur; and Carlos de Rosas, who may have been a signatory to Toussaint Louverture’s 1801 constitution.⁹⁰

Both the image of Santo Domingo as a bastion of racial equality and that of a racist Spanish elite appear in numerous tracts and correspondences by French Republican officials and others. Both of these tropes, which emerged in part from Santo Domingo’s

le blanc et l’affranchi ou sa descendance, n’existe presque pas dans la partie espagnole. Aussi les loix des Indes espagnoles sur les affranchis, y sont-elles absolument en désuétude.”

⁹⁰ Vincent, “Reflections on Political Economy concerning the three Spanish Jurisdictions of Montecrist, San-Yago and Porto de Plata, relative to their reunion with the [French] Republic,” 1797, ANOM *Direction de Fortification des Colonies* (hereinafter DFC) 5, no. 913. A copy of this document is preserved in RPUF, no. 2269. I discuss the signatories to Toussaint’s constitution in chapter 4; one of them was named “Carlos de Roxas” or “Rojas.” In the original text: “*Je ne saurais point assurer, si parmi les hommes marquans que je viens de designer, il en existe, ainsi que je l’ai beaucoup désiré, quelques uns de Couleur, je le crois beaucoup, et l’on ne peut même se défendre de penser en voyant les gens de bien que l’on visite à St Yago, que la plupart ont un peu de ce que l’on appelle sang-mêlé; mais bien plus sages que nous, les Espagnols n’hésitent point d’admettre dans tous les emplois, les hommes de bien et à talent qui n’ont pas une origine rigoureusement blanche; ils ont même l’attention d’accorder la distinction de Don à des hommes d’une couleur très prononcée pourvu qu’ils ayent une bonne conduite et de la fortune...l’on m’a néanmoins cité avec le plus grand éloge le Capitaine Noir de la Compagnie des Noirs de Sant-Yago, Manuel Constanza. J’ai désiré le voir et le connaître; il doit être un homme bien étonnant pour s’être autant élevé au dessus des préjugés de ses concitoyens oppresseurs de sa caste.*” Emphasis in original.

“powerful heritage of contradictions,” influenced the racial thinking of many French citizens on both sides of the Atlantic. This in turn helped to shape the policies that French leaders implemented in Hispaniola, which often undermined the ideal of racial egalitarianism.

Successive struggles for racial equality among the free population had led to the 4 April 1792 law abolishing institutionalized racism in Saint-Domingue, a principle which then became inscribed in the “integral part” doctrine of the 1795 French constitution. Vestiges of the old racist order nonetheless persisted in the revolutionary era. This reflected in part the fact that some opponents of slavery did not advocate racial equality, which to some extent decoupled the two great legislative achievements in the French empire that events in Saint-Domingue had enabled. For instance, in a 15 June 1800 report to the Minister of the Navy, a former civil administrator and deportee from La Réunion named Monnier praised the 1794 emancipation edict as “one of the greatest blessings of humanity,” yet insisted that only whites should rule Saint-Domingue because they had more of a stake in the colony’s governance and economic productivity.⁹¹ Such logic helped to enable the enactment of laws that undermined racial equality on both sides of the Atlantic. In 1798, metropolitan legislators passed two such laws: one that effectively eliminated the voting rights of most *cultivateurs* and tied them to their plantations on pain of losing the limited citizenship rights that they had previously possessed; and another that stipulated the creation of racially-segregated military units in France.⁹²

⁹¹ “Means without which it is impossible to conserve the French Colonies with the System of general Liberty, decreed on 16 Pluviôse, an 2e of the [French] Republic [4 February 1794],” Monnier to Minister of the Navy and Colonies, 26 Prairial an 8 (15 June 1800), CARAN Colonies CC/9a/14. In the original text: “*La loi du 16 Pluviose, an Deuxième de la République française, est un des plus grands bienfaits de l’humanité!*”

⁹² Dubois, *A Colony of Citizens*, 300-304.

French authorities in Hispaniola also tried to re-inscribe race into colonial military policies, which appears to have been at least partly motivated by attempts to assuage Spanish officials in the island's eastern part. In his efforts to undermine Toussaint's power, his rival General Hédouville had shortly after arriving in Saint-Domingue in 1798 substituted white soldiers for their black counterparts in certain important parts of the colony.⁹³ Moreover, on 12 August 1796, no less a champion of racial equality than Julien Raimond had informed Roume that although his Civil Commission had initially possessed the "determination" to refrain from sending any commander who was "black or of color" to the colony of Santo Domingo, circumstances might force Raimond and his colleagues to send such a commander. Raimond argued that this "determination was dictated to us out of consideration for and deference to the Spanish."⁹⁴ In an 18 August 1796 letter to his fellow Civil Commissioners, Roume had likewise contended that while circumstances had obliged this commission to deploy a multiracial force of troops to the "frontier Posts" bordering Santo Domingo, this body would not dare to send an exclusively black force led by a black leader.⁹⁵ Such concerns led Fortifications Director Vincent to declare in 1797 that:

⁹³ Dubois, *A Colony of Citizens*, 304. In a 31 March 1798 report to the metropolitan government on his arrival in Saint-Domingue, General Hédouville had stated that in the name of ensuring "tranquility," it was necessary to use only "European troops" to take Santo Domingo. Hédouville to Paris, 11 Germinal an 6 (31 March 1798), ANOM CMSM F3 201. In the original text: "...il importe Essentiellement à la tranquillité du Pays de n'en prendre possession qu'avec des troupes Européennes."

⁹⁴ Julien Raimond to Roume, 25 Thermidor an 4 (12 August 1796), CARAN Colonies CC/9a/12. In the original text: "*Il est pénible aussi que nous soyons forcés de changer la détermination que nous avons prise d'abord, de n'envoyer dans la partie Espagnole aucun commandant noir ou de couleur. Si cette première détermination nous fut dictée par égard et par déférence pour les espagnols...*"

⁹⁵ Roume to "his colleagues on the Commission delegated by the French Government in the [Caribbean] Islands," 1 Fructidor an 4 (18 August 1796), CARAN Colonies CC/9a/11. In the original text: "...je vous [illegible] de n'envoyer pour prendre possession de S[anto] Domingo et des villes intérieures que des Blancs seuls, en vous laissant en même temps remarquer mon regret, que vous puissiez vous trouver dans la nécessité d'envoyer d'autres parmi ceux qui iraient aux Places frontières; Mais que j'étais loin de supposer alors que vous serez dans la nécessité de n'envoyer que des Nègres, commandés par un Nègre!"

A great difficulty that will result from the Entrance of the [French] Republicans in the Spanish part [of the island], will come thus, without a doubt, from the changes that should be necessarily introduced by the Regime of Blacks...one should say frankly that the only way to reassure the inhabitants [of Santo Domingo] on this point, would be to prohibit at the moment of the taking of possession, if such a thing is possible, and only provisionally, all French Blacks from traversing the Spanish part, as all Spanish Blacks are from coming here.⁹⁶

This statement's hesitant and ambivalent tone holds as much importance as its actual words. In positing a distinction between "French" and "Spanish" "blacks," and in defending strict (albeit purportedly temporary) territorial limitations on their movement, Vincent mapped race onto the island's contested political geography. The Napoleonic regimes that succeeded Toussaint in Santo Domingo would place such constructions at the center of their brutal campaigns of re-enslavement.

In formulating his strategy to take Santo Domingo city, Toussaint himself may have responded to such anxieties. Shortly after forcing Roume to issue his *arrêté* granting him authorization to take control of this city, Toussaint sent the French General Pierre Agé on a diplomatic mission to meet with Governor García, with whom he was to arrange for the long-delayed transfer of authority in Santo Domingo to the French Republic, represented by Toussaint. In a letter to Chanlatte dated 27 April 1800, Toussaint elaborated that Agé would be aided by a contingent of "white troops" and the "French inhabitants" of Santo Domingo city.⁹⁷ According to a 28 May 1800 letter from

⁹⁶ Vincent, "Reflections on Political Economy concerning the three Spanish Jurisdictions," ANOM DFC 5, no. 913. In the original text: "*Une grande difficulté que prouvera l'Entrée des Républicains dans la partie Espagnole, proviendra donc, n'en doutons pas, des changements que doit nécessairement introduire dans le Régime des Noirs, notre système Colonial, et l'on doit dire franchement que le seul moyen de rassurer les habitants sur ce point, serait de défendre au moment de la prise de possession, si la chose est possible, et seulement provisoirement, à tout Noir français de passer dans la partie Espagnole, comme à tout Noir Espagnol de venir ici...*"

⁹⁷ Toussaint to Chanlatte, 7 Floréal an 8 (27 April 1800), CARAN Colonies CC/9b/18. In the original text: "...vous attendre La troupe blanche que [illegible] vous destine le général de brigade Agé, prendrait possession de la ville de Santo-Domingo avec les habitants français qui y résident et que vous lui feriez

Edward Stevens, the chief US consul in Saint-Domingue, to US Secretary of State Timothy Pickering, Toussaint had sent an armed schooner from Le Cap with “70 white soldiers” under the white General Agé to Santo Domingo (which was later captured near Puerto Plata by a British ship) in response to the “Spaniards” fears of “the Domination of the Blacks.”⁹⁸

Following García’s rejection of Toussaint’s demands, the black leader began to assemble a large military force that would succeed where Agé’s diplomacy had failed. This brought Toussaint into direct conflict with the metropolitan government to which he continued to pledge allegiance. In the year following his November 1799 coup, Napoleon tried to maintain the status quo in Santo Domingo in part due to distractions in numerous other theaters of war and in part because of his intention to limit Toussaint’s power. In a 19 October 1800 report to Napoleon, the French Foreign Minister outlined the military, strategic and racial concerns that had resulted in the “taking of semi-possession” in Santo Domingo instead of the total fulfillment of the terms of the Treaty of Basel. In this official’s estimation, few French soldiers in either Europe or the Caribbean were available due to the “war on the [European] continent, the losses of our navy, and the troubles in the western part of St Domingue.” The Republic also hesitated to establish a substantial military presence in Santo Domingo because “the inhabitants of the ceded territory would have viewed with dread the reunion [of the two parts of the island] by troops of color, and it was not possible then to send white troops there.” The Foreign Minister advised Napoleon to “leave to the Spanish the task of defending this territory” in order to circumvent Roume’s 27 April 1800 *arrêté* by which “the General Toussaint-

connaître; et [illegible] les autres places.” A copy of this letter exists in CARAN Colonies CC/9a/26. See also Bell, *Toussaint Louverture*, 182.

L'ouverture would be required to take possession of it [Santo Domingo] with a certain number of white troops.”⁹⁹ Accordingly, on 20 November 1800 the Minister of the Navy instructed Toussaint to “not undertake anything” in the “former Spanish part” of the island.¹⁰⁰

Toussaint took little heed of these orders, entering the city of Santo Domingo on 26 January 1801 at the head of some ten thousand troops.¹⁰¹ His forces quickly overran the approximately fifteen hundred men that the Spanish in Santo Domingo had deployed against him.¹⁰² Toussaint divided his forces into one division under Moïse which invaded the northern part of the colony of Santo Domingo and another sent to the southern part of the colony led by the Dominguan general's brother Paul Louverture. Toussaint maintained the political division of Santo Domingo into the *départements* of Samaná and Inganno, appointing a general named Clairvaux to administer Samaná and Paul

⁹⁸ Stevens to Pickering, 28 May 1800, CARAN 208 Mi 1.

⁹⁹ French Minister of Foreign Relations to Napoleon, 27 Vendémiaire an 9 (19 October 1800), CARAN Colonies CC/9b/2. In the original text: “...la guerre du continent, les pertes de notre marine, et les troubles de la partie occidentale de St Domingue ont constamment rendu impraticables l'un et l'autre moyen... Cette prise de demi-possession était en effet l'unique mesure qui fut prudente, et qui put l'exécuter: Les habitants du territoire cédé auraient vu avec effroi opérer la réunion par des troupes de couleur, et il n'était pas possible alors d'y envoyer des troupes blanches.... Quant à son régime militaire, nous y demeurâmes étrangers; nous nous reposons sur les Espagnols du soin de défendre ce territoire, lorsque, le 7 floréal an 8 l'agent du Gouvernement arrêta que le Général Toussaint-Louverture serait requis d'en faire prendre possession par un certain nombre de troupes blanches.”

¹⁰⁰ Report of Minister of the Navy and Colonies, 30 January 1823, CARAN Colonies CC/9a/54. In the original text: “Enfin, dès le 20 Novembre 1800, Le Ministre de la Marine avait écrit à Toussaint l'Ouverture: « n'entreprenez rien ni l'un ni l'autre (lui et l'agent du Gouvernement Roume) sur la partie ci-devant Espagnole; des raisons de Politique et de Convenance vous le commandent ».”

¹⁰¹ Pamphile de Lacroix, *La Révolution d'Haïti* (Paris: 1819; reprint, Paris: Karthala, 1995), 253. Scholars have offered a variety of estimates of the total number of troops that Toussaint commanded around this time. Emilio Cordero Michel for instance claimed that Toussaint led twenty thousand men into Santo Domingo in 1801. Cordero Michel, “Toussaint en Saint-Domingue espagnol,” 252. According to Victor Schoelcher, Toussaint commanded fifteen thousand men at the time of his defeat of Rigaud in mid-1800. Victor Schoelcher, *Vie de Toussaint Louverture* (Paris: Karthala, 1982 [1889]), 293. Pierre Pluchon moreover asserted that twenty-five thousand men served under Toussaint around late 1801. Pierre Pluchon, “Toussaint Louverture défie Bonaparte: l'adresse inédite du 20 décembre 1801,” in *Toussaint Louverture et l'indépendance d'Haïti*, ed. Jacques de Cauna (Paris: Karthala, 2004), 175. According to Dubois, Toussaint had twenty-three to thirty thousand men as of early 1802. Dubois, *Avengers of the New World*, 262.

¹⁰² Bell, *Toussaint Louverture*, 190.

Louverture to oversee Inganno.¹⁰³ On 5 February 1801, Toussaint declared that elections on the island would be organized around municipal administrations that would send deputies to departmental assemblies, which would in turn elect representatives to a Central Assembly that would sit in Port-Républicain (formerly Port-au-Prince) and that would answer to Paris.¹⁰⁴

“The invasion of the Spanish part [by Toussaint] has completely changed the political situation of France in St. Domingue,” General Kerverseau wrote to the Minister of the Navy in September 1801. In capturing Santo Domingo city, Toussaint had according to Kerverseau closed off the last port on the island through which French administrators or military units could enter; deposed an “allied Government” that had maintained a measure of “good order” and “internal and external security;” undermined the quiescence of a formerly “peaceful population [that was] accustomed to subordination to order and obedience;” and taken over a “vast country” that had once served as an “avenue” through which metropolitan French forces could enter all the *départements* in Saint-Domingue.¹⁰⁵ Toussaint’s invasion of Santo Domingo city indeed redefined the island’s political trajectory. In putting García and his ruling cadre on boats to Venezuela and Europe, Toussaint definitively severed Santo Domingo from the Spanish orbit, which

¹⁰³ Pluchon, *Toussaint Louverture: Un révolutionnaire noir d’ancien régime*, 293.

¹⁰⁴ “Proclamation” of Toussaint to the “municipal administrations of the colony [Santo Domingo] and to his co-citizens,” 16 Pluviôse an 9 (5 February 1801), CARAN Colonies CC/9b/9.

¹⁰⁵ “Summary of the Reports on the French Part and the Spanish Part of St-Domingue,” submitted by Kerverseau to Minister of the Navy and Colonies, 21 or 25 Fructidor an 9 (8 September or 12 September 1801), CARAN Colonies CC/9b/23. In the original text: “*On voudrait en vain se le dissimuler; l’invasion de la partie Espagnole a changé absolument la situation politique de la France à St Domingue...Elle y avait un Gouvernement allié qui maintenait le bon ordre par ses forces, le commerce par l’or qu’il y [illegible], la sûreté intérieure et extérieure par les troupes qu’il y [illegible]; Toussaint l’en a chassé; Elle y avait une population paisible accoutumée à la subordination à l’ordre et à l’obéissance...Elle avait un vaste pays qui lui offrait des places d’armes pour ses armées, des débouchés pour faire pénétrer ses colonnes par le sud, par le Nord, par l’ouest dans sa partie rebelle; Toussaint s’en est rendu maître.*”

helped to pave the way for the short-lived Dominican independence movements twenty years later.¹⁰⁶

Toussaint's intervention in Santo Domingo city also helped to precipitate a crisis of empire in the French world. "[T]his taking of possession [of Santo Domingo] was but the final act of the tragedy that unfolded in the Colony to lead to independence," wrote Chanlatte in 1801.¹⁰⁷ This invasion may indeed have constituted a tipping point in Napoleon's disastrous decision to deploy an expedition of re-conquest whose failure would lead to the creation of independent Haiti. Toussaint's conquest of Santo Domingo city thus at once contributed to the emergence of the first independent emancipationist nation in the hemisphere and set an important precedent for the Spanish-American independence wars later in the century. Santo Domingo was at the intersection of French and Spanish imperial crises that reshaped the geopolitics of the Caribbean and the Americas more generally in the first third of the nineteenth century.

Conclusions

"The question is not to know if it is good to abolish slavery, but if it is good to abolish liberty in the free part of Saint-Domingue. I am convinced that the island would belong to the English, if the blacks were not attached to us by the interest of their

¹⁰⁶ In 1821, two Dominican movements arose whose leaders advocated separation from Spain. One group comprised largely of non-whites proposed unification with Haiti, which they hoped would lead to the abolition of slavery and greater social equality. Another more conservative faction perceived the Spanish colonial state to be incapable of maintaining order or creating a prosperous economy, which led them to support a break with Spain but to oppose unification with Haiti. Divisions between these two groups helped to enable the Haitian regime of Jean-Pierre Boyer to annex Santo Domingo in 1822. Richard Turits, *Foundations of Despotism: Peasants, the Trujillo Regime, and Modernity in Dominican History* (Stanford: Stanford University Press, 2003), 44.

¹⁰⁷ Chanlatte, "Historical Summary," 28 May 1801, CARAN Colonies CC/9b/18. In the original text: "...cette prise de possession n'était que le dernier acte de la tragédie qui se jouait dans la Colonie pour amener à l'indépendance."

freedom.” In a riposte to the pro-slavery arguments of the former Saint-Domingue intendant François Barbé-Marbois, Napoleon in a speech before the *Conseil d’État* (Council of State) on 16 August 1800 had advocated a plan that would retain slavery in territories such as Martinique (where a British occupation had kept the institution intact after 1794) while preserving a formal commitment to emancipation in places such as Saint-Domingue and Guadeloupe where pro-emancipation regimes had come to power. “My policy is to govern men as most want to be governed,” Napoleon continued. “I believe that this is the manner of recognizing the sovereignty of the people...thus, I will speak of liberty in the free part of Saint-Domingue; I will confirm slavery in Ile-de-France [an Indian Ocean territory where planters had retained slavery in violation of the 1794 emancipation law], [and] even in the enslaved part of Saint-Domingue [Santo Domingo]; allowing myself to soften and limit slavery, where I will maintain it; [and] reestablish order and introduce discipline, where I will maintain liberty.”¹⁰⁸

Napoleon had to manage an array of competing priorities and interests in fashioning colonial policy. On the one hand, an influential planter lobby that interpreted Saint-Domingue’s economic devastation and Toussaint’s increasingly autonomist bent as evidence of the failure of emancipation sought to appeal to Napoleon’s wishes to harness the full productive potential of his overseas holdings and to reassert metropolitan control over these territories. Nevertheless, Napoleon was also keenly aware that abolishing

¹⁰⁸ As quoted in P.-L. Roederer, *Journal du Comte P.-L. Roederer* (Paris: H. Daragon, 1909), 15-16. In the original text: “*La question n’est pas de savoir s’il est bon d’abolir l’esclavage, mais s’il est bon d’abolir la liberté dans la partie libre de Saint-Domingue. Je suis convaincu que cette île serait aux Anglais, si les nègres ne nous étaient attachés par l’intérêt de leur liberté...Ma politique est de gouverner les hommes comme le grand nombre veut l’être. C’est là, je crois, la manière de reconnaître la souveraineté du peuple...Ainsi, je parlerai de liberté dans la partie libre de Saint-Domingue; je confirmerai l’esclavage à l’Ile de France, même dans la partie esclave de Saint-Domingue; me réservant d’adoucir et de limiter l’esclavage, là où je le maintiendrai; de rétablir l’ordre et d’introduire la discipline, là où je maintiendrai la liberté.*”

slavery had enabled the French Republic to remain a viable power in the Caribbean. After protracted vacillation, Napoleon (who had by then assumed the title of First Consul of the Republic) ended up crafting a delicate compromise that in some ways anticipated the disastrous “free state”/“slave state” situation that led to the sectional crisis in the antebellum United States. Years later, he would come to bitterly regret abandoning this proposal in favor of the attempted restoration of slavery in some of the formerly “free” territories.

Napoleon’s rivalry with Toussaint proved crucial in the former’s eventual decision to change course. The First Consul’s efforts to maintain the status quo in the “enslaved part” of the island indeed owed largely to his determination to prevent Toussaint from unifying the island under his regime. In secret instructions to the Rear Admiral Combis, his main envoy to Santo Domingo, dated 14 January 1801, Napoleon had outlined a vision for that colony’s governance that built upon his peculiar concept of “recognizing the sovereignty of the people.” While instructing Combis to “remind the inhabitants of the Spanish part, as well as the current administrators...that this country [Santo Domingo] is henceforth French,” Napoleon declared that “the intention of the Government [is] to never reunite the two parts [of the island] under one single government.” Paris “will govern the French part with and by the blacks, [and] it will govern the Spanish part according to the norms of the country,” Napoleon elaborated. The First Consul distilled these principles into two concrete objectives that he ordered Combis to pursue: to “oppose, by all means, the encroachment of an army of blacks within the boundaries of the Spanish part;” and to “reassure all the white landowners [in Santo Domingo] on the views of the French Government, which, aware of the

catastrophes in the French part, will not grant unlimited freedom to men even less likely to make good use of it.”¹⁰⁹

This freedom would become a pivotal issue in Toussaint’s yearlong occupation of Santo Domingo that commenced twelve days after Napoleon issued these instructions. The liminal status that formally freed people occupied in Santo Domingo under Toussaint underscores the complexity of the French and Haitian Revolutions. While it may be tempting to follow Bonaparte and label Santo Domingo the “enslaved part” of the island in this period and Saint-Domingue the “free part,” the primary source record argues for a more nuanced interpretation. Toussaint’s occupation would further bring together the interconnected struggles for freedom of onetime slaves in both parts of the island. Following Toussaint’s invasion of Santo Domingo city, these individuals and the island’s other inhabitants would be drawn into a vortex of warfare that would culminate in the establishment of the first independent nation in the Caribbean.

In her efforts to understand the failings of the nationalist movement in the Cuban wars of independence, Ada Ferrer concluded that “the seeds of the [nineteenth-century Cuban nationalist] revolution’s undoing were present in the revolution itself.”¹¹⁰ This

¹⁰⁹ “Secret Instructions for General Combis,” 24 Nivôse an 9 (14 January 1801), in *Correspondance de Napoléon Ier, publiée par ordre de l’Empereur Napoléon III* (Paris: Henri Plon and J. Dumaine, 1861), 6:573 (document no. 5293). In the original text: “*Le principal but de la mission du citoyen Combis à Saint-Domingue est: 1. De faire souvenir, par sa présence, aux habitants de la partie espagnole, ainsi qu’aux administrateurs actuels, que ce pays est désormais français; 2. De rassurer tous les propriétaires blancs sur les vues du Gouvernement français, qui, instruit par les malheurs de la partie française, ne donnera pas une liberté illimitée à des hommes encore peu susceptibles d’en faire un bon usage. 3. Il doit continuer à maintenir, même augmenter, par tous les moyens possibles, le sentiment de localité et même de répugnance qu’auraient les habitants de la partie espagnole de se réunir à la partie française, l’intention du Gouvernement étant de ne jamais réunir les deux parties sous un même et seul gouvernement. 4. Il doit faire connaître aux principaux du pays que le principe du Gouvernement français est de gouverner les peuples par leurs habitudes et leurs usages. Ainsi, comme il gouvernera la partie française avec et par les nègres, il gouvernera la partie espagnole avec les habitudes du pays. 5. Il est entièrement indépendant de Toussaint Louverture et de toute l’administration de la partie française; il doit s’opposer, par tous les moyens, à ce qu’une armée de nègres empiète sur les limites de la partie espagnole.*”

¹¹⁰ Ferrer, *Insurgent Cuba*, 197.

powerful argument also applies to the case of French Republican emancipation in the Caribbean in the 1790s. As with the Cuban independence wars of nearly a century later, French revolutionary emancipation catalyzed far-reaching historical transformations and provided foundations for claims-making on the part of those who had long been deprived of most rights, yet the scope of citizenship and freedom for freed people became circumscribed by a confluence of powerful external forces, racism, leaders' limited visions, and perceived economic imperatives.

In 1801, Toussaint would attempt to transform Santo Domingo into a prosperous colony that would buttress his power on the island by serving as a sort of economic and strategic insurance policy against a French metropolitan invasion. He justified these actions as integral to maintaining his position as the self-declared foremost defender of freed people's rights on the island. While proclaiming all Dominicans to be free French citizens, Toussaint nonetheless could not escape from the intellectual straitjacket of the ideal of a plantation economy based on a tightly-controlled labor force. The following chapter will illustrate how his transformative reign paradoxically became a captive of the models of the past.

Chapter Four

Toussaint Louverture in Santo Domingo, 1801-1802

“In defeating me, they have only cut down the trunk of the tree of liberty in Saint-Domingue, but it will grow back as the roots are deep and numerous.”¹

-Attributed to Toussaint
Louverture

This famous pronouncement on the resilience and ultimate triumph of liberty over repression, said to have been uttered by the Haitian Revolution’s central figure upon his capture and exile to France in 1802, can be conceptualized as encapsulating in twenty-six French words the essence of the struggle for freedom that defined that revolution and its largely unfulfilled promise over the following two centuries. Indeed, the invocation of the potent French Revolutionary symbol of the liberty tree and the assertion that its “roots” were in Saint-Domingue rather than France reinforces much recent scholarship that has placed events in Saint-Domingue—and the former slaves such as Toussaint Louverture who carried them out—at the center of the emergence of now-hegemonic concepts of democracy and equal rights in this period.² At the same time, the powerful imagery of thwarted quests for freedom followed by the hope for renewal represented by liberty’s

¹ Quoted from display in Musée d’Aquitaine, Bordeaux, France, observed on 15 May 2009. The original quote reads: “*En me renversant, on n’a abattu à Saint-Domingue que le tronc de l’arbre de la liberté, mais il repoussera car ses racines sont profondes et nombreuses.*”

² The best-known of such works are Laurent Dubois’s books *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, MA: Belknap Press, 2004) and *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004). For a strong critique of this perspective, see David Geggus, “The Caribbean in the Age of Revolution,” in *The Age of Revolutions in Global Context, c. 1760-1840*, ed. David Armitage and Sanjay Subrahmanyam (New York: Palgrave Macmillan, 2010), 83-100.

enduring roots strikes a chord with the disappointments and crises that have marked the post-independence history of the nation of which Toussaint was in many ways the founder, while still resonating with the persistent hope that a better future might yet lie ahead.

Toussaint Louverture's commitment to liberty remains at the heart of a longstanding debate within scholarly circles and beyond that ultimately centers on the roots and persistence of the profoundly unequal economic, political and social relationships that have emerged over the centuries in the Caribbean and Atlantic World. In his analysis of the "problem of freedom" during the century of Jamaican history bounded by the abolition of slavery (1834-1838) and the major labor revolt of 1938, historian Thomas Holt reminds us that freedom, like all concepts, is and was "a historically particular and socially constructed phenomenon" and that consequently, "the struggle to define the content of freedom was at bottom a contest for social power, a struggle at once intellectual and political, social and economic."³ As a former slave who became the most powerful individual in the Caribbean by the turn of the nineteenth century and who anointed himself the principal defender of universal emancipation, Toussaint has attracted both effusive praise and scathing denunciations. While his supporters have highlighted his unswerving adherence to formal emancipation after 1794, his detractors have pointed to his authoritarian and dictatorial style as well as his Machiavellian dealings with other political leaders in Europe and the Americas.

Conceptualizing Toussaint's reign in both Santo Domingo and Saint-Domingue as such a "contest for social power" can help to reconcile these ostensibly contradictory

³ Thomas Holt, *The Problem of Freedom: Race, Labor and Politics in Jamaica and Britain, 1832-1938* (Baltimore: Johns Hopkins University Press, 1992), xxi-xxii.

aspects of Toussaint's politics. In a recent article casting Toussaint as a "black Talleyrand," Philippe Girard emphasized Toussaint's apparent reluctance to extend his policy of emancipation beyond Saint-Domingue. Citing the examples of his complicity in thwarting a Jamaican slave conspiracy as well as his questionable commitment to emancipation in Santo Domingo, Girard asserted that Toussaint "pursue[d] abolitionism in one country only."⁴ The documentation surviving in French and Spanish repositories, however, suggests a somewhat different interpretation.

Rather than simply pursuing a policy of emancipation in Saint-Domingue and working to undermine liberty in other places, Toussaint decreed essentially the same labor codes in Santo Domingo as he did in Saint-Domingue: a highly coercive set of restrictions that sought to bind laborers (most of whom were ex-slaves) to certain enterprises. In Saint-Domingue this usually translated into the plantation; in Santo Domingo, Toussaint aspired to replicate the few productive plantations in existence in an effort to finally fulfill the colony's economic potential. This chapter argues that Toussaint's policies in Santo Domingo were driven by a narrow, conservative vision of "liberty" and an overriding concern with establishing a profitable plantation economy. All of this worked to undermine emancipation in an impoverished land that would have to wait until 1822 to experience the permanent end of slavery.

Those scholars who have addressed the subject of Toussaint's occupation of Santo Domingo have often focused on the question of whether he abolished slavery there.⁵ The archival evidence suggests that Toussaint's reign in Santo Domingo was an

⁴ Philippe Girard, "Black Talleyrand: Toussaint Louverture's Diplomacy, 1798-1802," *The William and Mary Quarterly* 66, no. 1 (January 2009), 92.

⁵ For example, as we have seen Girard in "Black Talleyrand" (see esp. pp. 110-112) invoked Toussaint's treatment of those held in slavery in Santo Domingo as evidence of his reluctance to support emancipation

extremely complicated episode that called into question the meaning and limitations of “freedom.” The individuals who gave this term the most lived significance in this time and place were the formally freed men and women who often defied these labor restrictions in pursuit of their own ideals of more autonomous small farming.

Diverse groups of people—ranging from Haitian politicians and ordinary citizens to both Haitian and foreign scholars of that nation—have for the past two hundred years intensely dissected, analyzed, interpreted, and “spun” Toussaint Louverture’s place within Haitian history and the precedents that he set as the country’s first real leader, even though he never actually led any formally independent state by that or any other name. Neither scholars nor other parties by contrast have devoted comparable attention to his place in Dominican history, despite his prominent role during this transformational period. Scholars such as Richard Turits have presented as a major theme in Dominican history the state’s vain attempts (until the twentieth century) to impose an export-oriented plantation economy upon a reluctant peasantry. Toussaint was one of numerous Dominican leaders who pursued such a model, while his political vision of a unified Hispaniola envisaged the implementation of a lucrative plantation complex across the entire island.

This political vision emerged against the backdrop of dramatic conceptual and legal shifts in imperial power structures in both the French and Spanish worlds. Indeed, Laurent Dubois has argued that one of Toussaint’s major preoccupations as a leader was

outside of Saint-Domingue. Moreover, Dubois in *Avengers of the New World* (pp. 236-238) asserted that Toussaint “envisioned a process of gradual emancipation as the ideal” for Santo Domingo and that for Santo Domingo’s purported slaves, “[Toussaint’s] occupation of 1801 seems not to have brought immediate liberty.” Writing in the early twentieth century, Adolphe Cabon reached a somewhat similar conclusion. He contended that “liberty was given [by Toussaint] to all of the slaves [in Santo Domingo upon his invasion]; although [the former slaves’] condition was not by that [measure] notably changed, as

the arduous task of “redefining the political terms of empire.”⁶ As a politically-astute master of war and diplomacy, Toussaint moreover understood the imperative of operating within a legal framework, which helps to explain not only his refusal to formally break with France but also his shrewd efforts to cloak his invasion and occupation of Santo Domingo in a veneer of legality. His efforts to impose his own legal order in both of the island’s colonies culminated in his 1801 constitution, which bestowed upon him the title of “Governor-for-Life” over the entire island.

Toussaint pursued three principal objectives in Santo Domingo. First, as a devout Catholic, Toussaint imposed Catholicism as the state religion in Hispaniola, actively repressing manifestations of other faiths, especially those associated with the African roots of the ex-slave population. Second, he promoted an economic model based on large-scale plantation production. Finally, he built this on coercive labor restrictions that envisioned the *cultivateurs* as subordinated units of labor, albeit with certain enumerated rights including a modest share of plantation profits. The conflicts that transpired when the *cultivateurs* resisted these measures reflected a recurring phenomenon in Caribbean history: the antagonism between authorities’ pursuit of plantation profits created by a substantial docile labor force and peasants’ strong preferences for smaller-scale agricultural production that would afford them much more autonomy than working on sizeable plantations.⁷

they continued to depend on their former masters.” Adolphe Cabon, *Histoire d’Haïti: Cours professé au Petit-Séminaire-Collège Saint-Martial* (Port-au-Prince: Édition de la Petite Revue, 192?-1940), 4:152.

⁶ Dubois, *Avengers of the New World*, 173.

⁷ Some of the best-known works that discuss this subject include: Holt, *The Problem of Freedom*; Rebecca Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Princeton: Princeton University Press, 1985); and Rebecca Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery* (Cambridge, MA: Belknap Press/Harvard University Press, 2005). See also Michel-Rolph Trouillot, *Haiti, State against Nation: The Origins and Legacy of Duvalierism* (New York: Monthly Review Press, 1990), esp. chapter 1; and Sidney Mintz, *Three Ancient Colonies: Caribbean Themes and Variations* (Cambridge,

Every modern scholar writing on Toussaint and the revolution with which he has become synonymous stands on the shoulders of the celebrated Trinidadian scholar C.L.R. James, whose *Black Jacobins* portrayed Toussaint as a tragic hero undone by his own inability to effectively respond to the concerns of the masses of ex-slaves whose liberty he claimed to hold so dear.⁸ Some subsequent scholars have by contrast presented accounts of Toussaint that attack his revolutionary and emancipatory credentials; of these authors, perhaps the most strident in his critiques is the conservative historian Pierre Pluchon.⁹ Other scholars have attempted more balanced depictions. Madison Smartt Bell's recent biography of Toussaint for instance highlights both Toussaint's commitments to liberty and legal racial equality and what Bell characterizes as his "absolute treachery, absolute ruthlessness, and absolute hypocrisy."¹⁰ David Geggus has concluded that Toussaint was "an enigma," dedicated to the cause of slave emancipation but also calculating and pragmatic in his political and military dealings.¹¹ Dubois and Carolyn Fick have likewise presented Toussaint in shades of gray as both a product of his age and a man who played an integral role in redefining concepts of liberty and equality with which he is often associated. For Dubois, Toussaint's "ultimate inability to construct a multiracial, egalitarian and democratic society in Saint-Domingue" reflected both his

MA: Harvard University Press, 2010). For a pioneering article on the evolution and development of these labor dynamics, see Sidney Mintz, "Slavery and the Rise of Peasantries," *Historical Reflections/Reflexions Historiques* 6, no. 1 (1979): 213-242.

⁸ C. L. R. James, *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution*, 2nd ed. (1938; reprint, New York: Vintage, 1963).

⁹ See Pluchon's books *Toussaint Louverture: De l'esclavage au pouvoir* (Paris: L'École, 1979); and *Toussaint Louverture: Un révolutionnaire noir d'ancien régime* (Paris: Fayard, 1989).

¹⁰ Madison Smartt Bell, *Toussaint Louverture: A Biography* (New York: Vintage, 2007), 106.

¹¹ David Geggus, *Haitian Revolutionary Studies* (Bloomington: Indiana University Press, 2002), 135.

own shortcomings and the gargantuan challenges and constraints that he confronted as the leader of the first large-scale slave emancipation in the Americas.¹²

In his efforts to resolve his perceived dilemmas concerning labor and agricultural production, Toussaint operated within a geopolitical context dominated by slaveholding empires run by individuals who had no sympathy with a vision of a world without chattel slavery. Nonetheless, Toussaint did have some real choices, and the consequences of his decisions profoundly influenced the subsequent history of the Dominican Republic as well as its neighbor. Though Toussaint's commitment to formal emancipation was revolutionary for its time, his preference for large-scale plantation agriculture implicated him in the perpetuation of repressive labor practices.

In seeking to disentangle the apparent contradictions of Toussaint's character, it may be useful to keep in mind Geggus's observation that the Haitian Revolution's "leaders were antislavery but not liberals."¹³ As a former slave who preached general emancipation, Toussaint decreed a restrictive labor regime for Santo Domingo in order to further two interrelated objectives: the political goal of asserting his authority over the entire island and the economic goal of creating virtually *ex nihilo* a profitable plantation economy in this colony that would generate revenue to support the first aim. Yet his invasion and occupation of Santo Domingo in fact weakened this first goal by helping to precipitate his ouster, while in his pursuit of the second Toussaint would fare little better than two centuries of Dominican leaders who had preceded him.

* * *

¹² Dubois, *Avengers of the New World*, 174. See also Carolyn Fick, *The Making of Haiti: The Saint Domingue Revolution from Below* (Knoxville: University of Tennessee Press, 1990).

¹³ Geggus, "The Caribbean in the Age of Revolution," 99.

“The [French] Republic does not need your goods; it only demands your heart.”

In a 4 January 1801 proclamation to all of the inhabitants of the colony of Santo Domingo, Toussaint defended his impending conquest of Santo Domingo city and promised good governance in an effort to counteract what he knew would be a somewhat skeptical reception of his accession. Declaring that he and his emissary to Santo Domingo, Pierre Agé, had acted in strict conformity with legal protocol in faithfully carrying out the terms of the Treaty of Basel, Toussaint assured his audience that his true intentions in that colony were to “assure your [Dominicans’] happiness, [and] reestablish public tranquility and good order.”¹⁴ In his bid to gain Dominicans’ allegiance, Toussaint employed rhetoric similar to that used by other French Republican administrators when addressing other potentially recalcitrant colonial populations during this era. This rhetoric was characterized by a mix of grandiose appeals to liberty and reassurances concerning the protection of property and the maintenance of order, which these officials hoped would win over diverse groups that had distinct and often competing interests.¹⁵

Toussaint could not, of course, please all of these diverse factions, and when he had to make a difficult decision, he often favored the interests of wealthier and better-connected groups over those of the *cultivateurs*. This owed to a variety of personal,

¹⁴ “Proclamation” of Toussaint to Santo Domingo inhabitants, 14 Nivôse an 9 (4 January 1801), *Centre d’Accueil et de Recherche des Archives Nationales* (hereinafter CARAN), Paris, Colonies CC/9b/9. In the original text: “*Si la République a voulu prendre possession de la partie espagnole, c’est pour assurer votre bonheur, rétablir la tranquillité publique et le bon ordre, et son général n’a agi qu’en vertu d’un traité existant et qu’il était chargé d’exécuter...la République n’a pas besoin de vos biens, elle ne demande que vos cœurs.*”

¹⁵ For example, in a 20 December 1801 proclamation to the “inhabitants of the colony” of Saint-Domingue, Toussaint promised to “respect persons and properties” (*faire respecter les personnes et les propriétés*) while working for the “triumph of liberty and the prosperity of this island” (*le triomphe de la liberté et la prospérité de cette île*). Toussaint’s address to the inhabitants of Saint-Domingue, in Pierre Pluchon, “Toussaint Louverture défie Bonaparte: l’adresse inédite du 20 décembre 1801,” in *Toussaint Louverture et l’indépendance d’Haïti*, ed. Jacques de Cauna (Paris: Karthala, 2004), 173-174.

international, pragmatic, economic and structural factors. As Carolyn Fick has written, Toussaint's preference for an economic path centered on the plantation stemmed from both his awareness of his status as leader of a relatively small island in a hostile world in which slaveholding powers wielded great influence and the emergence of an "unbridgeable gap between the state structure [in Saint-Domingue], which was a military one, and the rural agrarian base of the nation."¹⁶

In his occupation of Santo Domingo, Toussaint appears to have perceived a similarly "unbridgeable gap" between his own professed faith of Roman Catholicism and the mixed African and Christian beliefs that many of the island's inhabitants held. Toussaint decreed Catholicism to be the state religion on the island in his 1801 constitution, which a French Republican official stationed in Caracas denounced as antithetical to "French tolerance."¹⁷ Toussaint keenly understood both the institutional and social power of religion on an island where multiple African, European and indigenous faiths had long interacted under the suspicious eye of a succession of slaveholding regimes that had all promoted official state Catholicism. He accordingly moved swiftly to assume control of institutional religion in Santo Domingo, appointing priests and creating several new parishes in the Santiago de los Caballeros area in the

¹⁶ Carolyn Fick, "Emancipation in Haiti: From Plantation Labour to Peasant Proprietorship," *Slavery and Abolition* 21, no. 2 (August 2000), 23. Structural explanations for modern Haiti's repressive political culture and acute poverty rooted in the *longue durée* of colonial slavery and authoritarian tendencies within the revolution have indeed become fashionable in the last several decades. See for instance Trouillot, *Haiti, State against Nation*; and Robert Fatton, *Haiti's Predatory Republic: The Unending Transition to Democracy* (Boulder, CO: Lynne Rienner Publishers, 2002). These studies have also paid due attention to the decades-long ostracism of Haiti by the major Atlantic powers as a significant influence on its trajectory.

¹⁷ Report submitted from Caracas by Pons, "Judge of the Peace and of [Ship] Captures in Santo Domingo," to Minister of the Navy and Colonies, 20 or 28 Floréal an 9 (exact date illegible; 10 or 18 May 1801), CARAN Colonies CC/9b/18. In the original text: "*L'Exercice public du culte catholique y a été exclusivement maintenu avec affectation, et comme critique de la tolérance française.*"

north.¹⁸ Moreover, in a 4 January 1800 decree, Toussaint outlawed nocturnal dances and meetings on pain of corporal punishment based on his allegation that a number of malefactors had sought to “divert from his [illegible] labors, the peaceful cultivator, in encouraging the violent passion of liberty that he has for dances, principally for that of Vaudoux.”¹⁹ In seeking to redirect the energies of the “peaceful cultivator” to more productive ends, Toussaint relied upon labor codes that undermined the liberty that he claimed to promote.

“The Land only Awaits the Aid of Arms to Work its Treasures:” Toussaint’s Economic and Labor Policies

“[Toussaint] bragged to me of the wealth that one would find [in Santo Domingo] and the great means that this country would provide him so that his authority was finally exclusively respected in the entire island,” wrote General Antoine Chanlatte in a 20 June 1800 report to the Minister of the Navy.²⁰ Such a prediction would seem to contradict the trope of a colony characterized by poverty and neglect—an image supported by Chanlatte’s assertion in this same report that Santo Domingo represented a significant burden on the treasury of New Spain (Mexico), which disbursed three hundred to four

¹⁸ In a 10 September 1801 order, Toussaint authorized Santo Domingo city authorities to appoint priests to the Santiago area and mandated the creation of four new parishes. Toussaint order on religious organization in Santiago de los Caballeros, 23 Fructidor an 9 (10 September 1801), CARAN Colonies CC/9b/9.

¹⁹ Order of Toussaint on nocturnal dances, 14 Nivôse an 8 (4 January 1800), CARAN Colonies CC/9b/9. In the original text: “*Instruit que plusieurs personnes, mal intentionnées et ennemis de la tranquillité publique, cherchent à détourner de ses travaux [illegible], le paisible cultivateur, en flattant la passion violente de la liberté qu’il a pour les danses, principalement pour celle du Vaudoux...*” This measure built on *ancien régime* precedents such as a “Police Ordinance” for Saint-Domingue dated 7 September 1774 that had prohibited “all nocturnal assemblies and dances or Calindas among the people of Color and free blacks.” “Police Ordinance concerning dances and assemblies of blacks and other people of color,” 7 September 1774, *Archives Nationales d’Outre-mer* (hereinafter ANOM), Aix-en-Provence, France, *Collection Moreau de St Méry* (hereinafter CMSM) F3 273. In the original text: “*...nous défendons à l’avenir toutes assemblées et danses de nuit ou Calindas chez les gens de Couleur et nègres libres.*”

hundred thousand *gourdes* annually to the Caribbean colony to subsidize its administrative, judicial, military, and religious costs.²¹ Though Toussaint knew Santo Domingo's impoverishment from firsthand experience, he also understood that it had once rendered significant plantation-derived profits to its overlords and that it might do so again. Toussaint became determined to exploit Santo Domingo's productive potential by creating a plantation system supported by coerced labor, capitalistic agrarian policies, and reduced customs duties on important cash crops such as sugar and coffee.

The near-total absence of an infrastructure that might enable substantial production of such crops must have been quite a shock to a man born and raised in what was in his day the world's wealthiest colony. Relatively rich in land yet comparatively poor in (enslaved) labor and especially capital, Santo Domingo had long been forced to import the main plantation staples. In its first years under French rule, the colony's only notable export products were tobacco, Acajou wood (or mahogany), and *tafia* (rum), which in addition to the sale of animal products such as meat and hides constituted its main sources of revenue.²² Toussaint's ambitious plans to reverse this state of affairs were not quite as far-fetched as they might initially seem. After all, he also faced the enormous task of rebuilding the plantation economy of a devastated Saint-Domingue upon assuming control of that colony after nearly a decade of war, and he succeeded remarkably well in this endeavor.²³ In pursuing his political and economic goals,

²⁰ Chanlatte to Minister of the Navy, 20 June 1800, CARAN Colonies CC/9a/24. In the original text: “...il me vanta beaucoup les richesses qu'on y trouverait et les grands moyens que ce païs lui fournirait pour que son autorité fut enfin exclusivement respectée dans toute l'Isle.”

²¹ Chanlatte to Minister of the Navy, 20 June 1800, CARAN Colonies CC/9a/24.

²² See “Descriptive Report concerning the Spanish Part of St Domingue as well as [the] French [part],” submitted by Jean-Baptiste Formy to the Minister of the Navy and Colonies, an 5 (22 September 1796-21 September 1797), CARAN Colonies CC/9a/15.

²³ According to Fick, Toussaint increased Saint-Domingue's coffee exports by 1801 to over twenty times their nadir in 1795 and boosted sugar exports to over ten times their 1795 level by 1801. Fick,

Toussaint consciously or unconsciously modeled many of his efforts upon the prescriptions of a relatively obscure Dominican clergyman who, oblivious to the coming revolutionary turmoil, had sought to replicate Saint-Domingue's successful plantation complex across the border in his own destitute land.

In the 1780s, a priest and chronicler of Spanish Santo Domingo named Antonio Sánchez Valverde had provided a blueprint for developing that colony that would profoundly influence the economic models pursued by administrators there for decades to come. Mindful of the wealth that France had derived from its coveted Caribbean possessions, Sánchez Valverde proposed to overhaul his colony's economy in the image of its neighbor's. In a sustained argument to the Spanish crown contained in his tract *Idea del valor de la isla española* (Idea of the Worth of Hispaniola), Sánchez Valverde contended that the "key" to exploiting the "most fertile" land of Santo Domingo was the massive importation of African slaves; until the Spanish followed the French example and undertook this initiative, Santo Domingo's wealth would remain but "a treasure hidden in the bowels of the earth."²⁴ Though it is unclear whether Toussaint himself actually read or was directly familiar with Sánchez Valverde's ideas, they influenced many chroniclers and authorities in revolutionary Hispaniola. As an amateur scholar and astute observer of Caribbean affairs, Agent Philippe-Rose Roume for instance had read

"Emancipation in Haiti," 27-28. Furthermore, the British Consul General Charles Mackenzie wrote to Secretary George Canning on 9 September 1826 that Toussaint had increased agricultural revenue in Saint-Domingue from 8,606,720 *livres* in 1796 to 46,266,300 *livres* in 1802, which translates into roughly a fivefold increase. This latter figure according to Mackenzie represented a quarter of the 1789 revenue. Mackenzie to Canning, 9 September 1826, CARAN Colonies CC/9a/54. Bell claims that Toussaint managed to almost double the colony's coffee exports between 1799 and 1801 and increase cotton and brown sugar exports by a notable margin during those same years. Bell, *Toussaint Louverture*, 203.

²⁴ Antonio Sánchez Valverde, *Idea del valor de la isla española* (1785; reprint, Ciudad Trujillo [Santo Domingo]: Editora Montalvo, 1947), 168. In the original text: "¿Qué haremos con tener, no digo los dos tercios de la Isla, sino más de las tres cuartas partes, que el terreno sea más unido, más regado y más

the expansive *Description* of Santo Domingo penned by M. L. E. Moreau de St Méry, who in turn had drawn significantly upon Sánchez Valverde's work.²⁵ Perhaps drawing inspiration from this priest's arguments, Roume had told several colleagues in late 1797 that the agricultural production of Santo Domingo could, with the appropriate guidance, surpass that of Saint-Domingue within fifty years.²⁶ Occupying a precarious if powerful position and aware of the necessity to raise funds for his military and state apparatus, Toussaint appears to have believed that a much more accelerated timetable was needed. Despite—or perhaps in part because of—the revolutionary upheaval, administrators such as Toussaint found much to emulate in the Valverdean vision.

The ideas that shaped Toussaint's policies in Santo Domingo were also derived from his own experiences in Saint-Domingue and his observations on the relationships between economic and political power that had emerged in colonial times. The maintenance of political control had a reciprocal and circular relationship to coerced labor policies under Toussaint: the cash crops produced under these labor codes generated revenues for Toussaint, which he used to fund his army and administration; these tangible manifestations of his power then served to further repress ex-slave laborers.²⁷ In Santo Domingo, Toussaint endeavored not to rejuvenate a once-profitable plantation complex but rather to build the rudiments of such a complex from a very low

feraz, si todo este fondo de riquezas es un tesoro escondido en las entrañas de la tierra, que necesita una llave para abrirla y aprovecharse de él?" Emphasis in original.

²⁵ References to Sánchez Valverde appear repeatedly in Moreau's work. For instance, Moreau mentioned "Don Antonio Valverde" in a discussion of ideas of race in colonial Santo Domingo. M. L. E. Moreau de St Méry, *Description topographique et politique de la partie espagnole de l'isle Saint-Domingue* (Philadelphia: Self-published by author, 1796), 1:59.

²⁶ Report submitted by Roume to "French Government Commission in the [Caribbean] Islands," 1 October 1797, in *Cesión de Santo Domingo a Francia (correspondencia de Godoy, García, Roume, Hedouville, Louverture, Rigaud y otros, 1795-1802)*, ed. Emilio Rodríguez Demorizi (Ciudad Trujillo [Santo Domingo]: Impresora Dominicana, 1958), 290.

base. This impelled Toussaint to court the support of Santo Domingo's equivalent of Saint-Domingue's *grands blancs* ("big whites," or the landed gentry and plantation- and urban-based elite class). He thus made conscious efforts to reach out to Santo Domingo's elite, proclaiming that "their persons and their properties [would] be respected."²⁸

As in Saint-Domingue, such overtures to the *grand blanc* class in Santo Domingo became coupled with onerous labor policies designed to produce a pliant labor force. Toussaint also implemented economic measures designed to create incentives for the cultivation of the same cash crops that had produced such great wealth in Jamaica, Barbados and other Caribbean locales. In two orders issued in February 1801, Toussaint enumerated the specific details of his plans concerning labor relations and agriculture in Santo Domingo. Driven by a philosophy that favored the concentration of wealth in relatively few hands, these orders contrasted strikingly with both the letter and the spirit of later Latin American land reforms. Emphasizing that agricultural production in Santo Domingo was "very different than in other countries," Toussaint set forth in an *arrêté* decreed in Santo Domingo city on 7 February 1801 a series of steps designed to promote his economic vision. In this order, Toussaint forcefully denounced the supposed "abuses" committed by "cultivators" in Santo Domingo who bought up small plots of land and then cultivated this land for themselves in small groups. Since this practice led these laborers to "abandon the plantations," it accelerated in Toussaint's eyes the "ruin" of these enterprises. Toussaint thus set a minimum amount of land per concession (fifty

²⁷ For details on this, see: Fick, "Emancipation in Haiti;" Fick, *The Making of Haiti*, esp. chapter 9; and Dubois, *Avengers of the New World*, chapter 11.

²⁸ Pamphile de Lacroix, *La Révolution d'Haïti* (Paris: 1819; reprint, Paris: Karthala, 1995), 253.

carreaux)²⁹ and also put in place formidable bureaucratic obstacles to land ownership, stipulating that prospective buyers had to present themselves before authorities, who would then decide whether to approve the sale based on a number of factors spelled out in the order. These included whether the proposed buyer was “attached” to a plantation and how many *cultivateurs* he would employ.³⁰

In a proclamation that Toussaint delivered to all of the residents of the “former Spanish part” of the island on 8 February 1801, he explained the economic and philosophical rationales behind his restrictive measures. Lamenting that except for some modest sugar cultivation, Santo Domingo was “without agriculture,” Toussaint called upon Dominicans to “imitate” the French with respect to plantation production and accordingly required them to plant major plantation crops including coffee, cotton, sugar, and cacao. Judging it necessary to procure a sizeable and acquiescent labor force to cultivate these crops, Toussaint ordered Dominican *cultivateurs* to be “attached” to their plantations, declaring: “I have never thought that liberty was a license, that men [who]

²⁹ This translated into between one hundred and fifty and two hundred acres of land. According to Fick, one *carreau* of land equaled about 3.3 acres, so fifty *carreaux* would be 165 acres. Fick, *The Making of Haiti*, 325. Bell wrote that fifty *carreaux* translated into about two hundred acres of land. Bell, *Toussaint Louverture*, 206.

³⁰ Order of Toussaint on land acquisition in Santo Domingo, 18 Pluviôse an 9 (7 February 1801), CARAN Colonies CC/9b/18. In the original text: “*La culture de cette Colonie, bien différente de celle des autres pays, exige une réunion de moyens considérables en hommes et en argent, sans lesquels il est impossible qu’un planteur puisse obtenir les avantages qu’il doit naturellement se proposer...Il s’est introduit dans la Partie française des abus qu’il est urgent d’arrêter. Un, deux ou trois cultivateurs s’associent, achètent quelques carreaux de terre, et abandonnent des habitations déjà en valeur, pour aller se fixer sur de nouveaux terrains incultes. De cette manière les anciens établissements seraient bientôt ruinés, sans utilité pour les entrepreneurs des nouveaux défrichemens et sans compensation pour la chose publique, des pertes que ces isolements occasionnent. Il est de la prudence d’empêcher une semblable désorganisation...L’Administration municipale est tenue d’examiner si le déclarant est déjà attaché à une habitation, quel est le genre de culture qu’il se propose d’établir, quel est le nombre de cultivateurs qu’il peut employer et après avoir examiné s’il a les moyens de former ou de soutenir un établissement, elle soumettra sa demande à mon approbation.*” Fick stated that Toussaint implemented a similar measure in Saint-Domingue. Fick, *The Making of Haiti*, 207. Furthermore, according to Eric Nabajoth, Toussaint decreed on 7 May 1801 that notaries could not register land transactions that included less than sixty-five hectares of land. Eric Nabajoth, “Toussaint-Louverture et la Constitution de 1801: une perspective

became free could give themselves with impunity to laziness [and] to disorder.” While he affirmed that these *cultivateurs* had a right to basic protection of their persons and their safety as well as to their quarter of the plantation revenues, Toussaint insisted that they must be “subordinated,” for their own good as well as for that of the colony. “Everywhere the land only awaits the aid of arms to work its treasures,” Toussaint proclaimed in a statement that had strong echoes of Sánchez Valverde’s prescriptions of nearly two decades earlier.³¹ While various observers over the past two centuries have seen in Toussaint the realization of the abbé Raynal’s famous prediction of the coming of a “black Spartacus,” Toussaint’s labor and economic policies in Santo Domingo suggest that, at least in this colony, he may have had more interest in fulfilling the vision of Sánchez Valverde than that of the abbé Raynal.³²

indépendantiste dans le cadre d’un régime autoritaire?” in *Saint-Domingue espagnol et la révolution nègre d’Haïti (1790-1822)*, ed. Alain Yacou (Paris: Karthala, 2007), 277.

³¹ “Proclamation” of Toussaint “to all of the inhabitants of the former Spanish part” of the island, 19 Pluviôse an 9 (8 February 1801), CARAN Colonies CC/9b/18. In the original text: “À l’exception de quelques habitations où la canne à sucre était cultivée, et dont le produit suffisait à peine à la consommation des habitans, la ci-devant Partie espagnole est sans culture, et par conséquent sans commerce...Le secret de leur aisance et de leur bonheur est donc révélé aux habitans de la ci-devant Partie espagnole: ils n’ont qu’à imiter les Français, pour jouir avec eux les fruits de l’industrie, et leur pays, plus favorisé des dons de la nature, peut par leurs soins et leurs travaux devenir plus florissant encore. En conséquence: il est ordonné à tous les habitans de la Partie espagnole qui possèdent des habitations, de planter des cannes, du café, du coton, du cacao. Il est de leur intérêt de sortir de l’indolence à laquelle ils étaient livrés: par-tout la terre n’attend que les secours des bras pour ouvrir ses trésors, pour récompenser ceux qui se livreront à la culture de ces riches productions, tandis qu’elle laisserait dans la misère ceux qui cultivent des bananes, des patates, des ignames, productions sans valeur dans cette Colonie...Je n’ai jamais pensé que la liberté fut la licence, que des hommes devenus libres puissent se livrer impunément à la paresse, au désordre: mon intention bien formelle est que les Cultivateurs restent attachés à leurs habitations respectives; qu’ils jouissent du quart des revenus; qu’on ne puisse impunément être injuste à leur égard; mais en même temps je veux qu’ils travaillent plus encore qu’autrefois, qu’ils soient subordonnés, qu’ils remplissent avec exactitude tous leurs devoirs, bien résolu à punir sévèrement celui que s’en écartera.” Sánchez Valverde had argued that “[t]he richest Mines do not yield their metal[s] if one does not work [in] them, nor does the most fertile land [yield] all of the abundance of its fruits without arms and the plow.” Sánchez Valverde, *Idea del valor de la isla española*, 168-169. In the original text: “Las más ricas Minas no dan su metal si no se labran, ni la tierra más fértil toda la abundancia de sus frutos sin los brazos y el arado.”

³² The abbé Raynal was a renowned anti-slavery writer and scholar in eighteenth-century France. In his *Histoire philosophique et politique des établissements et du commerce des Européens dans les deux Indes* (Geneva, 1780), 3:204-205, Raynal predicted a great slave uprising headed by a strong leader. For an incisive discussion that contextualizes Raynal’s writings within the political and intellectual currents of

In the ensuing weeks, Toussaint issued other decrees that contained a mixture of economic incentives for traders and restrictions on the autonomy of freed people. Declaring that “[w]ith arms, intelligence, and activity, laborious men are assured, on such fertile land, to be paid a hundredfold for their efforts and their work,” Toussaint on 12 February 1801 reduced import and export duties in both of Santo Domingo’s principal departments of Samaná and Inganno from twenty to six percent in order to stimulate production and trade. In this order, he singled out cash crops including sugar, coffee, cacao and tobacco, whose production in his mind served “the state” (*la chose publique*).³³ This fixation on plantation agriculture led Toussaint to adopt policies that banned or marginalized forms of production that he considered inefficient. On 5 March 1801, Toussaint prohibited all woodcutting of mahogany except for that which served the “internal construction of the Colony” in the name of curbing deforestation.³⁴ Toussaint’s relentless pursuit of his economic vision caused him to brush aside criticisms of his policies such as that offered by a French official in Caracas who predicted that this ban on woodcutting would hinder Santo Domingo’s economic development.³⁵

eighteenth-century French antislavery on both sides of the Atlantic, see Dubois, *A Colony of Citizens*, 62-73 (esp. 64-68).

³³ “Proclamation” of Toussaint on agriculture and commerce in Santo Domingo, 23 Pluviôse an 9 (12 February 1801), CARAN Colonies CC/9b/18. In the original text: “*Avec des bras, de l’intelligence et de l’activité, les hommes laborieux sont assurés, sur une terre aussi fertile, d’être payés au centuple de leurs avances et de leurs travaux.*” A copy of this document is located in CARAN Colonies CC/9b/9.

³⁴ Order of Toussaint on mahogany woodcutting, 14 Ventôse an 9 (5 March 1801), CARAN Colonies CC/9b/9. In the original text: “*À compter de la publication du présent arrêté, il est expressément défendu à qu’elle personne que ce soit, d’abattre un arbre d’acajou. Les propriétaires des dits bois ne pourront en couper ni en vendre que pour la construction intérieure de la Colonie.*” In a letter to the Minister of the Navy, the French official Pichon in New York claimed that Toussaint built numerous “box beams” (*caissons*) out of mahogany to protect his arms and munitions from the climate. Pichon to Minister of the Navy, 14 Prairial an 9 (3 June 1801), CARAN Colonies CC/9a/28.

³⁵ Pons to Minister of the Navy, 10 May or 18 May 1801, CARAN Colonies CC/9b/18.

In March of 1801, Toussaint assembled a multiracial delegation comprised of men from both parts of the island whom he entrusted with drafting a constitution.³⁶ Created primarily to institutionalize Toussaint's political authority on the island, this document named Toussaint governor of the island "for the rest of his glorious life" while at the same time refusing to proclaim an outright break with the mother country, asserting that "all men [on the island] are born, live and die free and French."³⁷ This constitution also reiterated and expanded upon Toussaint's earlier coercive labor measures and by implication affirmed the application of these labor codes to Santo Domingo.³⁸ Moreover,

³⁶ For the text of Toussaint's constitution, see: Claude Moïse, *Le projet national de Toussaint Louverture et la constitution de 1801* (Montréal: Editions du CIDIHCA, 2001), 72-85; and Thomas Madiou, *Histoire d'Haïti* (1847-1848; reprint, Port-au-Prince: Deschamps, 1989), 2:542-555. According to Antonio del Monte y Tejada, the constitution's framers and signatories included not only a coalition of men from Saint-Domingue but also a contingent of "españoles" (Spaniards) who were presumably from Santo Domingo. Monte y Tejada related that these "Spanish" representatives were named Muñoz, Caballero, J. Mancebo, Viart, and Carlos de Rojas. The "French" signatories were listed as Borgella, Collet, Raymond, Gaston, Latour and Nocerb. Antonio del Monte y Tejada, *Historia de Santo Domingo* (1890-1892; reprint, Ciudad Trujillo [Santo Domingo], 1953), 3: 212. In Moïse's text the constitution's signatories appear as "Borgella, président, Raymond, Collet, Gaston Nogérée, Lacour, Roxas, Munos, Mancebo, E. Viart." Moïse, *Le projet national*, 85. Madiou lists them as "Borgella, Président, Raymond, Collet, Gaston, Nogérée, Lacour, Roxas, Mugnos, Mancebo, E. Viart" in *Histoire d'Haïti*, 2:554.

³⁷ Moïse, *Le projet national*, 72. In the original text: "Il ne peut exister d'esclaves sur ce territoire, la servitude y est à jamais abolie. Tous les hommes y naissent, vivent et meurent libres et Français...La Constitution nomme gouverneur le citoyen Toussaint-Louverture, général en chef de l'armée de Saint-Domingue, et, en considération des importants services qu'il a rendus à la colonie, dans les circonstances les plus critiques de la révolution, et sur le vœu des habitants reconnaissants, les rênes lui en sont confiées pendant le reste de sa glorieuse vie." See also Dubois, *Avengers of the New World*, 242-246 for a recent interpretation of Toussaint's 1801 constitution.

³⁸ Title VI of this constitution outlined Toussaint's labor policies. Article XVI confirmed the application in the entirety of Toussaint's domains of his "police regulation" of 20 Vendémiaire an 9 (12 October 1800), which had codified his earlier repressive labor decrees. Moreover, article XVII established the conditions for the "introduction [to Hispaniola] of cultivators [who are] indispensable for the reestablishment and the growth of agriculture." Moïse, *Le projet national*, 74. In the original text: "Pour réprimer un vice aussi funeste à la colonie que contraire à l'ordre public, le gouverneur fait tous règlements de police que les circonstances nécessitent et conformes aux bases du règlement de police du 20 vendémiaire an IX, et de la proclamation du 19 pluviôse suivant du général en chef Toussaint-Louverture. Art. 17-L'introduction des cultivateurs indispensables au rétablissement et à l'accroissement des cultures aura lieu à Saint-Domingue; la Constitution charge le gouverneur de prendre les mesures convenables pour encourager et favoriser cette augmentation de bras, stipuler et balancer les différents intérêts, assurer et garantir l'exécution des engagements respectifs résultant de cette introduction." Toussaint's acute awareness of the sensitivity of the question of slavery is evident in his apparent reticence to make his constitution public knowledge in the United States, where the southern slaveholder Thomas Jefferson had recently acceded to the presidency. In a letter dated 25 July 1801 in Le Cap, US Commercial Agent Tobias Lear informed Secretary of State James Madison that he had managed to procure a copy of Toussaint's constitution on the

Toussaint inscribed into this document his preference for the export of plantation-based cash crops by banning their importation into the island.³⁹

In the labor codes that he had promulgated in 1798 and 1800, Toussaint had adopted the core components of the labor regulations that the Civil Commissioners Léger-Félicité Sonthonax and Étienne Polverel had devised in 1793-1794: workers were to be bound by force and law to their plantations; they would collectively earn one quarter of plantation revenues; and military and domestic service constituted the only legal means by which able-bodied individuals could escape plantation work.⁴⁰

Toussaint's two main innovations on these earlier decrees were the intensification of this "militarization of agriculture" and the formal extension of these labor rules to Santo Domingo.⁴¹

Though Santo Domingo's dramatically different economic situation might have suggested the wisdom of employing a labor system distinct from that which prevailed in Saint-Domingue, Toussaint appears to have sought to impose very similar labor regimes

condition that this document "would not be made public in the United States at present." Lear to Madison, 25 July 1801, CARAN 208 Mi 2.

³⁹ Article XVIII reads: "As the commerce of the colony consists only of the exchange of commodities and products of its territory, in consequence the introduction of those of the same nature as its own [products] is and remains prohibited." Moïse, *Le projet national*, 74. In the original text: "*Le commerce de la colonie ne consistant uniquement que dans l'échange des denrées et productions de son territoire, en conséquence, l'introduction de celles de même nature que les siennes est et demeure prohibée.*"

⁴⁰ In a "Provisional Regulation" issued in Port-Républicain (Port-au-Prince) on 18 May 1798, Toussaint had ordered that all "citizens" who were "attached" to agriculture but who were not presently engaged in either military or domestic service be arrested by the Gendarmerie and "subjected to labor." "Provisional Regulation of General Toussaint Louverture," 29 Floréal an 6 (18 May 1798), CARAN Colonies CC/9a/23. In the original text: "*Tous citoyens et citoyennes qui étaient attachés à la culture et qui se trouvent maintenant vagabonds dans les villes et dans les campagnes, qui n'étant attachés ni à l'État militaire ni à celui de domesticité y [illegible] une vie oisive et par conséquent pernicieuse à la société seront arrêtés par la Gendarmerie et conduits au commandant en chef du lieu où ils auront été arrêtés, lequel les fera conduire sur leurs habitations respectives pour y être assujettis au travail.*" Toussaint extended this decree to all of Saint-Domingue in October 1800, when he formally entrusted the military with the enforcement of his labor regime. Bell, *Toussaint Louverture*, 203. A copy of Toussaint's 12 October 1800 "*Règlement de Culture*" is preserved in CARAN Colonies CC/9b/9. For more details on the nature of Toussaint's agricultural labor policies, see a report sent to the French Minister of the Navy and Colonies dated 16 November 1800 in CARAN Colonies CC/9b/18.

in both places. Unfortunately, much of the extant evidence on the effects of Toussaint's labor policies in Santo Domingo is contained in quite tendentious tracts which were sometimes written by those who opposed him. In a May 1801 report, Toussaint's adversary Chanlatte accused him of employing the "most severe violence" to "[call] all blacks, without distinction" to agricultural labor in both parts of the island.⁴² Moreover, two British correspondences from the 1820s offer lurid portraits of the state of agricultural labor under Toussaint in both colonies. In a letter to Secretary George Canning written in Port-au-Prince on 9 September 1826, British Consul General Charles Mackenzie detailed the "decidedly coercive" clauses of Toussaint's constitution concerning agricultural labor and contended that although the "cultivators" were supposed to receive a quarter of plantation revenues, they were given "in reality much less" than this share.⁴³ In one report submitted to the Earl of Dudley a year and a half later, Mackenzie claimed that atrocities evocative of the days of slavery such as caning and live burials had survived under Toussaint.⁴⁴ Those claiming to have been subjected to these labor practices were perhaps even more polemical. In an account of his experiences as a French colonist in the northern Samaná peninsula, Armand Hardouin compared Toussaint to the Roman emperor Nero and accused him of forcing "the Spanish of all classes and colors" to perform "public labor."⁴⁵

⁴¹ Fick, "Emancipation in Haiti," 26.

⁴² Antoine Chanlatte, "Historical Summary of the Deeds that Preceded the Invasion of the Territory of the Former Spanish Part of Saint-Domingue by Toussaint Louverture," 8 Prairial an 9 (28 May 1801), CARAN Colonies CC/9b/18. In the original text: "*Pour mieux endormir les habitants de la partie Espagnole, Toussaint rendait des arrêtés pour rappeler sans distinction tous les noirs à la culture; on prétendait même qu'il employait la violence la plus sévère pour faire exécuter ces dispositions qui paraissaient si favorables à l'ordre public.*"

⁴³ Mackenzie to Canning, 9 September 1826, CARAN Colonies CC/9a/54.

⁴⁴ Mackenzie to the Earl of Dudley, 10 March 1828, CARAN Colonies CC/9a/54.

⁴⁵ Report of Armand Hardouin, undated, CARAN Colonies CC/9a/53. In the original text: "*Les Espagnols de toutes les classes et couleurs, furent envoyés aux travaux publics, et aux plus humiliants.*"

Many years ago, C. L. R. James labeled Toussaint's imposition of harsh labor policies in Saint-Domingue a "change from the old to the new despotism."⁴⁶ In seeking to appeal to thousands of ex-slaves in both parts of the island while pursuing his economic agenda, Toussaint actively encouraged these ex-slaves' aspirations for economic and personal autonomy only to then repress what ensued. In his determination to transform a long-neglected outpost of empire into a prosperous export colony, Toussaint attempted to target ex-slaves' practices of cultivating small-scale landholdings that have deep roots in both Haitian and Dominican history. While the radically different stages of plantation development that characterized Santo Domingo and Saint-Domingue by 1789 translated into distinct patterns of peasant and slave settlement and cultivation, the peasantries of both nations grew out of enslaved populations who had found in subsistence agriculture an escape from the brutalities and dehumanization of the slave regime.

As Michel-Rolph Trouillot has convincingly demonstrated, slaves' cultivation grounds in colonial Saint-Domingue had acquired a profound and enduring "ideological significance" for their symbolic as well as economic value, since they represented a rare area in which the slaves exerted a certain degree of control and autonomy.⁴⁷ Richard Turits has argued that a similar phenomenon occurred in Santo Domingo/Dominican Republic. "Deeply rooted in peasants' moral economy," Turits contends, "was a right to the land. Especially in the historical context of slavery, an independent means of subsistence became associated with freedom—autonomy from economic subordination to and control by others as well as from the vagaries of market and central state forces."⁴⁸

⁴⁶ James, *The Black Jacobins*, 242.

⁴⁷ Trouillot, *Haiti: State against Nation*, 39. See also Mintz, "Slavery and the Rise of Peasantries."

⁴⁸ Richard Turits, *Foundations of Despotism: Peasants, the Trujillo Regime, and Modernity in Dominican History* (Stanford: Stanford University Press, 2003), 27.

During Toussaint's reign in Santo Domingo, these historical developments converged as both Dominican and Dominguan freed peasants determinedly sought this "autonomy from economic subordination." Indeed, the "abuse" that Toussaint so vehemently decried that involved the small-scale cultivation in Santo Domingo may have had its roots in these same practices and inclinations.

The advent of revolutionary conflict to Hispaniola in the 1790s led formally free men and women to adapt old tendencies to new circumstances. After 1795, numerous freed people from Saint-Domingue had migrated across the old colonial boundary and in so doing built on centuries-old patterns in which ex-slaves and their descendants had carved out spaces of autonomy and economic independence as poor but free ranchers and farmers. "What is surprising but nonetheless true," declared Chanlatte in a report dated 9 June 1800, "is that the slaves even in the Spanish part have preferred their state [of bondage] to the facility that they had to go to the French part where liberty awaited them."⁴⁹ What Chanlatte interpreted as a rejection of freedom nonetheless appears to have been an illustration of these individuals' quests to attain "liberty" on their own terms by following the example of Dominican peasants who for centuries had created and preserved spaces of freedom in *el monte*.⁵⁰ Chanlatte indeed admitted that many French

⁴⁹ "Description of the French and Spanish Parts of the Island of St-Domingue by Antoine Chanlatte Brigade General [and] Commissioner of the French Government in the Former Spanish Part of Saint-Domingue," 20 Prairial an 8 (9 June 1800), CARAN Colonies CC/9b/18. In the original text: "*Ce qui est surprenant mais pourtant vrai, c'est que les esclaves même de la partie espagnole ont préféré leur état à la facilité qu'ils avaient de passer dans la partie française où la liberté les attendait.*"

⁵⁰ "*El monte*" refers to the sparsely-populated countryside in Santo Domingo, where from the sixteenth century former slaves and their descendants had often managed to largely elude the reach of the state and the plantation. See Turits, *Foundations of Despotism*, chapter 1.

citizens “of all colors” often “frequented” Santo Domingo in order to “seek asylum” from various “persecutions” that they experienced in Saint-Domingue.⁵¹

While Haiti’s foundation by onetime slaves has been commemorated by everything from the large statue of the “unknown maroon” in Port-au-Prince to contentious debates over the role of Vodou in the 1791 slave revolt, no comparable official or mass awareness of the Dominican slave past has emerged.⁵² Nonetheless, in its own way the Dominican peasantry—and by extension, the nation as a whole—was also the “offspring of slavery,” in the words of the Dominican intellectual Pedro Francisco Bonó.⁵³ Indeed, as in the Haitian case, genuine “liberty” for freed Dominicans came to encompass much more than a simple escape from the juridical status of slave. Equally crucial was the ability to cultivate a plot of land, however small, and to benefit from its fruits in proportion to the amount of labor invested. In the words of Trouillot, such a fundamental right to land and its products became in Haiti “the terms under which freedom was first formulated in the history of the [Haitian] nation.”⁵⁴

Perhaps partly due to his status as a relatively privileged horseman during his time in bondage, Toussaint appears not to have shared such sentiments with the masses of ex-slaves in Hispaniola; if he did he did not act upon them. For their part the freed individuals who lived in Toussaint’s Santo Domingo were part of what Turits has termed

⁵¹ “Description of the French and Spanish Parts of the Island of St-Domingue,” 9 June 1800, CARAN Colonies CC/9b/18. In the original text: “*Beaucoup de français de toute les couleurs, de tous les principes, de toutes les opinions ont successivement fréquenté la partie espagnole...pour y chercher un asile contre les persécutions, les assassinats, qui étaient devenus les éléments du gouvernement colonial.*”

⁵² Nonetheless, several scholars have explored this aspect of Dominican history in depth. See for example Carlos Esteban Deive, *La esclavitud del negro en Santo Domingo (1492-1844)* (Santo Domingo: Museo del Hombre Dominicano, 1980); and Ruben Silié, *Economía, esclavitud y población: Ensayos de interpretación histórica del Santo Domingo español en el siglo dieciocho* (Santo Domingo: Editora de la Universidad Autónoma de Santo Domingo, 1976).

⁵³ Quoted in Turits, *Foundations of Despotism*, 25.

⁵⁴ Trouillot, *Haiti: State against Nation*, 39-40.

an “exceptional and enduring Caribbean peasantry” that successive Spanish, French, Dominican and Haitian regimes attempted to subordinate to their economic and political agendas; these efforts consistently failed until the long twentieth-century dictatorship of Rafael Trujillo.⁵⁵ Thus, for all of his successes in rising from slavery to the pinnacle of power in Saint-Domingue and in outfoxing and overpowering the armies of the world’s most powerful empires as well as numerous internal foes, in the context of Dominican history Toussaint was but another leader who failed to create a plantation economy. While the short duration of his reign accounts for part of this failure, other factors include the resistance of the *cultivateurs* and many Dominicans’ unwillingness to work with or especially for this onetime slave.

As the starting point of the European colonial enterprise in the Americas, Hispaniola had been the first territory to experience the range of labor systems that the Europeans implemented in their conquered lands. This inheritance framed Toussaint’s seemingly contradictory choices. As Philippe Girard and others have noted, since the time of Columbus a wide range of “semifree” labor arrangements had developed throughout the Caribbean, which offered some precedents for French Republican authorities’ attempts to fashion labor codes that maintained a subordinated labor force without reducing the workers to chattel.⁵⁶ In his own efforts to devise such a system, Toussaint’s predispositions led him to confuse the *cultivateurs*’ preference for smaller-scale agricultural production on their own terms with indolence, as he equated productive labor exclusively with the types of plantation and military work that had proven so vital to the success of French Saint-Domingue under the *ancien régime*. The struggles between

⁵⁵ Turits, *Foundations of Despotism*, 26.

Toussaint and these ex-slaves in Santo Domingo challenged the political, economic and intellectual boundaries of “emancipation.”

An Aborted Abolition? The Question of Slavery under Toussaint in Santo Domingo

“When I was a slave,” Toussaint had related to General Hédouville a 22 September 1798 missive, “I became free, by [the French constitution of 1795], when I was excluded from society, it made me enter it with my brothers.”⁵⁷ While Toussaint clearly disregarded the fact that he had gained his freedom long before the advent of the French and Haitian Revolutions, the political implications of presenting his own personal emancipation as inextricably linked to French Republican universal emancipation were clear: just as he had played an integral role in bringing about abolition in Hispaniola, so too was he indispensable in ensuring its survival.

By 1801 emancipation on the island was in serious jeopardy, yet Toussaint often acted to undermine it even as he strove to protect those whom many Dominican emigrants claimed as their slaves. Confronted in Santo Domingo with multiple manifestations of freed people’s wishes for a meaningful liberty, Toussaint responded with a mixture of restrictive labor rules, orders seeking to reduce the migration of French citizens across the island’s old colonial boundary, and diplomatic and military measures designed to protect Santo Domingo’s few plantations from “maroon” communities. While Emilio Cordero Michel has argued that Toussaint won the support of the “popular masses” in Santo Domingo with his liberty declaration and his appointments of non-

⁵⁶ Philippe Girard, “Napoleon Bonaparte and the Emancipation Issue in Saint-Domingue, 1799-1803,” *French Historical Studies* 32, no. 4 (Fall 2009), 589.

whites to high offices, the evidence for this is lacking.⁵⁸ At the same time, Toussaint did not simply institute a “new type of Slavery,” as the exiled Agent Roume asserted in a September 1801 letter.⁵⁹

Toussaint nonetheless confronted numerous accusations that he wished to impose slavery in new guises. “Is there on the entire island,” General François Kerverseau had asked rhetorically on 15 December 1800, “a single black person who, however beaten down he may be...to please Toussaint, would want to accept new irons?”⁶⁰ Though he refused to re-impose slavery, Toussaint understood the importance of asserting his control over the existing plantation infrastructure in Santo Domingo. In his 15 April 1801 recounting of Toussaint’s takeover of the Boca Nigua plantation, Saint-Domingue’s “Receiver General of Contributions” asserted that after declaring Dominican refugees to be “émigrés” and distributing their possessions among his chieftains, Toussaint “seized the superb plantation of M. Oyarzaval” and stole all the “most Precious” items there. Moreover, according to this report this transfer of authority did not lead to an amelioration of plantation laborers’ conditions. “The system of equality and liberty that had made the French the first nation in the world,” the Receiver General declared, “is not at all appropriate for this country. I repeat again that this System has not destroyed slavery there, it has only changed the color [of the plantations’ managers], the black

⁵⁷ Toussaint to Hédouville, 1 Vendémiaire an 7 (22 September 1798), CARAN Colonies CC/9a/23. In the original text: “*Certes, lorsque d’esclave, je suis devenu libre par elle, lorsqu’exclu de la société, elle m’y a fait entrer avec mes frères.*”

⁵⁸ Emilio Cordero Michel, “Toussaint en Saint-Domingue espagnol,” in Yacou, *Saint-Domingue espagnol*, 254-255.

⁵⁹ Roume to Minister of the Navy and Colonies, 3 Vendémiaire an 10 (25 September 1801), CARAN Colonies CC/9b/2. In the original text: “*...sa prétendue constitution qui fixe une ligne de démarcation entre les créoles et les africains et qui annonce visiblement une nouvelle sorte d’Esclavage, par l’introduction de nouveaux nègres.*”

brigands, who have been installed there, alone reign there as tyrants.” Despairing that this new arrangement retained the brutality of slavery while eliminating the strict labor discipline that had made pre-1789 Saint-Domingue “so flourishing and so superb,” this official concluded that “the lack of arms, laziness, libertinage, and all the crimes that follow from this precipitate [Saint-Domingue’s] destruction, and upon seizing the Spanish part, one has just dealt [Saint-Domingue] the final blow.”⁶¹

Since Santo Domingo’s plantation infrastructure was so meager and Toussaint’s reign was so brief, these takeovers did not produce the same degree of economic and social transformation that they did in Saint-Domingue. Toussaint nonetheless strove to protect Santo Domingo’s few productive enterprises from so-called maroons whom he deemed to threaten economic and social order on the island. In a 22 September 1798 letter to Hédouville, Toussaint had written favorably of the Commandant of Neyba, held in high esteem by many Dominican landowners due to his “influence” over the “blacks” of the community of Maniel. Many of these landowners had complained to Toussaint of “incursions” and “pillages” of their “plantations” committed by individuals from Maniel.⁶² Yet Toussaint’s tough labor policies may in fact have augmented these

⁶⁰ Kerverseau to Minister of the Navy and Colonies, 24 Frimaire an 9 (15 December 1800), CARAN Colonies CC/9b/23. In the original text: “*Et est-il dans toute l’île, un nègre, quelque abruti qu’on suppose, qui, pour plaire à Toussaint, voulût accepter de nouveaux fers?*”

⁶¹ Receiver General of Contributions of Saint-Domingue to Minister of the Navy and Colonies, 25 Germinal an 9 (15 April 1801), CARAN Colonies CC/9b/18. In the original text: “*Toussaint s’est emparé de la superbe habitation de M. Oyarzaval...malgré cela il en a fait enlever tout ce qu’il y avait de plus Précieux...J’ai l’honneur de vous dire dans mes lettres Citoyen Ministre, que le système d’égalité et de liberté qui avait fait des français la première nation du monde, ne convenait pas du tout dans ce pays ci. Je le repette encore ce Système n’y a pas détruit l’esclavage, il n’a fait que changer de couleur, des brigands noirs, qu’on a mis en place, y regnent seuls en tyrans...Tant que ce système, je ne crains pas de le dire, existera, la France n’a rien à attendre de cette Antille autrefois si florissante et si superbe; le manque de bras, la paresse, le libertinage et tous les crimes qui en sont la suite la précipitent vers sa destruction, et en s’emparant de la partie espagnole, on vient de lui porter le dernier coup.*”

⁶² Toussaint to Hédouville, 22 September 1798, CARAN Colonies CC/9a/23. In the original text: “*Il ne pourra d’ailleurs que leur être fort agréable puisque par son influence sur les noirs du Maniel et du*

communities' numbers, for according to Adolphe Cabon these labor practices exacerbated "*marronnage*," which Toussaint reframed as "vagabondage."⁶³

Toussaint could not accept a viable independent polity in Hispaniola that existed outside of either the political sphere of the French Republic or the social and economic world of the plantation. This led him to adopt much the same authoritarian approach towards Maniel as Roume had before him. Due to the "powerful considerations of the restoration of agriculture" that alone could return Saint-Domingue to its "former splendor," Toussaint demobilized several hundred of his soldiers and reassigned them to agricultural labor while redeploying about one hundred other troops to Neyba to serve under "*Chef de Brigade*" Mamzelle, who supposedly had the "trust of the blacks of Maniel." Toussaint made these decisions in order to bring these "blacks," who had become "independent" during the *ancien régime*, into the Republican fold so that they would obey the Republic's "beneficent laws."⁶⁴

Maniel presented a direct challenge to Toussaint's claims to be the foremost defender of liberty on the island as well as his projects of political centralization and economic overhaul. His credibility in the eyes of the island's freed population may have been further undermined by his inability to protect many individuals in Santo Domingo from enslavement. In a report to the Minister of the Navy dated 17 May 1801,

Duncan, il empêchera leurs incursions dans leur territoire et le pillage de leurs habitations dont ils m'ont portés des plaintes."

⁶³ Adolphe Cabon, *Histoire d'Haïti: Cours professé au Petit-Séminaire-Collège Saint-Martial* (Port-au-Prince: Édition de la Petite Revue, 192?-1940), 4:190.

⁶⁴ Toussaint to Hédouville, 30 Fructidor an 6 (16 September 1798), CARAN Colonies CC/9a/23. In the original text: "*J'ai l'honneur de vous prévenir que les considérations puissantes de la restauration des cultures qui seules peut rendre à St Domingue son ancienne splendeur...m'ont porté à licencier une partie des soldats enrégimentés dans la 8, 10 et 12 régiments...Mamzelle, Chef de Brigade que je viens de revêtir le commandement comme connaissant les localités et ayant la confiance des noirs du Maniel et du Duncan qui s'étaient rendus indépendants de l'ancien gouvernement et qui m'ont fait promettre par le chef de*

Toussaint's close friend Charles Vincent (the Fortifications Director) stated that while "the black man, enjoy[ed] all his rights in the French part," if he found himself in the "Spanish part" he could "be sold and embarked to be transported to another Colony."⁶⁵

The most convincing evidence of Toussaint's mixed record on slavery in Santo Domingo nonetheless comes not from those with whom he had close contact but rather from those who departed from the island seeking to take their "slaves" with them.

Exiles and Refugees: Bondage and Flight from Santo Domingo

Like any proper revolution, the upheaval in Hispaniola produced its share of exiles (both forced and self-imposed), whose economic losses, psychological and social displacement, and real as well as perceived political persecution run throughout the pages of seemingly innumerable correspondences and *mémoires*. Though scholars of the Haitian Revolution have mostly focused on the waves of Dominguan refugees who fled after events such as the 1791 slave revolt, the destruction of Le Cap in June 1793, and the collapse of French rule in Saint-Domingue in late 1803, the transfer of Santo Domingo to France produced its own cohort of exiles who often relocated to parts of the Spanish empire such as Cuba and Puerto Rico.⁶⁶ Toussaint's capture of Santo Domingo city in

brigade Mamzelle que j'envoyai plusieurs fois auprès d'eux, de se réunir aux républicains et d'obéir aux lois bienfaisantes de la république française."

⁶⁵ Report of Charles Vincent to Minister of the Navy and Colonies, 27 Floréal an 9 (17 May 1801), CARAN Colonies CC/9a/28. In the original text: "...si l'homme noir, jouissant de tous ses droits dans la partie française, se trouvait jetté, par un événement quelconque dans la partie espagnole; il devait y être vendu et embarqué pour être transporté dans une autre Colonie."

⁶⁶ In what is probably an exaggerated estimate, Roberto Cassá wrote that more than two-thirds of Santo Domingo's population emigrated after 1789. Roberto Cassá, "Les effets du Traité du Bâle," in Yacou, *Saint-Domingue espagnol*, 209. According to David Geggus, by the summer of 1796 several thousand residents of Santo Domingo including almost eight hundred "black auxiliaries" had emigrated. David Geggus, "Slave Resistance in the Spanish Caribbean in the mid-1790s," in *A Turbulent Time: The French Revolution and the Greater Caribbean*, ed. David Geggus and David Gaspar (Bloomington: Indiana University Press, 1997), 140.

1801 appears to have accelerated this exodus, notwithstanding his imposition in February 1801 of a ban on most emigration from the former Spanish colony.⁶⁷

On 20 May 1802, one such refugee, don Pedro Abadia, composed a detailed letter to a Monsieur Thermite, the commander of the frigate *La Poursuivante*. Writing from Aguadilla, Puerto Rico, Abadia described himself as “the unfortunate attorney of the most beautiful plantation in the Spanish part of St-Domingue” who had been “chased from this country by the bloodthirsty and hypocritical Toussaint Louverture.” Professing his loyalty to the Napoleonic forces that were engaged in a war to re-conquer Hispaniola, Abadia insisted that he would without hesitation provide useful information to this expedition’s leader, General Charles Victor Emmanuel Leclerc, in order to prove his “devotion to our new mother country.” Abadia nonetheless acted less out of any newfound sense of patriotism than out of concrete material and familial motivations. As a relative of this plantation’s director Juan Baptista Oyarzával and as an official charged with overseeing the production of *aguardiente* (sugar cane brandy) who had experience punishing slaves who had attempted to steal this product, he eagerly awaited the end of

⁶⁷ On 8 February 1801, Toussaint decreed a ban on all emigration from Santo Domingo except for that of Governor Joaquín García and the Regiment of Cantabria. “Proclamation... to all of the Inhabitants of the Former Spanish Part [of Hispaniola],” 19 Pluviôse an 9 (8 February 1801), CARAN Colonies CC/9b/18. According to Frank Moya Pons, in 1795 emigration from Santo Domingo commenced on a fairly modest scale, but it became much more pronounced in the wake of Toussaint’s invasion in early 1801. Moya asserted that virtually all Spanish authorities as well as “French functionaries” departed Santo Domingo after Toussaint’s invasion, and at least 1,988 individuals from Santo Domingo arrived in Venezuela in the first two months of 1801. Frank Moya Pons, *Manual de historia dominicana*, 9th ed. (Santo Domingo: Caribbean Publishers, 1992), 191-192. See also Carlos Esteban Deive, *Las emigraciones dominicanas a Cuba, 1795-1808* (Santo Domingo: Fundación Cultural Dominicana, 1989), 91-102. Sigfrido Vázquez Cienfuegos has written that as of 30 November 1803, 1,679 “French emigrants” had arrived in Santiago de Cuba from “Santo Domingo.” Sigfrido Vázquez Cienfuegos, *Tan difíciles tiempos para Cuba: El gobierno del Marqués de Someruelos (1799-1812)* (Seville: Universidad de Sevilla, 2008), 289.

the “reign of the black despot” so that he could return to the Oyarzával plantation with his “200 blacks.”⁶⁸

Were these “blacks” claimed by Abadia enslaved or free? As had his Republican predecessors, Toussaint confronted the matter of whether the purported property rights in human beings of Dominican emigrants trying to depart with their “slaves” superseded the rights of these individuals as French citizens. High-ranking Spanish officials generally sided with the purported slaveholders, as is evident in a letter dated 16 September 1801 by a Pedro Ceballos, who praised the “prudent” measures that Governor Joaquín García had adopted “in favor of the Owners of Slaves” that permitted them to emigrate with these “Slaves” in accordance with the “liberty” that the Treaty of Basel had given them to do this.⁶⁹

An intriguing series of petitions addressed to various Spanish officials that are preserved in the *Audiencia de Santo Domingo* collection in the *Archivo General de Indias* (Seville) provides further insight into these complication questions. Comprising significant portions of several *legajos* (bundles of documents) in this archive, these petitions were sent to representatives of the Spanish Crown in the colonies or in Europe by supposedly dispossessed refugees from Santo Domingo. They often followed a

⁶⁸ Don Pedro Abadia to M. Thernite, 20 May 1802, *Service Historique de l'Armée de Terre* (hereinafter SHAT), Vincennes, France, B7 13. In the original text: “*Espagnol et malheureux procureur de la plus belle habitation de la partie Espagnole de St Domingue...chassé de ce pays par le sanguinaire et hippocrite Toussaint Louverture, je me croirais trop heureux, si je pouvais fournir au Général Leclerc quelques Renseignements qui l'assureraient de mon devouement pour notre nouvelle mère patrie...Je me trouve ici avec plus de 200 noirs...lorsque le regne du despote noir est aboli, serait-il condamné à une condition plus dure que le reste de ses compatriotes?*” For an account of Abadia’s punishment in 1796 of the “slave” Benito, who was accused of stealing *aguardiente*, see Manuel Bravo y Bermudez to Joaquín García, 14 December 1796, *Archivo General de Indias* (hereinafter AGI), Seville, Spain, *Audiencia de Santo Domingo* (hereinafter ASD) 1033.

⁶⁹ Pedro Ceballos to Joaquín García, 16 September 1801, AGI *Papeles de Cuba* (hereinafter Cuba) 1705. In the original text: “*El Rey enterado por la Carta de VS no. 175 y copias que le son adjuntas, de los prudentes pasos y acertadas disposiciones tomadas por VS después de hecha la entrega a la República*

formula wherein the petitioner affirmed his or her record of loyal service to the Crown and to the colony of Santo Domingo; described his or her present dire situation; and presented a request for material assistance such as a stipend, a pension, or land. Many such refugees who composed these petitions during Toussaint's reign in Santo Domingo made claims to "slaves" who had lived in the colony for several months under Toussaint, which implies the perpetuation of servitude under his rule.

As the Treaty of Basel became known in Santo Domingo, many anxious inhabitants began to create these petitions that ignored French Republican emancipation law in favor of Spanish imperial laws that sanctioned slavery. Illustrative of this is an 8 February 1796 petition brought by a doña Josefa de Coco y Landeche to Spanish authorities in that colony. This indigent widow and owner of a sugar plantation wished to immigrate to Cuba with her family along with several "Blacks" whom she had in her "service."⁷⁰

Those claimed as slaves appear to have constituted a significant segment of the Dominican emigrant population. According to Carlos Esteban Deive, Toussaint estimated that three thousand such individuals had departed Santo Domingo by 1801; this figure represents a fifth of the fifteen thousand slaves who had lived in the colony in 1789.⁷¹ Emigration on such a scale would seem to have jeopardized Toussaint's hopes of building a plantation economy there, which led him to try to stop this emigration. A letter by Cuba's Marquis de Someruelos dated 2 November 1801 for instance details the case of a widow named doña Ana Baptista, who had attempted to emigrate from Santo

Francesa de la Parte Española de la Isla de Santo Domingo, en favor de los Dueños de Esclavos que se retiraban en uso de la libertad que les daban los Tratados...

⁷⁰ Petition of doña Josefa de Coco y Landeche, 8 February 1796, AGI ASD 1033. In the original text: "...*algunos Negros (que los destina para su servicio).*"

Domingo to Cuba with nine children and eight “slaves.” She was forced to “abandon” these “slaves” because authorities in Santo Domingo did not permit her to “embark” them.⁷² In a similar case, Toussaint’s government prohibited the Dominican refugee José de Labastida from taking his six “slaves” (*esclavos*) with him when he departed Santo Domingo for Maracaybo (in modern Venezuela).⁷³

Did Toussaint simply want to preserve scarce labor in a colony that he wished to transform into a prosperous plantation society, or did this interdiction also reflect genuine sentiment in favor of protecting these would-be slaves? While the evidence presented in the preceding chapter concerning Toussaint’s opposition to slaving in Santo Domingo lends some support to the latter, Toussaint clearly recognized the need for “arms for the cultivation of the land,” in Deive’s words.⁷⁴ Whatever humanitarian sentiments he may have held, Toussaint understood the economic stakes involved in the question of this emigration. An 1804 cadastral survey carried out in Santo Domingo by the Napoleonic regime that governed there from 1804 to 1809 noted that the “capital representing the tributes” fell by “twelve hundred thousand francs” upon Toussaint’s invasion of Santo Domingo city. The reason for this loss, according to the survey, was the departure of many *cultivateurs* whom numerous emigrants had taken to Cuba and Puerto Rico. In a blunt assessment of the impact of such migration, the survey’s authors concluded that the

⁷¹ Deive, *Las emigraciones dominicanas a Cuba*, 94.

⁷² Marquis de Someruelos to Spanish Minister of State, 2 November 1801, AGI ASD 1037. In the original text: “*Dirige una Instancia de Da. Ana Baptista emigrada de Santo Domingo, y viuda de Don Nicolás Arias Admor. que fue de Neyba en aquella Isla en donde falleció dejándola con nueve hijos, y ocho esclavos que abandonó por no habérselos dejado embarcar.*”

⁷³ Petition of José de Labastida, 14 December 1802, AGI ASD 1037.

⁷⁴ Deive, *Las emigraciones dominicanas a Cuba*, 93.

loss of this labor had turned Santo Domingo into a “wasteland,” devoid of the revenues that otherwise would have accrued.⁷⁵

Toussaint had mixed success in halting this emigration with “slaves.” According to one account, a Militia Lieutenant named Alexandro Ynfante tried to leave Santo Domingo with his purported slaves after having spent ten months there during Toussaint’s reign but was thwarted by Toussaint’s prohibition of taking these “slaves” on pain of “severe penalties.”⁷⁶ These “severe penalties” nonetheless did not prevent him from holding these people in servitude for ten months on Toussaint’s watch. Moreover, on 8 July 1804 another refugee named Domingo Díaz Paez composed a petition from Santiago de Cuba relating that he had owned an estancia and other possessions in Santo Domingo and had fled Toussaint’s occupation of that colony with several captives.⁷⁷ In a petition for land and slaves to facilitate his resettlement in Cuba, Tiburcio Josef Esterlín, who had served on the high appeals court in Santo Domingo city, wrote that he had left behind assorted coffee and cacao plantations along with about eighty men and women claimed as slaves when he departed from the colony.⁷⁸

⁷⁵ “General Cadastral Register of all the National Goods recognized until this Day in the Eastern Part of Saint Domingue,” 30 Nivôse an 12 (21 January 1804), CARAN Colonies CC/9b/2. In the original text: “*Il est essentiel d’observer que les capitaux représentant les tributs ont diminué de près de douze cent mille francs, au moment de la prise de possession de la Partie ci-devant Espagnole, par Toussaint Louverture. Cette perte a été occasionnée par l’exportation d’une grande quantité de cultivateurs, faisant partie des Biens hypothéqués, que divers Tributaires emmenèrent à la Havane et a Porto-Rico. Les Terreins ainsi démunis de Bras, ont resté en friche et conséquemment les redevances en sont devenues nulles.*”

⁷⁶ Account of military service record of Alexandro Ynfante, 7 April 1804, AGI Cuba 1742. In the original text: “*Abandonó igualmente sus esclavos que no pudo sacar, a causa de la prohibicion estrecha, y general entredicho puesto por el citado negro Louverture, baxo penas gravicimas contra los que intentavan ejecutarlo.*”

⁷⁷ Petition of Domingo Díaz Paez, 8 July 1804, AGI Cuba 1742.

⁷⁸ Petition of Tiburcio Josef Esterlín, 11 May 1804, AGI ASD 1038. Due in large part to the association of blacks from Hispaniola with revolutionary violence, those Dominican refugees who succeeded in resettling elsewhere with their captives sometimes faced difficulties incorporating them into local slave societies. For example, according to the Intendant of Caracas, many Dominicans were unable to sell or rent out their “slaves” due to these captives’ associations with the “past uprising [in Hispaniola].” Correspondence of Andrés Talavera, “General Intendant of the Army and and Royal Treasury of these Provinces [of] Caracas,” 26 March 1801, AGI ASD 1037. In the original text: “*...aun que han traído algunos esclavos aquí no hay*

Deive has argued that Toussaint's 1801 invasion had two contradictory effects on Santo Domingo's "slaves:" while it emboldened many of them to flee or to simply refuse to accompany their would-be masters on ships departing from Santo Domingo, it also enabled numerous individuals to emigrate from the island with their purported human property.⁷⁹ Some of these petitioners indeed provided evidence of the exploitation of these disruptions by these "slaves." According to one such petition, composed by the refugee Francisco de Arredondo, the "black government" had provoked his "slaves" to flee from his control.⁸⁰ Furthermore, a report composed by the members of Cuba's highest appeals court discussed the situation of the lawyer José Antonio Ilinojosa, who in his flight from Santo Domingo to Cuba lost the equivalent of nine hundred pesos when his two "blacks" (*negros*) refused to join him.⁸¹ Nonetheless, Toussaint's measures against enslavement in Santo Domingo appear to have not significantly altered the quotidian situation of most people claimed as slaves in that colony.

Toussaint proved rather more successful in the arena of high politics. His 1801 invasion decapitated the Spanish political apparatus in Santo Domingo, bringing a dramatic and sudden end to a process that had proceeded very slowly since the cession of 1795.⁸² Governor García arrived in Maracaybo on 22 February 1801 as part of a party of 1,803 political leaders, administrators, military officers, soldiers, family members, and

quien se los compre ni conviene el que los arrienden a los dueños de Hacienda por las Luces que daran a los de aquí de la entrega de Santo Domingo a Tusen quando en los de esta serranía no falta el fermento de la sublevacion pasada."

⁷⁹ Deive, *Las emigraciones dominicanas a Cuba*, 93.

⁸⁰ Petition of Francisco de Arredondo, 29 November 1805, AGI ASD 1038. In the original text: "...sus propios esclavos, q[ue] hasta allí se havian mostrado fieles...parece estaban ya corrompidos, con el auxilio, y proteccion del gobierno negro, en la primera jornada profugaron..."

⁸¹ Report of several members of the *Real Audiencia* in Cuba addressed to don José Antonio Caballero, 4 February 1804, AGI ASD 1038.

servants. The official record of the expedition that included García (who sailed on the Danish ship *Eliza*), created in Maracaybo on 21 March 1801, noted that its members had fled the regime of the “black General of the French Colony Toussaint Louverture” (*General negro de la Colonia Francesa Toussaint Louverture*). Among these 1,803 people were 360 “Slaves” (*Esclavos*) who thus comprised twenty percent of the total.⁸² The situation of these “Slaves” evinces the success of many Spanish colonial officials and would-be slaveholders in circumventing French Republican emancipation and preserving ties of servitude and bondage. Though they had lived through a transformational slave revolution, slavery was business as usual for these transplanted colonists and authorities.

Ultimately, while Toussaint did not impose slavery in Santo Domingo, neither did he fulfill his and the French Republic’s promises of genuine emancipation and equal citizenship in that colony. His adherence to formal emancipation went beyond the more limited visions of his onetime rivals Jean-François and Georges Biassou. Moreover, his attempts to eliminate slaving in Santo Domingo—even if limited in efficacy and partly qualified as a justification for his invasion and as a means by which to retain labor power—do serve as evidence of his commitment to legal emancipation. Although he could be fairly described as an authoritarian and Machiavellian political figure, he also stood for the premise that nobody should be enslaved and that the old order built on institutionalized racism could no longer endure. In this, Toussaint was truly ahead of his time. Nonetheless, in his efforts to replicate the Dominguan plantation complex in the

⁸² One significant political change that did transpire in Santo Domingo between 1795 and 1801 was the transfer of the *Real Audiencia* of Santo Domingo to Puerto Príncipe, Cuba. Sigfrido Vázquez Cienfuegos details this protracted process in *Tan difíciles tiempos para Cuba*, 279-283.

⁸³ “State that shows the number of Emigrants who have entered this Port [Maracaybo]...” 21 March 1801, AGI ASD 1037. Both Chanlatte and Kerverseau also fled Santo Domingo for Venezuela shortly after Toussaint’s takeover in early 1801. Bell, *Toussaint Louverture*, 190.

neighboring colony, Toussaint looked backwards to at least two sources for guidance and inspiration: the repressive policies of his predecessors and the world of the plantation that had shaped his outlook. His failure to depart from the plantation model in Santo Domingo undermined the possibilities of “emancipation” there and widened the divide between Toussaint and the island’s freed population.

Conclusions

Writing from Philadelphia on 2 December 1801, Roume informed the Minister of the Navy that travelers from Bordeaux were spreading rumors that the “Consuls of the Republic” had ordered Toussaint to oversee a reestablishment of “colonial slavery” in Hispaniola, naming him “Captain General” and investing him with a full range of “military and civilian” powers.⁸⁴ In truth, Roume and these voyagers got it half right: while the First Consul was indeed apparently preparing to re-impose slavery in Saint-Domingue, he had in fact become opposed to Toussaint’s accumulation of power and had consequently outfitted a huge military expedition to overthrow him and restore direct metropolitan French rule to the island.⁸⁵

By the middle of 1801, Toussaint appeared to possess virtually unquestioned authority over the island of Hispaniola, yet his grip on power was less secure than it

⁸⁴ Roume to Minister of the Navy and Colonies, 11 Frimaire an 10 (2 December 1801), CARAN Colonies CC/9b/2. In the original text: “*Je n’ai jusqu’à présent rien fait de semblable, j’en ai été empêché d’abord par la nouvelle que [illegible] des passagers venant de Bordeaux. Ces arrivants parlaient du rétablissement de l’esclavage colonial comme d’une chose voulue par les Consuls de la République, et par eux ordonné au général Toussaint; ils [illegible] de plus que Toussaint avait été nommé Capitaine général et muni de tous les pouvoirs militaires et civils.*”

⁸⁵ The jury is still out concerning the thorny question of the precise moment in which Napoleon decided to reinstitute slavery in Saint-Domingue. According to Dubois, Napoleon had likely made his final decision on the matter before dispatching the Leclerc expedition in late 1801, but he did not publicly commit to the elimination of general emancipation until a year after this. Dubois, *Avengers of the New World*, 259-260. For more details on Napoleon’s lengthy vacillations on this issue, see Girard, “Napoleon Bonaparte,” 600-

seemed. On the one hand, his military power had assured a relatively easy conquest of Santo Domingo, and he disregarded repeated metropolitan instructions to first not undertake and then to renounce the capture of Santo Domingo. His subordination of three officials sent by Paris to check his power in 1801 repeated the well-established pattern that had played out in his earlier expulsions of Sonthonax, Hédouville, Roume, and others.⁸⁶ Nevertheless, winning the peace would prove rather different. Toussaint's vulnerabilities became painfully evident when the feared French military expedition finally arrived.

Though Toussaint continued to profess loyalty to France, many inside and outside Napoleon's government increasingly came to perceive his actions as motivated by the secret wish to win independence. In an 11 February 1799 letter to the Directory, the "Particular Agent" Desforneaux had warned that Toussaint's "insatiable ambition" fueled his determined pursuit of a "system of personal independence" that necessitated a swift and forceful response from Paris.⁸⁷ Toussaint's intervention in Santo Domingo had already raised questions in metropolitan circles regarding his loyalty and legitimacy; his

615. Girard contends that Napoleon initially wished to maintain emancipation in Saint-Domingue upon deploying the expedition.

⁸⁶ In a letter to Toussaint dated 17 March 1801, the French government insisted that he recognize the authority of General Combis, the newly-appointed "Commissioner of the French government in the former Spanish part of Saint-Domingue." This letter instructed Toussaint to cooperate with Combis in the "most faithful execution of the order of 1 Frimaire, year 9 [22 November 1800], which postpones until general peace the taking of possession of this part of the island, ceded to France by the treaty of 4 Thermidor year 3 [the Treaty of Basel]." Paris to Toussaint, 26 Ventôse an 9 (17 March 1801), CARAN Colonies CC/9b/18. In the original text: "*Enfin, le Général Combis, officier supérieur de la marine, est établi commissaire du gouvernement français à la partie de S. Domingue, dite ci-devant Espagnole, par un arrêté du 14 du courant Vous rapellerez, en conséquence, l'agent qui y serait établi présentement, et vous concurrez avec le général Combis, à la plus fidèle exécution de l'arrêté du 1^{er} Frimaire, an 9, qui ajourne jusqu'à la paix générale la prise de possession de cette partie de l'isle, cédée à la France par le traité du 4 Thermidor de l'an 3.*" On these three officials, see Mongiraud, Combis, and Desperoux to Minister of the Navy and Colonies, 15 Messidor an 9 (4 July 1801), CARAN Colonies CC/9b/18.

⁸⁷ Desforneaux to "Citizen Merlin, Director," 23 Pluviôse an 7 (11 February 1799), CARAN AF/III/209. In the original text: "*Par quels moyens ramener à se soumettre à l'autorité nationale le General Toussaint que tous paraît désigner comme dévoré d'ambition insatiable, comme déterminé à suivre un système d'indépendance personnelle et de suprématie sur toutes les autorités civiles et militaires.*"

new constitution now represented all the proof that many needed that he amounted to nothing more than a “usurper” (*usurpateur*) with a thinly-disguised “opposition to the current system of the metropole [France],” as one exiled Saint-Domingue colonist living in Philadelphia put it.⁸⁸ “The taking of possession of Santo Domingo,” echoed the French official Pichon in a letter from New York, “is but the prelude to the resistance that [Toussaint] proposes to make to the forces of the Metropole.”⁸⁹

Across the Atlantic in Paris, those who controlled the reins of power had reached the same conclusions. In late 1801 Napoleon, who had risen to the most prominent position among these leaders, organized military expeditions to Hispaniola as well as several other overseas territories with the aim of restoring metropolitan rule and reversing the turmoil of the last decade. While he targeted other leaders whom he deemed to threaten his authority, Napoleon appears to have reserved a special ire for Toussaint, whose sins in the Corsican’s eyes were numerous. In addition to several major perceived affronts to Napoleon’s authority (of which Toussaint’s self-appointment as governor-for-life of Hispaniola was perhaps the most egregious), many lesser demonstrations of the Dominguan general’s power—including a curious order that Dominicans construct an “*Arc de Triomphe*” in Toussaint’s honor—seemed to directly challenge the claims to supremacy of Bonaparte, for whom the outward manifestations and accoutrements of power mattered a great deal.⁹⁰ Nonetheless, such slights were only part of a distinct confluence of circumstances that contributed to Napoleon’s decision to deploy the

⁸⁸ Gerbier to Saint-Domingue, 3 August 1801, Rochambeau Papers, University of Florida’s Special Collections (hereinafter RPUF), no. 75. In the original text: “*Car tous les membres ont été de son choix, et sont remarquables par leur opposition au système actuel de la métropole.*”

⁸⁹ Pichon to Minister of the Navy and Colonies, 3 June 1801, CARAN Colonies CC/9a/28. In the original text: “*...la prise de possession de Sto Domingo n’est que le prélude de la résistance qu’il se propose de faire aux forces de la Métropole.*”

expedition to Hispaniola. These included the mounting tensions between the two leaders and geopolitical realignments marked most significantly by the ephemeral Franco-British peace that temporarily removed the military threat of France's main rival in the Caribbean.⁹¹ For Napoleon, this created a seemingly propitious environment in which he could crush these perceived challengers to his authority. In an often-cited letter that Napoleon appears to have taken to heart, General Kerverseau wrote to the First Consul in September 1801 that no nation as great as France should "receive laws from a rebel negro in one of its own colonies."⁹² Bonaparte's fatal miscalculation that eliminating Toussaint was a superior alternative to collaborating with him precipitated the bitter war of Haitian independence, which lasted from early 1802 until November 1803.

Once the die had been cast, Napoleon acted swiftly. As part of a lengthy series of instructions to his brother-in-law General Charles Leclerc, whom he had appointed to lead the expedition to Hispaniola, Napoleon on 31 October 1801 declared: "If the political goal [of the expedition] in the French part of Saint-Domingue should be to disarm the blacks and make them cultivators, but free, we should in the Spanish part disarm them as well, but place them back into slavery."⁹³ This followed a decree that Napoleon had issued two days earlier in which he had declared Toussaint's occupation of

⁹⁰ Kerverseau to Colonial Prefect François Lequoy-Mongiraud, 18 Brumaire an 11 (9 November 1802), CARAN 135 *Archives Privées* (hereinafter AP) 2, dossier 18.

⁹¹ In the spring of 1801, Britain and France began to negotiate a peace treaty. These negotiations culminated in the March 1802 Treaty of Amiens that ended hostilities between the two nations until the renewal of war in the spring of 1803. For an extensive discussion of the geopolitical circumstances concerning this peace and their influence on Napoleon's decision-making, see Girard, "Napoleon Bonaparte," esp. 600-603.

⁹² Quoted in Dubois, *Avengers of the New World*, 253.

⁹³ Napoleon, "Notes pour servir aux instructions à donner au Capitaine Général Leclerc," 31 October 1801, in *Lettres du général Leclerc, Commandant en Chef de l'armée de Saint-Domingue*, ed. Paul Roussier (Paris: Société d'Histoire des Colonies Françaises et Librairie Ernest Leroux, 1937), 272. In the original text: "Si le but politique de la partie française de Saint-Domingue doit être de désarmer les noirs et de les rendre cultivateurs, mais libres, on doit dans la partie espagnole les désarmer également, mais les remettre en esclavage." See also Dubois, *Avengers of the New World*, 259.

Santo Domingo to be “null and void” and ordered all “Ecclesiastic, civil and military divisions” to remain under “Spanish authority” until the metropolitan French government came up with a clear plan for administrative and judicial reorganization in the colony.⁹⁴

“I am a soldier. I have no fear of men, I only fear God. If it is necessary to die, [then] I will die as an honorable soldier who does not have anything to regret.” Toussaint uttered these words in a 20 December 1801 speech to the residents of Saint-Domingue that Pierre Pluchon cites as a turning point that marked the moment when Toussaint publicly abandoned his adherence to France and declared his intention to militarily oppose Napoleon’s forces.⁹⁵ By the time of this pronouncement, both Toussaint and Napoleon had crossed the Rubicon, drawing their respective lines in the sand over the questions of Toussaint’s power and the viability of slavery on the island. While Toussaint organized this resistance in large part as a defense of the regime that he had instituted on the island, he and many other freed individuals were also motivated by a perceived need to mount a defense of general liberty due to widespread suspicions of Napoleon’s pro-slavery intentions.

In late January 1802, the Leclerc expedition entered the island through its eastern part, just as Toussaint had feared.⁹⁶ Toussaint’s soldiers fought hard to retain every inch

⁹⁴ Napoleon’s instructions on Santo Domingo, 7 Brumaire an 10 (29 October 1801), CARAN Colonies CC/9a/28. In the original text: “*La prise de possession de la partie Espagnole faite par Toussaint L’ouverture est nulle et non avenue. Lorsque le général en chef le jugera Convenable, il fera dresser le procès verbal de prise de possession, dans lequel il aura tous les égards dus à la puissance alliée qui a cédé ce territoire à la République. Art. 4. Tous les actes faits dans la partie Espagnole par Toussaint L’ouverture sont, de leur nature, nuls et non avenues. Art. 5. Jusqu’à ce que le gouvernement ait arrêté une organisation définitive pour la partie espagnole de St Domingue, l’organisation et les divisions Ecclésiastiques, civiles et militaires resteront dans l’État où elles étaient sous l’autorité Espagnole.*” The ANOM contains at least two copies of this decree: in 8 *Supplément Saint-Domingue* (hereinafter SUPSDOM) 390 and in CMSM F3 202.

⁹⁵ Pluchon, “Toussaint Louverture défie Bonaparte,” 174-177. The original French reads: “*Je suis soldat, je n’ai pas peur des hommes, je ne crains que Dieu. S’il faut mourir, je mourrai comme un soldat d’honneur qui n’a rien à se reprocher.*”

⁹⁶ Dubois, *Avengers of the New World*, 262.

of ground from the moment he learned of the expedition's arrival, yet they were hindered by defections (such as that of General Pierre Agé, who had been Toussaint's envoy to Santo Domingo in 1800), conflicts within their own ranks, and the early loss of vital posts such as Le Cap, which burned to the ground in February 1801. This same month the enemy targeted Santo Domingo city. Napoleon had appointed General Kerverseau to lead the division assigned to wrest this city from the hands of Toussaint's brother Paul Louverture, and Kerverseau's forces succeeded on 21 February 1802 following a three-week siege of the city.⁹⁷ At the time of Leclerc's initial invasion Toussaint had three thousand troops in the colony of Santo Domingo out of a total of sixteen to eighteen thousand.⁹⁸ One thousand six-hundred of these men defended Santo Domingo city, more than a match for Kerverseau's four hundred men and two frigates.⁹⁹ Indeed, the Leclerc expedition's overall troop commitment to the colony of Santo Domingo appears to have been disproportionately slight, as evidenced in a 17 February 1802 letter to Bonaparte in which Leclerc stated that he had only one thousand men stationed in the "Spanish part" (*Partie espagnole*) out of a total of over fourteen thousand soldiers.¹⁰⁰ This, in addition to Paul Louverture's resistance and the rebel forces' determination to defend the liberty that they had "conquered through much blood and fire," may explain why Leclerc's men only

⁹⁷ Claude B. Auguste and Marcel B. Auguste, *L'expédition Leclerc, 1801-1803* (Port-au-Prince: Deschamps, 1988), 111.

⁹⁸ Antoine Marie Thérèse Métral, *Histoire de l'expédition des français à Saint-Domingue, sous le consulat de Napoleon Bonaparte* (Paris: Fanjat Ainé, 1825), 33; and Leclerc to Napoleon, 15 February 1802, in Roussier, *Lettres du général Leclerc*, 88.

⁹⁹ Napoleon, "Notes pour servir aux instructions," in Roussier, *Lettres du général Leclerc*, 265; and Auguste and Auguste, *L'expédition Leclerc*, 111-112.

¹⁰⁰ Leclerc to Napoleon, 17 February 1802, in Roussier, *Lettres du général Leclerc*, 94-95.

seized the city of Santo Domingo when Paul Louverture was duped into surrendering after receiving a false letter ordering him to yield to the invaders.¹⁰¹

After the fall of Santo Domingo city, the military tide turned even more against Toussaint. A series of defections by his major chieftains decimated his ranks and placed him in an increasingly vulnerable position; most notably, the surrender in April 1802 of one of his most important generals, Henri Christophe, broke the back of his military campaign and impelled him to approach General Leclerc to discuss terms of surrender. At a meeting in Le Cap later that spring, Toussaint and his second-in-command Jean-Jacques Dessalines met with Leclerc and Christophe and signed an accord that sent Toussaint back to his old plantation as a retired general and incorporated his former troops into Leclerc's forces.¹⁰² In a letter to Toussaint dated 3 May 1802, Leclerc acknowledged his former adversary's submission to the "arms of the republic" and entreated Toussaint to trust him and to distance himself from those who had "sought to mislead [Toussaint] about the true intentions of the French government."¹⁰³ In truth, it was Leclerc himself who proved to be duplicitous. In June 1802, he tricked and captured Toussaint and then proceeded to send the Dominguan leader and his family to France, where the Haitian Revolution's greatest figure would die in an isolated prison cell in the Jura Mountains in April 1803.

Napoleon is famously held to have bitterly regretted his choice to combat Toussaint instead of continuing to collaborate with him; this mistake perhaps cost him at

¹⁰¹ Métral, *Histoire de l'expédition des français*, 33. For details on Paul Louverture's surrender, see Dubois, *Avengers of the New World*, 267.

¹⁰² For more information on these events, see Dubois, *Avengers of the New World*, 275.

¹⁰³ Leclerc to Toussaint, 13 Floréal an 10 (3 May 1802), ANOM CMSM F3 283. In the original text: "*Je vois avec plaisir, citoyen général, le parti que vous prenez de vous soumettre aux armes de la république; ceux qui ont cherché à vous tromper sur les véritables intentions du gouvernement français, sont bien coupables.*"

least as much geopolitically as his better-known debacle in Russia. “What might [I] not undertake,” Napoleon ruefully reflected at the end of his life, “with an army of the twenty-five to thirty thousand blacks [that Napoleon might have enlisted had he reconciled with Toussaint], in Jamaica, the Antilles, Canada, the United States even, and the Spanish colonies?”¹⁰⁴ Some less famous exiled Dominican leader or planter might well have expressed similar sentiments. Toussaint’s opinions on economic development (and, to a lesser extent, political organization) converged to a remarkable degree with those of his numerous enemies in French and Spanish elite circles, and if more of these individuals had taken his outstretched hand instead of spitting on it, then the historical trajectories of both parts of the island might have been very different. As a firm adherent of a Valverdean plantation-oriented economic model based on a coerced labor force who at the same time managed to retain the allegiance of thousands of armed ex-slave followers despite their sporadic resistance to his authoritarianism, Toussaint could have been a very useful partner for these elites.

Toussaint’s reign in Santo Domingo had significant implications for a number of matters: the fate of the French Republican emancipationist endeavor in the Caribbean; the labor systems that would emerge in the Dominican Republic; and circum-Caribbean and Atlantic geopolitics. This yearlong occupation of Santo Domingo was also a seminal moment in the *longue durée* of Dominican history in which several centuries of slavery forged an enduring ethos that held access to land to be an essential component of autonomy and liberty. These *mentalités* persisted long after slavery’s final abolition in

¹⁰⁴ Quoted in Bell, *Toussaint Louverture*, 220. Philippe Girard also cites this passage in “Napoleon Bonaparte,” 601.

1822, such that they strongly influenced the ability of the dictator Rafael Trujillo to gain a measure of peasant support and consolidate his rule more than a century later.¹⁰⁵

In his assessment of Toussaint's life and legacy, Pluchon claimed that by virtue of two deeds—his formal defense of emancipation and his defiance of the might of Napoleonic France and its armies—this famed leader “transcends the petty borders of political maneuvering, to enter the universe of myths and symbols.”¹⁰⁶ Notwithstanding two centuries of myth-making, the weight of historical evidence concerning Toussaint's rule in Santo Domingo does not accord with the image of the martyred hero that he wished to create for both contemporaries and posterity. Yet Toussaint certainly understood the power of “myths and symbols”—especially that of the tree of liberty, which became a popular symbol of renewal and the promise of a new beginning in the French and Haitian Revolutions. Like all symbols, it could nonetheless acquire quite distinct meanings in specific situations. Surveying the human and material devastation wrought by Dessalines's armies in Saint-Domingue's southern province in the civil war of 1800, Toussaint is alleged to have remarked: “I said to trim the tree, not uproot it.”¹⁰⁷ In Santo Domingo, Toussaint in some senses uprooted the tree of liberty, yet in other respects he put down the roots for the 1822 Dominican abolition of slavery. His rule thus left a paradoxical and contested legacy for subsequent Dominican history.

¹⁰⁵ Turits, *Foundations of Despotism*, 27.

¹⁰⁶ Pluchon, “Toussaint Louverture défie Bonaparte,” 177.

¹⁰⁷ Quoted in Bell, *Toussaint Louverture*, 185.

Chapter Five

“The Shame of the Nation:” The Force of Re-Enslavement and the Law of “Slavery” under the Regime of Ferrand, 1804-1809

On 10 October 1802, the French General François Kerverseau composed a frantic “proclamation” that detailed the plight of “several black and colored children” from the French ship *Le Berceau* who “had been disembarked” in Santo Domingo. According to the “alarms” and “foolish speculations” of various rumor-mongers in that colony, these children had been sold into slavery with the complicity of Kerverseau. As Napoleon’s chief representative in Santo Domingo, Kerverseau strove to dispel the “sinister noises” and “Vain fears” that had implicated him in such atrocities, insisting that “no sale [of these people] has been authorized” and that any future sale of this nature would result in the swift replacement of any “public officer” who authorized it. Kerverseau concluded by imploring his fellow “Citizens” to “distrust those who incessantly spread” these rumors and to instead “trust those who are charged with your safety; who guard over you while you sleep, and who attach to the prosperity of this country, and to Yours, their happiness and their Glory.”¹

¹ Proclamation of François Kerverseau, 18 Vendémiaire an 11 (10 October 1802), *Centre d’Accueil et de Recherche des Archives Nationales* (hereinafter CARAN), Paris, 135 *Archives Privées* (hereinafter AP) 2, dossier 18. In the original French: “*Quelques enfants noirs et de couleur ont été débarqués avec ma permission écrite de la Corvette Le Berceau. La malveillance a cherché à inspirer des allarmes, et la Cupidité à faire des spéculations insensées. Les Citoyens sont prévenus qu’aucune vente n’a été autorisée, qu’aucune ne sera permise...Toute vente qui en serait, ou qui en aurait été faite est déclarée nulle. Tout officier public qui se serait permis, ou se permettrait d’en passer l’acte, sera destitué...Citoyens, Défiez vous de ceux qui vous répandant sans cesse des bruits sinistres et de Vaines terreurs...ayez confiance dans ceux qui sont chargés de votre sureté; qui veillent tandis que vous dormez, et qui attachent à la prospérité de ce païs, et à la Vôtre, leur bonheur et leur Gloire.*”

Would Kerverseau clear his name? Would these children be fated for a life of bondage, or would they be able to enjoy the right to grow into free men and women? In late 1801 and early 1802, Napoleon had deployed a military expedition to Hispaniola with the aim of asserting unquestioned metropolitan control over the island. By the fall of 1802, this expedition had also become committed to the hidden goal of the restoration of slavery.² Keenly aware of the ferocious opposition that French forces would encounter should the island's freed population get wind of the second of these motivations, the expedition's leaders did their utmost to discredit rumors suggesting an impending return to slavery. This lent a special urgency to the *Berceau* incident, impelling Kerverseau to shore up the French Republic's emancipationist credentials by denying all wrongdoing and promising harsh punishments for all would-be enslavers.

Ultimately, these determined efforts proved futile, as the "common wind" of information spreading from diverse locales brought word not only of episodes such as the landing of the *Berceau* but also of France's successful restoration of slavery in

² On 24 July 1802, the expedition's leader General Leclerc wrote to the Minister of the Navy Decrès: "Do not think of restoring slavery for some time. I think I can arrange everything so that my successor has no more to do than to put the government's decree into effect, but after the endless proclamations that I have issued here to ensure the blacks their freedom, I do not want to contradict myself, but assure the First Consul that my successor will find everything ready." Jean-Marcel Champion, "30 Floréal Year X: The Restoration of Slavery by Bonaparte," in *The Abolitions of Slavery: From Léger Félicité Sonthonax to Victor Schoelcher, 1793, 1794, 1848*, ed. Marcel Dorigny (Paris: Éditions UNESCO/Presses Universitaires de Vincennes, 1995; New York: Berghahn Books, 2003), 233. Citation is to the Berghahn Books edition. Nonetheless, likely due in part to the wish to conceal the objective of restoring slavery from the island's freed population, the earliest documentary evidence that I have uncovered in which a high official in this Napoleonic expedition openly and directly advocated the reestablishment of slavery in Hispaniola is from several months later. In a 15 January 1803 letter to the Minister of the Navy, General Donatien Rochambeau (who had assumed command of the expedition in late 1802) argued that "it is necessary to put the blacks back into Slavery" in order to rescue French Saint-Domingue from its "deplorable state" and to make it once again a "flourishing and productive Colony." Rochambeau to Minister of the Navy and Colonies, 25 Nivôse an 11 (15 January 1803), CARAN Colonies CC/9b/19. In the original French: "*Après avoir très murement réfléchi, Général, sur la position dans laquelle se trouve St Domingue et sur ce qu'il serait nécessaire de faire pour la tirer de l'état déplorable où elle est plongée, je suis fondé à vous dire qu'il faut remettre les noirs sous l'Esclavage; c'est au point où en sont les Choses, le seul remède au mal, et le seul je pense que la triste et cruelle expérience de Douze années de Crimes monstrueux de tous les*

Guadeloupe and the preservation of the institution in Martinique, which had spent most of the emancipation era under slaveholding British rule.³ The *Berceau* incident attests to the intense concern that French officials, including Kerverseau, had for their own credibility and that of an expedition that effectively sought to re-enslave hundreds of thousands of individuals. It also illustrates Santo Domingo's involvement in networks of captivity and coerced migration that became especially pronounced during a decade that witnessed fundamental challenges to both the transcontinental slave trade and slavery itself.

The French words *Le Berceau* translate to "The Cradle;" in practice Hispaniola in late 1802 was fast becoming a graveyard of both French Republican emancipation and Napoleon's grand designs to reassert French imperial power in the Americas using Saint-Domingue as a base. For his part, Kerverseau felt his own position gravely jeopardized by the *Berceau* affair, forwarding to his superiors seven documents detailing the facts of the case. While these papers suggest that the embattled general had entrusted the children in question to a *citoyen* Cornet who would care for them as free people, they also hint at the existence of an enterprise of illicit slaving that involved Santo Domingo.⁴

Unsurprisingly for a clandestine slaving operation, the ship's exact itinerary is unknown, but the evidence from Kerverseau's dossier indicates that the ship transported several dozen captives, most of them from Martinique, Guadeloupe, and French Guyana,

genres nous indique, je dirai plus nous Prescrit. La France veut une Colonie florissante et productive pour elle, et non pas un vaste champ de meurtres et d'incendies."

³ Julius Scott, "The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution" (PhD diss., Duke University, 1986). For details on the restoration of slavery in Guadeloupe, see Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004), Part III. On the situation in Martinique, see Rebecca Schloss, *Sweet Liberty: The Final Days of Slavery in Martinique* (Philadelphia: University of Pennsylvania Press, 2009), chapter 1.

and that it may have passed through Aruba, Saint Croix, and Puerto Rico before arriving in Santo Domingo.⁵ Extant hospital records from Santo Domingo list eighteen people from the crew of the *Berceau*, including five from Cayenne (French Guyana), two from Saint-Domingue, six from Martinique, four from Guadeloupe, and one from Africa.⁶ On 30 October 1802, the governor of Puerto Rico, Ramón del Cano, had advised the French expedition's leader Charles Leclerc that he had learned via a "subject interested in tranquility" residing in Santo Domingo that a commander named Broit had tried to sell "eighty-five to ninety-five blacks" from Guadeloupe in Santo Domingo, dumping several there "due to illness and other reasons" and taking the remainder with him in order to try his luck at various other ports. Governor del Cano assured General Leclerc of his willingness to help to "contain this political Epidemic, avoid its spread and havoc, [and] apprehend and punish vigorously the guilty parties and their accomplices."⁷

Leclerc and Kerverseau confronted two related problems: quarantining this "political epidemic" that threatened to blow what cover remained on the poorly-concealed enterprise of re-enslavement; and relocating the seventeen or so black "prisoners of War" from this ship who found themselves in Santo Domingo. In

⁴ L. Delpech to Kerverseau, Vendémiaire an 11 (23 September-22 October 1802), CARAN 135 AP 2, dossier 18.

⁵ See Kerverseau to Leclerc, 19 Vendémiaire an 11 (11 October 1802); Kerverseau to Leclerc, 22 Vendémiaire an 11 (14 October 1802); and Kerverseau to Leclerc, 13 Brumaire an 11 (4 November 1802), all contained in CARAN 135 AP 2, dossier 18.

⁶ Hospital records for *Berceau* sailors, Vendémiaire-Brumaire an 11 (23 September-21 November 1802), CARAN 135 AP 2, dossier 18.

⁷ Governor Ramón del Cano to Leclerc, 30 October 1802, Rochambeau Papers, University of Florida's Special Collections (hereinafter RPUF), no. 1265. In the original text: "*Un sugeto interesado en la tranquilidad me escribe desde Sto Domingo con fecha de 14 del corriente mes que el día 2 del mismo fondeó en su Puerto la corbeta de Guerra Francesa Berceau, su Comandante el Capn. de Fragata Mr. Broit con ochenta y cinco o noventa y cinco negros...vendió en dicho Puerto algunos de dichos negros y dexó otros por enfermos y otras razones, habiendo comprado el resto Mr. Couret con el designio de introducirlos en las Costas de la Ysla... Tanto por esto quanto por atajar en tiempo las consecuencias sucesivas que pueden recelarse estoy entendiendo con reserva y seriedad en dictar las mas activas*

Kerverseau's judgment, these captives could not stay indefinitely in Santo Domingo upon release from its hospital where they currently resided. "Foreign Governments do not even want to admit them as slaves," lamented Kerverseau in a letter to Leclerc dated 4 November 1802. Kerverseau thus proposed employing them as sailors on French ships, "where they could serve usefully," or sending them to Aruba or Buenos Aires.⁸ Though he strove to dispose of these captives as expeditiously as possible, Kerverseau called others as witnesses to testify on the circumstances of their captivity and forced transit. The remarkable series of "declarations" that survive in the archival record serve as evidence of a striking irony: that an official in the service of a campaign of re-enslavement invited captives to offer eyewitness accounts to assist an investigation into slaving. One such witness, a "*nègre créole de la Martinique*" (black creole from Martinique) named Jean-Charles, claimed to have been captured from a Danish ship by the British off the coast of St Thomas and sent to Martinique, where he was placed on the *Berceau* and sent to Santo Domingo.⁹

Jean-Charles and his fellow captives found themselves in the middle of the reversal of the hemisphere's first large-scale experience with general emancipation. The reestablishment of slavery in France's overseas colonies imbued longstanding quandaries with urgent new significance. Could one capture a juridically free individual in one jurisdiction and then proceed to claim him or her as a slave in another? On what legal

providencias para contener esta Epidemia política, evitar su extencion y extragos, aprehender y castigar vigorosam[ente] los culpados y complices."

⁸ Kerverseau to Leclerc, 13 Brumaire an 11 (4 November 1802), CARAN 135 AP 2, dossier 18. In the original French: "*Les dix sept noirs qui sont ici à l'hôpital, provenant de la même Corvette...Ce sont des prisonniers de Guerre. On ne veut pas les renvoyer dans leur país. Les Gouvernements étrangers ne veulent pas même les admettre chez eux comme esclaves et nous ne pouvons les Garder ici. Je vous propose, mon Général, ou de les employer comme matelots sur les Bâtiments de l'État, où ils pourraient servir utilement, ou de les déporter tous aux isles de Roube et de Buenos Ayres."*

basis could a person held as a slave sue for his or her freedom? Long before 1794, legal struggles over the boundaries of freedom had emerged from the dense webs of extralegal commerce in both human beings and material goods, the physical proximity of many islands claimed by competing colonial powers, and divergences in colonial slave law across colonies (including those in the same empire). Then, after 1802, the successful struggle against slavery in Saint-Domingue/Haiti transformed the scope of claims-making for those held as slaves and gave rise to powerful new liberation discourses.

Following the Napoleonic expedition's defeat in late 1803 and the formation of independent Haiti on 1 January 1804, one of the expedition's generals named Jean-Louis Ferrand established a regime in the eastern part of the island in 1804 that was driven by the overriding objective of erasing the emancipationist past and placing thousands of freed people on the island back into bondage. While Ferrand strove to make slavery a juridical and social reality in Santo Domingo, those targeted by these efforts fought back. This chapter explores the conflicts that emerged when men and women in Santo Domingo challenged the fact and terms of their subjugation. It argues that, while Ferrand undertook a massive project of attempted re-enslavement, those claimed as slaves or vulnerable to enslavement devised a multitude of ways to carve out their own versions of "freedom."

The Ferrand regime's brutality could not conceal the fact that it had a very dubious legal mandate to carry out such an endeavor. As Leclerc and his successor General Donatien Rochambeau had tried to subdue various rebel armies in Hispaniola, they had become frustrated in their attempts to institute a coherent legal framework for

⁹ Testimony of *Berceau* captives, Brumaire an 11 (23 October-21 November 1802), CARAN 135 AP 2, dossier 18.

the island. According to one report to Paris composed on 25 February 1803, upon disembarking on the island, “the General in Chief [Leclerc] had...the double task of reestablishing [in Saint-Domingue] legitimate authority by the force of arms and by that of Laws. The Second [task] was perhaps still more difficult than the first, since it was necessary to complete it in the tumult of the Camps.”¹⁰ Leclerc and Rochambeau in the end failed to impose either on those determined to preserve their liberty. The Ferrand regime’s attempts to do so would elicit multiple forms of resistance that played out on both the juridical and military planes.

In societies predicated upon the forced servitude of some of their members, conflicts often emerged between these two pillars of “force of arms” and “laws,” as “existing relations of force,” in Rebecca Scott’s words, ultimately undergirded master-slave relations.¹¹ The incoherence of laws built on the premise of transforming human beings into pieces of property enabled some slaves in many parts of the Americas to exploit certain statutes or provisions to improve their condition or to win their freedom. Some slaves even managed to influence the evolution of slave law in some places by asserting claims such as the right to purchase oneself from bondage.¹²

¹⁰ Anonymous report to Minister of the Navy and Colonies, 6 Ventôse an 11 (25 February 1803), CARAN Colonies CC/9b/22. In the original text: “*Le Général en Chef avait donc la double tâche d’y rétablir l’autorité légitime par la force des armes et par celle des Loix. La Seconde était peut-être plus difficile encore que la première puisqu’il fallait la remplir dans le tumulte des Camps.*”

¹¹ Rebecca Scott, “‘She...Refuses to Deliver Up Herself as the Slave of Your Petitioner:’ Émigrés, Enslavement, and the 1808 Louisiana Digest of the Civil Laws,” *Tulane European and Civil Law Forum* no. 24 (2009), 134.

¹² For analyses of some of the contradictions that emerged in attempts to codify slavery, see Scott, “‘She...Refuses to Deliver Up Herself,’” and Keila Grinberg, “Slavery, Liberalism and Civil Law: Definitions of Status and Citizenship in the Elaboration of the Brazilian Civil Code (1855-1916),” in *Honor, Status and Law in Modern Latin America*, ed. Sueann Caulfield, Sarah Chambers, and Lara Putnam (Durham: Duke University Press, 2005), 109-127. In colonial Cuba, litigation and other actions by slaves led to the creation of two legal rights for slaves: *coartación* (self-purchase in installments) and *pedir papel* (to “request paper” to change masters). Alejandro de la Fuente situates this phenomenon within the contexts of Spanish-American slave law and Cuban slave society in “Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*,” *Hispanic American Historical Review* 87, no. 4 (2007): 659-692.

It is not clear whether slavery was ever explicitly reestablished in law by the French under Napoleon in Santo Domingo. As discussed in chapter 4, Napoleon on 31 October 1801 had instructed General Leclerc to place Dominican blacks “back into slavery,” but no known legal mechanism backed up this order. The French scholars Jean-François Niort and Jérémy Richard have argued that any measure restoring slavery at this time would have been illegal by virtue of being in contravention of the 1799 French constitution, while only an act passed by a legislature would have the “same juridical force” as the 1794 emancipation act.¹³ On 20 May 1802, Bonaparte’s legislature passed a law composed of four short articles that did little more than formally ratify Napoleon’s “free part/enslaved part” compromise discussed in chapter 3 that confirmed slavery only in those areas where it had been maintained *de facto*. The law’s four articles are worth quoting in their entirety:

First Article: In the colonies returned to France in execution of the Treaty of Amiens of 6 Germinal Year Ten [27 March 1802], slavery will be maintained in accordance with the laws and regulations prior to 1789.

Article 2: This will also be the case in the other French colonies beyond the Cape of Good Hope.

Article 3: The trade in Blacks and their importation in the said colonies will take place in accordance with the laws and regulations in force before the said date of 1789.

Article 4: Notwithstanding all of the preceding laws, the colonial regime is subject for ten years to the regulations that will be made by the government.¹⁴

See also Alejandro de la Fuente, “Slave Law and Claims-Making in Cuba: The Tannenbaum Debate Revisited,” *Law and History Review* 22, no. 2 (Summer 2004): 339-369.

¹³ Jean-François Niort and Jérémy Richard, “À propos de la découverte de l’arrêté consulaire du 16 juillet 1802 et du rétablissement de l’ancien ordre colonial (spécialement de l’esclavage) à la Guadeloupe,” *Bulletin de la Société d’Histoire de la Guadeloupe* no. 152 (January-April 2009), 40-42.

¹⁴ Pierre Branda and Thierry Lentz, *Napoléon, l’esclavage et les colonies* (Paris: Fayard, 2006), 121-122. The original text is as follows: “Article premier: Dans les colonies restituées à la France en exécution du traité d’Amiens du 6 germinal an X, l’esclavage sera maintenu conformément aux lois et règlements antérieurs à 1789. Article 2: Il en sera de même dans les autres colonies françaises au-delà du cap de Bonne-Espérance. Article 3: La traite des Noirs et leur importation dans lesdites colonies auront lieu conformément aux lois et règlements existant avant ladite époque de 1789. Article 4: Nonobstant toutes les lois antérieures, le régime des colonies est soumis pendant dix ans aux règlements qui seront faits par le gouvernement.” A copy of this 20 May 1802 law is preserved in *Collection générale des lois, décrets*,

In simply stating that “slavery will be maintained” in those colonies that Britain had “returned” to France by the Treaty of Amiens (Saint-Lucia and Martinique), this measure thus did not legalize the reestablishment of slavery in Saint-Domingue, Guadeloupe, or Guyana, which had come under emancipationist governments after 1793. It was also silent on Santo Domingo. Thus, the murderous campaign conducted by Napoleon’s General Antoine Richepanse had questionable legal sanction for re-enslaving thousands of freed people in Guadeloupe, as did Ferrand for his restoration of slavery in Santo Domingo.¹⁵

Niort and Richard have moreover unearthed surviving copies of a “consular order” (*arrêté consulaire*) that Bonaparte issued on 16 July 1802 which stipulated that “[t]he colony of Guadeloupe and dependences will be governed in the manner of Martinique, Saint Lucia, Tobago, [and the] eastern colonies, by the same laws that were in place in 1789.” Scrupulously avoiding the usage of the word “slave,” this order made no mention of either Saint-Domingue or Santo Domingo. Moreover, Niort and Richard have argued that the order may not have carried legal weight even in Guadeloupe. They contended that “the reestablishment of slavery, and more generally of the old segregationist and discriminatory order in Guadeloupe [after 1802] rested, for 46 years, on a legality that was more questionable than that of the law of 30 floréal an X (20 May 1802).”¹⁶ One can advance a similar argument concerning Ferrand’s attempt to restore slavery in Santo Domingo. Except for Napoleon’s “enslaved part” speech to the *Conseil*

arrêtés, sénatus-consultes, avis du conseil d’état et règlements d’administration, publiés depuis 1789 jusqu’au 1^{er} avril 1814 (Paris: Imprimerie Royale, 1818), 924.

¹⁵ For details on Richepanse’s expedition to Guadeloupe, see Dubois, *A Colony of Citizens*, chapters 15-16.

¹⁶ Niort and Richard, “À propos de la découverte de l’arrêté consulaire du 16 juillet 1802,” 36 and 58. In the original text: “*La colonie de la Guadeloupe et dépendances sera régie à l’instar de la Martinique, de St-Lucie, de Tabago, [et des] colonies orientales, par les mêmes lois que y étaient en vigueur en 1789.*”

d'État discussed in chapter 3 and his 31 October 1801 order to Leclerc, I have not uncovered an executive order, law, or even correspondence from Napoleon's government that authorized or explicitly endorsed the reestablishment of slavery in Santo Domingo.

The Ferrand regime grew out of an island-wide war against French forces of reconquest, and Ferrand's incessant conflicts with the young Haitian nation underscore the interconnected histories of both sides of the island during these years. Conceptualizing this period through an island-wide lens offers several new perspectives on Haitian and Dominican history. First, it enables one to contextualize the militarism of early Haitian leaders as in part a response to a brutal campaign of re-enslavement rather than simply an overreaction on the part of fundamentally authoritarian leaders.¹⁷ Second, it encourages comparisons between the repressive policies of each of the island's regimes, while highlighting the intertwined struggles of the citizens of each place for a more genuine liberty. Finally, it reflects the centrality of the larger geographical and geopolitical contexts within which these regimes operated.

In 1802, Kerverseau and Leclerc had desperately tried to silence rumors of a return to slavery, which did not allay the island's inhabitants' well-founded suspicions regarding the expedition's true goals. After 1804, Ferrand attempted a different type of silencing: the erasure of "emancipation" by re-creating slavery in law, on the ground, and in the written record. Yves Bénot has shown that the abandonment of emancipation by Napoleon's Consular government provoked considerable opposition in metropolitan France among those who condemned slavery, racism and colonialism (though not always all three together).¹⁸ In Santo Domingo, a different form of opposition emerged: that of

¹⁷ I thank Laurent Dubois (personal communication, 24 September 2010) for suggesting this to me.

¹⁸ Yves Bénot, *La démence coloniale sous Napoléon*, 2nd ed. (Paris: Découverte, 2006), esp. 93-99.

freed people who sought to preserve their liberty. Thomas Holt noted years ago that “it is from ex-slaves that we may well learn much of what it means to be free.”¹⁹ This statement can be expanded to add that formally freed people who lived under the threat of re-enslavement also can convey political lessons on “freedom” that have purchase in our own time. The very uncertainty of their condition, as much as the abject deprivation that they so feared, gave them a visceral appreciation for “liberty.” It is their actions—often in vain, occasionally with success—that animate this chapter.

The Establishment of Ferrand in Santo Domingo

“The three strong Expeditions [sent to re-conquer Saint-Domingue] combined...are indispensable,” General Donatien Rochambeau wrote to the Minister of the Navy and Colonies on 28 April 1803, “since we now have to endure the war of the White Color against the two others.”²⁰ After 1802, the French Republic under Napoleon undertook to dismantle the principal legal bulwarks of egalitarianism that had been achieved across a decade and a half of fierce political and military struggle. Rochambeau’s depiction of the final year of the Haitian war for independence as a race war converged with this reactionary vision. In 1796, accusations of racism had contributed to the ouster of Rochambeau from the position of “Commandant in Chief of the Spanish part of Saint-Domingue” that he had briefly held that year.²¹ In the changed

¹⁹ Thomas Holt, *The Problem of Freedom: Race, Labor and Politics in Jamaica and Britain, 1832-1938* (Baltimore: Johns Hopkins University Press, 1992), 9.

²⁰ Rochambeau to Minister of the Navy and Colonies, 8 Floréal an 11 (28 April 1803), CARAN Colonies CC/9a/34. In the original French: “*Les trois forts Expéditions combinées à des époques rapprochées sont indispensables, puisque nous avons maintenant à soutenir la guerre de la Couleur Blanche contre les deux autres.*”

²¹ On 27 July 1796, a disgraced General Rochambeau had sailed back to France on the *Berceau* following his removal from this position six days earlier on charges of sympathizing with the Dominican clergy and nobility and encouraging royalist émigrés to return to Hispaniola. In a letter to the Directory composed in

political context of 1803, by contrast, this man's prejudices and ruthlessness fit in well with the mission of reinstating metropolitan rule at any cost.

The most significant such cost was the lives of thousands of men, women and children who perished from violence, disease or privation. Napoleon's determination to re-conquer this once-lucrative land led him to deploy to Hispaniola a massive invasion force in which he staked the future of French imperialism in the Americas. According to one estimate, France sent 47,286 men to the island between 4 February 1802 and 21 May 1803.²² By comparison, this was over twice the population of Le Cap at its height in the late 1780s, and sixteen thousand more than the entire white population of Saint-Domingue on the eve of the revolution.²³ It was also only slightly less than the entire population of the colony of Santo Domingo in 1808, according to one census.²⁴ Though Saint-Domingue was the main prize, its neighbor also merited the belligerents' attention. This owed in part to the strategic imperatives that had impelled Toussaint Louverture in January 1801 to capture the former Spanish colony's nerve center in an unsuccessful

July or August 1796, the *Bureau des Colonies* cited a letter that Rochambeau had supposedly written to the Minister of the Navy in which he had labeled "men of Color" (*hommes de Couleur*) a "rebel Caste, proud and bastard" (*Caste rebelle, orgueilleuse et bâtarde*) and had recommended their expulsion from the island. *Bureau des Colonies* to the Directory, Thermidor an 4 (19 July-17 August 1796), CARAN Colonies CC/9a/11. In a report composed on 18 July 1796, the Civil Commission on the island accused Rochambeau of being a partisan of the nobility and clergy in Santo Domingo. According to this report, his arrival there had been "the object of the wishes and the hope of the noble émigrés, and rich colonists, [who were] all royalists." "Extract of the Registry of the Deliberations of the Commission Delegated by the French government in the [Caribbean] islands," 30 Messidor an 4 (18 July 1796), CARAN Colonies CC/9a/11. In the original text: "...son arrivée à Santo Domingo est l'objet des vœux et de l'espoir des émigrés nobles, et grands colons, tous royalistes." Emphasis in original. See also: report to the Directory, 12 September 1796, CARAN AF/III/62; and "Extract of the Registry of the Deliberations of the Commission Delegated by the French government in the [Caribbean] islands," 3 Thermidor an 4 (21 July 1796), CARAN Colonies CC/9a/11. For Rochambeau's attempted refutation of the charges against him, see Rochambeau to Roume, 3 Thermidor an 4 (21 July 1796), CARAN Colonies CC/9a/11.

²² "State of troops [that have] Arrived in Saint Domingue from 15 Pluviôse year ten to 1 Prairial year eleven," 1 Messidor an 11 (20 June 1803), *Archives Nationales d'Outre-mer* (hereinafter ANOM), Aix-en-Provence, France, *Troupes et Personnel Civil* (hereinafter TPC) D2C 371.

²³ Population figures are from Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, MA: Belknap Press, 2004), 22 and 30.

effort to prevent the Napoleonic expedition from landing there. As he formulated plans to use a re-conquered Saint-Domingue as a beachhead for French imperial expansion in the western hemisphere, Napoleon grasped the necessity of holding onto Santo Domingo and subduing potential and actual enemies there.²⁵

“The possession of this part [Santo Domingo] is essentially necessary for the execution of the orders of the Government,” wrote General Antoine Chanlatte in an undated report advising the French government on military strategies for the island’s reconquest. “The locality offers great means to maintain oneself without much force and to oppose the bands of Toussaint in case he fights against national authority; and when the Republic will make itself known there, each Spaniard interested in defending his life, his possessions and his family will become a soldier who will be worthy of the name of French republican.”²⁶ Asserting control over Santo Domingo initially required deposing the Louverture regime, which General Kerverseau had accomplished in February 1802.

The more difficult mission would nonetheless come later: the subjugation of thousands of

²⁴ “General State of the Population of the Eastern Part of Saint-Domingue, as of the First of January 1808,” 1 January 1808, CARAN Colonies CC/9a/45. This census put the population at 50,089.

²⁵ On Napoleon’s strategic designs in the Americas and Saint-Domingue’s role in this, see Philippe Girard, “Napoleon Bonaparte and the Emancipation Issue in Saint-Domingue, 1799-1803,” *French Historical Studies* 32, no. 4 (Fall 2009): 587-618; Robert Paquette, “Revolutionary Saint Domingue in the Making of Territorial Louisiana,” in *A Turbulent Time: The French Revolution and the Greater Caribbean*, ed. David Geggus and David Gaspar (Bloomington: Indiana University Press, 1997), 204-225; and Dubois, *Avengers of the New World*, 304.

²⁶ Chanlatte, “Proposed Means to Establish French Authority in Saint-Domingue that Would Create Respect for the Laws of the Republic in the French Colony and Would Work towards its Reduction...” undated, CARAN Colonies CC/9b/18. In the original text: “*La possession de cette partie est essentiellement nécessaire pour l’exécution des ordres du Gouvernement. La localité offre de grands moyens de s’y maintenir sans beaucoup de forces et de s’opposer aux bandes de Toussaint en cas qu’il voudrait combattre l’autorité nationale; et lorsque la République s’y sera fait connaître, chaque Espagnol intéressé à défendre sa vie, ses biens et sa famille y deviendra un soldat qui voudra mériter le nom de républicain français.*” Furthermore, in the words of Dubois, Napoleon had ordered Leclerc to “rally support in Spanish Santo Domingo.” Dubois, *Avengers of the New World*, 254.

what were characterized as “Maroons” in Santo Domingo whose destruction Napoleon had mandated in his instructions to Leclerc.²⁷

Despite these perceived threats, Napoleon may have also been aware of various opinions circulating at the time that recognized the economic benefits that Santo Domingo could potentially render to France. In one tract dated 5 March 1802, a petitioner named Lavassor had advocated splitting Saint-Domingue and other French colonies into two areas: a “white” zone in the mountains, and a “black” zone on and near the plains and lowlands. Lavassor supported this proposal by citing the maroon activity that mountains supposedly facilitated and asserting that Santo Domingo’s “immense and uncultivated plains” could be worked by millions of “blacks,” until such time as the whole of “Africa is exhausted.”²⁸

While such grand schemes no doubt motivated some of Napoleon’s partisans, events on the island ultimately dictated the war’s outcome. In 1802 and early 1803, forces under General Kerverseau conducted expeditions against the “maroons” of the community of Maniel, located near the Dominican town of Neyba close to the old colonial border. Despite his frustration at an initial lack of manpower, Kerverseau utilized the same carrot-and-stick policies that his predecessors had, with rather more emphasis on the stick.²⁹ On 24 April 1802, the French General Boudet informed Rochambeau (who

²⁷ Napoleon, “Notes pour servir aux instructions à donner au Capitaine Général Leclerc,” 31 October 1801, in *Lettres du général Leclerc, Commandant en Chef de l’armée de Saint-Domingue*, ed. Paul Roussier (Paris: Société d’Histoire des Colonies Françaises et Librairie Ernest Leroux, 1937), 268-269.

²⁸ “Report by M. Lavassor on agriculture in the Colonies,” 14 Ventôse an 10 (5 March 1802), ANOM *Collection Moreau de St Méry* (hereinafter CMSM) F3 266. In the original text: “*Les Nègres, Comme il a été dit, peut Seul Cultiver les plaines; or il existe dans l’ancienne partie Espagnole de St Domingue, des plaines immenses et incultes qui pourraient employer des millions de nègres; et l’afrique est épuisée.*”

²⁹ As of 30 May 1802, only around ten percent of the Leclerc expedition’s forces (2,556 out of 24,220 men) were assigned to the eastern two-thirds of the island, which was nominally under Kerverseau. Comprehensive listing of divisions in Leclerc expedition, 30 May 1802, ANOM TPC D2C 371. On 16 September 1802, Kerverseau informed Pamphile de Lacroix, the commandant of Cibao, that he did not

had just succeeded Boudet as commander of all French forces in Saint-Domingue's West and South) of the potential links between the Maniel residents and the rebels. Warning Rochambeau that the "insurgents" could seek refuge in Maniel and augment this group's numbers (which he estimated at around 1,200), Boudet communicated his intention to send a "deputation" that would "open relations" with these settlers, which he hoped would bring them to the French side and stop their alleged killings of whites.³⁰ Three months later, a commander in Neyba named Joseph Ruiz wrote to Rochambeau that "a great quantity of Blacks from the Army of Toussaint took refuge there [in Maniel] with their arms; [and] that seven or eight [fugitives] arrive there each day, and that they organize companies." What is more, according to Ruiz a ship had recently disembarked near Petit-Trou (Saint-Domingue) to trade powder and munitions with the inhabitants of Maniel in exchange for mahogany. Most urgently, Ruiz reported that several "Blacks" from Rochambeau's own division had attempted to travel to Maniel with false passports, and that despite Ruiz's order that all "French cultivators" in the area return to their plantations, many had gone to Maniel.³¹

have the troops or funds to attack those in Maniel. Kerverseau to Pamphile de Lacroix, 29 Fructidor an 10 (16 September 1802), CARAN Colonies CC/9b/23.

³⁰ Boudet to Rochambeau, 4 Floréal an 10 (24 April 1802), CARAN 135 AP 1, dossier 4. In the original text: "*Le Maniel, partie de la Colonie où se trouvent réunis environ 1200 Noirs sous le commandement du nommé Lafortune est au point où les insurgés pourraient aller chercher retraite et grossir le nombre de cette bande...Je cherchai à ouvrir des relations avec cette partie...j'ai renvoyé au Maniel les hommes qui en étaient venus en députation satisfait de l'accueil qu'ils avaient reçu...*" Emphasis in original.

³¹ Ruiz to Rochambeau, 23 Messidor an 10 (12 July 1802), CARAN 135 AP 1, dossier 11. In the original text: "...je viens d'apprendre qu'une grand quantité des Noirs de l'Armée de Toussaint s'y sont réfugiés avec leurs armes, qu'il y arrivent sept ou huit par jour, et qu'ils organisent des compagnies...J'ai également l'honneur de vous informer que depuis quelque jours viennent de votre division plusieurs Noirs avec des faux passe-Ports pour passer à la Source, qui est un Bourg moitié dependant de cette Commune, et moitié dependant du Maniel...Il y a quinze jours que j'avais intimé aux cultivateurs français existents dans cette commune de rentrer dans leurs Habitations." On 10 July 1802, Ruiz had related an order mandating the arrest of these *cultivateurs* and their relocation to Port-Républicain after officials ascertained to which plantation they had belonged. Order on *cultivateurs* in Maniel, 21 Messidor an 10 (10 July 1802), CARAN 135 AP 1, dossier 11. Ruiz's "distinguished conduct" (*conduite distinguée*) in the "Maniel expedition" (*l'expédition du Maniel*) earned him promotion on 23 December 1803 by Ferrand to the rank of

These alleged connections with the enemy made the Maniel enclave an important target for the Napoleonic mission to the island. The Maniel residents' defiance of French and Spanish armies and envoys over the preceding century had earned them a special notoriety, while their skillful adaptation to the island's conditions had enabled them to create a tenuous space of freedom for themselves.³² They nonetheless appear to have had less success defending this freedom against the Leclerc expedition than they had had against Toussaint and earlier leaders. According to an "Order of the Day" dated 26 March 1803, Kerverseau had "taken the important position of Maniel," "killing and dispersing" its residents.³³ Recounting these events in a lengthy report that he composed in Mayagüez, Puerto Rico in February 1804, Kerverseau related that he had attacked Maniel with a force of six hundred "Spaniards" and two hundred "French blacks or mulattos." After a pitched battle in which those from the enclave were "vanquished by fear more than by our arms," all of their encampments were "reduced to Ashes" and a garrison was stationed there to prevent new "maroon" communities from forming. "Such was the end of this republic of Brigands who for about a century lived by Hunting, pillage and piracy," declared Kerverseau.³⁴

First Class Cavalry Captain. "Nominations" by Ferrand for promotion, 1 Nivôse an 12 (23 December 1803), ANOM TPC D2C 371.

³² Aside from the munitions-for-mahogany trade, the settlers in Maniel appear to have acquired goods through cultivation and trade with Dominicans. One military report from 26 March 1803 stated that the French invaders had noticed an "immense quantity of provisions" (*l'immense quantité de vivres*) that had been planted in Maniel. "Order of the Day," 6 Germinal an 11 (26 March 1803), CARAN Colonies CC/9b/22. Kerverseau moreover accused those in Maniel of engaging in trade in meat and arms with the Spanish in Santo Domingo. Kerverseau to Rochambeau, 6 Germinal an 11 (27 March 1803), CARAN 135 AP 2, dossier 18.

³³ "Order of the Day," 6 Germinal an 11 (26 March 1803), CARAN Colonies CC/9b/22. In the original text: "*Le 14 ventose, le général Kerverseau, après une marche pénible et périlleuse, s'est emparé de la position importante du Maniel, en tuant et dispersant, devant lui, les hordes de bandits qui habitaient ces repaires.*"

³⁴ Kerverseau to Minister of the Navy and Colonies, 20 Pluviôse an 12 (10 February 1804), CARAN Colonies CC/9a/37. In the original French: "...*je partis le même jour pour Le maniel avec six Cents Espagnols et deux Cents nègres ou mulâtres français...surpris sur tous les points et vaincus par la peur*

This victory was short-lived. The defeat of Maniel could not offset the effect of successive setbacks at the hands of forces under Toussaint and his trusted general Jean-Jacques Dessalines. Leclerc's death in October 1802 led to Rochambeau's assumption of command of the expedition. By 23 September 1802, Kerverseau, though holding the rank of general, was listed as commanding a mere 651 troops who formed part of an expeditionary force of 24,519 men. This precipitous decline in troop strength in part owed to the effects of disease, which had supposedly destroyed half of Santo Domingo's "garrison" (*garrison*) in six weeks.³⁵ The survivors faced a bleak struggle for self-preservation. By late June 1803, Kerverseau commanded 479 men, out of 17,055 for the entire expedition.³⁶ According to an official report, a mere seven thousand men remained in French service on the island as of 21 August 1803, with two to three thousand dying per month. In this dire assessment, without external assistance, the French fighting force would be reduced to zero in three months.³⁷

In their attempts to ameliorate their position, the French expeditionary leaders forcibly recruited among both urban and rural residents of Santo Domingo in the hope that more acclimated troops might bolster their strength. While "Spanish" troops served various French Republican regimes throughout the period of French rule over the island's eastern part, in 1803 the recruitment of such troops apparently became more heavy-

bien plus encore que par nos armes. Tous leurs établissements furent réduits en Cendres...Telle fut la fin de cette république de Brigands qui depuis près d'un siècle vivait de Chasse, de pillage et de piraterie." Emphasis in original.

³⁵ "General Chart of the Armed Forces in St Domingue," 1 Vendémiaire an 11 (23 September 1802), ANOM TPC D2C 371.

³⁶ "General Chart of the Armed Forces in St Domingue," 1 Messidor an 11 (20 June 1803), ANOM TPC D2C 371.

³⁷ "Extract of the Correspondence of the Leaders of Saint Domingue remitted by the Squadron leader," 3 Fructidor an 11 (21 August 1803), CARAN Colonies CC/9b/22.

handed.³⁸ On 9 October 1803, Dr. Pedro Francisco de Prado warned his fellow citizens that a new threat had replaced that of the “ominous cloud of blacks” who had sought to take the city of Santo Domingo. They were now threatened by the “oppressive yoke” of metropolitan French military presence. Kerverseau’s enlistment of troops whom he then stationed in various border areas drew particular ire. According to Prado, Kerverseau later issued two declarations to Dominicans in an effort to stop the resulting desertions.³⁹ A 7 June 1803 letter by Kerverseau to several military commanders and “notables” in Santo Domingo decried the “disastrous effects of the desertion that has reduced an army of more than two thousand men to less than four hundred, and delivered the border to the Enemy.”⁴⁰

In the countryside, impressment met with similar results. French General Pierre Quantin wrote a series of letters to his superiors that revealed what happened to Dominican peasants ensnared by the invasion force. Quantin commanded the crucial border post of Fort-Dauphin⁴¹ which had been wrested from those fighting against the

³⁸ In a letter on the strategic and economic importance of parts of the island’s borderland, Kerverseau claimed to have deployed “three thousand Spaniards assembled on the Border of the two [Dominican] departments for the defense of the country.” Kerverseau to Minister of the Navy and Colonies, 10 February 1804, CARAN Colonies CC/9a/37. In the original text: “...*trois mille Espagnols rassemblés sur la Frontière des deux départements pour la défense du pays.*”

³⁹ Pedro Francisco de Prado, account of French occupation in Santo Domingo, 9 October 1803, in *Las invasiones haitianas de 1801, 1805 y 1822*, ed. Emilio Rodríguez Demorizi (Ciudad Trujillo [Santo Domingo]: Editora del Caribe, 1955), 85-92. The original wording is: “*Las tropas españolas que dicho General tenía acantonadas en la raya o frontera para impedir a los negros, desertó la mayor parte de ella por la miseria y maltrato que recibían...Resentido el General...por la mucha deserción, soltó dos proclamas las más denigrantes y ofensivas a la España y a los pueblos dominicanos, mandando se pregonasen y fijasen en las partes públicas.*”

⁴⁰ Kerverseau to “the military Commanders, [and] to the notables and municipal Administrators of the Eastern Division,” 18 Prairial an 11 (7 June 1803), CARAN Colonies CC/9b/23. In the original text: “*Vous connaissez tous les funestes effets de la désertion qui a réduit une armée de plus de deux mille hommes à moins de quatre cents, et livré la frontière à l’Ennemi.*”

⁴¹ According to military records from this period, the invaders had restored the old name of Fort-Dauphin to Fort-Liberté.

expedition on 1 December 1802.⁴² In January 1803, Quantin—who was listed as commanding 844 troops as of 20 February 1803—reported to Rochambeau that two or three “Spaniards” (*espagnols*) were dying every day.⁴³ On 4 March 1803, Quantin informed Rochambeau that sixteen deserters had probably gone back to their ranches (*hattes*).⁴⁴ In sharp contrast to his superior’s starkly racist language, Quantin candidly noted that soldiers “of all colors” (*de toutes couleurs*) were dying under his command.⁴⁵

These developments may have helped lead to Quantin’s replacement by General Jean-Louis Ferrand by 20 June 1803.⁴⁶ Born in Besançon, France, Ferrand had served in the revolution in the Thirteen Colonies and other armed conflicts before joining Napoleon’s ill-fated expedition of re-conquest.⁴⁷ A list of military officers dated 22 December 1802 referred to him as a Brigade General who had “Disembarked” (*Débarqué*) on 24 November 1802.⁴⁸ At the time of the fall of Fort-Dauphin to the enemy on 12 September 1803, many of the expedition’s survivors had already begun to contemplate returning to France, and a chaotic evacuation was already underway in the Dominguan town of Jérémie.⁴⁹ Ferrand, however, refused an opportunity to escape the

⁴² Rochambeau to Minister of the Navy and Colonies, 16 Frimaire an 11 (7 December 1802), CARAN Colonies CC/9b/19.

⁴³ Quantin to Rochambeau, 24 January 1803, RPUF, no. 1567; “General Chart of the Armed Forces in St Domingue,” 1 Ventôse an 11 (20 February 1803), ANOM TPC D2C 371.

⁴⁴ Quantin to Rochambeau, 4 March 1803, RPUF, no. 1682. “*Hatte*” is the French rendering of the Spanish word “*hato*,” which referred to cattle ranches in the Dominican context. For more on the *hato*, see Richard Turits, *Foundations of Despotism: Peasants, the Trujillo Regime, and Modernity in Dominican History* (Stanford: Stanford University Press, 2003), 29.

⁴⁵ Quantin to Rochambeau, 21 February 1803, RPUF, no. 1640.

⁴⁶ “General Chart of the Armed Forces in St Domingue,” 1 Messidor an 11 (20 June 1803), ANOM TPC D2C 371.

⁴⁷ For information on Ferrand’s prior military service, see Pamphile de Lacroix, *La Révolution d’Haïti* (Paris: 1819; reprint, Paris: Karthala, 1995), 474-475.

⁴⁸ “Review” of military officers and their salaries, 1 Nivôse an 11 (22 December 1802), ANOM TPC D2C 371.

⁴⁹ The main inventory of the Rochambeau Papers at the University of Florida contains intriguing hints of such an evacuation. For instance, the entry for document number 2084 (a 16 September 1803 letter from a minor official named Henri Perroud to the “Prefect of the Isle of St Domingue”) describes the document as a “Report on the expenses of the evacuation of Jérémie and on the difficulty of providing for the care of

island on a British ship, deciding instead to retreat to the Cibao area (northern Santo Domingo). He settled in Santo Domingo city on 16 December 1803.⁵⁰

On 1 January 1804, the former Toussaint partisan Jean-Jacques Dessalines proclaimed the independence of Haiti, memorably claiming to have “avenged America.”⁵¹ As Ferrand and his crew of just a few hundred men strove to establish a government in Santo Domingo city, they embarked upon a different sort of vengeance: violence against those who in Ferrand’s mind had overthrown Saint-Domingue’s legitimate French masters and replaced them with a barbaric regime.⁵² At its core, the underlying logic behind the policies of the Ferrand regime was the desire to crush the new Haitian state and reestablish a rejuvenated French plantation colony on its ruins. In pursuing this enterprise, the regime would be met with the determined opposition of those who refused to allow the emancipationist past to be completely erased.

A Demographic and Economic Portrait of Santo Domingo under Ferrand

In a 3 August 1813 report to the Spanish Secretary of State and the Office of Overseas Governance (*Secretario de Estado y del Despacho de la Gobernación de*

evacuees with 250 ill persons in St. Yago [Santiago], Cuba.” Laura V. Monti, *A Calendar of Rochambeau Papers at the University of Florida Libraries* (Gainesville: University of Florida Libraries, 1972), 279-280.

⁵⁰ “Extract of the Correspondence of the Leaders of Saint Domingue remitted by the Squadron leader,” 25 Fructidor an 11 (12 September 1803), CARAN Colonies CC/9b/22; Kerverseau to Minister of the Navy and Colonies, 20 Pluviôse an 12 (10 February 1804), CARAN Colonies CC/9a/37.

⁵¹ Dubois, *Avengers of the New World*, unpaginated epigraph at beginning of book. In a “Proclamation” to his fellow Haitians dated 28 April 1804, Dessalines exclaimed: “Yes, we have rendered to these true cannibals war for war, crime for crime, courage for courage; Yes, I have saved my country—I have avenged America.” English translation of Dessalines proclamation of 28 April 1804, CARAN Colonies CC/9b/18.

⁵² General Kerverseau, writing on 10 February 1804, claimed that Ferrand had only 157 men under his command upon traveling to Santiago (northern Santo Domingo) in early December 1803. Kerverseau to Minister of the Navy and Colonies, 10 February 1804, CARAN Colonies CC/9a/37. By 20 July 1804, Ferrand had a total of 854 men in his army, including 224 troops from the “*Légion du Cap*” and nineteen “Spanish artillerymen” (*Artilleurs Nx [Nouveaux?] Espagnols*). “State of the Situation” of troops under Ferrand in Santo Domingo, 1 Thermidor an 12 (20 July 1804), ANOM TPC D2C 371.

Ultramar, the approximate Spanish equivalent of France's Minister of the Navy and Colonies), Carlos de Urrutia called upon the "liberal hand" of an "enlightened Government" to finally realize the economic potential of a colony that had languished in poverty for centuries. Despite the presence of a relatively prosperous tobacco industry based in the north, as well as an overabundance of pigs, cattle and other animals whose meat and hides could bring in revenue, he believed that Santo Domingo still lacked the resources and the far-sighted policies to cultivate the real money-makers of the day such as sugar, coffee, and cacao. He suggested reforms to economic governance there that would place Spain's oldest colony on track to claim a more exalted place in the vast colonial empire.⁵³

Urrutia's prescription echoed that of Sánchez Valverde of nearly thirty years earlier, and its very issuance implies repeated past failures to implement a profitable plantation system in this colony. The governance of Ferrand indeed proved inconsequential in improving the colony's economy. Far from exercising a "liberal hand" over Santo Domingo, Ferrand based its fortunes on a formula that combined economic incentives for plantation production with repressive labor policies, which bore a resemblance to Toussaint's policies there. He nonetheless differed from the Dominguan general in one crucial respect: as an unabashed slave-owner, Ferrand harbored no qualms about once again making the institution explicitly legal in the land that had pioneered American plantation slavery.⁵⁴

⁵³ Carlos de Urrutia to "Secretary of State and the Office of Overseas Governance," 3 August 1813, *Archivo General de Indias* (hereinafter AGI), Seville, Spain, *Audiencia de Santo Domingo* (hereinafter ASD) 1042. In the original Spanish: "*Pero así como todas estas riquezas han estado hasta ahora perdidas, es mui de temer que continúen en el mismo abandono, si la mano liberal de un Gobierno ilustrado no se aplica a recogerlas.*"

⁵⁴ I have located two "slave" sales among extant notarial records from Santo Domingo in which Ferrand was a buyer or a seller. In the first sale, Ferrand sold a woman named Pomette to a Captain Philipe Filoche

In 1795 most of the colony's few relatively lucrative plantation and ranching enterprises had been under the control of the Spanish colonial administration by virtue of either their owners' inability to meet financial obligations or the forced transfer of religiously-held properties occasioned by the Jesuits' expulsion from Spain's American domains in 1767. Their status from 1795 until Toussaint's invasion of Santo Domingo city in 1801 appears to have remained largely unchanged. In 1802 Kerverseau had made claims to these properties based on France's assumption of Spain's assets and prerogatives in this land as stipulated in the Treaty of Basel.⁵⁵ Kerverseau had also attempted to direct the energies of several Dominican plantations towards the production of *tafia* (rum) for his troops. For instance, he ordered on 12 October 1803 that thirty-four *cultivateurs* were to be "taken" (*pris*) from their current plantations and reassigned to labor on the *tafia*-producing San Nicolás plantation.⁵⁶

on 18 October 1807. Furthermore, on 30 May 1808, Ferrand purchased a "*négresse*" (black woman) named Agathe from Captain François Antoine Lavalette. Both sales were for three hundred *gourdes*. Furthermore, a 3 April 1809 roster of a "*Corps Franc*" listed Ferrand as the owner of five "Blacks" (*Nègres*) who served in it. See sale of Pomette, 18 October 1807, ANOM *Dépôt des Papiers Publics des Colonies, Notariat de Saint-Domingue* (hereinafter DPPC NOT SDOM) 1699; sale of Agathe, 30 May 1808, ANOM DPPC NOT SDOM 1700; and "Nominative state of men comprising the free Corps, drawn up according to the Extract of the review of Commissioners and Serving as payment for the Blacks acquired by the Government to form the Corps," 3 April 1809, *Service Historique de l'Armée de Terre* (hereinafter SHAT), Vincennes, France, B7 12.

⁵⁵ Kerverseau's confiscation of these properties built on the revolutionary precedent of state seizure of the assets of refugees who were deemed disloyal to the Republic or who had simply abandoned their properties in their flight from the island. In a decree dated 14 May 1800, Toussaint had ordered that revenue from plantations with "absent Owners" (*Propriétaires absents*) go to state coffers, with deductions made for the wages of the *cultivateurs*. "Regulation" of Toussaint on plantation revenue, 24 Floréal an 8 (14 May 1800), CARAN Colonies CC/9a/24. In an order dated 23 November 1802, Kerverseau had established the organizational structure of a new "Administration of national domains." A colonial prefect was to oversee the confiscation of properties that had belonged to religious brotherhoods, *cabildos* (town councils), and other entities as well as the proceeds of intestate successions. This national domain administration would be based in Santo Domingo city, but administrators would also be stationed in Santiago, Seybo, Azua, Bánica, and La Vega. Order of Kerverseau on national domains, 2 Frimaire an 11 (23 November 1802), CARAN Colonies CC/9b/2.

⁵⁶ Kerverseau order on national domains, 19 Vendémiaire an 12 (12 October 1803), CARAN Colonies CC/9b/4.

Ferrand would considerably expand upon these efforts. Two comprehensive listings of property that came under the French “national domain” were produced by the state to document their transfers. These records confirm the portrait of a colony with few productive enterprises and a small labor force, yet they also hint at continual conflicts over the conditions and fact of servitude.

As Urrutia’s letter suggests, Santo Domingo underwent little substantial economic change during the Ferrand period, as it continued to rely upon ranching, livestock raising, tobacco production, and the limited cultivation of plantation crops such as sugar and coffee. Ferrand instituted a policy of granting money to the owners of productive enterprises in proportion to their coffee and sugar output; in at least one case, such financial incentives reflected the size of the subordinated labor force.⁵⁷ Despite such measures, the scope of cultivation in Santo Domingo remained small. According to one estimate, as of 1 January 1808, only 8,506 *carreaux* (about twenty-eight thousand acres) of Santo Domingo’s land was planted in sugar, and just 2,231 *carreaux* (7,362 acres) of land were devoted to tobacco.⁵⁸

The scale of individual enterprises mirrored this larger picture. A national domains survey dated 21 January 1804 listed four plantations and three cattle ranches; two of the plantations were planted in sugar, one in cacao, and one in “*vivres*” (provisions). Two of these plantations were listed as having labor forces of around fifty

⁵⁷ Order of Sub-Prefect A. P. Tirol on plantation production, 23 Frimaire an 12 (15 December 1803), CARAN Colonies CC/9a/37. In a 29 November 1809 letter to Napoleon, a former subordinate of Ferrand, writing to convince Napoleon to grant a generous pension to Ferrand’s widow and children, insisted that Ferrand had devoted all of his fortune of around two hundred thousand francs to the acquisition of plantations and houses. E. Paillier, report to Napoleon on the service of Ferrand, 29 November 1809, CARAN AF/IV/968.

⁵⁸ “State of Agriculture and of Animals of all Types in the Eastern Part of Saint Domingue,” 1 January 1808, CARAN Colonies CC/9a/45.

cultivateurs, while another had twenty-one laborers and the fourth had none listed.⁵⁹ An 1806 cadastral survey contained much the same data, with the notable exception of a substantially smaller number of laborers; the survey's creators attributed the decrease to Dessalines's 1805 invasion of Santo Domingo. Upon this incursion, two of the three "blacks" on the L'Espérance ranch "followed the rebels [Haitians] in their flight."⁶⁰

While these laborers had apparently rejected servitude in French Santo Domingo and sought a different life in independent Haiti, others became the subject of claims that implicitly elided the French emancipation edict of 1794. According to a set of "Observations on the nature of national Domains of the eastern part of St Domingue," a plantation manager named Gabriela Sánchez had violated French authorities' claims to all property associated with her plantation by "embarking" for Havana twenty "cultivators" who had been "attached" to the estate in the year 1800.⁶¹ Were these "cultivators" property? In advancing a claim to these laborers, the Ferrand government

⁵⁹ "General Cadastral Register of all the National Goods recognized until this Day in the Eastern Part of Saint Domingue," 30 Nivôse an 12 (21 January 1804), CARAN Colonies CC/9b/2.

⁶⁰ "Summary of the Cadastral Register of the Domains of the French Empire," 1806, CARAN Colonies CC/9a/42. This survey listed five plantations and four cattle ranches. In the original text: "*Cette hatte avait, avant le siège de Sto Domingo, environ 800 Bêtes à corne, neuf cavallines et trois nègres. Deux de ces derniers ont suivi les révoltés dans leur fuite.*"

⁶¹ "Observations on the nature of national Domains of the eastern part of St Domingue," undated, CARAN Colonies CC/9a/42. In the original text: "*Il est à observer au sujet de l'habitation située De l'autre Bord de la rivière, ci-devant au trésorier Esparza ensuite appartenant au Roi, que Da. Gabriela Sanchez V[euve] De Dn. Andres de Licanda, qui se trouvait chargée de sa régie, a embarqué pour la havane dans L'année 1800 vingt cultivateurs Les plus forts qui se trouvaient attachés avec L'autorisation, et passeport du président Dn. Joachim Garcia.*" A "Gabriela Sánchez" is listed as owning a plantation near Santiago that was to be auctioned off in June 1807. Announcement on auction of assorted properties, 29 May 1807, CARAN Colonies CC/9a/44. According to the 1806 national domains survey, "the widow of André Lecanda, who was entrusted with the management of the Esparza plantation in 1800, exported from it 20 blacks whom she took to Cuba, upon the taking of possession of the Spanish Part by Toussaint Louverture, and that the French Government has the right to demand the restitution of these blacks who belong to it, as dependents of the Esparza succession, that has fallen to it by the substitution of the rights of the King of Spain in St Domingue." "Summary of the Cadastral Register of the Domains of the French Empire," 1806, CARAN Colonies CC/9a/42. In the original text: "*Il est essentiel d'observer que la veuve d'André Lecanda, qui était chargée de la régie de l'habitation] Esparza en 1800, en a exporté 20 nègres qu'elle a emmenés à Cuba, lors de la prise de possession de la Partie Espagnole par Toussaint Louverture, et que le Gouvernement français est en droit de réclamer la restitution de ces nègres qui lui appartiennent, comme*

implicitly tried to re-create “slave” as a coherent category by taking as a given the justness of demanding the “restitution” of human beings as property. Even as representatives of this regime condemned Sánchez for absconding with these “cultivators,” they implicitly upheld her right to force captives to travel and resettle with her in circumstances in which no such competing property claim existed, in spite of the existence of the French emancipation law.

Some of those who could not escape the re-imposition of servitude by legal or extralegal means found that certain aspects of associational life enabled them to ameliorate their condition. As in many other parts of Latin America, Catholic brotherhoods had become part of the social fabric in colonial Santo Domingo, and they offered members of various statuses and conditions numerous forms of social, material and spiritual support.⁶² Under Ferrand, some “slaves” appear to have continued to find that these groups enabled them to attain a degree of autonomy. The 1806 cadastral survey listed “61 blacks” among the “rural Properties” (*Propriétés rurales*) of the department of Cibao who were part of the “Brotherhood of St Antoine” (*Confrérie de St Antoine*) located in the city of Santiago. “These blacks have always lived in a state of independence,” this survey noted, “which has never permitted [officials] to collect any goods from them.”⁶³

dépendants de la succession Esparza, qui lui est échue par sa substitution aux droits du Roi d’Espagne à St Domingue.”

⁶² For a discussion of the workings of such an organization in Brazil, see “A Black *Irmandade* in Bahia, Brazil (1699),” in *Colonial Latin America: A Documentary History*, ed. Kenneth Mills, William Taylor, and Sandra Lauderdale Graham (Lanham, MD: SR Books, 2004), 280-296. See also Richard Gray, “The Papacy and the Atlantic Slave Trade: Lourenço da Silva, the Capuchins and the Decisions of the Holy Office,” *Past and Present* no. 115 (May 1987): 52-68 (esp. 54-58).

⁶³ “Summary of the Cadastral Register of the Domains of the French Empire,” 1806, CARAN Colonies CC/9a/42. In the original text: “*Ces nègres ont toujours vécu dans un état d’indépendance, qui n’a jamais permis d’en retirer aucun produit.*” According to the 1804 cadastral survey, upon Toussaint’s invasion of Santo Domingo city the “great number” of brotherhoods in that colony had become sharply reduced, as the

According to a census of the colony's population published in 1808, urban "slaves," who could presumably more easily avail themselves of the opportunities offered by these brotherhoods, constituted a significant proportion of the unfree population. Among the 7,052 souls that this census designated as "Slaves" (*Esclaves*), thirty-five percent were listed as residing in Santo Domingo city and Santiago, the colony's two main urban areas, though this figure likely reflects an urban bias in the collection of data. This census divided the colony's population into four distinct categories based on race and condition: "European Whites" (*Blancs Européens*); "Whites of the Country" (*Blancs du País*); "Creoles of color" (*Créols de couleur*); and "Slaves." While both classes of "whites" together accounted for just over a quarter of the population, the free-colored group encompassed around sixty percent of the total. The "Slaves" represented fifteen percent of the entire population—strikingly, the same proportion as in 1789, though the population of the colony had halved in these two decades, from around one hundred thousand to just over fifty thousand.⁶⁴

French refugees constituted a substantial portion of this population, at least in Santo Domingo city. In an 18 November 1808 census for the city of Santo Domingo, 3,875 inhabitants were listed as "French" (*Français*), while the remaining 3,891 were labeled "Spanish" (*Espagnols*). The census takers listed a quarter (24.7%) of the city's "French" population as "black" (*nègre* or *négresse*) while applying this label to only

"Titles" to these brotherhoods were taken out of the colony. "General Cadastral Register of all the National Goods," 21 January 1804, CARAN Colonies CC/9b/2. In the original text: "*Il existait sous la domination Espagnole, un grand nombre de confrairies, qui possédaient quelques Tributs fondés en leur faveur: mais à l'époque de la prise de possession par Toussaint Louverture, les Titres ont été enlevés et embarqués: ils ne formèrent d'ailleurs qu'une somme très modique.*"

⁶⁴ "General State of the Population of the Eastern Part of Saint-Domingue," 1 January 1808, CARAN Colonies CC/9a/45.

thirteen percent of the “Spanish” population.⁶⁵ While such perceptions of fused color and national identities perhaps served to heighten the regime’s concern with “French” blacks whom its leaders associated closely with Haiti, the Dominican historical context also shaped the colony’s demography and the ideas of race that prevailed in the Ferrand period.

The abrupt end of colonial Santo Domingo’s early plantation boom had led to a relative lack of plantation infrastructure in this colony; this, combined with the weakness of the colonial state and the comparatively small number of white settlers, had enabled those held in bondage to succeed in escaping from servitude in large numbers. From the end of the seventeenth century, these ex-slaves and their descendants came to constitute the majority of the population. Some of these individuals became part of a relatively autonomous peasantry, while their urban counterparts sometimes succeeded in surmounting legal and social barriers to attain high positions in the Church, the army, the government, and top educational institutions. According to Richard Turits, the term “*blancos de la tierra*” (whites of the land) emerged in Santo Domingo to describe “people of African origin who were better off [than others] and who lived with privileges [that were] in principle reserved for whites.”⁶⁶ This term bears a striking resemblance to the phrase “*Blancs du Païs*” utilized in the 1 January 1808 census.

⁶⁵ “General State of the population of the City of Santo Domingo on 18 November 1808,” SHAT B7 13.

⁶⁶ Richard Turits, “Par-delà les plantations: Question raciale et identités collectives à Santo Domingo,” *Genèses* 66 (March 2007), 53-58. In a 23 March 1804 letter to the Minister of the Navy, Kerverseau stated that “[a]ll of the great landowners of the Colony [Santo Domingo] are absent, the majority of those who remain there are a [illegible] of free blacks, mulattos, and men of color of all nuances, known by the name of Whites of the land.” Kerverseau to Minister of the Navy and Colonies, 1 Germinal an 12 (23 March 1804), ANOM CMSM F3 283. In the original French: “*Tous les grands propriétaires de la Colonie sont absents, la plupart de ceux qui y restent sont un [illegible] de nègres libres, de mulâtres et d’hommes de couleur de toutes les nuances, connus sous le nom de Blancs de la terre.*”

Given that the colony's ruling cadre were veterans of the Leclerc/Rochambeau expedition, and consciously modeled many of their policies on the restrictions on free-colored rights promulgated in late colonial Saint-Domingue, one can presume that this perception of such a large free "colored" population very likely alarmed them. After all, even at the height of the legal onslaught on the rights of the *gens de couleur libres* in Saint-Domingue, that population was never more than ten percent of the total.⁶⁷ "If I were to disarm all who are not white," Kerverseau had stated in late 1802, "I would disarm nine tenths of the Spanish Part."⁶⁸ Having been a leading officer in the service of an expedition that had fought under explicit orders to "not allow any blacks having held a rank above that of captain to remain on the island," Kerverseau now confronted in Santo Domingo a long tradition of relative non-white mobility.⁶⁹ In a 22 October 1802 letter, Kerverseau had instructed the Commandant of the Department of Cibao to exercise "great surveillance" over the *cultivateurs* of Santiago and to "purge" the countryside of the "most seditious" and send some of them to Puerto Plata.⁷⁰ Though he would depend on black and colored soldiers in his military campaigns as had his predecessors, Ferrand sought to disenfranchise and subordinate non-whites. In this, he conformed to the official

⁶⁷ According to Dubois, in 1789 the free-colored population in Saint-Domingue stood at twenty-eight thousand, or about five percent of the entire population. Dubois, *Avengers of the New World*, 30. John Garrigus has observed that "Saint-Domingue in 1789 was a society whose 30,831 French colonists, already outnumbered fourteen to one by their slaves, lived alongside at least 24,848 free people of African descent." John Garrigus, *Before Haiti: Race and Citizenship in French Saint-Domingue* (New York: Palgrave Macmillan, 2006), 2.

⁶⁸ Kerverseau to Daure, 18 November 1802, CARAN 135 AP 2, dossier 18. In the original text: "*Mais une Grande Partie de la Population Libre se Compose de noirs, et si je désarmais tout ce qui n'est pas blanc, je désarmerais les neuf dixièmes de la Partie Espagnole.*"

⁶⁹ Quoted in Dubois, *Avengers of the New World*, 255.

⁷⁰ Kerverseau to Merck, Commandant of the Department of Cibao, 30 Vendémiaire an 11 (22 October 1802), CARAN Colonies CC/9b/23. In the original French: "*Tenez vous en Grande Surveillance de la part des cultivateurs de St Yago. Ils sont nombreux, ils ne sont pas tous les mieux intentionnés. Vous avez bien fait d'envoyer à Puerto Plata ceux dont vous avez le plus à vous défier. Tâchez de purger le pais des plus séditeux.*"

racism emanating from the metropole, enhanced by his hatred of the emancipationist republic next door.

Legal and Political Conflicts over Enslavement and Citizenship Rights

“What afflicts us the most today, Sire,” wrote a group of Dominguan refugees in Santiago de Cuba to Napoleon on 5 February 1805, “is that our enemies are equally yours: thus the cowardice with which they have betrayed, evacuated, and delivered Saint-Domingue to a miserable handful of freed people and rebel slaves, who only have the energy and courage of a blind and cowardly ferocity, has only the impure result of their hatred for Reigning authority.”⁷¹ The vitriol of these exiles attests to the degree to which the Haitian victory of the previous year had transformed the political landscape in the French empire and beyond.⁷² The fact of slave revolution in nearby Haiti shaped the decisions that the leaders of the French occupation of Santo Domingo made in their efforts to fashion a slaveholding society modeled to a considerable extent on colonial

⁷¹ “Representatives of the refugee Colonists of Saint Domingue, in Santiago de Cuba” to Napoleon, 5 February 1805, CARAN AF/IV/941. In the original French: “*Mais ce qui nous afflige le plus aujourd’hui, Sire, c’est que nos ennemis sont également les vôtres: car la lâcheté avec laquelle ils ont trahi, évacué et livré Saint-Domingue à une misérable poignée d’affranchis et d’esclaves révoltés, qui n’ont d’autre énergie et d’autre courage qu’une aveugle et lâche férocité, n’a été autre chose que le résultat impur de leur haine pour l’autorité Régnante.*”

⁷² In recent decades, scholars such as Ada Ferrer and Matt Childs have explored many of the reverberations of the Haitian Revolution in Cuba and the rest of the Caribbean, drawing scholars’ attention to the complex interpretations that individuals in these places attached to these events. Another corpus of scholarship has sought to better integrate the intertwined histories of revolutionary conflict in France and in its overseas colonies, investigating the circulation of pro-slavery and abolitionist discourses, as well as those espousing racism and egalitarianism, and their role in reshaping the French imperial world. The experience of Santo Domingo from 1804 to 1809 draws together these two avenues of research. On the Haitian Revolution and Cuba, see María Dolores González-Ripoll, Consuelo Naranjo, Ada Ferrer, Gloria García, and Josef Opatrny, *El rumor de Haití en Cuba: Temor, raza y rebeldía, 1789-1844* (Madrid: Consejo Superior de Investigaciones Científicas, 2004); and Matt Childs, *The 1812 Aponte Rebellion in Cuba and the Struggle Against Atlantic Slavery* (Chapel Hill: University of North Carolina Press, 2006). Among other works on revolutionary conflict in the French world, see Yves Bénot, *La Révolution Française et la fin des colonies* (Paris: Découverte, 1988); Bénot, *La démenche coloniale sous Napoléon*; Laurent Dubois, “An Enslaved Enlightenment: Rethinking the Intellectual History of the French Atlantic,” *Social History* 31, no. 1 (February 2006): 1-14; and Schloss, *Sweet Liberty*.

Saint-Domingue. In this respect, the close proximity of Haiti reinforced the resurgence of racism in French law and colonial policy.

In the writings of many eighteenth-century French abolitionists and in the discourses of numerous figures in the revolutionary era, antislavery and antiracism often diverged, as support for one did not necessarily imply acceptance of the other.⁷³

Nonetheless, the years 1790-1802 in the French world can be conceptualized as an arc across which struggles against legalized racism and slavery yielded landmark legislative triumphs, peaking in 1795, only to reverse direction after 1799. In the erosion of the gains of the French and Haitian revolutions, racism and slavery became closely intertwined.

The “integral part” doctrine as embodied in the 1795 French constitution had institutionalized the two great victories that slaves, free people of color, and their advocates had won in the first half of the 1790s: the overturning of racially-discriminatory laws and the formal elimination of slavery. The fears of many abolitionists that Napoleon’s revocation of this doctrine in his 1799 constitution represented a grave threat to the regime of emancipation became realized in 1802, when Napoleon coupled his (partial) repeal of the 1794 emancipation decree with an array of racist laws that left the hard-won gains of 1791-1795 in tatters. These included a reinstatement of the infamous pre-revolutionary *Police des Noirs* regulations which had aimed to closely monitor the activities of persons of African extraction in France; the reinstatement of the requirement that blacks carry identity cards while in the metropole; prohibitions on mixed-race persons’ entry into France; and a ban on interracial marriage.⁷⁴

⁷³ For a discussion of these abolitionist writings, see Dubois, *A Colony of Citizens*, chapter 2.

⁷⁴ For details on these laws, see Schloss, *Sweet Liberty*, 24. In a recent article, Jennifer Heuer placed an 1803 French ministerial ban on marriage between whites and blacks within the context of developments in both continental France and in the colonies, comparing the ideologies and categories of race that had

After 1802, authorities in various French territories passed laws that targeted the rights of those seen as having African ancestry and that sought to limit the means by which “slaves” could gain their freedom.⁷⁵ On 21 December 1802, a Spanish priest in Santo Domingo named Manuel de Mena had urged Rochambeau to suspend a proscription on Dominican refugees’ taking their “slaves” with them from that colony, contending that those “blacks” who remained in Santo Domingo after their purported owners had emigrated became “vagabonds” who threatened “tranquility” and public order. “It suits us to minimize the number of our enemies,” Mena had told Rochambeau, “and one cannot trust our blacks, although they are Spanish. They are of the same origin,

emerged in different parts of the French world. See Jennifer Heuer, “The One-Drop Rule in Reverse? Interracial Marriages in Napoleonic and Restoration France,” *Law and History Review* 27, no. 3 (Fall 2009): 515-548. Two cases meticulously documented by French officials attest to the high degree of scrutiny that they sought to exercise on non-whites’ lives. On 29 April 1807, a French authority informed the Police Minister that in contravention of a 2 July 1802 order that had banned the “introduction of that caste into the continental [French] territory,” a man named Dupons had brought to France a twenty-two-year-old “mulâtre” (mulatto) named Hyacinthe Coco. M. Coco had allegedly been “perverted by the frequent orgies and nocturnal meetings of the men of color who live in Paris.” The writer of this note prescribed two remedies for the situation: more stringent enforcement of this 2 July 1802 decree on some non-whites’ travel and the enlistment of some of these “men of color” into the army, where they could perform “useful services” (*services utiles*). Letter to the Minister of General Police, 29 April 1807, ANOM *Correspondance au départ* (hereinafter CD) B 267. In the original French: “*Je suis informé, Monsieur, par une lettre du Sieur Dupons, ci-devant agent commissionné du feu Général en chef Le Clerc, qu’il a amené en France un mulâtre âgé de 22 ans...nommé Hyacinthe Coco, et que dans l’ignorance où il était, ajoute-t-il, de l’arrêté consulaire du 13 messidor an 10 qui défend l’introduction de cette caste sur le territoire continental, il n’avait point jugé nécessaire de prendre à cet égard mon autorisation, mais que le Mulâtre dont il s’agit, perverti par les orgies fréquentes et les réunions nocturnes des hommes de couleur qui se trouvent à Paris, avait fini par quitter son service pour s’engager à celui du S[ieur] Jurien.*” On 24 June 1807, an “Adjunct Chief” had informed the president of the civil tribunal of Pont Audemer that before authorities could address the petition of a Guadeloupean “black” (*noir*) named Jean-Pierre Gerard for certain official “civil acts and certificates” (*les actes civils et les certificats*), it was necessary to ascertain whether his fiancée was “white” (*blanche*) due to an order issued in Nivôse an 11 (22 December 1802-20 January 1803) that forbade any tribunal from recognizing a marriage between whites and blacks. “Adjunct Chief” to M. Bourard, President of the Civil Tribunal of Pont Audemer, 24 June 1807, ANOM CD B 267. ⁷⁵ For instance, Rebecca Schloss has shown that Martinican authorities issued several decrees during these years that aimed to strengthen official control over manumission. These included a ruling that no manumission decree issued in any other colony was valid in Martinique until public officials there ratified it as well as a decree that recognized an individual’s freedom only if he or she had secured a “title of liberty” after the French reoccupation of Martinique in 1802, secured official confirmation of such a pre-existing title after 1803, or gained the provisional assent of the colonial prefect for manumission. Schloss, *Sweet Liberty*, 39.

and of the same condition as the [Haitian] rebels: and although we treat them gently, it remains to be seen, whether they serve us with love.”⁷⁶

Ferrand built upon this logic, enforcing a distinction between “French” blacks, whom he associated with Haiti and considered especially subversive, and “Spanish” blacks, deemed somewhat less dangerous.⁷⁷ The line separating “French” and “Spanish” blacks ran through the *ancien régime* to the revolutionary era and into the post-1804 period.⁷⁸ Ferrand’s actions in this respect mirrored those of his counterparts in other parts of the Americas, as Cuban officials generally sought to bar the settlement on that island of free and freed men of color from Saint-Domingue, while North American authorities passed laws designed to halt or greatly reduce the entrance of so-called “French Negroes” into the United States.⁷⁹

⁷⁶ Manuel de Mena to Rochambeau, 21 December 1802, SHAT B7 12. In the original text: “*Mi pequeñez pide licencia a V.E. para suplicarle, que se digne suspender, y derogar la prohibición de sacar sus esclavos los que emigran, por que así es importante para el publico reposo, y tranquilidad deseada de esta Ysla. Los negros, que no siguen a sus amos, quando emigran, quedan sin la sugesion vagabundos, insolentes, y atrevidos. Conviene minorar los enemigos; y no hay que fiar de nuestros negros, aunque sean españoles. Ellos son del mismo origen, y de la misma condición de los rebeldes: y aunque nosotros los tratamos con dulzura, resta saber, si ellos nos sirven con amor.*”

⁷⁷ For instance, on 22 May 1804, Ferrand declared that while “Spanish” (*espagnols*) inhabitants of the department of Cibao could enter the department of Ozama, most “French blacks and men of color” (*nègres et...hommes de couleur français*) were prohibited entry. Ferrand to Sandoval, 2 Prairial an 12 (22 May 1804), CARAN Colonies CC/9a/40.

⁷⁸ According to Moreau de St Méry, as early as 1697, M. Ducasse, the Governor of French Saint-Domingue, had signed an accord with his Spanish counterpart in Santo Domingo which had stipulated that “French blacks” (*nègres français*) who had fled to Santo Domingo were to be returned to their former masters. Both bilateral treaties and unilateral declarations throughout the eighteenth century continued to posit a distinction between “French” and “Spanish” blacks. For instance, the 1777 Treaty of Aranjuez had apparently included a provision that exempted “Spanish blacks” (*nègres espagnols*) from a French rule requiring recaptured fugitive slaves to be sold following a set detention period if no would-be master presented himself or herself. M. L. E. Moreau de St Méry, *Description topographique et politique de la partie espagnole de l’isle Saint-Domingue* (Philadelphia: Self-published by author, 1796), 2:172, 179.

⁷⁹ On the situation in Cuba, see Rebecca Scott and Jean Hébrard, “Servitude, liberté et citoyenneté dans le monde atlantique des XVIIIe et XIXe siècles: Rosalie de nation Poulard...” *Revue de la Société Haïtienne d’Histoire et de Géographie* no. 83 (July-September 2008), 33. On the United States and “French Negroes,” see Sue Peabody, “‘Free Upon Higher Ground:’ Saint-Domingue Slaves’ Suits for Freedom in U.S. Courts, 1792-1830,” in *The World of the Haitian Revolution*, ed. David Geggus and Norman Fiering (Bloomington: Indiana University Press, 2008), 261-283; and Ashli White, *Encountering Revolution: Haiti and the Making of the Early Republic* (Baltimore: Johns Hopkins University Press, 2010).

Ferrand issued an assortment of other racially discriminatory orders, some implicitly in response to claims-making by both those claimed as slaves and those deemed to be of African descent who were able to prove their freedom. These laws included curfews, racially-based exclusion from emigration and immigration programs, anti-vagabondage measures, and even discrimination in treatment for illnesses.⁸⁰ Such measures were closely linked to fears of a Haitian invasion. In early 1804, Ferrand related in a note to his subordinate Vives his anxieties concerning a “quantity of blacks and people of color of both sexes, refugees from the French part [Haiti], who are continually in idleness and who will surely become dangerous especially if the Brigands [Haitians] invade the land.” Ferrand then ordered Vives to gather information on and put to work those among these people who did not have any “means to subsist” or who were “slaves who find themselves here without their masters.”⁸¹ These efforts culminated in a 15 September 1804 order by Ferrand to create a comprehensive registry that recorded the following information for all “French blacks and people of color” over twelve years old: their names, ages, legal status (“free or slave”), and “from which neighborhood and

⁸⁰ One such curfew prohibited most “Blacks and Mulattos” (*Nègres et Mulâtres*) from being outside after seven in the evening. Ferrand to Colonel Pichot, 7 January 1808, CARAN Colonies CC/9a/45. During the 1805 siege of Santo Domingo city by Haitian forces, Ferrand instructed the “Notables of Santo Domingo” (*Notables de Sto Domingo*) to compose a detailed listing of families that would be eligible for evacuation, which was to only include “whites, and others considered as such” (*blancs, et autres considérés comme tels*). Ferrand to “Notables of Santo Domingo,” 13 Ventôse an 13 (4 March 1805), CARAN Colonies CC/9a/40. Furthermore, in one order from 26 February 1804, Ferrand invited only white Saint-Domingue refugees to settle in Santo Domingo. Ferrand order on refugees, 25 February 1804, AGI *Papeles de Cuba* (hereinafter Cuba) 1705. When undergoing treatment in Santo Domingo’s hospitals, “black and mulatto” (*nègres ou mulâtres*) nurses could not claim any part of their salary, while their “white” (*blancs*) counterparts would receive half of their salary in the same situation. Lt. Col. Vives to “Colonial Inspector,” 18 March 1806, CARAN Colonies CC/9b/3.

⁸¹ Ferrand to Vives, 4 Pluviôse an 12 (25 January 1804), CARAN Colonies CC/9a/40. In the original text: “*Il y a ici une quantité de noirs et gens de couleur des deux sexes, réfugiés de la partie française, qui sont continuellement dans l’oisiveté et ne peuvent qu’être ou devenir dangereux surtout si les Brigands pénétraient dans le pays. Il faut, mon cher commandant vous entendre avec le commandant de la place pour avoir des renseignements sur ces individus, et occuper à des travaux utiles ceux qui n’ont pas de moyens pour subsister, comme aussi ceux esclaves qui se trouvent ici sans leurs maîtres.*”

plantation they come,” in addition to their present place of domicile. Ferrand also proposed either employing “French black and colored slaves” (*nègres et gens de couleur français esclaves*)—especially those whose purported masters were not present—in “useful jobs” (*travaux utiles*) or loaning them out.⁸²

Intertwined in all these measures was the question of the rights that people of color could claim in this society. Though they could draw upon an inheritance of protracted struggles for equality that had culminated in the 4 April 1792 law abolishing legalized racial discrimination in Saint-Domingue, *gens de couleur* were confronted with severe challenges in asserting their rights in the face of Ferrand’s racist laws. In the spirit of a “Police Ordinance” (*Ordonnance de Police*) from 19 November 1773 that had ordered the arrest and imprisonment of all “Black slaves who try to pass for free” in Port-au-Prince, the Ferrand government imposed all manner of restrictions on the mobility of

⁸² Ferrand to Vives, 28 Fructidor an 12 (15 September 1804), CARAN Colonies CC/9a/40. In the original text: “*Il y a dans la ville et dans l’arrondissement un [illegible] de gens de couleur et de nègres français dont la police veut que nous connaissions l’existence, afin d’empêcher le vagabondage. Il faut, pour parvenir à ce but, que vous vous entendiez avec le Com[mandant] d’Armes, afin que dans le courant de la Semaine prochaine il sera dressé au bureau de la place un tableau, qui indiquera les noms et prénoms de tous les nègres et gens de couleur français de tout sexe au dessus de douze ans, leur âge s’ils sont libres ou esclaves, de quel quartier et de quelle habitation ils proviennent, à quelle époque ils se sont retirés ici, le quartier de la ville ou de l’arrondissement où ils font leurs résidences, en y ajoutant les observations qui seront jugées nécessaires.*” Emphasis in original. In a 12 April 1803 letter to local officials in Montechristi and Santiago (Santo Domingo), a presumed authority (probably General Kerverseau) had written that “the number of French refugees, [who are] black and of Color, of the different sexes, has considerably increased.” Fearful of the alleged “bad intentions” of these individuals, the letter’s author indicated that he would soon order all such migrants to appear before authorities so that the latter could record their names, ages, legal condition, marital and family situation, and their ownership of any property. Letter to officials in Montechrist and Santiago, 22 Germinal an 11 (12 April 1803), CARAN Colonies CC/9a/35. In the original text: “*D’après les rapports qui m’ont été fait, il paraît, que depuis quelque tems, le nombre des réfugiés français, nègres et de Couleur, des différents sexes, a considérablement augmenté. Je viens d’ordonner à Monte Christe des mesures pour déjouer ceux de ces réfugiés qui pourraient avoir des mauvaises intentions.*” I have not located either registry in my research.

non-whites, seeking to enslave those who could not prove their freedom and to disenfranchise those who could.⁸³

On 31 December 1807, Ferrand decreed that those wishing to create *État Civil* records in their names must present a “title of liberty.”⁸⁴ In other respects as well, Ferrand sought to impose a rigid line between “slave” and free. On 26 December 1807, Ferrand declared that henceforth no “Slave” (*Esclave*) could sell “dry goods” (*marchandises sèches*) in the streets. This order required all “People of color” (*Gens de couleur*) who wished to sell such goods to provide written proof of their liberty and pay a deposit. Though he based this order on the claim that unfree dry goods sellers frequently engaged in theft, it may have represented an attempt to reduce these alleged slaves’ opportunities to accumulate the funds for self-purchase.⁸⁵

Two other measures served to further circumscribe the rights of those of African descent. On 21 December 1804, Ferrand requested that a subordinate conduct a “*contrôle*” (inspection) on a number of men belonging to two military companies that would require information on their legal condition, domicile, purported master (if deemed

⁸³ “Police Ordinance concerning So-called Free Blacks,” 19 November 1773, ANOM CMSM F3 273. In the original text: “*Il est ordonné et enjoint à la maréchaussée du ressort du dit siège, d’arrêter tous les Nègres esclaves qui se feront passer pour libres dans ce Quarter, pour les conduire en prison.*”

⁸⁴ Ferrand order on Napoleonic Civil Code, 31 December 1807, CARAN Colonies CC/9a/44. In the original text: “*Le Commissaire de l’État civil sera tenu de se faire représenter et de mentionner les titres de liberté, avant de donner la qualification de libre, aux parties qui comparaitront dans les actes.*” The *État Civil* was the main legal repository of birth, marriage and death records in both metropolitan France and in the colonies.

⁸⁵ Order of Ferrand on dry goods sales, 26 December 1807, CARAN Colonies CC/9a/42. The *Code Noir*’s Article XIX forbade slaves from “sell[ing] any type of foodstuffs” in the “market” or in “private houses” “without the express permission of their masters by a note or by known marks, on pain of confiscation of the items thus sold.” In the original text: “*Leur défendons aussi d’exposer en vente au marché, ni de porter dans les maisons particulières pour vendre aucune sorte de denrées, même des fruits, légumes, bois à brûler, herbes pour la nourriture des bestiaux et leurs manufactures, sans permission expresse de leurs maîtres par un billet ou par des marques connues, à peine de revindication des choses ainsi vendues, sans restitution du prix par leurs maîtres, et de six livres tournois d’amende à leur profit contre les acheteurs.*” Louis Sala-Molins, *Le Code Noir, ou le calvaire de Canaan* (Paris: Presses Universitaires de France, 1987), 128. Ferrand may have sought to close this loophole in this 1807 order.

to be a slave), the date of their arrival in Santo Domingo, and their comportment during Toussaint's reign there as well as upon the arrival of the Leclerc expedition in 1802.⁸⁶ While this measure appears to have responded in part to bitter memories of Toussaint's power, another decree stemmed from a phenomenon with much deeper roots on the island. No doubt well aware that access to inheritance had represented a key means by which Saint-Domingue's free-colored population had accrued wealth over the course of the eighteenth century, Ferrand sought to sharply restrict the practice among non-whites in Santo Domingo.⁸⁷ In a 27 February 1806 order, Ferrand banned the bestowal on any person of color of inheritance exceeding the value of one hundred *gourdes* that was against the interests of "absent rightful heirs."⁸⁸

As in the late eighteenth century, a fearful colonial state responded to the perceived threat of non-white demographic preponderance, accumulation of resources, and accession to political power with a legislative assault on not only the civil and political rights of *gens de couleur* but also their dignity and ability to both escape from enslavement and preserve their liberty once freed. The intended parallels to the pre-revolutionary order became explicit in one letter that Ferrand composed to the "Notables of Santo Domingo" on 15 September 1804. In his discussion of a work program aimed at "French blacks and people of color," Ferrand stated that the program "is a means to

⁸⁶ Ferrand to Peralta, 30 Frimaire an 13 (21 December 1804), CARAN Colonies CC/9a/40.

⁸⁷ According to Sue Peabody, though a royal decree issued in 1726 forbade slaves and free people of color in the French Caribbean from receiving inheritances from whites, this was not frequently enforced in Saint-Domingue. Sue Peabody, "Négresse, Mulâtresse, Citoyenne: Gender and Emancipation in the French Caribbean, 1650-1848," in *Gender and Slave Emancipation in the Atlantic World*, ed. Pamela Scully and Diana Paton (Durham: Duke University Press, 2005), 58.

⁸⁸ Ferrand order on inheritances, 27 February 1806, CARAN Colonies CC/9a/42. In the original text: "...aucune donation ou Legs faits en faveur des gens de couleur, au préjudice d'héritiers de droit absens, en excédant la Somme de Cent gourdes, ne pourront être exécutés." For details on the importance of inheritances in eighteenth-century Saint-Domingue, see Garrigus, *Before Haiti*, chapter 1 (esp. 64-72); and Dubois, *Avengers of the New World*, 60-65.

occupy the Vagabonds, and to persuade those, who believe themselves [to be] independent, that we consider them in the State in which they were before the revolution, and from which they have been removed to the detriment of the Colony.”⁸⁹

The legal scholar Vernon Palmer has written that “history tends to show that the stronger the fear of insurrection, the more likely restrictive laws will be passed targeting free people of color.”⁹⁰ While the Ferrand regime’s legislative record amply supports this assertion, a look back at the notarial archive hints that the law also represented a terrain for contestation over rights. The language of the several dozen notarized acts of liberty that were created in French Santo Domingo often displayed an ambiguity concerning the scope of citizenship there. A discernible tension existed between two statements that one encounters repeatedly in these acts: that the person thus freed would live like “other freed people;” or that the freed subject would have “all of the rights” of “*anciens libres*” (the formerly free; i.e. those who had never been slaves).⁹¹ This tension was rooted in the bitter political and legal history of colonial Saint-Domingue. The 1685 *Code Noir* had granted ex-slaves “the same rights, privileges, and liberties that persons born free enjoy,”

⁸⁹ Ferrand to “Notables of Santo Domingo,” 28 Fructidor an 12 (15 September 1804), CARAN Colonies CC/9a/40. In the original text: “*C’est un moyen d’occuper les Vagabonds, et de persuader à ceux, qui se croient indépendants, que nous les considérons dans l’État où ils étaient avant la révolution, et dont on les avait tiré pour le malheur de la Colonie.*”

⁹⁰ Vernon Palmer, “The Strange Science of Codifying Slavery—Moreau Lislet and the Louisiana Digest of 1808,” *Tulane European and Civil Law Forum* no. 24 (2009), 97.

⁹¹ According to one notarial act, Louise Félicité dite Agard was to be “freed from the yoke of slavery, and Free, as all the other freed people of the colony, to enjoy, and make use of her Free state...and as the former regulations and Laws [illegible] in the colony of Saint Domingue prescribe, concerning the manumission of slaves.” Freeing of Louise Félicité dite Agard, 30 April 1804, ANOM DPPC NOT SDOM 699. In the original text: “...*affranchie du joug de L’esclavage, et Libre, comme tout les autres affranchis de la colonie, pour elle jouir, et disposer de son état de Libre, ainsi, et comme La prescrivent les anciens règlements et Loix [illegible] dans la colonie de Saint Domingue, concernant l’affranchissement des esclaves.*” In the manumission act of Étienne Eloi, the terms of freedom were as follows: “Étienne Eloi, [is to] be, and remain from this moment Free, and freed from the bonds of servitude...[and] fully enjoy her Liberty, and dispose of her person as all the other formerly Free people, and freed people of the colony.” Freedom act of Étienne Eloi, 28 July 1804, ANOM DPPC NOT SDOM 699. The original text reads: “*Étienne Eloi, soit et demeure dès ce moment Libre, et affranchie des liens de La servitude pour*

yet by the 1780s, living like “other freed people” often meant enduring political disenfranchisement and innumerable quotidian humiliations.⁹² By contrast, the ability to claim the status of “formerly free” could enable one to avoid these curtailments of rights.

In their long struggle against these racist laws, free-colored activists from Saint-Domingue had devoted scrupulous attention to law and to the skillful manipulation of language. John Garrigus observes that “[t]he first free colored spokesmen in revolutionary Paris—a merchant and a planter—were so skilled at legalistic argument that historians have mistakenly described them as ‘lawyers.’”⁹³ Two notarial acts from French Santo Domingo hint at the continued salience of language in struggles over rights there. On 17 October 1806 in Santo Domingo city, the Saint-Domingue refugee Rozine *dite* (called) Alzire came before a notary with a 19 August 1803 act of sale (created in Le Cap) which confirmed that her mother Rosalie *dite* Dufay had purchased her in order to free her. This 1803 act had labeled Rosalie a “*mulâtresse libre affranchie*” (free freed mulatto), but the word “*affranchie*” (freed) had been crossed out. The 1803 document then declared that Rozine would enjoy “all of the rights... attached to The Class Of Free men.”⁹⁴ Moreover, the 12 December 1805 Santo Domingo city manumission act of the adolescents Zénon and Solon noted that they would “enjoy liberty from this day forth, as

elle jouir, pleinement de sa Liberté, et disposer de sa personne comme tous les autres anciens Libres, et affranchis de la colonie.”

⁹² Sala-Molins, *Le Code Noir*, 200. The original French reads: “*Octroyons aux affranchis les mêmes droits, privilèges et immunités dont jouissent les personnes nées libres.*”

⁹³ Garrigus, *Before Haiti*, 95. There exists a sizeable literature on the centrality of language in the unfolding of revolution in metropolitan France. For a useful overview, see Jay M. Smith, “No More Language Games: Words, Beliefs, and the Political Culture of Early Modern France,” *American Historical Review* 102, no. 5 (December 1997): 1413-1440.

⁹⁴ *Dépôt* of Rozine *dite* Alzire, 17 October 1806, ANOM DPPC NOT SDOM 705. The phrase in French reads: “...*demeurer libre et affranchie de toute servitude et Esclavage, Jouir et user de tous les droits et [illegible] attachés à La Classe D’hommes Libres.*”

the other freed people enjoy it in this Colony, by virtue of the edict of the month of March 1685 [the *Code Noir*].”⁹⁵

Of course, the mere invocation of the *Code Noir* in this and other acts in no way implied its wholesale and faithful application, any more than was the case in colonial Saint-Domingue. Nonetheless, the *Code*’s provisions of equality and the history of free-colored activism associated with them may have represented grounds for the advancement of claims by those targeted by the regime’s racist laws. Furthermore, correspondence and reports concerning disputes over the ownership of several “slaves” suggest the ability of the purportedly enslaved to exploit legal and documentary mechanisms to improve their condition.

While the *Code* had represented for free-colored leaders a latent royal commitment to a legal regime of racial equality, it had distinctly different meanings for those still held in bondage. Though the *Code* contained certain avenues for escape from servitude (such as being named the executor of the master’s will and marriage to the master) along with provisions requiring masters to provide for slaves’ basic subsistence and to refrain from “barbarous and inhumane treatments...of their slaves,” its stance on matters such as slaves’ serving as witnesses was much less liberal than its position on the rights of manumitted persons.⁹⁶ Nonetheless, some of those held in bondage in Santo Domingo in the Ferrand period stretched the boundaries of the law, forcing authorities to

⁹⁵ Freedom of Zénon and Solon, 12 December 1805, ANOM DPPC NOT SDOM 735. In the original text: “...jouir de la liberté à compter de ce jour, ainsi qu’en jouissent les autres affranchis de cette Colonie, en vertu de l’édit du mois de mars 1685.”

⁹⁶ Sala-Molins, *Le Code Noir*, 142; Laurent Dubois and John Garrigus, *Slave Revolution in the Caribbean, 1789-1804: A Brief History with Documents* (New York: Palgrave, 2006), 51-53. The text of Article XXVI reads: “Les esclaves que ne seront point nourris, vêtus et entretenus par leurs maîtres selon que nous l’avons ordonné par ces présentes pourront en donner l’avis à notre procureur général et mettre les mémoires entre ses mains, sur lesquels et même d’office, si les avis lui en viennent d’ailleurs, les maîtres

address their claims to switch masters, to reunite with an allegedly enslaved relative who had been transferred to another location, or to escape from servitude altogether.

Some “slaves” struck against their predicament by provoking or exploiting disputes over their purported ownership. In a 28 July 1808 letter to a don Juan Castillos, Ferrand described a conflict concerning the ownership of a “*nègre créole*” (black creole) named Manuel Aldaña, who was detained in a prison in Seybo. While Feliciano Cabrera, a native of Hinchu who had emigrated to Seybo, claimed to have “lost” (*perdu*) this would-be slave in Hinchu, a man named Jean Lemdez also asserted his rights over him. Lemdez meticulously assembled a dossier of evidence to prove his case, including a notarial act of his purchase of Manuel from Thomas Figueredo, a native of Bánica, created by the notary Antonio Pérez. Other documentation traced the purported ownership of Manuel back to a Dionicio Hernández, whose succession had transferred Manuel to his brother Santiago. Ferrand requested that Santiago Hernández appear before Castillos in order to show one or more “titles of property” (*titres de propriété*) over Manuel so that the matter might be resolved.⁹⁷ Buried in this voluminous paper trail is Manuel’s own agency: the pivotal word “lost” implies that he may have become a fugitive, creating this dispute over his ownership by his attempts to escape from bondage.

More direct evidence of flight appears in a 3 September 1807 letter that a woman named Ana Victoria Lasapelo wrote to the Commandant in Chief of the Western Subdivision in Santo Domingo. In it, she implored her interlocutor to apprehend a

seront poursuivis à sa requête et sans frais, ce que nous voulons être observé pour les crimes et traitements barbares et inhumains des maîtres envers leurs esclaves.” Sala-Molins, *Le Code Noir*, 142.

⁹⁷ Ferrand to don Juan Castillos, 28 July 1808, CARAN Colonies CC/9a/45. On 20 July 1808, Ferrand had asked Lemdez in a letter to come before him with the “black” (*nègre*) Manuel and with the proper “titles” (*titres*) that would prove ownership over Manuel. Ferrand to Lemdez, 20 July 1808, CARAN Colonies CC/9a/45.

“Slave” (*Esclave*) named Mauricio who had departed with the “Brigands” (Haitians), offering to provide proof of ownership if requested.⁹⁸ On what legal basis did this unspecified written proof of Mauricio’s status rest if, as is likely, he had been freed by the 1793-1794 emancipation edicts? Would his settlement in Haiti invalidate his purported master’s claims on his person? Implicit in the assertion that this document superseded his actions was the attempted re-creation of slavery in the documentary record. This document serves as a reminder that the re-imposition of slavery in Santo Domingo entailed quasi-legal as well as military force.

In some instances, those claimed as slaves subverted legal restrictions and obliged authorities to call them to testify in contentions over proper ownership. According to the notes of a session of a government commission from 9 February 1805, an unnamed woman had made a claim to recover her daughter Anastasie, who had been taken from the Cambariva plantation by a Nicolás González and sent to Puerto Rico in exchange for the “*petit nègre*” Juannico. Anastasie’s mother insisted to the “Captain General” (presumably Ferrand) that her daughter and Juannico be returned to their original residences. Ferrand requested that both Juannico and Anastasie’s mother appear as declarants (*comparaître*) before a government commission in order to resolve the problem.⁹⁹

On 4 June 1808 Ferrand wrote to Castet, a military commander in Samaná, concerning the alleged slave Nicolás, currently held in prison in Samaná, who had advanced a claim to belong to the family of a M. Sosa against the opposition of a Julián

⁹⁸ Ana Victoria Lasapelo to Monsieur P. C. Desile, Commandant in Chief of the Western Subdivision, 3 September 1807, CARAN Colonies CC/9a/44.

⁹⁹ “Commission charged with the examination of the Management of the ex-administrator Nicolás González,” Session of 20 Pluviôse an 13 (9 February 1805), CARAN Colonies CC/9b/15.

Vallejos. Ferrand ordered Nicolás to appear in Santo Domingo city so that authorities could determine his “legitimate owner” (*propriétaire légitime*).¹⁰⁰

While the original 1685 redaction of the *Code Noir* had severely limited slaves’ ability to provide testimony by denying their word any legal weight, the 1724 revisions to the *Code* stipulated that slaves could be witnesses in civil or criminal cases only if their testimony was necessary, no white witnesses were available, and they were not testifying for or against their master.¹⁰¹ According to Malick Ghachem, though these small “loopholes” existed in French colonial slave law in order to “prosecute slave ‘crimes’ for which the only available evidence was the eyewitness report of another slave,” such provisions became invoked in ways unintended by their framers. For instance, in a 1775 investigation into a complaint brought by a slave named Thomas against his master concerning alleged abusive treatment, the *sénéchal* (magistrate) of Le Cap heard Thomas’s testimony.¹⁰² In compelling colonial officials to call them as witnesses, Nicolás and Anastasie’s mother likewise took advantage of these “loopholes” in a way that contravened the spirit of the legal regime that Ferrand sought to put in place.¹⁰³

¹⁰⁰ Ferrand to Castet, 4 June 1808, CARAN Colonies CC/9a/45.

¹⁰¹ Alan Watson, *Slave Law in the Americas* (Athens: University of Georgia Press, 1989), 88.

¹⁰² Malick Ghachem, “Sovereignty and Slavery in the Age of Revolution: Haitian Variations on a Metropolitan Theme” (PhD diss., Stanford University, 2002), 136-140. France, unlike Spain, had no explicit legal mechanism by which slaves could claim redress against owners who treated them especially cruelly, except as concerns the deprivation of nourishment and clothing and the practice of forcing slaves to work on Sundays and holidays. Watson, *Slave Law in the Americas*, 86; Sala-Molins, *Le Code Noir*, 102, 134-142 (Articles VI and XXII-XXVI of the *Code Noir*).

¹⁰³ The interplay between possible “slave” flight, document-based claims on individuals as “property,” and presumed appearances of “slaves” as witnesses is evident in an 1806 dispute between two purported masters of a man named Andrés. According to a letter from Ramón Cabral, the *alcalde* (mayor) of Santo Domingo city, to the imperial high appeals court president Minuty dated 1 February 1806, Remigio Acebedo had made a claim to the “*negro Andrés*” as his “property” (*propiedad*) based on a written document obtained in Azua, and was seeking to recover him after he had spent the past six years “in flight” (*de fuga*) in Los Ingenios. Ramón Cabral to Minuty, 1 February 1806, CARAN Colonies CC/9a/42. In a 31 January 1806 letter to Ferrand, the other disputant, María Lebrón, contended that the only possession that she had retained upon her flight from San Juan to Los Ingenios to escape the “brigands” was Andrés, who according to Lebrón came into her possession upon her mother’s death around six years ago. Though an auction to pay off her brother’s debts had included the sale of Andrés in Azua, Lebrón had ignored this and

Ferrand employed his own legal tools in his most draconian policy: the capture and enslavement of Haitians. In an *arrêté* issued on 6 January 1805, Ferrand authorized those living near the border with Haiti to enter Haiti and “make prisoners” of Haitians who were under fourteen years of age, who would become the “property” of their captors. Females under twelve years old and males under ten could not be returned to Haiti but could be either “attached” to a plantation or sold. Ferrand entrusted his Commandant Joseph Ruiz and other trusted subordinates with the task of issuing official certificates affirming these captives’ ownership and their capture in the “territory occupied by the rebels.”¹⁰⁴ Furthermore, Ferrand stated in a letter to Ruiz that Haitian males in Santo Domingo over fourteen years of age should be shot.¹⁰⁵

Extant notarial records provide further evidence of such slaving. On 3 February 1808, *sieur* Pierre Senabrier sold a woman named Marie-Catherine to the *dame* Chadefand for 144 *gourdes*. Marie-Catherine had initially been “captured among the Brigands [Haitians]” (*prise sur les Brigands*) before being sold twice. A 26 December

continued to keep him “in her power” (*en son pouvoir*) in Azua on the grounds that the auction (and thus Andrés’s sale) had been illegitimate. Authorities in Santo Domingo called both María Lebrón and Andrés to appear before a tribunal in order to decide the matter. María Lebrón to Ferrand, 31 January 1806, CARAN Colonies CC/9a/42.

¹⁰⁴ Order of Ferrand on capture of Haitians, 16 Nivôse an 13 (6 January 1805), CARAN Colonies CC/9a/40. In the original text: “*Les habitants des frontières des Départements de l’Ozama et du Cibao, ainsi que les troupes employées au Cordon, sont et demeurent autorisés, à se répandre sur le territoire occupé par les révoltés, à leur [illegible], et à faire prisonniers tous ceux des deux sexes que ne passeront pas l’âge de quatorze ans. Art. 2^e. Les prisonniers provenant de...ces expéditions, seront la propriété des capteurs. Art 3^e. Les enfants mâles capturés ayant moins de Dix ans et les Nègresses, mulâtresses...au dessous de Douze, devront expressément rester dans la Colonie et n’en pourront être exportés sous aucun prétexte. Les capteurs pourront à leur gré, ou les attacher à leurs plantations, ou les vendre à des habitants, résidents dans les Dép[artements] de l’Ozama et du Cibao. Art. 4^e. Les noirs et gens de Couleur, dont il est fait mention dans l’article précédent, et que ne devront pas être exportés, ne seront considéré comme propriété des Capteurs, et ne pourront être vendus par eux, qu’autant qu’ils se seront munis, pour chaque individu, dans le Département de l’Ozama, d’un Certificat des Notables d’Azua, visé par le Commandant Ruiz, et dans le Département du Cibao, d’un pareil certificat...qui constate que ces noirs ont été effectivement pris, sur le territoire occupé par les révoltés.*” Emphasis in original.

¹⁰⁵ Ferrand to Joseph Ruiz, 16 Nivôse an 13 (6 January 1805), CARAN Colonies CC/9a/40. In the original text: “*Je ne dis rien dans mon Arrêté, au sujet des noirs et gens de couleur, au dessus de quatorze ans. Il*

1807 certificate created by her first owner Anastacio Váldez (appended to this notarial act) elaborated that Marie-Catherine had been “captured in the enemy part [Haiti]” (*apresada en la parte enemiga*) before coming into Váldez’s possession.¹⁰⁶ On 11 September 1808, a *sieur* Espaillat sold four children to Ferrand’s second-in-command, General Joseph Barquier. Three of them had been “captured among the rebels” (*pris sur les révoltés*) according to certificates mentioned in the notarial act.¹⁰⁷ As with the certificates issued by Ruiz, these notarial records sought to re-inscribe slavery into the documentary record.

Slaving in Santo Domingo under Ferrand rested on a mix of opportunism and resolute anti-Haitianism. This in turn entailed a wholesale rejection of both the revolutionary emancipation decrees and of emancipations granted by onetime slaves-turned-generals. In one 8 November 1804 letter to his subordinate Peralta, Ferrand rejected even the limited manumissions that the royalists Jean-François and Georges Biassou had offered in the early 1790s. Insisting that these men had never had the “right” to liberate anybody, Ferrand declared that all “French black and colored slaves” who had been given their “liberty” by either of these men did not have a valid claim to freedom and thus must be “considered as Slaves.” By contrast, Ferrand argued that the former “Spanish Slaves” who had received their liberty from the “King of Spain” due to service in colonial armies ought to remain free.¹⁰⁸ In this letter, Ferrand implicitly responded to

est bien entendu, que les mâles doivent être fusillés: Quant aux femmes, il est avantageux, je pense, de les conserver.” Emphasis in original.

¹⁰⁶ Sale of the “*négresse*” Marie-Catherine, 3 February 1808, ANOM DPPC NOT SDOM 1700.

¹⁰⁷ Sale of four children, 11 September 1808, ANOM DPPC NOT SDOM 1701.

¹⁰⁸ Ferrand to Peralta, 17 Brumaire an 13 (8 November 1804), CARAN Colonies CC/9a/40. In the original French: “...*les esclaves noirs et de couleur français, à qui Jean François et Biassou, qui n’avaient aucun droit à cet effet, ont donné la liberté, doivent toujours être considérés comme Esclaves: qu’ils doivent être arrêtés et envoyés à la disposition de ce commandant...quant aux Esclaves Espagnols, qui ont servi en...sous les ordres du G[énéral] Cabrera, et qui ont eu leur liberté au nom du Roy d’Espagne, leurs titres*

would-be slaves' potential efforts to attain liberty, accepting only a narrow range of claims to free status. On other occasions, Ferrand tapped into the legal and social history of the *Code Noir*, which had proclaimed the French king to be the ultimate arbiter of legal condition even as it recognized certain forms of claims-making by slaves and freed people. In giving legal justification to this captive-taking, however, Ferrand disregarded royal authority and instead recalled that most ancient of bases for enslavement: capture in war. In a 2 October 1808 letter to several of his subordinates, Ferrand explicitly stated that captives taken from Haiti in battle would legally belong to their captors.¹⁰⁹

Partly in response to these policies and to the fear of a French invasion, Haiti's first leaders ordered the construction of a series of forts in their territory. They also conducted a military incursion into Santo Domingo in 1805, which met with defeat despite Dessalines's tenfold manpower advantage over Ferrand due to the fortuitously-timed arrival of a French naval force under Admiral Missiessy.¹¹⁰ In a 12 April 1805 address to his citizens, Dessalines justified his invasion of the "former Spanish part" of the island partly on the basis of the "decree issued by Ferrand, on the date of 16 Nivose, year III (6 January 1805)." He further accused the "Spanish indigenes" of collaborating with the "freedom-killing endeavors" of the French and called upon his fellow Haitians to "live or die as free men," distributing among them numerous copies of the 6 January 1805 enslaving order in an effort to rally them around the flag.¹¹¹ Emilio Cordero Michel

doivent être respectés; et ils ne doivent pas faire partie de ceux que réclame le Command[ant] de la place."
Emphasis in original.

¹⁰⁹ Ferrand to "Commandants" and "Notables" in Santo Domingo, 2 October 1808, CARAN Colonies CC/9a/45.

¹¹⁰ Bénot, *La démenche coloniale*, 117-128.

¹¹¹ Proclamation of Dessalines to fellow Haitians, 12 April 1805, in Rodríguez Demorizi, *Invasiones haitianas*, 105-108. In the Spanish translation: "...persuadido de que mientras un solo enemigo respire todavía en este territorio, siempre me quedaría algo que hacer para llenar dignamente el puesto adonde me habeis elevado; provocado por un decreto expedido por Ferrand, en fecha de 16 Nivoso, año III (6

has argued that Ferrand's 6 January 1805 order was a major reason why Dessalines led the 1805 invasion into Santo Domingo, as the decree represented ample evidence that "[t]he project of Ferrand...included not only the re-conquest of Haiti but also the reestablishment of slavery as he had already done in Spanish Saint-Domingue [Santo Domingo]."¹¹²

Though the Ferrand regime built on precedents from both the *ancien régime* and the revolutionary era, the overthrow of slavery and colonialism in Haiti had transformed the geopolitical terrain. The rulers of Napoleonic Santo Domingo felt compelled to react to the presence of Haiti, fusing the alleged external threat of "rebel" armies with internal concerns in a way that bears more than a passing resemblance to early Haitian leaders' resort to forced labor on the grounds of the threat of a French invasion. As Rebecca Schloss has observed, the transformation of French Saint-Domingue into independent Haiti exacerbated the tendencies of French authorities on both sides of the Atlantic to associate non-whites with criminality and subversion, which they manifested in acute fears that "a network of *gens de couleur* roaming the Atlantic would incite rebellion and

Enero 1805)...el cual ordené que os fuera comunicado por vía de publicidad, resolví ir a apoderarme de una porción integrante de mis Estados y borrar allí hasta los últimos vestigios del ídolo europeo. En consecuencia, una fuerza armada fué desplegada contra la parte antes española. Nuestra marcha fué rápida, y nuestros pasos fueron señalados por otros tantos éxitos felices. Era natural presumir que los indígenas españoles...aprovecharían con avidez la preciosa ocasión de sacrificar a los manes de sus antepasados; pero esta especie de hombres envilecidos y degradados, prefiriendo a las dulzuras de una vida libre e independiente...hizo causa común con los franceses. Era compartir los crímenes de los últimos, asociándose a sus trabajos liberticidas...En cualquier punto que el destino de este país haga un llamado a mi firmeza, recibiréis de mí el ejemplo de vivir o de morir como hombres libres." The rhetoric of top French officials may have added fuel to Dessalines's fire. In a 7 March 1805 letter instructing Ruiz and two other subordinates to win as much support as possible among the "Spanish," Ferrand declared that Dessalines had "sworn an implacable hatred for all those who were not born in slavery and to exterminate all those who are free." Ferrand to Peralta, Baron and Ruiz, 7 March 1805 (16 Ventôse an 13), CARAN Colonies CC/9a/40. In the original text: "*Dessalines...a juré une haine implacable à tout ce qui n'est pas né dans l'esclavage et d'exterminer tout ce qui est libre.*" Emphasis in original.

¹¹² Emilio Cordero Michel, "Dessalines en Saint-Domingue espagnol," in *Saint-Domingue espagnol et la révolution nègre d'Haïti (1790-1822)*, ed. Alain Yacou (Paris: Karthala, 2007), 416-418.

bring the downfall of France's remaining West Indian colonies."¹¹³ These developments transpired during a decade that was marked by both dramatic challenges to enslavement and human trafficking in some areas and the retrenchment of these practices in others. As the location of Ferrand's enterprise of re-enslavement and as a hub of captive trading, Santo Domingo became an important arena of conflict over enslavement and freedom in the Ferrand period.

Santo Domingo in Circum-Caribbean Circuits of Captivity

When a group of ex-slaves declared Haitian independence in 1804, they offered a new vision of a New World society without slavery. Three years later, the British prohibition of its Atlantic slave trade gave new impetus to a powerful moral crusade against slavery in the Atlantic World. Nonetheless, in this same period a confluence of technological breakthroughs, policy shifts, the collapse of Saint-Domingue's plantation complex, and other factors gave rise to the resurgence of plantation slavery in Cuba, Louisiana and Brazil, a phenomenon that Dale Tomich has termed the "second slavery."¹¹⁴

¹¹³ Schloss, *Sweet Liberty*, 35. Emphasis in original. Alleged connections between Haiti's civil strife and non-whites in neighboring slaveholding colonies provoked anxiety among many authorities. According to one report to the Minister of the Navy composed in January 1806, many "people of color" in Santiago de Cuba (the site of a large French refugee community) had collected five to six thousand *gourdes* that were to be given to the faction that opposed Dessalines in Haiti's internal conflict. This caused the report's author to suspect the existence of a "secret mission, on the part of the Mulattos" in France and to urge a "redoubling of surveillance and of precautions" against them even as he admitted that "no proof" existed to substantiate his allegations. Letter to Minister of the Navy and Colonies, January 1806, CARAN Colonies CC/9a/42. In the original text: "*Il assure qu'une collecte de 5 à 6000 gourdes a été faite entre les gens de couleur réfugiés à St. Yago, en faveur des deux Rigaud, et qu'une Mulâtresse, nommée Chaune, est chargée de leur remettre ce Secours, et en même temps de remplir, en France, une mission secrète, de la part des Mulâtres. Quoique ces faits ne soient soutenus d'aucunes preuves, la prudence semble pourtant indiquer un redoublement de surveillance et de précautions.*" Emphasis in original.

¹¹⁴ Dale Tomich, *Through the Prism of Slavery: Labor, Capital and the World Economy* (Lanham, MD: Rowman & Littlefield, 2004), 56.

Though Santo Domingo was never as integral in the transatlantic slave trade as Charleston, Havana, or pre-revolutionary Le Cap, it was a central battleground in struggles over the terms of bondage and liberty—and the viability of slave status across imperial and colonial boundaries—in the decade to 1810. Santo Domingo’s longstanding political links to Cuba and Puerto Rico had facilitated illegal slaving between these places during the emancipation period, and following the *Berceau* incident in the fall of 1802, Santo Domingo became even more implicated in far-reaching circuits of captivity that blurred the line between slavery and freedom.¹¹⁵ In his trading of Haitian captives to places with long-established slave-based economies such as rice-producing South Carolina and in his sales of captives from slaving vessels that shipwrecked on Santo Domingo’s coasts, Ferrand participated in networks of captive trading that operated on the margins of the law.

Ferrand’s shocking order to Ruiz, commanding him to execute male Haitians over fourteen, attests to a dilemma that he shared with many other authorities in the Americas: the wish to accrue profit by maximizing the size of the servile labor force, counterbalanced against the fear of an uprising. Largely cut off from sources of servile labor outside of the island, Ferrand resorted to trafficking in Haitians—while trying to eliminate those whose knowledge of freedom and warfare might pose a threat. Hence the chilling focus on the seizing of children.

Ferrand also sought to export some of these captives to South Carolina in exchange for slave-produced rice, as a means by which to pass on some of his risk to his

¹¹⁵ Some inhabitants of Santo Domingo in the Ferrand period advanced claims to property rights in individuals who resided in Cuba, Puerto Rico, and other places. For instance, in a 5 October 1807 letter, Ferrand instructed his subordinate Pedro Ruiz to send him several “slaves” (*esclaves*) living in Puerto Rico

North American counterparts while tapping into one of the most important plantation economies in the antebellum United States.¹¹⁶ In a 4 December 1804 letter to the Superior Council of Santiago, Ferrand related that a ship that he had deployed to Charleston, South Carolina containing a number of “black Brigands” had recently returned to Santo Domingo with a quantity of rice obtained in exchange for the captives. Ferrand estimated his revenue at one thousand to 1,200 *gourdes*.¹¹⁷

Despite this trade, the cash-strapped Ferrand government lacked adequate sources of revenue, and it relied to a considerable degree on the proceeds of ship captures to finance its administrative and military costs, justifying many interceptions on the high seas as retaliation for foreigners’ alleged trading with Haiti.¹¹⁸ If these ships contained captives who could be sold for the profit of the state, then so much the better. The records of the board that Ferrand entrusted with adjudicating ship capture cases, known as the “*Commission des Prises de Santo Domingo*” (Santo Domingo [Ship] Captures

who were claimed by would-be masters based in Santo Domingo. Ferrand to Pedro Ruiz, 5 October 1807, CARAN Colonies CC/9a/43.

¹¹⁶ For details on the rice economy in antebellum South Carolina and Georgia, see Judith Carney, “Landscapes of Technology Transfer: Rice Cultivation and African Continuities,” *Technology and Culture* 37, no. 1 (January 1996): 5-35. Carney’s scholarship has demonstrated that South Carolina and Georgia were key nodes in the Atlantic rice economy, with African captives and their descendants providing invaluable knowledge and technology in addition to labor. See Judith Carney, *Black Rice: The African Origins of Rice Cultivation in the Americas* (Cambridge, MA: Harvard University Press, 2001).

¹¹⁷ Ferrand to Members of the Superior Council of Santiago (Santo Domingo), 13 Frimaire an 13 (4 December 1804), CARAN Colonies CC/9a/40. In the original text: “Après beaucoup de traverses et d’événements malheureux, Le Cap[itain] de navire, qui avait conduit à Charlestown les nègres Brigands, qui m’avaient été envoyés de St Yago, est arrivé avec une partie de Riz qu’il avait eu en échange. Je calcule qu’il reviendra mille ou douze Cent gourdes au Dep. du Cibao.” Emphasis in original.

¹¹⁸ According to General Kerverseau in a 23 March 1804 letter to the Minister of the Navy, “[t]he financial resources of that part [Santo Domingo] are reduced today to captures made by the Corsairs; for in the absolute stagnation of commerce, the products of customs are almost nothing, and in this part’s current State of depopulation, it is necessary to count as almost nothing that of the national domains.” In this same letter, Kerverseau stated that North American, British and Danish “agents of Commerce” (*agents du Commerce*) had established themselves in Les Cayes and Jacmel, Haiti. Kerverseau to Minister of the Navy and Colonies, 23 March 1804, ANOM CMSM F3 283. In the original text: “*Les ressources financières de cette partie se réduisent aujourd’hui aux prises faites par les Corsaires; car dans la stagnation absolue du commerce, les produits de la douane sont presque nuls, et dans l’État de dépopulation actuelle de cette partie, il faut compter presque pour rien celui des domaines nationaux.*”

Commission), contain details on the sale of “slaves” procured from the seizures of vessels that straddled the thin line between legal and illegal trafficking. On 9 February 1804, the ironically-named *Good Hope*, a slave-trading vessel with a largely British crew and British captain sailing under the Danish flag, shipwrecked near the Dominican town of Higüey. According to the Commission’s records, the ship stopped at St Croix, where the captain claimed to have lived for six years, and then proceeded to sail first to Havana and subsequently to Santo Domingo. This captain’s luck finally ran out in the latter locale, as the 18 March 1804 judgment of the *Commission des Prises* mandated the confiscation of all of the ship’s purported cargo—including its 185 “Blacks” (*Nègres*)—and these captives’ sale for a total of 81,400 francs.¹¹⁹

Following the abolition of the British Atlantic slave trade by a 25 March 1807 Act of Parliament, attempts to ferret out secretive slaving vessels sailing under foreign flags gave rise to a complex military and juridical infrastructure. For instance, the British and the signatories to their anti-slaving treaties such as Brazil set up “mixed commissions” that adjudicated cases involving the capture of suspected slavers.¹²⁰ While the *raison d’être* of the *Commission des Prises* may at first appear to have been quite distinct from that of these “mixed commissions,” telling similarities existed between the two bodies. The decisions of both could accrue revenue for state authorities by exploiting the labor of captives, whether labeled “slaves,” “liberated Africans,” or something else.¹²¹

¹¹⁹ “State of Affairs in which the articles came from Santo Domingo, that are subject to observation,” undated, CARAN Colonies CC/9a/48.

¹²⁰ For a recent article on the political situation between Britain and Brazil with respect to these matters, see Beatriz Mamigonian, “In the Name of Freedom: Slave Trade Abolition, the Law and the Brazilian Branch of the African Emigration Scheme (Brazil-British West Indies, 1830s-1850s),” *Slavery and Abolition* 30, no. 1 (March 2009): 41-66.

¹²¹ Beatriz Mamigonian argues that a principal objective of the British Colonial Office was to transport “liberated Africans” from captured slave ships (and from the British colony of Sierra Leone) to serve as indentured laborers in British West Indian colonies. Mamigonian, “In the Name of Freedom,” 42. On

Those who sought to eliminate slaving in the Napoleonic-era Caribbean faced several formidable challenges, including the difficulties of policing the seemingly innumerable ships that plied circum-Caribbean and Atlantic routes and the willingness of governments such as that of post-1807 Britain to condone and even perpetrate captive trading under new guises. Whatever their legal status may have previously been, these *Good Hope* captives found themselves sold into something closely resembling slavery in processes that combined the use of force with legal and bureaucratic procedures that re-created slavery in the written record as well as on the slave ship. On 8 December 1806, a *négociant* (businessman) from St Thomas named H. Abendanon sold to another *négociant* resident in Santo Domingo city named Payra Ferry 187 “new blacks” (*nègres nouveaux*) who had been sold in a public auction of captives from the *Good Hope*, which was listed as having been shipwrecked in Higüey and captained by a “Biscoe.”¹²² Furthermore, on 4 September 1808, the merchant Mauger sold a seventeen-year-old African-born boy named L’Éveillé to another merchant named René Pichaud. L’Éveillé was noted as having come into the seller’s possession by purchase in a “public sale” (*vente publique*) in Samaná of items that had come from the capture of the Danish ship *Only Son*.¹²³

While Kerverseau had grappled with the question of how best to dispose of the *Berceau* captives, Ferrand had no qualms about selling off captives who had found themselves shipwrecked on the colony’s shores. In a 27 February 1804 letter to the

indentured labor and comparisons to slavery, see David Northrup, *Indentured Labor in the Age of Imperialism, 1834-1922* (Cambridge: Cambridge University Press, 1995); and Roseanne Marion Adderly, “‘New Negroes from Africa:’ Culture and Community among Liberated Africans in the Bahamas and Trinidad, 1810 to 1900” (PhD diss., University of Pennsylvania, 1996).

¹²² Sale of “blacks” from H Abendanon to Payra Ferry, 8 December 1806, ANOM DPPC NOT SDOM 705.

¹²³ Sale of L’Éveillé, 4 September 1808, ANOM DPPC NOT SDOM 1302.

Commandant of Higüey, Ferrand requested that his subordinate send to Santo Domingo city those individuals remaining in Higüey who had been among the 103 “blacks” (*noirs*) who had been aboard a ship from Puerto Rico that had wrecked near Higüey. Ferrand promised to pay fifteen *gourdes* for each “head” (*tête*) that residents of the Higüey area sent to Santo Domingo city.¹²⁴ In instructions that he gave to another subordinate named Villavicencio dated 20 July 1807, Ferrand clarified that his earlier statement on the Higüey “blacks” had been an order, not a suggestion, demanding an inquiry as to whether any of the “Blacks coming from the Vessel shipwrecked, about four years ago, on the coasts of your district” had been hidden from the central government by residents of Higüey.¹²⁵ Ferrand’s distinctly personalistic approach to resolving such matters is evident in a letter that he wrote to the “Chief of Administration” on 17 August 1807 in which he ordered that a “*nègre Bossal*” (African-born black) living in Seybo who may have “come from some ship [that had] perished on the Coast” be sold the following day in a “public sale, for the account of the Government.”¹²⁶

Officials charged with resolving these slaving cases often responded to geopolitical concerns in their decision-making, as the outbreak of the Napoleonic Wars had made colonial rivalries even more salient. In the year before the British and North American abolitions of their respective slave trades, an incident involving a slave-trading ship called the *Joseph* illustrated how shifting geopolitical winds could affect the lives of

¹²⁴ Ferrand to “Commandant of Higüey,” 7 Ventôse an 12 (27 February 1804), CARAN Colonies CC/9a/40.

¹²⁵ Ferrand to Villavicencio, 20 July 1807, CARAN Colonies CC/9a/43. In the original text: “*Dites moi bien sincèrement, Mon cher Commandant, ce qui m’a été caché avec soin par votre prédécesseur, concernant les Nègres provenant du Navire naufragé, il y a près de quatre ans, sur les côtes de votre arrondissement. Je suppose qu’il s’en trouve encore plusieurs entre les mains de quelques habitants, et c’est à vous à m’informer si mes doutes sont fondés.*”

those held in servitude. In an 8 April 1806 letter to the Minister of the Navy, Ferrand recounted the story of the *Joseph*, a vessel that was “evidently English” (*évidemment Anglais*) but sailed under the Swedish flag. After loading its human cargo in Africa, this ship had made a stopover in St Barthélemy, where it had switched flags. It then traveled towards Havana with its “thus disguised cargo” after having “boarded around a Hundred Blacks on another Swedish Vessel;” a French corsair called *La Fortune* captured it en route. Though the captain of the *Joseph* requested the “intervention” of Spanish authorities by virtue of being arrested in the territorial waters of Cuba, the Governor of Baracoa (Cuba) turned the case over to a French tribunal in Santo Domingo that he deemed to be the sole authority competent to judge the legality of the *Joseph*’s capture. After deliberating on the matter, the “Administrative Commission of Santo Domingo” judged this capture to be legal, basing its decision on a 1778 law stipulating that any ship with an “enemy owner” could not be considered neutral.¹²⁷

The application of this *ancien régime* statute elided the emancipation period, asserting a property right in human beings that was assumed to exist despite the uncertain legality of slavery in French Santo Domingo. While Kerverseau’s preoccupation with saving his own skin in the *Berceau* episode had stemmed from a concern to not present its captives as slaves, in the case of the *Joseph* different colonial authorities took as a

¹²⁶ Ferrand to “Chief of Administration,” 17 August 1807, CARAN Colonies CC/9a/44. In the original text: “...il paraît qu’il provient de quelque bâtiment péri sur la Côte; Et dans ce cas il convient qu’il soit vendu demain à la vente publique pour le compte du Gouvernement.”

¹²⁷ Ferrand to Minister of the Navy and Colonies, 8 April 1806, CARAN Colonies CC/9a/42. In the original text: “Le Capitaine capturé a prétendu à son débarquement avoir été arrêté dans les limites de la mer territoriale de l’Isle de Cuba, et a réclamé l’intervention des autorités Espagnoles...a Soutenu un Combat contre un Corsaire français, avant d’arriver au port de St Barthélemy, que c’est dans ce port qu’il a arboré le pavillon Suédois dans les Vingt quatre heures de son arrivée, et qu’il en est reparti de suite, pour porter à la Havane sa cargaison ainsi déguisée, après avoir transbordé une Centaine de Nègres sur une autre Goëlette Suédoise...Sa décision est basée sur les Articles 7 et 8 du Règlement de 1778, qui exigent ‘que les

given the right to hold people as property, even as they disputed specific means of exercising this supposed right. Nonetheless, the illicit itineraries of these slavers serve as an apt reminder that enslavement required the exertion of force regardless of any legal sanction. Both Ferrand and these contrabandists devised their own solutions to navigate the tensions between the force of enslavement and the law of “slavery”—a tension that had existed in the French world since at least the promulgation of the *Code Noir*.

Conclusions

In a report to the Minister of the Navy dated 6 March 1801, a Saint-Domingue official had condemned Toussaint Louverture’s rule as the “shame of the nation,” yet this label more aptly applies to the Napoleonic campaigns of re-enslavement.¹²⁸ Ferrand’s five-year enterprise of seeking to place thousands of people into bondage encountered the determined opposition of “slaves” who devised novel ways of manipulating the law of “slavery” in their efforts to evade the force of re-enslavement. While some of these individuals managed to carve out relatively autonomous existences as members of religious brotherhoods or to compel authorities to enable them to change masters, reunite with relatives, or testify as witnesses, others escaped from servitude by flight or self-purchase. Those claimed as slaves or targeted by the Ferrand regime’s racist laws fought back in ways that undermined the regime’s attempts to reinvent a slaveholding order in the first site of plantation slavery in the Americas. These individuals drew upon a

bâtiments qui auront eu un propriétaire ennemi ne pourront être réputés neutres ou alliés.” Emphasis in original.

¹²⁸ “Précis sent by the Government to fill in Saint Domingue the functions of Receiver General of Contributions,” to Minister of the Navy and Colonies, 15 Ventôse an 9 (6 March 1801), CARAN Colonies CC/9b/18. In the original text: “*Car il en est d’autres qui, à la honte de la nation, vils et rampants et réellement tarés dans l’opinion publique cherchent à force de flagornerie à occuper les places et à se vendre à l’iniquité.*”

heritage of resistance to enslavement and racial repression forged over several centuries by slaves and freed people from both parts of the island.

Though Ferrand tried to re-create slavery as a legal construction, in the written record, and as a lived reality, many “slaves” in Santo Domingo manipulated the legal tools of the Napoleonic state and built on the successful struggle for freedom in independent Haiti. Santo Domingo under Ferrand ultimately represents a crucial case in the legal history of race and slavery in the Americas, as those who fought against enslavement and disenfranchisement there challenged the project of re-enslavement and left traces of an alternative history in the archival record.

Chapter Six

“They Always Knew Her to be Free:” Archiving Liberty in French Santo Domingo, 1804-1809

On 30 July 1803 the *citoyenne* (citizen) Adelaïde Faury presented herself before the notary Derieux in the Dominican city of Santiago. A merchant from the Dominguan city of Fort-Dauphin, Faury had traveled to the notary’s office in order to deposit what was perhaps the most important document in her life. Created by *citoyenne* Faury’s former master Magdeleine Garçon Magagues and a French consular official in Norfolk, Virginia (USA), this act declared that: “From this day forward, September 1st, seventeen-hundred and ninety-four, I grant liberty to my aforementioned servant [slave] Adelaïde Faury of Fort-Dauphin.”¹

Citoyenne Faury’s story spans the arc of emancipation and the subsequent re-emergence of slavery that defined the two decades after 1789 in France’s Caribbean colonies. As is evident above, Faury gained her legal freedom in 1794, in the same year that the French Republic abolished slavery throughout its empire. Mme Garçon, who was probably one of the hundreds of slaveholding refugees from Saint-Domingue who brought their purported human property with them to numerous circum-Caribbean and mid-Atlantic ports such as Norfolk, thus removed Faury from the scene of the revolutionary turmoil to which she would subsequently return.

¹ *Dépôt* of Adelaïde Faury, 30 July 1803, *Archives Nationales d’Outre-mer* (hereinafter ANOM), Aix-en-Provence, France, *Dépôt des Papiers Publics des Colonies, Notariat de Saint-Domingue* (hereinafter DPPC)

Uprooted from the site of the first large-scale general slave emancipation in the Americas before she could benefit from the institution's dismantling there, *citoyenne* Faury won her liberty in slaveholding Norfolk, only to then feel obliged to document her status as a free woman after her return to Hispaniola and her establishment as a successful merchant there.² Her odyssey provides further evidence that the first French Republican emancipation in many ways represented an ambivalent rupture with much continuity with the past.³ Nonetheless, confronted with a Napoleonic regime determined to re-enslave thousands of people who had been formally freed in Hispaniola in 1793-1795, men and women like *citoyenne* Faury infused "liberty" with new meanings. As the several dozen surviving acts created by French notaries that recognize or grant the freedom of at least one individual in Santo Domingo between 1804 and 1809 suggest, purported slaves and freed people skillfully exploited small openings in the repressive social and legal order.⁴

The strategies employed by men and women who came before French notaries in an effort to secure their freedom in Santo Domingo between 1804 and the collapse of the slaveholding regime of General Jean-Louis Ferrand in 1809 can be grouped into three principal types. Those fortunate enough to possess tangible proof of their juridical freedom (manumission act, baptismal record, etc) deposited these records with notaries in order to prove their prior attainment of free status. Others with the means to do so purchased themselves from their masters, while some freed individuals with the right

NOT SDOM) 485. In the original text: "*À compter de ce jour premier septembre mil sept cent quatre vingt quatorze je donne la liberté à ma ditte servante Adelaïde Faury du Fort Dauphin.*"

² For Adelaïde Faury's activities as a merchant, see: sale of a hut from Jean-Pierre Cayret to Adelaïde Faury, 28 July 1803, ANOM DPPC NOT SDOM 485.

³ The second and final declaration of the emancipation of slaves in all French territories took place in 1848.

connections called upon witnesses to vouch for their freedom. These strategies often worked together. Those who sought this documentation were responding to the real and grave menace of re-enslavement at the hands of a regime born out of the failure of the Napoleonic expedition of re-conquest, which itself had attempted to brutally re-enslave many men, women and children.

This uncertainty became compounded by the unstable political situation. Would the Ferrand regime collapse? Would the French again abolish slavery as they had in 1794, or would Napoleon's troops retake Haiti, thereby crushing the one abolitionist nation in the hemisphere? Nobody knew for sure. Nor was it immediately evident whether French or Spanish law (or some combination of the two) might prevail in a given dispute. While the principal laws governing matters such as enslavement, manumission, and the rights of freed people in the Spanish-American world largely derived from the *Siete Partidas* (Seven Divisions), a wide-ranging compilation of laws promulgated in thirteenth-century Castile, France by contrast lacked a coherent legal framework concerning slavery in its overseas possessions until 1685, when legal scholars working for Louis XIV devised the *Code Noir*.⁵ This comprehensive reorganization of French colonial slave law attempted to strike a delicate balance between maintaining discipline among slaves in that nation's overseas colonies and ensuring certain minimal standards concerning humane treatment and the rights of manumitted persons that were more often honored in the breach. France's failure to fully assert control over Santo Domingo after

⁴ These records represent the totality of all such documents that survive in the books of French notaries who served in Santo Domingo during the years 1795-1809. Eighty-nine of these 103 acts were created under the slaveholding Ferrand regime.

⁵ For a recent translation of the *Siete Partidas*, see Robert J. Burns, ed., and Samuel Parsons Scott, trans., *Las Siete Partidas* (Philadelphia: University of Pennsylvania Press, 2001), 5 vols.

its cession in 1795 contributed to the emergence of a complicated hybrid legal situation there wherein officials and other parties drew upon both French and Spanish law.⁶

The itinerant notaries who redacted these records strove to navigate this confused legal terrain. Following Santo Domingo's cession to France, several French Republican notaries left their posts in Saint-Domingue to serve the Dominguan migrant community across the border in Santo Domingo. One of their number intriguingly drafted his acts in French on the letterhead of the Spanish king and was referred to in these documents as the "*Écrivain du Roy et Seigneur Don Carlos IV de la ville de Bayajá*" ("Writer of the King and Sire Don Carlos IV in the City of Bajayá").⁷

⁶ Proposals and ordinances on French judicial reorganization in Santo Domingo starting in 1802 called for a degree of power-sharing between "French" and "Spanish" authorities. One proposed judicial reform concerning Santo Domingo dated 10 October 1802 envisioned the establishment of three "Courts of Justice" (*Tribunaux de Justice*) including two of the first instance (one in Santo Domingo city and the other in Santiago) and an appeals court to be located in Santo Domingo city. Each of these three courts was to have three judges, of which one on each tribunal had to be "Spanish" (*Espagnol*). Proposal for judicial organization in Santo Domingo, 18 Vendémiaire an 11 (10 October 1802), *Centre d'Accueil et de Recherche des Archives Nationales* (hereinafter CARAN), Paris, Colonies CC/9a/32. Furthermore, on 22 September 1805, General Ferrand issued a decree that called for a comprehensive restructuring of Santo Domingo's judicial infrastructure. This included the creation of a high appeals court that would be composed of half "French" and half "Spanish" judges. The decree also ordered the establishment of courts of the first instance that would have the same proportion of French and Spanish justices. This order invoked Spanish legal precedent and maintained certain Spanish officials such as *alcaldes* (mayors) in their posts while also stipulating the appointment of French judges and other authorities. Ferrand, "Regulation on Judicial Organization of the Eastern Department, Formerly [the] Spanish Part," 22 September 1805, ANOM 8 *Supplément Saint-Domingue* (hereinafter SUPSDOM) 390. For an incisive discussion on the complex interplay of French, Spanish and United States slave law in the drafting and implementation of the Louisiana Digest of 1808, see Vernon Palmer, "The Strange Science of Codifying Slavery—Moreau Lislet and the Louisiana Digest of 1808," *Tulane European and Civil Law Forum* no. 24 (2009): 83-113.

⁷ See ANOM DPPC NOT SDOM 1301, book of notary Noël Nicholas Leprestre, 1795-1796. In fact, at least two "Spanish" notaries, Manuel Regalado and Antonio Pérez, appear in the extant documentary record as having served in Santo Domingo during at least part of the fourteen years of French rule. A 23 September 1805 decree concerning judicial reorganization in French Santo Domingo stipulated that two "former Spanish Notaries" (*anciens Escribanos Espagnols*) named Antonio Pérez and Manuel González Regalado were to serve as notaries in Santo Domingo city alongside their "French" counterparts Jean-Paul Gaernier, Pierre-Joseph Funel, and Barthélemy Vallenet. Ferrand decree on judicial reorganization, 23 September 1805, CARAN Colonies CC/9c/11. A detailed biographical listing of public officials in Santo Domingo city contains an entry for a notary named Antonio Pérez, born in that city on 26 June 1737, who had served in this function there since 1762. "Nominative Listing of Officers Comprising the Judicial Order in Santo Domingo," 1 March 1808, CARAN Colonies CC/9c/11. A death record for the "notary public" (*notaire public*) Manuel Regalado dated 5 September 1807 exists in the *État Civil*, Santo Domingo collection in the ANOM (see the microfilm 85 Miom 95). Kathryn Burns has noted that after the promulgation of the *Siete Partidas*, rivalries between monarchical authority and cities in Castile led to the

Both the Francophone and Spanish-speaking worlds had long employed notaries as guarantors of the legal validity of agreements contracted between citizens.⁸ According to Julie Hardwick, early-modern French subjects “found the acts that notaries wrote to be crucial safeguards” of transactions ranging from marriage contracts to loans and sales to wills.⁹ The omnipresence of slavery in France’s overseas colonies dramatically enhanced the importance of these “crucial safeguards” for the numerous men and women whose formal separation from perpetual servitude often rested on a piece of paper procured in precarious circumstances.¹⁰ Moreover, in a legal context that privileged “written

creation of different types of notarial posts, one of which was “*escribano[] del rey*” (one Spanish translation of *écrivain du roy*). The French notary Leprestre’s designation thus appears to reflect this Spanish medieval precedent. Kathryn Burns, “Notaries, Truth, and Consequences,” *The American Historical Review* 110, no. 2 (April 2005), 358.

⁸ The *Siete Partidas* enumerated certain requirements for becoming a notary. These included being a free man (not a slave); being a Christian of “good reputation;” possessing skill in writing; maintaining residency in one’s place of employment; and being a layman. Burns and Scott, *Las Siete Partidas*, 3:759-760 (*Partida* III, Title XIX, Law II). Numerous laws and decrees moreover affirmed the centrality of notaries and their services in Saint-Domingue and other French colonies. For instance, one 21 July 1802 regulation issued by the “General in Chief [and] Captain General” (*Le Général en Chef, Capitaine Général*) in Saint-Domingue declared that the “*Notariat*” was “the Civil institution upon which the security of families and the fortune of Citizens especially rests.” The order also set three requirements for entry into the notarial profession: attainment of at least twenty-five years of age; proof of “irreproachable morality” by way of certificates “in due form” signed by “Notable Citizens” in the prospective notary’s place of domicile; and evidence of sufficient knowledge of both old and new laws, the “functions and duties of notaries,” and the drafting of notarial acts. Intriguingly, this regulation also required notaries to not violate the “law of 16 pluviôse year 2,” which may refer to the 4 February 1794 act of general emancipation. “Regulation [on the] Organization of the *Notariat* in the French Part of the Isle of St Domingue,” 2 Thermidor an 10 (21 July 1802), ANOM 8 SUPSDOM 390. In the original text: “*Considérant que le Notariat et l’institution Civil sur laquelle reposent spécialement la sécurité des familles et la fortune des Citoyens...Art. 5. À dater de la publication du présent, les prétendants aux Places de notaires, autres que ceux qui seront confirmés devront remplir les trois Conditions suivantes: 1. Être âgés de vingt cinq ans accomplis; 2. justifier d’une moralité irréprochable par des certificats en due forme des Citoyens Notables du Lieu de leur domicile; 3. faire preuve de connaissances suffisantes des lois anciennes et nouvelles relatives à la Carrière qu’ils veulent parcourir, des fonctions et devoirs des Notaires et de la rédaction des actes...ils se conformeront aux anciennes ordonnances et Règlements concernant les Notaires, dans la Colonie, dans tout ce qui n’est pas contraire à la loi du 16 Pluviôse an 2.*”

⁹ Julie Hardwick, *The Practice of Patriarchy: Gender and the Politics of Household Authority in Early Modern France* (University Park: Pennsylvania State University Press, 1998), 5.

¹⁰ In my emphasis upon the centrality of written documentation in the highly unequal conflicts that transpired in Hispaniola between would-be slaveholders and those who sought to escape enslavement, I owe much to the pioneering work of Rebecca Scott and Jean Hébrard on multigenerational struggles for liberty in multiple parts of the Atlantic World. See their “Servitude, liberté et citoyenneté dans le monde atlantique des XVIIIe et XIXe siècles: Rosalie de nation Poulard...” *Revue de la Société Haïtienne d’Histoire et de Géographie* no. 83 (July-September 2008): 1-52.

evidence” over the “sworn oral testimony” of Anglo legal systems, notaries represented indispensable “mediators of oral and literate cultures” who were the main gatekeepers to the world of literate power both in mainland France and in the colonies.¹¹ Securing a notarized act attesting to one’s legal condition of freedom provided a degree of insurance against enslavement in French Santo Domingo. I build on the scholarship of Kathryn Burns, Natalie Zemon Davis, and others in emphasizing the performative element of notarial acts’ production, demonstrating that some freed people could secure a coveted notarized liberty act by skillfully acting out the part of “free person” in the absence of written proof of free status.

The individuals who sought these freedom acts constituted part of a heterogeneous populace comprised of Saint-Domingue refugees, Spanish speakers whose roots in the colony long antedated the cession, and a small number of North American traders and Dutch and Danish smugglers.¹² Intriguingly, few freed people or freedom granters appear in these records as having lived in Santo Domingo, while a relatively high proportion of the freed subjects had an ascribed African provenance (twenty-eight percent of subjects with a prior residence listed were so designated). “Congo” was the most common geographical label in this subset (five of sixteen cases), reflecting the

¹¹ Hardwick, *Practice of Patriarchy*, 5 and 43. John Garrigus has likewise argued that the notarial system in colonial French Saint-Domingue provided a “public voice” for poor free-colored people and that it constituted a nascent “public space” for Dominguans regardless of social status. John Garrigus, *Before Haiti: Race and Citizenship in French Saint-Domingue* (New York: Palgrave Macmillan, 2006), 94-95.

¹² Fifty-seven liberty acts out of the 103 listed a place of birth or former residence for the freed subject, while fifty-three contained this information for the freedom granter (former master or individual entrusted to act in his or her name). Out of such records, over fifty-nine percent of the subjects and eighty-one percent of the freedom granters had lived in Saint-Domingue. Within this subset of cases, Saint-Domingue’s three provinces (the North, West and South) had roughly equal representation.

demographic predominance of Congos/Kongos in Saint-Domingue in the late eighteenth century.¹³

Many of the Saint-Domingue refugees anticipated an imminent French re-conquest of Haiti and the resumption of business as usual within a plantation society.

They often appear to have perceived their condition of exile to be temporary and the long-term survival of the revolutionary state in the Caribbean to be inconceivable.¹⁴

Dominguan refugees in Santo Domingo frequently attempted to preserve social and familial networks that had developed in Saint-Domingue, while the freed people among them drew upon these networks in their quests for a permanent and enduring liberty.

Claims such as the one filed by a Dominican colonist to an African-born purported slave-turned-maroon who was captured in Cuba, and that made to a captive who was sold in St

¹³ Laurent Dubois has stated that “Kongos” constituted forty percent of total slave imports to Saint-Domingue in the eighteenth century, and that by the 1780s they comprised half of the slave population on the coffee plantations in the colony’s North and West provinces and forty percent of the total slave population on Northern sugar plantations. Laurent Dubois, *Avengers of the New World: The Story of the Haitian Revolution* (Cambridge, MA: Belknap Press, 2004), 40-43. According to David Geggus, “West Central Africa” (the region associated with the terms “Congo” and “Kongo”) supplied virtually half (49.2%) of African slaves sold to Saint-Domingue on French ships. In this colony’s North, the figure was even higher (56.6%). David Geggus, “The French Slave Trade: An Overview,” *William and Mary Quarterly* 58, no. 1 (January 2001), 137-138. See also Geggus’s informative earlier article “Sex Ratio, Age and Ethnicity in the Atlantic Slave Trade: Data from French Shipping and Plantation Records,” *Journal of African History* 30, no. 1 (1989): 23-44. On the political and military impact of the Kongos in Saint-Domingue in the eighteenth century, see John Thornton, “‘I Am the Subject of the King of Kongo:’ African Political Ideology and the Haitian Revolution,” *Journal of World History* 4, no. 2 (Fall 1993): 181-214.

¹⁴ Major French repositories (in particular the “Colonies CC/9a-CC/9c” collections in the CARAN and ANOM) are replete with post-1804 tracts (often written by former Saint-Domingue colonists or military leaders) outlining strategies for a French re-conquest of Haiti. See for instance a tract by a Louis Drouin that advocated the reestablishment of slavery in a recaptured Haiti, which in this vision would entail strict conditions for manumission and minimal material requirements for slaves’ upkeep. Louis Drouin, “Ideas on the Means to Employ in order to bring the Isle of Saint-Domingue [to France] in all its value,” 1 February 1807, CARAN Colonies CC/9a/44. Moreover, some individuals residing in Santo Domingo appear to have carried out their personal affairs on the assumption that France would retake its lost territory. In his 1805 will, Jean-Baptiste Junca, a former military officer from Dondon (northern Haiti) who currently lived in Santo Domingo city, bequeathed a plantation in Dondon, including several “cultivateurs” who were listed as being attached to it, to his natural son Adrien. Will of Jean-Baptiste Junca, 15 August 1805, ANOM DPPC NOT SDOM 702. In the original text: “*Je donne, et Lègue à Adrien celle du quartier du Dondon, avec tous les nègres, et négresses cultivateurs qui en dépendent...*” Furthermore, on 17 July 1804, a man named Louis Henry Constance freed the “*négresse de nation Congo*” (black woman of the Congo nation)

Thomas, Curaçao, and Santo Domingo between 1805 and 1807, hint at Santo Domingo's role in broader Caribbean and Atlantic histories of migration, emancipation and re-enslavement.¹⁵ Nominally part of a French empire that had repudiated much of its commitment to emancipation, Santo Domingo in the Ferrand era was nonetheless shaped by the eight-year emancipationist period. Thus slavery, whose legality was very much in doubt, was subject to multiple challenges as "slaves" and freed people drew upon this emancipationist past in asserting their own claims to freedom.

Though the line separating servitude from freedom had always been somewhat blurred on the island in the era of general emancipation, notarial acts created after early 1803, when the Napoleonic expedition's intention to restore slavery had become widely known, contain traces of an attempted transition back to chattel slavery. Many notarial acts from this time contain lists of "cultivators" who were often described as being "attached" to plantations; these lists sometimes also included imputations of these individuals' provenance such as the name of an African "nation" or the designation "creole" (locally-born). One act from Santiago dated 13 January 1803 includes a huge inventory of animals, clothing and assorted other property, as well as a numbered list of "cultivateurs" with Augustin, the "conducteur" (overseer), at the top.¹⁶ Like many of their counterparts in numerous other American slave societies, most of these individuals were listed by a single *prénom* (first name) without any surname or other name. Yet in

Esther and gave her twenty *carreaux* (about sixty-six acres) of land on his plantation in Jacmel, Haiti. Will of Louis Henry Constance, 17 July 1804, ANOM DPPC NOT SDOM 699.

¹⁵ For details on the "maroon" Marthone's capture in Cuba and the dispute that ensued concerning ownership of her, see notarial act of 28 March 1806, ANOM DPPC NOT SDOM 704; and act of 21 August 1806, ANOM DPPC NOT SDOM 705. For the sale of the captive from Curaçao, see sale of Lucie, 14 December 1807, ANOM DPPC NOT SDOM 1699.

¹⁶ The term *conducteur* was a holdover from slavery that had referred to the overseer (often a slave himself) of slave laborers on part of a plantation.

contrast to many listings of slaves, none of these *cultivateurs* had any prices, nor did any of them have racial labels, with two conspicuous exceptions.¹⁷

Despite this relative paucity of racial marking, the dismantling of emancipation translated into the widespread application of racial labels in the notary's office.¹⁸ The tumult of the revolutionary era had challenged but not destroyed ideologies of racial inferiority that had become deeply entrenched in the two colonies that shared Hispaniola, and race-based discrimination became a core component of Ferrand's project of re-enslavement. In the emancipation era, notarial records had generally eschewed racial terms in favor of the designation "*citoyen/ne*" (citizen). In late 1803 and 1804, this trend dramatically reversed within notarial records created in French Santo Domingo. The usage of *citoyen* all but ceased by November 1804, as freed subjects were increasingly accorded racial labels and the freedom granters were often listed as *sieur* or *dame* (roughly "Sir" and "Madam"); the latter terms as well as the former had acquired distinct connotations of racial inequality in the French Caribbean.¹⁹ The proportion of all

¹⁷ Inventory of Jeanne Roxas, 13 January 1803, ANOM DPPC NOT SDOM 485. The two people marked racially were each labeled "*négresse*;" both were listed as being "in the service of" (*au service de*) Jeanne Roxas. Jean Hébrard found correlations between legal condition (and other indicators of social standing) and the presence of one or more surnames in nineteenth-century Bahia, Brazil. He contended that having "conquered [one's] liberty" became associated with the acquisition of additional *prénoms* as well as surnames. Jean Hébrard, "Esclavage et dénomination: imposition et appropriation d'un nom chez les esclaves de la Bahia au XIX^e siècle," *Cahiers du Brésil contemporain* 53/54 (2003), 87.

¹⁸ Fully seventy-eight percent of all the notarial records studied for this chapter included at least one racial marker for the subject; the freedom granter was racialized in just under a tenth of all cases. Of the racial terms used, "*nègre*" and "*négresse*" were by far the most common, with half of all records that include racialized subjects employing these words. By contrast, the freedom granters who were racialized predominantly bore the labels "*mulâtre*" and "*mulâtresse*" (this was the case in six out of ten such records). The word "*nègre*" in French Saint-Domingue became closely associated with slavery, and during the revolutionary period it continued to carry a certain amount of stigma.

¹⁹ The singular exception to the elimination of "*citoyen*" in these records by the end of 1804 is the 18 April 1807 self-purchase of Marie-Claire *dite* Coco from her former purported master *citoyen* Pierre-Nicholas Pitre contained in ANOM DPPC NOT SDOM 735. According to John Garrigus, by 1782 the law in Saint-Domingue forbade the according of the title "*sieur*" to a man of color. Garrigus, *Before Haiti*, 186. Furthermore, Laurent Dubois has written that the *État Civil* (records of events such as births, marriages, and deaths) in Guadeloupe before 1789 had attempted to distinguish between whites and non-whites by applying the terms "*sieur*" and "*madame*" to the former and "*le nommé*" ("named") to the latter. Laurent

notarized freedom acts per year that applied racial labels to the freed individual spiked from 1803 to 1804, as only twenty percent of all acts in the former year used racial terms to designate these individuals while eighty-one percent employed these terms in the latter year. This suggests a chronological correlation between the phase-out of revolutionary-era terms of equality and the return of markers of stigma and inequality at the time of the end of French rule in Haiti and the consolidation of the Ferrand regime in Santo Domingo.²⁰

As Laurent Dubois has illustrated in a study of similar acts created in Guadeloupe in the late 1790s, questions revolving around whether or not the *cultivateurs* were truly no longer “property”—and thus, the extent of their control over their own labor, time, and even bodies—were never resolved during the revolutionary era.²¹ Subtle traces of these conflicts emerge in a record created in Santo Domingo city on 30 April 1804. In this act, the notary Pierre-Joseph-Jean-Baptiste Antoine Funel de Seranon initially marked the *citoyenne* Louise Félicité dite (called) Agard as a “slave,” but then struck this word and replaced it with the phrase “Legally-acquired property.”²² The freed subjects of these notarial acts tried to take advantage of small loopholes that afforded them opportunities to evade perpetual servitude. In the first decade of the new century, the efforts of the

Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: University of North Carolina Press, 2004), 256.

²⁰ My findings appear to accord with those of Frédéric Régent for Guadeloupe. In his extensive political and social history of that colony in the Haitian Revolutionary era, Régent argued that in the wake of the crushing defeat of emancipationist rebels under Louis Delgrès by the proslavery French forces of Antoine Richepanse in 1802, a pronounced shift transpired in the marking of race in the colony’s *État Civil* records. According to Régent, “the disappearance of the mention of citizen [in these records] mark[ed] the debut of the reestablishment of the color barrier [*barrière de la couleur*].” Frédéric Régent, *Esclavage, métissage, liberté: La Révolution française en Guadeloupe 1789-1802* (Paris: Grasset, 2004), 425.

²¹ Dubois, *A Colony of Citizens*, 220-221.

²² Freeing of Louise Félicité dite Agard, 30 April 1804, ANOM DPPC NOT SDOM 699. In the original text: “*Lequel nous a dit, et déclare, que satisfait des soins [illegible], et du bon service continuel qu’il a reçu de la citoyenne Félicité surnommée Agard, depuis environ quatorze ans, qu’elle est son esclave, et sa propriété Légalement acquise...*”

individuals in Santo Domingo who attempted to secure their freedom despite often long odds provide ample evidence that the Napoleonic program of re-enslavement was every bit as contentious and unrealized as the enterprise of “emancipation” that had preceded it.

The Presentation of Documentation of Free Status

“All creatures in the world naturally love and desire liberty, and much more do men, who have intelligence superior to that of the others, and especially such as are of noble minds, desire it.”²³ This statement comes not from an Enlightenment-era tract on abolitionism but rather from the *Siete Partidas*. Though it sanctioned human bondage, this code held slavery to be “contrary to natural reason,” from which it followed that the law ought to favor liberty.²⁴ In contrast, colonial legislation in late eighteenth-century French Saint-Domingue had sought to impose a stringent burden of proof on those of African descent to document their free status.²⁵ After the collapse of emancipation, French authorities in Santo Domingo reverted to this underlying presumption of slavery, which impelled the subjects of these notarial acts to marshal documentation that would reduce the risk of enslavement at the hands of an opportunistic or vengeful would-be master.

On 3 September 1804, almost eight months to the day after Dessalines declared Haitian independence, another former slave called Marie-Jeanne came before a notary in the last real bastion of French power in Hispaniola, the city of Santo Domingo, in order to

²³ Burns and Scott, *Las Siete Partidas*, 4:981 (*Partida* IV, Title XXII).

²⁴ Burns and Scott, *Las Siete Partidas*, 4:977 (*Partida* IV, Title XXI, Law I).

²⁵ Beginning in the 1760s in Saint-Domingue, a confluence of repressive legislation and periodic crackdowns by zealous authorities had led free people of color to scrupulously document their free status using every means at their disposal. This hostile climate also compelled many of them to notarize even the smallest sales in order to thwart possible accusations of theft that would not have been so readily made against whites. Garrigus, *Before Haiti*, 84, 167, and 178-179.

register and deposit a manumission act. Created in Mirebalais (Saint-Domingue) on 2 December 1794 by the *citoyen* Girard, this document stated that in recognition of the “good and loyal services” (*bon et fidel service*) that Marie-Jeanne had rendered to Girard as a *gouvernante* (governess) and as a wet nurse to three of his children, she would no longer have to live in slavery.²⁶ This woman must have been quite familiar with the disconnect between metropolitan law and on-the-ground reality, since in December 1794, the theoretically free soil of Saint-Domingue had been besieged by military forces of the slaveholding British and Spanish empires, which circumscribed the application of the 4 February 1794 French emancipation decree.²⁷

Given that they had to interact with officials who were in the employ of a slaveholding state that sought to turn back the clock on emancipation, many freed people in Santo Domingo sensed that the mere invocation of this law of general emancipation might not constitute sufficient proof of their own free status. After all, authorities’ acceptance of this claim would “upset the entire applectart,” to use Rebecca Scott’s words, since it would imply that most of Santo Domingo’s captives had a valid legal claim to their liberty.²⁸ Freed people thus scrambled to assemble all documentary evidence of their own attainment of freedom.²⁹ The records that these people zealously guarded included sacramental documents, such as baptismal and marriage acts, as well as

²⁶ *Dépôt* of Marie-Jeanne, 3 September 1804, ANOM DPPC NOT SDOM 699.

²⁷ For a succinct overview of “The Great Powers and the Haitian Revolution,” see David Geggus, *Haitian Revolutionary Studies* (Bloomington: Indiana University Press, 2002), chapter 11.

²⁸ Rebecca Scott, “‘She...Refuses to Deliver Up Herself as the Slave of Your Petitioner’: Émigrés, Enslavement, and the 1808 Louisiana Digest of the Civil Laws,” *Tulane European and Civil Law Forum* no. 24 (2009), 128.

²⁹ Many former Saint-Domingue residents who brought freedom suits to United States courts against those who claimed them as slaves based their cases at least partly on the 1794 French emancipation law. For a discussion of the extremely complicated legal disputes that ensued over this law’s legitimacy and applicability, see Sue Peabody, “‘Free Upon Higher Ground’: Saint-Domingue Slaves’ Suits for Freedom

civil records such as manumission acts. Within a single notarial act from French Santo Domingo, one or more such documents might be appended, each duly certified by both its creator and the Santo Domingo notary who redacted the final notarial act.

Beginning in 1802, freed people in Hispaniola had responded to the presumed repeal of the emancipation law by seeking to exploit the legal channels of manumission. According to Philippe Girard, “[i]n Saint-Domingue [after 1802] panic-stricken *nouveaux libres* [people freed by the 1794 edict] begged their former masters to let them buy their freedom, while *anciens libres* [those freed before this edict’s promulgation] lined up in the courts to get their old emancipation papers notarized.”³⁰ The Napoleonic regime that followed did little to assuage such anxieties.³¹ As discussed in the previous chapter, on 31 December 1807, Ferrand issued an order that required the subjects of all *État Civil* records created henceforth in the colony to show a “title of liberty” in order to prove their legal condition of freedom. This order was part of the reassertion within French law of the twin pillars of American slave societies: the subjugation (in this case, *re*-subjugation)

in U.S. Courts, 1792-1830,” in *The World of the Haitian Revolution*, ed. David Geggus and Norman Fiering (Bloomington: Indiana University Press, 2008), 261-283 (esp. 268-271).

³⁰ Philippe Girard, “Napoleon Bonaparte and the Emancipation Issue in Saint-Domingue, 1799-1803,” *French Historical Studies* 32, no. 4 (Fall 2009), 614. Emphasis in original. Régent has found that fear of the impending reestablishment of slavery provoked the same responses among many freed people in Guadeloupe starting in the spring of 1802. Régent, *Esclavage, métissage, liberté*, 425. The threat of enslavement also impelled some individuals to go to the lengths of creating manumission records for those who had been living as free people as a documentary safeguard against the loss of liberty. On 10 May 1803, the Dominguan colonist Michel Vincent created an act of manumission for his companion Rosalie and her four children, despite their having attained their freedom some time before. Scott and Hébrard attribute this seemingly odd act to the uncertain political and legal context and to “the symbolic and juridical powers of contractual written documents.” Scott and Hébrard, “Servitude, liberté et citoyenneté,” 30.

³¹ Bitter memories of the dismantling of the French emancipationist regime cast a long shadow over subsequent contests over the terms of freedom in the Caribbean. In the 1830s, as the British imposed a system of “apprenticeship” in their slaveholding territories that its architects envisioned as a path to gradual emancipation, many of the formally freed “apprentices” tried to purchase their freedom shortly before the term of apprenticeship was slated to end. David Gaspar attributes this to these freed individuals’ suspicions that British abolition might not endure, and they based this judgment partly on their knowledge of the brutal overturning of French revolutionary emancipation several decades before. David Gaspar, “La Guerre des Bois: Revolution, War and Slavery in Saint Lucia, 1793-1838,” in *A Turbulent Time: The French*

of men, women and children to a state of perpetual servitude; and an ideology of racist stigmatization that administrators and masters held to justify this enslavement.

Those who came before these notaries seeking these freedom acts may also have been aware of the fate of those who had fallen foul of the Ferrand regime's presumption of slavery. In a letter to the Commandant of Seybo dated 12 September 1807, Ferrand rejected the claim of a M. Jacques (surname illegible) to have granted liberty to an unnamed woman. Ferrand declared that in the absence of a proper "*rectification*" of her freedom, this woman was to remain a "slave" (*esclave*). He then proceeded to ask the Seybo commander to send her to him so that she could be sold.³²

According to Kathryn Burns, notarial records are "always in implicit dialogue with an imagined litigious future."³³ For the freed woman Henriette *dite* Pommeau and many others, such a future entailed avoiding the fate of the unfortunate woman who had lacked a written "rectification" of her manumission. On 28 June 1805, Henriette deposited in Funel de Seranon's Santo Domingo city notarial office a document created and signed in 1803 by Michel, a notary from Le Cap who had attested to Henriette's having produced several witnesses affirming that her former master had freed her in approximately 1787. Claiming to have lost her original manumission papers during the destruction of her hometown by the "rebels" (*révoltés*), Henriette drew upon her social contacts and access to notarial services to produce these two written testaments to her legal freedom.³⁴ Faced with the prospect of a possible return to servitude, Henriette

Revolution and the Greater Caribbean, ed. David Geggus and David Gaspar (Bloomington: Indiana University Press, 1997), 123-124.

³² Ferrand to Commandant of Seybo, 12 September 1807, CARAN Colonies CC/9a/43.

³³ Burns, "Notaries, Truth, and Consequences," 372. See also Kathryn Burns, *Into the Archive: Writing and Power in Colonial Peru* (Durham: Duke University Press, 2010).

³⁴ *Dépôt* of Henriette *dite* Pommeau, 28 June 1805, ANOM DPPC NOT SDOM 702.

determinedly sought to transform the “messy specifics” of her manumission and life as a freed woman in the tumult of revolutionary Saint-Domingue into a “legally valid form” that would help to protect her against re-enslavement.³⁵

Another woman who acted with foresight was Margueritte Bonne. On 24 December 1801, Bonne had procured from the notary Michel in Le Cap a document stating that her former master *citoyen* Morel had drawn up with this same notary a manumission act in her name dated 6 April 1790. Consultation of this notary’s registry had revealed the existence of this 1790 manumission act despite its destruction in the great June 1793 fire in Le Cap. By the summer of 1803, Bonne had migrated to Santo Domingo as part of the wave of French refugees who fled the collapse of French Saint-Domingue. Upon arriving she prudently appeared before the notary Derieux in Santiago on 8 August 1803, depositing Michel’s 1801 attestation of her manumission.³⁶

During the dying days of the French regime in Saint-Domingue, one woman had bought her own daughter out of bondage, taking care to create a verifiable record of the act so that the daughter might preserve her precarious liberty. Three years later, the “*mulâtresse affranchie*” (freed mulatto) Rozine *dite* Alzire deposited with a Santo Domingo city notary a document dated 19 August 1803, drawn up before another notary in Le Cap, which recognized Rozine’s mother Rosalie *dite* Dufay’s purchase of her daughter for the sum of 2,500 *livres coloniales* (colonial pounds) “on the Express

³⁵ The quotes are from Burns, “Notaries, Truth and Consequences,” 366.

³⁶ Liberty act of *citoyenne* Margueritte Bonne, 8 August 1803, ANOM DPPC NOT SDOM 485. The *Siete Partidas* contained certain provisions that encouraged scrupulous attention to recordkeeping. *Partida* III, Title XIX, Law X for instance required a notary to produce a copy (as close to the original as possible) of a document that a client claimed to have lost and to record this in his register. Burns and Scott, *Las Siete Partidas*, 3:763-764. Such practices were evidently also important in the French world, as comprehensive registries for every notarial book produced in French Santo Domingo exist in the ANOM (section “DPPC SDOM REP”).

condition” that Rosalie free Rozine.³⁷ This 1803 act was then ratified multiple times, including in Le Cap and in Santo Domingo city.

For those fortunate enough to bear such evidence of their freedom, no piece of paper was too old or too tattered to submit in their own defense. On 18 August 1807, Louise *dite* Letort deposited in a Santo Domingo city notary’s office an “extremely damaged” (*extrêmement endommagée*) manumission act from the year 1739 that had freed her and her mother Rose.³⁸ In the summer of 1806, the “*mulâtresse libre*” (free mulatto) Marie-Magdeleine, whose mother was listed as coming from the “*côte de Guinée*” (African coast), similarly presented to the notary Funel de Seranon a manumission act in her name from 1728.³⁹ This act hinted at a multigenerational story of enslavement and liberation in which those subjected to bondage sought to use to their advantage the systems of law and written documentation that had once aided their oppressors. Having lived through most of Saint-Domingue’s history under French rule, Marie-Magdeleine knew all too well the power of written documents in establishing one’s legal personhood.

In manipulating the legal levers of this slaveholding society, the subjects of these notarial acts employed every resource at their disposal. While some utilized the artifacts of freedom that they possessed, others who had managed to accumulate the funds sought recourse in the age-old practice of self-purchase.

Self-Purchase

³⁷ *Dépôt* of Rozine *dite* Alzire, 17 October 1806, ANOM DPPC NOT SDOM 705. In the original text: “...sous la condition Expresse faite à la dite comparante d’affranchir la dite Rozine...”

³⁸ *Dépôt* of Louise *dite* Letort, 18 August 1807, ANOM DPPC NOT SDOM 735.

³⁹ *Dépôt* of Marie-Magdeleine, 8 August 1806, ANOM DPPC NOT SDOM 705.

Since at least the time of the Romans, laws in slave societies had often included certain means by which those in bondage could purchase their freedom. Perhaps no aspect of slave law better encapsulated the absurdities of transforming a human being into a “person with a price.”⁴⁰ In tacitly acknowledging slaves’ volition, capability for rational decision-making, and desire for their freedom, the practice belied the presumed lack of full personhood upon which many legal justifications of enslavement rested. At the same time, it did not challenge (indeed, it depended on) the premise that one could assign a monetary value to a fellow person. In plantation societies such as eighteenth-century Saint-Domingue, masters and colonial authorities grew to fear the implications of such a route to freedom. As these anxious authorities had implicitly recognized in their laws seeking to restrict this type of manumission, self-purchase involved much more than a simple exchange of money for a change in formal legal status. Behind each formulaic act of self-purchase lay multiple hidden conflicts and negotiations; behind each sale price lay one human being’s assessment of another’s purported economic worth.

Illustrative of this is the self-purchase of Marie-Elizabeth dite Justine. On 8 June 1807, the notary Funel de Seranon redacted an act that formally recognized Marie-Elizabeth’s purchase of her own freedom. According to this document, this woman’s “good conduct” and the constant “affection” and “attachment” that she had shown her former master Bernard Leglise Dupoux had convinced the latter to reduce her purchase price to three hundred *gourdes* despite her higher “value.”⁴¹ While would-be masters

⁴⁰ Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, MA: Harvard University Press, 1999), 1.

⁴¹ Self-purchase of Marie-Elizabeth dite Justine, 8 June 1807, ANOM DPPC NOT SDOM 706. In the original text: “...déclarant que la bonne conduite que la dite Marie Elizabeth Justine a constamment tenu à son Égard, depuis qu’elle est son esclave et les services ainsi que les marques d’affection, et d’attachement qu’il a reçu d’elle, l’ont porté à fixer le prix de sa personne à trois cents *gourdes* seulement, Malgré qu’elle soit de plus haute valeur...”

employed the language of “good conduct” in order to inscribe in these records the fiction of the manumitted person’s grateful acceptance of the purported master’s voluntary and benevolent exercise of his or her power to liberate, this elided a much more complicated reality.⁴²

In accumulating her purchase price and buying her freedom, Marie-Elizabeth situated herself within a deep island-wide history of resistance to enslavement. The sedimentation of legal systems in French Santo Domingo entailed a complex interplay between two quite distinct legal and extralegal traditions of self-purchase that had evolved in both parts of the island during the centuries of colonial slavery. Though some slaves in both parts of Hispaniola had managed to procure the funds for their self-purchase through a variety of sources including hiring out their labor, selling the products of their cultivation grounds, and even prostitution, the legal and political context in each colony differed significantly. As with so much else, one central factor behind this divergence was the two colonies’ markedly different trajectories of plantation development; another was pronounced variations in local laws and their interpretation. For a variety of economic, social and political reasons, administrators in colonial Saint-Domingue had from the early eighteenth century imposed much legislation that aimed to significantly impede access to manumission through self-purchase and other means. By contrast, the relative lack of such laws (and their often infrequent enforcement) in Santo Domingo had facilitated the development of certain practices by which slaves could buy

⁴² Just over half (fifty-one percent) of these 103 notarial records included a phrase such as “good services” or “good will” (*bon gré*), making this the most frequently-cited reason for manumission among these freedom acts. The underlying logic of the “good services” manumission was an assertion of the would-be master’s sovereignty over those whom he claimed as his slaves, and this logic was evident at higher levels of authority as well. Malick Ghachem has argued that the very presence of provisions for manumission and the naturalization of freed people in the *Code Noir* and subsequent legislation implied the king’s power to

their own freedom for an agreed-upon price; some of these customs appear to have acquired legal backing over time.⁴³

While the frequency of self-purchase in colonial Santo Domingo remains unknown, evidence suggests that it was a recourse chosen by some slaves in their escape from bondage.⁴⁴ Intriguing clues further hint that practices of self-purchase that had evolved there during the colonial period continued into the era of “emancipation.” In a 26 June 1800 correspondence to a *citoyen* Perregaux, the Marquis d’Iranda (the absentee owner of Santo Domingo’s largest plantation) had defended a state of affairs in which ten to twelve thousand of the colony’s inhabitants still occupied the status of “Slave.” “The Slaves there [in Santo Domingo] are under the protection of a magistrate,” Iranda asserted. “They cite before him [the magistrate] their master when they have just motivations to bring a complaint, and they can also buy themselves, reimbursing him [the master] the price of their acquisition.”⁴⁵ These developments reflected a Spanish-American political and legal context in which certain legal and customary barriers to the master’s absolute control over a slave had emerged, including the presence of local

arbitrarily revoke these privileges. Malick Ghachem, “Sovereignty and Slavery in the Age of Revolution: Haitian Variations on a Metropolitan Theme” (PhD diss., Stanford University, 2002), 59-60.

⁴³ For details on these developments in colonial Santo Domingo, see Richard Turits, “Par-delà les plantations: Question raciale et identités collectives à Santo Domingo,” *Genèses* 66 (March 2007): 51-68 (esp. 54-55).

⁴⁴ In a study currently in progress of manumission deeds from the Dominican towns of Higüey and Bayaguana, Richard Turits has identified so far thirty-eight created between 1702 and 1821. About these cases, he writes: “Twenty five were paid for, mostly but not all by self-purchase. Eleven were gracioso [not paid for]. And two are unclear.” E-mail correspondence (from 12 July 2010) cited with written permission of author.

⁴⁵ Marquis d’Iranda to Perregaux, 26 June 1800, CARAN Colonies CC/9b/17. In the original text: “...*les Esclaves y sont sous la protection d’un magistrat, citent devant lui leur maître quand ils ont des justes motifs de s’en plaindre, et peuvent aussi se racheter, en lui remboursant le prix de leur acquisition.*”

officials entrusted with defending slaves in legal disputes and forms of self-purchase that involved gradual self-ownership through payment in installments.⁴⁶

The situation in Saint-Domingue was rather different. While authorities in that colony in the late eighteenth century passed a spate of laws seeking to sharply reduce both the numbers and the political rights of its free-colored inhabitants, officials there in fact had adopted measures against self-purchase much earlier. According to Malick Ghachem, colonial administrators' concerns about the ease of self-purchase in Saint-Domingue—which they considered especially threatening to social order due to slaves' allegedly frequent resort to prostitution to raise the necessary funds—resulted in a 1711 law that required authorities' written permission for all future manumissions.

Manumissions based solely on a master-slave agreement, in other words, would henceforth be illegal. As early as 1711, then, Dominguan administrators (followed two years later by the king) rejected the absolute inviolability of the master's property rights over his or her slave.⁴⁷

In his tract on the history of the Spanish part of the island, Moreau de St Méry had similarly presented manumission in Spanish Santo Domingo as a gendered and

⁴⁶ For details on this local official, known as the *síndico* in Cuba, see Rebecca Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Princeton: Princeton University Press, 1985), 74-75. For information on the practice of self-purchase in installments that emerged in Cuba known as *coartación*, which according to Scott “[in] theory...created an intermediate status between slave and free,” see Scott, *Slave Emancipation in Cuba*, 13; and Alejandro de la Fuente, “Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*,” *Hispanic American Historical Review* 87, no. 4 (2007): 659-692. In her study of the French refugee community in Santiago de Cuba, Agnès Renault characterized self-purchase (*rachat*) as an “exceptional phenomenon” whose rarity owed to the combination of a high purchase price and purported masters' unwillingness to relinquish valuable servile labor. Moreover, not a single case of self-purchase that she uncovered there before 1809 involved a *coartado* (individual who purchased himself or herself through *coartación*). Agnès Renault, “Les conditions d'affranchissements des esclaves appartenant aux immigrés français résidant à Santiago de Cuba entre 1791 et 1825,” paper presented at conference entitled *Affranchis et descendants d'affranchis dans le monde atlantique (Europe, Afrique et Amériques) du XVe au XIXe siècle: Statuts juridiques, insertions sociales et identités culturelles* (Musée d'Aquitaine, Bordeaux, France, 13-16 May 2009), 12. Publication forthcoming; paper cited with the author's written permission.

destabilizing phenomenon. He insisted that the alleged ease of manumission there (in which self-purchase had factored prominently) had long served to undermine social order in much the same way that it supposedly had in Saint-Domingue, for it produced a sizeable group of “vagabonds” and women whose only means of subsistence was “shameful commerce.”⁴⁸ Self-purchase nonetheless appears with only modest frequency in my data: among all extant notarial freedom acts from French Santo Domingo, only seven percent featured a self-purchase. Confusion over the exact terms of self-purchase (both legal and customary), along with the difficulties involved in raising the funds, may help to explain its relative infrequency, though the relatively small sample size imposes certain limitations on what can be generalized or extrapolated.⁴⁹ The terms of the exchange as laid out in most of these notarial acts were typically fairly straightforward: the “slave” paid off his or her price to the purported master in one lump sum, upon which the latter formally relinquished all rights over the newly freed person.⁵⁰

⁴⁷ Ghachem, “Sovereignty and Slavery,” 60-61.

⁴⁸ M. L. E. Moreau de St Méry, *Description topographique et politique de la partie espagnole de l'isle Saint-Domingue* (Philadelphia: Self-published by author, 1796), 1:57-58. In the original text: “*Si l'on en croit Don Antonio de Valverde, cette facilité des affranchissements (à la ratification desquels le gouvernement n'attache aucune rétribution) ne produit le plus communément que des vagabonds et des femmes qui se rappelant toujours comment elles sont devenues libres, et qui n'ayant aucunes ressources pour subsister, se livrent à un commerce honteux et affligeant pour les mœurs.*” On these same pages, Moreau asserted that “a slave” (using the feminine form of the noun) could purchase her liberty by “present[ing] to her master 250 piastres gourdes (1,375 liv. tournois)” after which “she is assured of her freedom.” She could also buy a child’s freedom for an additional sum. In the original text: “*Enfin, dès qu'une esclave présente à son maître 250 piastres gourdes (1,375 liv. tournois), elle est assurée de sa liberté.*”

⁴⁹ In a recent article, Alejandro de la Fuente wrote that “the significance of coartación goes beyond the number or percentage of slaves who successfully availed themselves of it. As with marronage or revolts—which always involved a small proportion of total slaves—the impact of coartación cannot be reduced to mere statistics.” De la Fuente, “Slaves and the Creation of Legal Rights,” 669. This also applies to the relatively small number of people who sought to secure their liberty in the notary’s office in French Santo Domingo.

⁵⁰ For example, on 18 April 1807, Marie-Claire dite Coco (who had been living in Mayagüez, Puerto Rico) purchased herself from Pierre-Nicholas Pitre for the sum of 280 *gourdes*. Self-purchase of Marie-Claire dite Coco, 18 April 1807, ANOM DPPC NOT SDOM 735.

One exceptional case nonetheless suggests the existence of more complex forms of self-purchase. Towards the end of 1805, a woman named Catherine bought her freedom from the merchant Mathurin Chinon for the sum of 1,760 francs, which were listed as “coming from her peculium.”⁵¹ The Roman legal framework upon which both the *Siete Partidas* and *Code Noir* were largely based contained stipulations for such a path to freedom. According to Peter Temin, in ancient Rome the *peculium* was “money ‘owned’ by slaves, with which to purchase freedom.” In other words, slaves could accumulate funds (to which the master could not lay claim, even though the law technically forbade slaves from owning property), which they could devote towards their self-purchase.⁵²

While such possession and manipulation of resources by slaves stretched the juridical limits of enslavement, some individual cases pushed the boundaries of slavery (and freedom) still further. Over the course of twelve days, the *citoyenne* Louise Félicité dite Agard won her freedom, lost it, and then regained it in a saga that illustrated that freed individuals sometimes could not rest assured that they were safe from re-enslavement even after they had gained that precious scrap of paper stating that they were not human property in the eyes of the law. On 5 May 1804 Louise Félicité deposited before a notary in Santo Domingo city a document dated 30 April 1804 declaring that she had paid her former master Dominique Cerice Vigneron five hundred *gourdes* for her

⁵¹ Self-purchase of Catherine, 9 October 1805, ANOM DPPC NOT SDOM 1698. The original wording in French is: “*provenant de son pécule*.”

⁵² Peter Temin, “The Economy of the Early Roman Empire,” *The Journal of Economic Perspectives* 20, no. 1 (Winter 2006), 141. According to Alan Watson, a version of the *Code Noir* redacted in 1724 allowed slaves to have a *peculium*; the rules governing this drew substantially from Roman legal precepts concerning fathers’ and masters’ responsibilities for the liabilities and other obligations of sons and slaves. Alan Watson, *Slave Law in the Americas* (Athens: University of Georgia Press, 1989), 89.

liberty.⁵³ Nonetheless, just a few days later, Vigneron revoked the 30 April 1804 freedom act, only to then create a second document that same day that re-emancipated his former “slave.” Whence this dramatic about-face? Perhaps the financial aspect of their relationship entered into this matter, as the second act in favor of Louise Félicité mentioned the five-hundred *gourde* payment whereas the revocation did not.⁵⁴ What is evident is that Louise Félicité’s self-purchase was no simple monetary exchange. As Dubois has shown in his study of ex-slaves in 1790s Guadeloupe, people such as Louise Félicité “actively used and reshaped documentation” in order to assert their political and social identities as “citizens rather than as objects.”⁵⁵

In responding to such initiative, the Ferrand government sought to regulate the terms of manumission in order to bolster its own grip on the colony and its servile population. In a 5 December 1807 letter to his subordinate Agustín Franco de Medina, General Ferrand addressed the difficult situation of an unnamed “*nègre*” in Puerto Plata (northern Santo Domingo) who claimed that he had gained his liberty seven years before by paying fifty *gourdes* to his former master. On unspecified grounds (possibly penury), this presumptive freed man had petitioned for an exemption from having to pay the comparable sum required for the “*ratification*” of his liberty. Ferrand rejected this man’s argument that held Franco to be the responsible party in the granting of this ratification, insisting instead that only he (Ferrand) held such authority.⁵⁶ Following the 1711 precedent, Ferrand asserted his authority to determine this man’s legal condition. In so

⁵³ Self-purchase of *citoyenne* Louise Félicité dite Agard, 5 May 1804, ANOM DPPC NOT SDOM 699.

⁵⁴ Revocation and reinstatement of liberty for *citoyenne* Louise Félicité dite Agard, 11 May 1804, ANOM DPPC NOT SDOM 699.

⁵⁵ Dubois, *A Colony of Citizens*, 257.

⁵⁶ Ferrand to Medina, 5 December 1807, CARAN Colonies CC/9a/43.

doing, he applied this century-old legal principle to the profoundly uncertain context of French Santo Domingo.

Notwithstanding Ferrand's attempts to assert his authority over the determination of individuals' legal condition, demands advanced by "slaves" for a path to liberty via the purchase of one's own person pushed him to address their concerns by proposing a carefully-regulated mechanism for this. In the letter to Franco quoted above, Ferrand informed his underling that "a quantity of Slaves" who belonged to the "former convents of the country [Santo Domingo]" had put forth demands to be able to purchase their freedom. Moreover, according to Ferrand other "Slaves" in the Cibao area (in the colony's north) shared with those of the convents the "same desire" for liberty. In search of a means by which to grant some of these demands that would accrue profit for the state and not undermine the slave system or his own authority, Ferrand granted Franco permission to establish a system of self-purchase if the latter "believe[d] it convenient to free them [these purported slaves]." Such self-purchases had to conform to the following prices: 150 *gourdes* for each "head" (*tête*) who was sixteen to forty years of age; one hundred *gourdes* per "slave" aged twelve to sixteen and over forty; seventy-five *gourdes* for "slaves" aged eight to twelve; and fifty *gourdes* for children under eight years old. Ferrand claimed final authority over the ratification of all manumissions that might ensue.⁵⁷

Though Ferrand tried to impose a system that treated human beings like cattle, he acknowledged that the "desire" of these "slaves" for freedom had impelled him to

⁵⁷ Ferrand to Medina, 5 December 1807, CARAN Colonies CC/9a/43. In the original text: "*Je me rappelle, mon cher Franco, qu'il y avait une quantité d'Esclaves appartenant aux anciens couvents du pays où vous commandez qui demandaient à acheter leur libertés; si parmi ceux de ces Esclaves qui sont dans le Cibao,*

propose such an arrangement. As Dominguan authorities had done in the early eighteenth century, Ferrand at once sought to set the financial and legal terms of formal escape from slavery while at the same time tacitly recognizing the will of these captives. In calling witnesses to attest to their freedom, some freed people in French Santo Domingo exploited another fissure in the edifice of repression.

Calling Witnesses

On 21 June 1805, a woman from Le Cap called Marseille *dite* Migniac appeared before a Santo Domingo city notary, claiming to have lost her original freedom papers in a fire (probably one of the burnings of her hometown during the revolutionary years). In the absence of such a record, she called four witnesses, including a pharmacist and a bureaucrat, who supported her claims to be a free woman. One witness declared that he had known Marseille since 1788, and that he had observed her “enjoying her State of Freedom” and that she was “considered as [other] formerly Free, and Freed [people] were” by others whom both Marseille and this witness knew. Moreover, this same witness had “never heard” that this woman was “in the Bonds of slavery.” Another witness stated that Marseille had once owned a coffee plantation and slaves in Mornet, Saint-Domingue, before she fled to the colony of Santo Domingo during the revolutionary upheaval.⁵⁸

il n'est qui ayent encore le même désir, et que vous croyez convenable de les affranchir, arrangez vous de manière à obtenir...”

⁵⁸ Witnesses' testimony in favor of Marseille *dite* Migniac, 21 June 1805, ANOM DPPC NOT SDOM 702. In the original text: “...connaître Marseille Migniac depuis L'année 1788...et de l'avoir vue au Fort Dauphin à différentes Époques, jouissant de son état de Liberté, considérée comme L'étaient les anciens Libres, et Affranchis jouir de tous les droits, et prérogatives attachés à cet État...et n'ayant jamais entendu dire, qu'elle fut dans les Liens de L'esclavage.”

Therefore, by virtue of her prior ownership of this plantation and servile laborers, her connections with influential colonists, and perhaps most crucially, these witnesses' concurrence that they "always knew her to be free," Marseille was able to translate her lived experiences on both sides of the island into an official recognition of her legal freedom.⁵⁹ In French Santo Domingo, "free person" and "slave" constituted statuses that were constructed and interpreted in part through others' observations of an individual's social and economic roles and behavior. Such perceptions of an individual's proper or assumed legal condition were historically and contextually contingent, reflecting not only the legal categories themselves but also the socially-embedded expectations and experiences that constituted the somewhat malleable yet powerful scripts for who and what an enslaved or free man or woman should be.⁶⁰

Scholars who work with legal documents have long understood the power of the skillfully-constructed narrative to influence the outcome of many legal proceedings. These phenomena in turn reveal much about the society within which these proceedings transpire. In her well-known study of such matters in sixteenth-century France, Natalie Zemon Davis explored the "possible story lines determined by the constraints of the law and approaches to narrative learned in past listening to and telling of stories or derived

⁵⁹ Witnesses' testimony in favor of Marseille dite Migniac, 21 June 1805, ANOM DPPC NOT SDOM 702. In the original text: "...qu'elle L'ont toujours connue pour Libre, jouissant de sa Liberté plusieurs années avant la Révolution."

⁶⁰ In a study of marriage contracts and testaments drawn up by notaries in Le Cap and Port-au-Prince in the late eighteenth century, Dominique Rogers found that while Port-au-Prince notaries usually demanded from free-colored clients proof of free status such as a manumission act or birth certificate, their counterparts in Le Cap often "ascertained that a person was free simply by reference to his or her reputation, specifically their *possession d'état de libre* (the fact that a person was considered by others to be free)." Dominique Rogers, "On the Road to Citizenship: The Complex Route to Integration of the Free People of Color in the Two Capitals of Saint-Domingue," in Geggus and Fiering, *The World of the Haitian Revolution*, 72. Emphasis in original. The stringency of these Port-au-Prince notaries' practices may have reflected official crackdowns on these notaries' perceived laxity concerning the matter of determining colored clients' status. In one 1784 episode, the *Conseil* (Council) of Port-au-Prince suspended a notary for one month for the

from other cultural constructions.” Davis argued that some “possible story lines” were more likely than others to shape narratives recounted in the legal record due to the confluence of social convention, legal codes (both as written and as popularly understood), and a host of other factors.⁶¹ In French Santo Domingo, freed men and women and their witnesses consciously constructed tales that emphasized the salient characteristics of life as a free person: ownership of property including slaves, participation in a social network that included prominent individuals, and enjoyment of a quotidian experience free from submission to a master. In the production of these notarial acts, freedom was created as a social reality via the reaffirmation of these purported aspects of it.

People like Marseille could thus inscribe their own liberty into these legal documents through mobilizing witnesses to confirm their long experience of living as “free” individuals. This required the exploitation of one’s social networks, which often were rooted in his or her former area of residence. It was indeed no accident that one of Marseille’s witnesses was from her former home of Le Cap, while two others hailed from nearby Fort-Dauphin. This pattern obtained for numerous other freed subjects, such as a refugee from Léogane (southern Saint-Domingue) named Chonne Martin.

On 26 February 1806, Martin appeared before the notary Funel de Seranon in Santo Domingo city. Having lost the original “title of liberty” that her father and former master *sieur* Martin had granted her during the “troubles, pillages and fires” of revolution

offense of labeling several people of color as “free” without specifying the documentation that proved that they occupied this status. Ghachem, “Sovereignty and Slavery,” 102.

⁶¹ Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987), 4. For an examination of legal testimonies concerning a series of riots in Paris in 1750, see Arlette Farge and Jacques Revel, *The Vanishing Children of Paris: Rumor and Politics before the French Revolution*, trans. Claudia Miéville (Cambridge, MA: Harvard University Press, 1991 [1988]), esp. chapter 4.

in Saint-Domingue, Chonne “finds herself today obliged to justify her state as [a] Free person.” In pursuit of this objective, Chonne called four witnesses (all of whom were from the Léogane area) who swore that they had “full and certain knowledge” that *sieur* Martin had bought Chonne and then proceeded to free her. These witnesses also stated that they had seen Chonne “enjoy [her liberty], in Léogane, before the Revolution.”⁶² These narratives of her purchase and liberation by her own father, the original manumission act’s destruction in revolutionary violence, and her longstanding experience as a free woman could substitute for documentary proof of prior manumission in Chonne’s successful bid for the recognition of her freedom. In skillfully presenting themselves as exhibiting the principal behaviors of a respectable free person, these women crafted their own reality of freedom.

Spanish law had in fact for centuries prescribed certain means by which one could move from juridical slavery to freedom by an extended period of living as a free person. Moreover, the more recent development of assorted customary practices in the French world created liminal situations that further stretched the categories of “slave” and “free person.” According to a provision in the *Siete Partidas*, a slave who “goes about unmolested for the space of ten years, in good faith and thinking that he is free, in the country where the master resides” would gain his liberty after this duration of time; he

⁶² Freedom act of Chonne Martin, 26 February 1806, ANOM DPPC NOT SDOM 704. In the original text: “*Laqu’elle nous a dit, et déclaré que privée de son titre de liberté, que lui avait été donné par feu sieur Martin son père, qu’elle a perdu par l’effet des troubles, des pillages, et des incendies qui ont eu lieu dans la partie française de St Domingue, et dans les diverses insurrections qui ont lieu, elle se trouve aujourd’hui obligée pour justifier de son état de personne Libre...ils ont chacun individuellement prêté devant nous, la main levée, avoir eu, pleine, entière, et certaine connaissance, que feu Sieur Martin ...avait acheté de cette dernière, la dite Chonne Martin sa fille naturelle, à l’effet de lui donner la Liberté...étant devenu le maître de sa fille naturelle, il lui avait donné la Liberté, dont les susdits comparants, déclarent, et affirment l’avoir vue jouir, à Léogane, avant la Révolution.*” See also an act concerning a woman named Marie-Claire whose late ex-master’s widow testified that she was free. Freedom act of Marie-Claire, 29 August 1806, ANOM DPPC NOT SDOM 705.

could also earn his freedom after living in such a state for twenty years “in some other country” or for thirty as a “fugitive.”⁶³ In French Saint-Domingue, efforts to evade taxes and legal restrictions on manumission gave rise to a peculiar form of semi-freedom christened “*liberté de savane*” (savannah freedom) wherein many slave-owners circumvented official manumission by granting unofficial freedom to slaves who often subsequently continued to labor on their old plantations.⁶⁴

In the unstable political and legal context of French Santo Domingo, efforts to define the boundaries of enslavement led to conflicts that sometimes drew in the colony’s highest authorities. In one particularly compelling episode, a woman named Marie Emilie from Mirebalais came before the notary Barthélemy Vallenet in Santo Domingo city on 18 March 1808 and stated that the “*négresse*” Marie Melie, who had been sold into slavery on 23 February 1808, was in fact “Free by birth” (*Libre de naissance*) by virtue of being the daughter of a Marianne, who was herself born free. Marie Emilie then proceeded to affirm that Marie Melie had received a proper baptism and that a “great number” (*un grand nombre*) of former Mirebalais residents presently living in Santo Domingo city could swear to the veracity of this woman’s legal freedom.⁶⁵ Her plight appears to have garnered the attention of General Ferrand himself. In a 4 March 1808 letter to a military subordinate in Azua, Ferrand related that a “Marie Emelie” (who was very likely the captive woman from the 18 March 1808 notarial act, notwithstanding the

⁶³ Burns and Scott, *Las Siete Partidas*, 4:983 (*Partida* IV, Title XXII, Law VII).

⁶⁴ Ghachem, “Sovereignty and Slavery,” 66-67.

⁶⁵ Act in favor of Marie Melie, 18 March 1808, ANOM DPPC NOT SDOM 1700. Roman law had established the basic principle (which subsequently became enshrined in both French and Spanish law) that slave status passed through one’s mother. The *Siete Partidas* specified three ways in which a person could be enslaved: birth to an enslaved mother, capture in war, and voluntary sale of oneself into slavery. Burns and Scott, *Las Siete Partidas*, 4:977 (*Partida* IV, Title XXI, Law I). The *Code Noir* also stipulated that a child’s legal status followed that of his or her mother. See Laurent Dubois and John Garrigus, *Slave*

confusion between her name and that of her benefactor) had been sold to a Francisco de Castro by Joseph Dias, a resident of Azua, despite the fact that she “seems to be free by birth, according to certificates that state this and [that] have been submitted to me.” In the ensuing dispute over this woman’s status and thus the validity of the sale, Ferrand called upon Dias to present himself to him with the “titles” (*titres*) that could prove his legitimate ownership of Marie.⁶⁶

The notarial evidence also suggests that those fearful of enslavement sometimes utilized the social power and legitimacy conferred by the sacraments of marriage and baptism as tools to win and preserve liberty for themselves and their relatives.⁶⁷ The vertiginous rise of French Saint-Domingue from a neglected backwater in the late seventeenth century to the world’s most profitable colony less than a century later would be difficult to comprehend without accounting for the interlocking familial, professional, and social networks that bound together the diverse groups that comprised colonial society.⁶⁸ In Ferrand-era Santo Domingo, freed people, “slaves,” and their advocates took

Revolution in the Caribbean, 1789-1804: A Brief History with Documents (New York: Palgrave, 2006), 51 (Article XIII of the *Code*).

⁶⁶ Ferrand to M. Fortier, 4 March 1808, CARAN Colonies CC/9a/45. In the original text: “*Mon cher Fortier, le sieur Joseph Dias habitant d’Azua a vendu a M. Francisco de Castro, une négresse nommée Marie Emilie, qui paraît être libre de naissance, d’après les certificats qui le constatent et m’ont été soumis.*”

⁶⁷ Ghachem has argued that many masters and slaves in colonial Saint-Domingue had used baptism as another way to circumvent official restrictions on manumission. The apparent prevalence of this strategy derived in part from the “emancipatory connotations of Christian status and identity.” Ghachem, “Sovereignty and Slavery,” 65. These realities were not lost on Dominguan migrants such as the “*nègre libre*” Jean d’Enblot. According to a 22 June 1806 notarial act created in Santo Domingo city, Jean deposited with the notary an “*attestation*” certifying that he and the “*négresse libre*” Marie had married in Artibonite (Saint-Domingue) in 1787. This act also affirmed that Jean and Marie had three children (Jean-François, Jean-Baptiste, and Jean-Simon) in “Legitimate marriage” (*Legitime mariage*). These details suggest that Jean intended this notarial act to serve as an assurance of the freedom of his children as well as himself and his spouse, as their birth to a free mother in “Legitimate marriage” implies that they were both legally free and legitimate. Jean-François and Jean-Baptiste were listed as “N.L.” (*Nègre Libre*). *Dépôt* of Jean d’Enblot, 22 June 1806, ANOM DPPC NOT SDOM 1698. In the *Siete Partidas*, marriage to a free person (including one’s master) automatically freed an enslaved spouse. Burns and Scott, *Las Siete Partidas*, 4:982 (*Partida* IV, Title XXII, Law V).

⁶⁸ See Garrigus, *Before Haiti*, esp. chapters 1-2; and Dubois, *Avengers of the New World*, chapter 1.

full advantage of such networks.⁶⁹ Adroit exploitation of these networks and of the “markers” of free status (both document-based and otherwise) improved one’s chances of both crossing the line between slave and free and of remaining on the right side of it.

Conclusions

Napoleon’s decision to re-impose slavery in the French empire represented a tragedy of epic proportions. In deciding to abandon general emancipation and to deploy military expeditions to key colonies, Napoleon at once ruined his chances at significantly expanding France’s imperial presence in the Americas and condemned thousands of human beings to servitude.⁷⁰ The foundation of an aggressively racist slaveholding regime in Santo Domingo in turn reflected an attempt to erase the emancipationist past. These freedom acts nonetheless hint at a much more complicated situation.

The strategies that these subjects employed were rooted in the slave societies of Santo Domingo and Saint-Domingue, yet their resonance and relevance extend far beyond Hispaniola’s shores. The individual quests for freedom detailed in these notarial acts represented part of a “broader history of access to rights and to dignity, [a] history

⁶⁹ Data from these freedom acts hint at the salience of familial relations in this society. For instance, just under a fifth (seventeen percent) of these acts involved the granting or recognition of freedom for at least one of the subject’s children, while in eleven percent of these 103 acts, the subject was the freedom granter’s own child. Moreover, the striking fact that that around seventy-seven percent of the freed subjects of these acts were women may in part reflect gendered patterns of manumission that had their roots in the familial and sexual dynamics of slave society in pre-1789 Saint-Domingue. According to Garrigus, women and children constituted about two-thirds of all subjects of manumission during the colony’s history. Garrigus, *Before Haiti*, 40. Sue Peabody has likewise argued that enslaved women in the French Caribbean had more opportunities for manumission than slave men. Such opportunities included provisions in the *Code Noir* that manumitted slaves through marriage and testaments as well as provisions that allowed slaves to accumulate a “peculium” through market activity and other means. Sue Peabody, “*Négresse, Mulâtresse, Citoyenne: Gender and Emancipation in the French Caribbean, 1650-1848*,” in *Gender and Slave Emancipation in the Atlantic World*, ed. Pamela Scully and Diana Paton (Durham: Duke University Press, 2005), 57-58.

⁷⁰ For discussions of these decisions and their consequences, see Girard, “Napoleon Bonaparte;” and Dubois, *Avengers of the New World*, 251-261.

rooted in knowledge born from personal and familial experience of vulnerability,” in the words of Rebecca Scott and Jean Hébrard.⁷¹ The fragments of life histories contained in these records evince the multiplicity of means by which those in a position of acute “vulnerability” in French Santo Domingo sought to better their condition by exploiting the openings that existed or that they could create.

Though they had witnessed the death of a theoretically race-blind political project that had guaranteed in principle the political equality of all before the law, “slaves” and freed people in French Santo Domingo sought to realize the powerful promise of universal emancipation in using the notarial system to archive their freedom. Their example ultimately represented part of the crippling blow that the Haitian Revolution dealt to the transatlantic slave trade and American slavery itself.

⁷¹ Scott and Hébrard, “Servitude, liberté et citoyenneté,” 4.

Epilogue

For five years during the first decade of the nineteenth century, the land that would later become known as the Dominican Republic hosted a short-lived but brutal project of re-enslavement which saw thousands of individuals cheated of the benefits of emancipation. However unequal and exploitative the regime of emancipation had been in French Saint-Domingue from 1793 to 1802, freed people there had at least in theory been able to claim rights such as payment for their labor, protection from cruelties such as the whip, and ownership over their own persons. Ferrand by contrast sought to disenfranchise those persons of color who could document their freedom and to enslave those who could not. In this tragic epilogue to a story of slave revolution, emancipation, and the defeat of three empires by former slaves and formerly free people of color, some men and women nonetheless inscribed into the archival record an alternate history: that of the struggle for liberation, which drew upon the legacies of the truncated first French Republican emancipation. They helped to make Santo Domingo an important arena of conflict over the terms of servitude and freedom during an era in which slavery faced great challenges but also found fertile new grounds where it could thrive.

Having come to power partly as a result of Napoleon's ill-conceived decision to deploy the Leclerc expedition to Hispaniola, the Ferrand regime collapsed five years later due in large part to an equally infamous decision by Napoleon. Though the loss of Saint-Domingue had crushed Napoleon's aspirations to significantly expand the French empire

in the Americas, he crowned himself Emperor of France in 1804 and proceeded to deploy conquering armies to all corners of the European continent. In early 1808 one of these armies invaded Spain, deposing King Charles IV and installing Napoleon's brother Joseph on the Spanish throne. This created a crisis of political legitimacy that brought partisans of Napoleon into conflict with those loyal to King Charles's son Ferdinand VII. These developments had profound effects on the Spanish-American colonies, as *juntas* (governing councils) professing loyalty to Ferdinand VII sprang up in many colonies in opposition to Napoleon's agents in Spain. The destabilizing influence of these transformations proved too much for Spain to reverse even after the defeat of Napoleon and the restoration of Ferdinand VII to the throne in 1814.¹

Napoleon's invasion of Spain also provoked a strong reaction against "French" settlers in Cuba and Santo Domingo. In 1809 the government of Cuba ordered the expulsion of the French from this island, leading thousands of individuals to migrate to New Orleans and other places.² In Santo Domingo, where the French controlled the central government, a succession of uprisings by anti-Napoleon factions beginning in 1808 led to an armed conflict that resulted in the collapse of the Napoleonic regime in

¹ While most scholars of Spanish-American independence see Napoleon's invasion of Spain in 1808 as a watershed, some newer scholarship has emphasized the deep continuities between the "empire" prior to 1808 and the "nations" that emerged in the following decades. In perhaps the best-known such work, Jeremy Adelman contended that "[t]he passage that began in the eighteenth century [in Ibero-America] did not end with the triumph of something new...Rather, the beginnings, middles and ends of the epic described in this book were above all the ways in which history remained—and remains—unresolved, and therefore political." Jeremy Adelman, *Sovereignty and Revolution in the Iberian Atlantic* (Princeton: Princeton University Press, 2006), 1. See also Brian Hamnett, "Process and Pattern: A Re-Examination of the Ibero-American Independence Movements, 1808-1826," *Journal of Latin American Studies* 29, no. 2 (May 1997): 279-328. For an important article that discusses French reactions to the political crisis in Spanish America that Napoleon's invasion of Spain precipitated, see Rafe Blaufarb, "The Western Question: The Geopolitics of Latin American Independence," *American Historical Review* 112, no. 3 (June 2007): 742-763.

² Rebecca Scott, "'She...Refuses to Deliver Up Herself as the Slave of Your Petitioner: 'Émigrés, Enslavement, and the 1808 Louisiana Digest of the Civil Laws,'" *Tulane European and Civil Law Forum*

July 1809 and a British-negotiated transfer of power over the island's eastern part back to Spain.

In 1810, a former military officer who had served under Ferrand named Gilbert Guillermin printed in Philadelphia a work that is perhaps the most detailed extant first-hand account of this war, which is preserved in the *Collection Moreau de St Méry* in the *Archives Nationales d'Outre-mer*. According to Guillermin, “by its topographical position, and the nature of its population, [Santo Domingo] found itself thrust into the center of the fermentation” when many of its inhabitants revolted against the “alleged usurpation of the house of Napoleon, and...the imagined oppression under which the Spanish Royal family languished in France.”³

Politics on the island of Hispaniola during this war were saturated with fear, a circumstance that became exacerbated by shifting alliances among several parties that desired the ouster of the Ferrand regime. While officials in Cuba and Puerto Rico deployed troops to assist the Spanish in Santo Domingo, the British entered into an “offensive, and defensive alliance” (*une alliance offensive, et défensive*) with Puerto Rico's Governor Toribio Montes in 1808.⁴ Upon learning of events in Spain, Montes had authorized the capture of French ships, justifying this action as part of the “War”

(*Guerre*) that the Supreme Junta of Seville had declared on Napoleon, according to a 2

no. 24 (2009), 126; Sigfrido Vázquez Cienfuegos, *Tan difíciles tiempos para Cuba: El gobierno del Marqués de Someruelos (1799-1812)* (Seville: Universidad de Sevilla, 2008), 295.

³ Gilbert Guillermin, “[Illegible] Journal of the Revolution of the Eastern part of St Domingue beginning 10 August 1808,” 1810, note of 10 August 1808, *Archives Nationales d'Outre-mer* (hereinafter ANOM), Aix-en-Provence, France, *Collection Moreau de St Méry* (hereinafter CMSM) F3 121. In the original text: “...la partie de l'Est de St Domingue, qui par sa position topographique, et la nature de sa population, se trouvait placée au milieu du foyer de la fermentation. Les habitants de cette contrée, devenus français par le traité de Bâle, ne [illegible] pas se prévaloir, à l'Exemple des Sujets de S.M.C. des motifs de mécontentement résultant de l'usurpation prétendue de la maison de Napoleon, et de l'oppression imaginaire sous laquelle la famille Royale d'Espagne gémissait en France.”

August 1808 letter from Montes to Ferrand.⁵ Furthermore, the Haitian leaders Henri Christophe and Alexandre Pétion, who were engaged in a bitter internal conflict that pitted Christophe's northern kingdom against Pétion's fledgling southern republic, each sought to exploit the conflict in the neighboring territory to gain an advantage over his rival.⁶ Pétion moreover feared that the victors in this war would have designs on parts of Haiti, while Governor Montes instructed General Juan Sánchez Ramírez, the leader of the anti-French resistance in Santo Domingo, to not admit any "French Blacks and mulattos" (*Nègres et mulâtres français*) into any Spanish military units due to anxieties concerning a possible Haitian invasion. Sánchez nonetheless "contract[ed] an alliance with Christophe, who sent him 300 men [serving as] auxiliary troops."⁷

Spanish authorities in Puerto Rico, Cuba and elsewhere seeking to recruit troops to fight the Ferrand regime knew that they wielded a potent weapon in stirring up anti-French sentiments. Nevertheless, in an early example of a tendency that would recur repeatedly in the later mainland independence wars, these elites sought to prevent these mobilizations from transforming into a significant challenge to the social and racial order. They were perhaps mindful of what had transpired in Cuba when the Marquis de Someruelos had deliberately exploited "popular anxieties" to mobilize many of the island's residents against the French. This had, in Guillermin's recounting, unleashed a wave of unrest that targeted not only French settlers but also "rich Spanish landowners"

⁴ Guillermin, "Journal of the Revolution," "Details on the revolt of 26 September to 12 October 1808, and on the principal leaders," ANOM CMSM F3 121.

⁵ Montes to Ferrand, 2 August 1808, in Guillermin, "Journal of the Revolution," ANOM CMSM F3 121.

⁶ Pétion and Christophe both vied to succeed Dessalines, who had died in 1806, as ruler of Haiti.

⁷ Guillermin, "Journal of the Revolution," Fifth Note, ANOM CMSM F3 121. In the original text: "*Cependant Sanchez vient de contracter une alliance avec Christophe, qui lui a envoyé 300 hommes de troupes auxiliaires.*"

whose properties in Havana were sometimes subject to pillage.⁸ Salvador Felix, who had been sent by Montes to instigate rebellions in Santo Domingo, tried to walk this thin line. While he succeeded in helping to ignite uprisings in Neyba and Azua in late September and early October 1808, he was compelled by necessity to engage in trade with Pétion, exchanging cattle for munitions and arms.⁹

Ferrand was also caught in a vise, as his regime's militant racism was at odds with its need to employ non-white soldiers. Yet his use of such troops was in a sense a continuation of the reliance of eighteenth-century French Saint-Domingue on free-colored soldiers for its defense and security. Throughout its short existence, the Ferrand regime depended on the services of a non-white military unit known as the *Légion Coloniale*. In Guillermin's words, "the *Légion Coloniale* was composed of men of color, and of Free Blacks, who since the beginning of the Revolution have given to the French Government unfailing proofs of their loyalty, courage and Devotion," while the *Légion's* leaders Repussard and Savari had acquired a "reputation for Bravery" in eighteen years of service. "This corps has always formed the avant garde of the columns," Guillermin declared, "and has had the greatest part of the Glory that the Garrison of Santo Domingo acquired in the numerous sorties that it made during the siege of this post."¹⁰ The *Légion*

⁸ Guillermin, "Journal of the Revolution," ANOM CMSM F3 121. In the original text: "*Le Marquis de Someruelos, par la proclamation que nous avons citée, avait donné l'éveil à l'inquiétude populaire; il ne fut plus le maître dans la suite d'en modérer les Effets: elle se manifesta d'abord contre quelques français, mais elle fut bientôt dirigée contre les riches propriétaires Espagnols de la Havane, dont les hôtels furent livrés au pillage.*"

⁹ Guillermin, "Journal of the Revolution," "Details on the revolt of 26 September to 12 October 1808, and on the principal leaders," ANOM CMSM F3 121.

¹⁰ Guillermin, "Journal of the Revolution," Forty-Fourth Note, ANOM CMSM F3 121. In the original text: "*La Légion Coloniale était composée d'hommes de couleur, et de Nègres Libres, qui des le principe de la Révolution ont donné au Gouvernement français des preuves inalterables de fidélité, de courage et de Devouement. Ce corps a toujours formé les avant gardes des colonnes et a eu la plus grande part à la Gloire que c'est acquise la Garrison de Santo Domingo dans les nombreuses sorties qu'elle a fait pendant le siege de cette place. Les Sieurs Repussard, Savari, Theard, D'aux, ont particulièrement soutenu cette reputation de Bravoure dont ils ont donné des preuves multipliées pendant 18 ans.*"

indeed comprised a sizeable portion of the armed forces of Ferrand. One military record from 23 September 1804 lists ninety-nine troops (out of 862 total) serving in the *Légion*.¹¹ On 1 January 1809, there were 183 men in the *Légion* out of a total force of 1,361, while the *Légion* represented just fewer than fourteen percent of the troops who were listed as being in the service of the French regime upon its fall in July 1809.¹²

Some of the non-whites who served as soldiers and officers in this conflict may have seen this service as an opportunity to improve their lot, as some free-colored Dominguan militiamen had before them. In an October 1808 letter to two Spanish officers, a “man of color” (*homme de couleur*) and *Chef de Bataillon* named Carreaux lauded the efforts of the Spanish in a recent victory in Azua. “The details of your Victories have strongly interested our compatriots, who ardently wish to see the natives of the country recover their former rights, and Expel a government of usurpers,” declared Carreaux in what may well have been a thinly-veiled critique of the racist laws of the Ferrand regime.¹³ Such sentiments may have helped to mobilize opposition to the Napoleonic government, which by November 1808 was losing the war. Early that month a force of six hundred “insurgents” (*insurgés*), of which two hundred were “French Mulattos, or Blacks” (*Mulâtres, ou Nègres français*), defeated a French regiment of 250 men in Azua. By 3 November 1808, according to Guillermin, “all the districts of the East” (*tous les arrondissements de l’Est*) had witnessed uprisings. The Spanish had

¹¹ Listing of troop numbers under Ferrand, 1 Vendémiaire an 13 (23 September 1804), ANOM *Troupes et Personnel Civil* (hereinafter TPC) D2C 371.

¹² Listing of troop numbers under General Joseph Barquier, 1 January 1809, ANOM TPC D2C 371; listing of troop numbers under Barquier, 11 July 1809, ANOM TPC D2C 371.

¹³ Carreaux to Christóbal Huber and [Illegible], October 1808, in Guillermin, “Journal of the Revolution,” ANOM CMSM F3 121. In the original text: “*Les détails de vos Victoires ont vivement intéressés nos compatriotes, qui désirent ardemment voir les naturels du pays recouvrir leurs anciens droits, et Repousser un Gouvernement usurpateur.*”

around 1,800 troops at this time, of whom twelve hundred were infantrymen and the rest were cavalrymen.¹⁴

Ferrand's misapprehension of the tide of this war cost him his life and accelerated the demise of the regime. According to a report to Napoleon composed by a man named E. Paillier, who claimed to have been serving with Ferrand on his final mission, Ferrand had assembled a contingent of six hundred men (of which half were regular infantrymen, one hundred were "French militia," and two hundred "Spanish militia") to attack an enemy force in Seybo led by a turncoat officer whom Ferrand had once entrusted with command of the area. Believing that "all would return to order upon his appearance, and in case of resistance, the dispersion of the rebels would be easy," Ferrand's men were unprepared for the 2,100 soldiers from Havana and Puerto Rico who greeted them in Seybo on 7 November 1808, and the ensuing battle quickly became a rout. For a veteran of a quarter-century of warfare and three revolutions, such an ignominious defeat apparently proved too much to bear. After ordering the survivors of his troop to retreat, Ferrand reportedly exclaimed, "I am the victim of my overconfidence," then seized a cartridge from one of his aides before any of his men could react. "He primed his pistols, and, at the moment when it was least expected, he destroyed his head."¹⁵

Ferrand was succeeded as commander-in-chief by General Joseph Barquier, who could not stave off the regime's defeat. Indeed, by the time of Barquier's accession it had become evident that the Napoleonic government was facing political as well as military

¹⁴ Guillermin, "Journal of the Revolution," ANOM CMSM F3 121.

¹⁵ E. Paillier, report to Napoleon, 29 November 1809, *Centre d'Accueil et de Recherche des Archives Nationales* (hereinafter CARAN), Paris, AF/IV/968. In the original text: "*Quoiqu'il en soit, il partit le 1^{er} 9bre avec 600 hommes dont 300 de troupes de ligne, 100 de milice française, et 200 de milice Espagnole. Le Général était persuadé que tout rentrerait dans l'ordre à son apparition, et qu'en cas de résistance, la dispersion des rebelles serait facile...il rompit le silence que gardait sa troupe en disant « Je suis victime de*

defeat. On 18 December 1808, nineteen deputies formed a “Junta” in Santo Domingo city that recognized Ferdinand VII as the “Legitimate King and natural Lord” and that named General Juan Sánchez Ramírez the “political and military Governor, and interim intendant.”¹⁶ At this same time, anti-French forces placed Santo Domingo city under a siege that prompted massive emigration. Guillermin asserted that as of 30 December 1808, 3,300 women and children had fled Santo Domingo city; this almost halved the pre-siege population of eight thousand.¹⁷

The inability of the French regime to defeat the insurgency owed to a combination of profound anti-French sentiment following the 1808 invasion of Spain; the lack of French reinforcements due to extensive military commitments in many other theaters; the weaknesses of key leaders, such as Ferrand’s overconfidence; and crucial infusions of troops and arms from outside parties to the Spanish side.¹⁸ In particular, the British, based in nearby Jamaica, saw these uprisings as a chance to inflict a defeat on their archnemesis.¹⁹ British ships transported a military regiment from Puerto Rico to Santo

mon excès de confiance »...il dit « mettons nos armes en état, » et prit une cartouche d’un de ses guides. Il amorça ses pistolets, et, au moment où l’on s’y attendait le moins, il se cassa la tête.” Emphasis in original.

¹⁶ Guillermin, “Journal of the Revolution,” details on the formation of the junta, 27 November-18 December 1808, ANOM CMSM F3 121. In the original text: “*La Junte, au nom des habitants de la partie Espagnole de St Domingue, qu’elle représente, reconnaît (ainsi qu’elle l’a déjà reconnu) Don Ferdinand VII pour son Roi Légitime et Seigneur naturel, et par conséquent, la Suprême Junte centrale de Madrid, en qui réside l’autorité Royale. Art. 2: En considération du mérite que s’est acquis Don Juan Sanchez Ramirez, commandant Général de l’armée Espagnole de Saint Domingue...La Junte le nomme Gouverneur politique, et militaire et intendant par intérim.*”

¹⁷ Guillermin, “Journal of the Revolution,” Forty-Sixth Note, ANOM CMSM F3 121.

¹⁸ By early 1809, the French were sorely outnumbered. As noted above, they fielded only 1,361 troops as of 1 January 1809, while according to the *Bulletin Officiel de Santo Domingo*, as of 22 February 1809 the Spanish had 2,320 men. *Bulletin Officiel de Santo Domingo*, 22 February 1809, in Guillermin, “Journal of the Revolution,” ANOM CMSM F3 121.

¹⁹ Though he had returned to France in 1808, Joseph Ruiz, Ferrand’s trusted subordinate who had participated in actions against the Maniel enclave and in Ferrand’s enterprise of enslaving Haitians, became a prisoner of the British by early 1810. The *État de Service* (military service record) of Joseph Ruiz indicates that he was listed as a “prisoner in England” (*prisonnier en Angleterre*) in a 29 March 1810 listing of officers who were under consideration for the Legion of Honor. *États de Service* for French veterans, undated, CARAN Colonies CC/9c/21.

Domingo in April 1809, and on 11 May 1809, eleven British warships arrived in the harbor of Santo Domingo city.²⁰

At this point the Napoleonic regime's fall was essentially a *fait accompli*. The British disembarked near Santo Domingo city on 28 June 1809 and penetrated the city walls the following day under the command of Commodore William Pryce Cumby.²¹ This led General Barquier and his British and Spanish counterparts to begin to negotiate a surrender agreement. On 6 July 1809, the British Major General Hugh Lyle Carmichael, the Spanish General Juan Sánchez Ramírez, and Barquier signed an accord for the capitulation of the French in Santo Domingo. This agreement stipulated that French troops must evacuate Santo Domingo city and all other important posts and sail for France within twelve days; British troops were to occupy these posts until this evacuation was complete; and a prisoner exchange was to commence immediately. While this accord allowed all individuals, of whichever "sex, condition, or color that they may be, French or Spanish," to emigrate from Santo Domingo to another Caribbean island or to the United States at the expense of the British government within ten days, the accord contained another provision that could be interpreted as a confirmation of slavery: "All individual and personal properties of all Descriptions shall be respected."²²

Though the fall of the Ferrand regime marked the beginning of a brief new period of Spanish rule in the eastern part of the island, Santo Domingo's experience under French rule had significant implications for the collapse of Spanish rule over most of the

²⁰ Guillermin, "Journal of the Revolution," ANOM CMSM F3 121.

²¹ Guillermin, "Journal of the Revolution," Seventy-Eighth Note, ANOM CMSM F3 121.

²² Accord of capitulation of the French in Santo Domingo, 6 July 1809, ANOM CMSM F3 284. In the original text: "*Tous les individus de tel sexe, condition, ou couleur qu'ils soient, français, ou Espagnols, qui ne voudront pas Rester à Sto Domingo, seront dans ce délai de dix jours, transportés aux frais du Gouvernement anglais, aux États-Unis, ou aux Isles du Vent, ou Sous le vent...Toutes les propriétés individuelles des personnes de toutes Descriptions seront respectées.*"

American empire by 1830. The 1795 cession of Santo Domingo to France created a crisis of political legitimacy in what had been Spain's oldest colony. Moreover, the presumed legal emancipation of Santo Domingo's slaves represented the most severe legal challenge to the enslavement of Africans and their descendants that had emerged in a Spanish-American colony. In this light, Spanish America's nineteenth-century "liberators," who sometimes initially supported gradual emancipation schemes, appear less visionary and pioneering than their reputations suggest.²³

In 1795, the French Republic had articulated a new vision of "empire" in promulgating a new constitution that declared the colonies to be an "integral part" of the French empire. Efforts to incorporate Santo Domingo into this new political order gave rise to conflicts that tested the boundaries of this doctrine of legal integration. When Napoleon subsequently dismantled the "integral part" doctrine in his 1799 constitution which stipulated that the colonies were to once again be subject to "particular laws," he ironically helped to pave the way for Toussaint Louverture's promulgation of his own 1801 constitution that in a sense represented a defiant logical extension of the principle of "particular laws" for the colonies. Clashes between these divergent conceptions of empire and the metropole-colony relationship helped to bring about the Haitian war of independence, which resulted in the complete rejection of colonialism in Haiti and the establishment of the renewed colonial regime of Ferrand in Santo Domingo.

The radical political vision of the Haitian Revolution was of a polity where nobody could be held as a slave and where all possessed equal citizenship. While the effects of the Haitian Revolution on Latin American political independence and anti-

²³ One such figure was the Venezuelan independence hero Simón Bolívar. For a discussion of this leader's views on slavery, see John Lynch, *Simón Bolívar: A Life* (New Haven: Yale University Press, 2006),

slavery were complex and perhaps even contradictory, the foundation of the emancipationist nation of Haiti provided the revolutionary leaders Francisco de Miranda and Simón Bolívar with both moral and material support for the emancipation of both nation and slave.²⁴

The Ferrand regime, by contrast, appears to have offered support to those who wished to preserve Spanish colonial rule in the hemisphere. In a 15 April 1806 letter to the Minister of the Navy, Ferrand stated that he was willing to deploy three hundred men to assist the “Governor” in Venezuela in his efforts to defeat the anticipated invasion force of Francisco de Miranda, a globe-trotting Venezuelan insurgent leader who led an ill-fated invasion of his homeland in 1806 and later served in the government of the short-lived First Venezuelan Republic in 1811-1812.²⁵

In further weakening Napoleon’s position in the Western Hemisphere, the defeat of the French regime in Santo Domingo in 1809 may have played a small role in

chapters 5 and 7.

²⁴ For a discussion of the effects of the Haitian Revolution on slavery and race relations in Latin America, see David Geggus, “The Sounds and Echoes of Freedom: The Impact of the Haitian Revolution on Latin America,” in *Beyond Slavery: The Multilayered Legacy of Africans in Latin America and the Caribbean*, ed. Darién J. Davis (Lanham, MD: Rowman and Littlefield, 2007), 24-32.

²⁵ Ferrand to Minister of the Navy, 15 April 1806, CARAN Colonies CC/9a/42. In the original text: “...je n’ai pas cru devoir balancer, dans cette circonstance importante, à offrir à Monsieur le Gouverneur de la Côte Ferme trois Cents braves, qui y étant rendus, si l’occasion s’en présente, donneront aux Espagnols la mesure du parti que l’on peut tirer de pareils alliés.” Emphasis in original. It is well known that, in the midst of the independence wars, Bolívar sought refuge in Haiti in 1816 and received from Haitian President Alexandre Pétion munitions, guns, money, transport and soldiers in exchange for a promise to abolish slavery in areas that he wrested from the Spanish. Less well known is the stopover in Haiti of Francisco de Miranda. In a letter to a subordinate dated 21 March 1806, Ferrand wrote that after recruiting two to three thousand “*Mulâtres*” in New York, Miranda traveled to the “South of St Domingue” (*Sud de St Domingue*). Ferrand to Franco, 21 March 1806, CARAN Colonies CC/9a/43. According to Karen Racine, in his stopover in the harbor of Jacmel, Haiti to prepare for his invasion of Venezuela, Miranda was prevented from setting foot on land due to the suspicions that Dessalines and Pétion held towards “light-skinned troops arriving off their shores”—a rich irony given the prohibitions in Cuba and elsewhere of the entrance of non-whites associated with Haiti. Nonetheless, while in Haitian waters Miranda first hoisted his new Venezuelan flag and printed several thousand copies of an important manifesto on South American independence. Karen Racine, *Francisco de Miranda: A Transatlantic Life in the Age of Revolution* (Wilmington, DE: Scholarly Resources, 2003), 160-161. For more on Miranda, who participated in the French Revolution, see Michael Zeuske, *Francisco de Miranda y la modernidad en América* (Madrid:

hastening the French emperor's ouster. In removing the French beachhead in Hispaniola, it also further reduced the possibility of a French re-conquest of Haiti, which would have had profound geopolitical implications for Latin American independence and North American expansion. Finally, the period of French rule in Santo Domingo gravely undermined Spain's ability to reassert its authority after 1809 by eliminating most of the old slaveholding elite, powerfully demonstrating the political and military weakness of the metropole, and facilitating the flight of Dominican "slaves" from the control of purported masters to lives of independent subsistence in the countryside.²⁶

In some respects, Santo Domingo represented a prototype for the disintegration in Spanish America of a political system that had endured for three centuries. Yet Santo Domingo's own distinct circumstances made its trajectory in the nineteenth century exceptional. As the only Spanish-American nation to declare independence three times (in 1821, 1844 and 1865) from two powers (Spain and Haiti), the Dominican Republic followed a path that diverged dramatically from those of the mainland Spanish-American countries as well as those of Cuba and Puerto Rico, where slavery and Spanish colonialism endured until the final third of the century.²⁷

In the Haitian Revolutionary era, a succession of French Republican and imperial regimes tried to unify the island under their rule, first in the name of universal emancipation, and then in an effort to re-impose slavery. Santo Domingo was integral in struggles over the political, economic and moral dimensions of the unstable categories of

Fundación Mapfre Tavera, 2004). On Bolívar and Haiti, see Lynch, *Simón Bolívar*, 97; and Geggus, "The Sounds and Echoes of Freedom," 30-32.

²⁶ Richard Turits, *Foundations of Despotism: Peasants, the Trujillo Regime, and Modernity in Dominican History* (Stanford: Stanford University Press, 2003), 44-45.

²⁷ The Dominican Republic first became known by this name in 1844, when it gained independence from Haiti.

“slave” and “free person.” The numerous freed Dominguan who fled the restrictions of the emancipationist regime in Saint-Domingue to resettle in what Bonaparte termed the “enslaved part” of the island, for instance, unsettled concepts of slavery and freedom that many French and Spanish officials supported. Moreover, the freed individuals who created the notarized liberty acts left traces of “emancipation” in the official records of a regime that sought to re-enslave thousands of people.

When contextualized within the *longue durée* of the island’s history, some of the apparent ruptures of the Haitian Revolution begin to appear less pronounced. The nearly “invisible” emancipation in Santo Domingo from 1795-1801 involved the swift repression of “slave” revolts, carrot-and-stick tactics employed by both French and Spanish authorities against “maroon” communities, and continuing disputes over the old colonial border and over migration between the two parts of the island.

Yet in other respects, this revolution did represent a radical break from the past. Most notably, the uncertain situation of those held in bondage in Santo Domingo after 1795 brought to the fore the Haitian Revolution’s central question: Can a viable polity exist where nobody is held in chattel slavery? Even as he tried to resuscitate the plantation economy in Saint-Domingue and to impose a plantation system in Santo Domingo, Toussaint Louverture offered an affirmative answer to this question. Furthermore, despite their participation in slaving during the Franco-Spanish war in the mid-1790s, the slaves-turned-officers Jean-François and Georges Biassou played important roles in bringing about the general emancipation decrees in Saint-Domingue in 1793.

On the eve of the French and Haitian Revolutions, Spanish Santo Domingo was among the most neglected of Spain's American domains, yet it became deeply involved in an episode whose reverberations in Caribbean, Atlantic and global history were profound. While simple geographical proximity to Saint-Domingue helps to account for Santo Domingo's importance in the Haitian Revolution, patterns of state formation, slavery, race relations, resistance to enslavement, and peasant cultivation that were rooted in Dominican history also represented vital contexts for this revolution. The central goal of this dissertation has been to elucidate these contexts and to show that Santo Domingo was a central theater in the political and social transformations of the Haitian Revolutionary era.

By presenting this revolution as an island-wide episode, I have sought to contribute to the goal of bringing historical scholarship on the Dominican Republic into greater dialogue with that on Haiti. I have also contributed new perspectives on "post-emancipation societies" in my examination of conflicts over the boundaries of "emancipation" in French Santo Domingo. During the fourteen years of formal French rule, uncertainty concerning the colony's political status and the legal condition of those claimed as slaves led to disputes in which the legal and perceived moral legitimacy of enslavement—and of the radical new doctrine of universal emancipation—were at stake. Santo Domingo was a crucial battleground in struggles to define the meaning of French Republican emancipation.

For five centuries, the island of Hispaniola has been a crucible in the political, economic, and social processes that have shaped the development of the modern world. From the sixteenth century, when it was the first site of debates over the rights and

humanity of indigenous Americans, to the twenty-first, when the profound neglect of the rights of Haitian migrants in the Dominican Republic has called into question the extent of modern states' commitments to human rights (especially those of non-citizens), this island has held an importance that far outstrips its relatively small size.²⁸ The Haitian Revolution was shaped by decades- or centuries-old phenomena, such as the fight for the equality promised by the *Code Noir*, Dominicans' carving out their own versions of freedom in forging new modes of cultivation and settlement, and conflicts over the colonial border and "maroons" on the island. At the same time, this revolution created radically new concepts of citizenship and liberty, epitomized by its fundamental challenge to slavery. Slaves and freed people in both parts of the island were at the center of this story. In foregrounding the long and interconnected histories of resistance to slavery and struggles against racism in both parts of the island, I have shown that emancipation in revolutionary Hispaniola was not, in fact, a completely failed enterprise, for those who had the most at stake bequeathed powerful legacies for the struggles for equality, liberty and basic human dignity that continue to this day.

²⁸ On these early debates on Native Americans and the nature of empire, see Patricia Seed, "'Are They not Also Men?': The Indians' Humanity and Capacity for Spanish Civilization," *Journal of Latin American Studies* 25, no. 3 (October 1993): 629-652. On Haitian migrants in the Dominican Republic, see Samuel Martínez, "From Hidden Hand to Heavy Hand: Sugar, the State, and Migrant Labor in Haiti and the Dominican Republic," *Latin American Research Review* 34, no. 1 (1999): 57-84.

Bibliography

Archival Sources

Archives Nationales d'Outre-mer, Aix-en-Provence, France.

8 Supplément Saint-Domingue, number 390.

Atlas Moreau de St-Méry (F3 289, F3 296).

Collection Moreau de St Méry (Série F3), numbers 91, 121, 197, 198, 199, 200, 201, 202, 266, 267, 273, 283, 284, and 286.

Correspondance au départ (Série B), numbers 267 and 277.

Dépôt des Papiers Publics des Colonies, Notariat de Saint-Domingue.

Direction de Fortification des Colonies, cartons 4 and 5.

État Civil, Saint-Domingue (Santo Domingo) (85 Miom 95).

Troupes et Personnel Civil (D2C 371).

Archivo General de Indias, Seville, Spain.

Audiencia de Santo Domingo, legajos 1019, 1027, 1029, 1032, 1033, 1037, 1038, 1042, 1101, 1102, and 1110.

Papeles de Cuba, legajos 1705, 1709, and 1742.

Archivo General de Simancas, Simancas, Spain.

Section "Guerra Moderna," legajos 7149, 7151, 7157, 7159, and 7160.

Centre d'Accueil et de Recherche des Archives Nationales, Paris, France.

135 Archives Privées 1-2.

Les Archives du Directoire Exécutif (AF/III/61, AF/III/62, AF/III/63, AF/III/209, AF/III/210).

Assemblées du Directoire (C 518, C 521).

Collection “Colonies, Saint-Domingue,” CC/9a-CC/9c.

Comité des Colonies, section D/XXV.

Comité de la Marine, section D/XVI.

Comité de Salut Public, Relations Extérieures (AF/II/64).

Microfilm Archives (208 Mi 1, 208 Mi 2).

Secrétairerie d’État Impériale (AF/IV/941, AF/IV/968).

Tribunal Révolutionnaire (W 13).

Service Historique de l’Armée de Terre, Vincennes, France.

Expédition de Saint-Domingue, sous-série B7, numbers 12 and 13.

Troupes coloniales, sous-série Xi, number 71.

Special Collections, Latin American Collection, George A. Smathers Libraries, University of Florida, Gainesville.

Microfilmed newspaper:

Les Affiches Américaines, no. 62, 3 August 1791.

Rochambeau Papers, document numbers 75, 77, 1265, 1567, 1640, 1682, and 2269.

Printed Primary Sources

Ayala, Juan de. *A Letter to Ferdinand and Isabella, 1503*. Translated by Charles E. Nowell. Minneapolis: University of Minnesota Press, 1965.

- Collection générale des lois, décrets, arrêtés, sénatus-consultes, avis du conseil d'état et règlements d'administration, publiés depuis 1789 jusqu'au 1^{er} avril 1814.* Paris: Imprimerie Royale, 1818.
- Correspondance de Napoléon Ier, publiée par ordre de l'Empereur Napoléon III.* Vol. 6. Paris: Henri Plon and J. Dumaine, 1861.
- Lacroix, Pamphile de. *La Révolution d'Haïti.* 1819. Reprint, Paris: Karthala, 1995.
- McIntosh, M. E., and B. C. Weber, eds. *Une correspondance familiale au temps des troubles de Saint-Domingue.* Paris: Société de l'Histoire des Colonies Françaises et Librairie Larose, 1959.
- Monte y Tejada, Antonio del. *Historia de Santo Domingo.* 4 vols. 1890-1892. Reprint, Ciudad Trujillo [Santo Domingo], 1953.
- Moreau de St Méry, Médéric-Louis-Élie. *Description topographique et politique de la partie espagnole de l'isle Saint-Domingue.* 2 vols. Philadelphia: Self-published by author, 1796.
- _____. *La description topographique, physique, civile, politique et historique de la partie française de Saint-Domingue.* 3 vols. 1797. Reprint, Saint-Denis: Société Française d'Histoire d'Outre-mer, 2004.
- Raynal, abbé Guillaume-Thomas-François. *Histoire philosophique et politique des établissements et du commerce des Européens dans les deux Indes.* Vol. 3. Geneva, 1780.
- Rodríguez Demorizi, Emilio, ed. *Cesión de Santo Domingo a Francia (correspondencia de Godoy, García, Roume, Hedouville, Louverture, Rigaud y otros, 1795-1802).* Ciudad Trujillo [Santo Domingo]: Impresora Dominicana, 1958.
- _____. *Las invasiones haitianas de 1801, 1805 y 1822.* Ciudad Trujillo [Santo Domingo]: Editora del Caribe, 1955.
- Roussier, Paul, ed. *Lettres du général Leclerc, Commandant en Chef de l'armée de Saint-Domingue.* Paris: Société d'Histoire des Colonies Françaises et Librairie Ernest Leroux, 1937.
- Saint-Venant, Jean Barré de. *Des colonies modernes sous la zone torride, et particulièrement celle de Saint-Domingue.* Paris: Brochot, 1802.
- Sánchez Valverde, Antonio. *Idea del valor de la isla española.* 1785. Reprint, Ciudad Trujillo [Santo Domingo]: Editora Montalvo, 1947.

Secondary Sources

- Adderly, Roseanne Marion. "‘New Negroes from Africa:’ Culture and Community among Liberated Africans in the Bahamas and Trinidad, 1810 to 1900." PhD diss., University of Pennsylvania, 1996.
- Adelman, Jeremy. *Sovereignty and Revolution in the Iberian Atlantic*. Princeton: Princeton University Press, 2006.
- Alchon, Suzanne Austin. *A Pest in the Land: New World Epidemics in a Global Perspective*. Albuquerque: University of New Mexico Press, 2003.
- Allen, Richard B. "The Constant Demand of the French: The Mascarene Slave Trade and the Worlds of the Indian Ocean and Atlantic during the Eighteenth and Nineteenth Centuries." *Journal of African History* 49, no. 1 (2008): 43-72.
- Appelbaum, Nancy, Anne Macpherson, and Karin Alejandra Roseblatt, eds. *Race and Nation in Modern Latin America*. Chapel Hill: University of North Carolina Press, 2003.
- Auguste, Claude B., and Marcel B. Auguste. *L'expédition Leclerc, 1801-1803*. Port-au-Prince: Deschamps, 1988.
- Bell, Madison Smartt. *Toussaint Louverture: A Biography*. New York: Vintage, 2007.
- Bénot, Yves. *La démenche coloniale sous Napoléon*. 2nd ed. Paris: Découverte, 2006.
- _____. *La Révolution Française et la fin des colonies*. Paris: Découverte, 1988.
- Berlin, Ira, and Leslie M. Harris, eds. *Slavery in New York*. New York: New Press, 2005.
- Berlin, Ira, Joseph P. Reidy, and Leslie S. Rowland, eds. *Freedom's Soldiers: The Black Military Experience in the Civil War*. Cambridge: Cambridge University Press, 1998.
- Blackmon, Douglas A. *Slavery by Another Name: The Re-Enslavement of Black People in America from the Civil War to World War II*. New York: Doubleday, 2008.
- Blaufarb, Rafe. "The Western Question: The Geopolitics of Latin American Independence." *American Historical Review* 112, no. 3 (June 2007): 742-763.
- Boucher, Philip. *Cannibal Encounters: Europeans and Island Caribs, 1492-1763*. Baltimore: Johns Hopkins University Press, 1992.
- Branda, Pierre, and Thierry Lentz. *Napoléon, l'esclavage et les colonies*. Paris: Fayard,

2006.

Brasseaux, Carl A., and Glenn R. Conrad, eds. *The Road to Louisiana: The Saint-Domingue Refugees, 1792-1809*. Lafayette, LA: Center for Louisiana Studies, University of Southwestern Louisiana, 1992.

Brown, Christopher. *Moral Capital: Foundations of British Abolitionism*. Chapel Hill: University of North Carolina Press, 2006.

Brown, Christopher Leslie, and Philip D. Morgan, eds. *Arming Slaves: From Classical Times to the Modern Age*. New Haven: Yale University Press, 2006.

Burnard, Trevor. "Empire Matters? The Historiography of Imperialism in Early America, 1492-1830." *History of European Ideas* 33, no. 1 (March 2007): 87-107.

Burns, Kathryn. *Into the Archive: Writing and Power in Colonial Peru*. Durham: Duke University Press, 2010.

_____. "Notaries, Truth, and Consequences." *The American Historical Review* 110, no. 2 (April 2005): 350-379.

Burns, Robert J., ed. *Las Siete Partidas*. Translated by Samuel Parsons Scott. 5 vols. Philadelphia: University of Pennsylvania Press, 2001.

Cabon, Adolphe. *Histoire d'Haïti: Cours professé au Petit-Séminaire-Collège Saint-Martial*. Vol. 4. Port-au-Prince: Édition de la Petite Revue, 192?-1940.

Candelario, Ginetta E.B. *Black Behind the Ears: Dominican Racial Identity from Museums to Beauty Shops*. Durham: Duke University Press, 2007.

Cañizares-Esguerra, Jorge, and Erik R. Seeman, eds. *The Atlantic in Global History, 1500-2000*. Upper Saddle River, NJ: Pearson Prentice Hall, 2007.

Carney, Judith. *Black Rice: The African Origins of Rice Cultivation in the Americas*. Cambridge, MA: Harvard University Press, 2001.

_____. "Landscapes of Technology Transfer: Rice Cultivation and African Continuities." *Technology and Culture* 37, no. 1 (January 1996): 5-35.

Cassá, Roberto. "Les effets du Traité du Bâle." In Yacou, *Saint-Domingue espagnol*, 203-210.

Cauna, Jacques de, ed. *Toussaint Louverture et l'indépendance d'Haïti*. Paris: Karthala, 2004.

Champion, Jean-Marcel. "30 Floréal Year X: The Restoration of Slavery by Bonaparte."

In *The Abolitions of Slavery: From Léger Félicité Sonthonax to Victor Schoelcher, 1793, 1794, 1848*, edited by Marcel Dorigny, 229-236. New York: Berghahn Books, 2003. First published in 1995 by Éditions UNESCO/Presses Universitaires de Vincennes (Paris).

Chapman, Herrick, and Laura L. Frader, eds. *Race in France: Interdisciplinary Perspectives on the Politics of Difference*. New York: Berghahn Books, 2004.

Childs, Matt. *The 1812 Aponte Rebellion in Cuba and the Struggle Against Atlantic Slavery*. Chapel Hill: University of North Carolina Press, 2006.

Cooper, Frederick, Rebecca Scott, and Thomas Holt. *Beyond Slavery: Explorations of Race, Labor and Citizenship in Postemancipation Societies*. Chapel Hill: University of North Carolina Press, 2000.

Cordero Michel, Emilio. *La Revolución haitiana y Santo Domingo*. Santo Domingo: Editora Nacional, 1968.

_____. "Toussaint en Saint-Domingue espagnol." In Yacou, *Saint-Domingue espagnol*, 251-258.

Coronil, Fernando. "After Empire: Reflections on Imperialism from the Americas." In *Imperial Formations*, edited by Ann Laura Stoler, Carole McGranahan, and Peter Perdue, 241-271. Santa Fe, NM: School for Advanced Research Press, 2007.

Curtin, Philip. *The Rise and Fall of the Plantation Complex: Essays in Atlantic History*. 2nd ed. New York: Cambridge University Press, 1998.

Davis, Natalie Zemon. *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France*. Stanford: Stanford University Press, 1987.

Debien, Gabriel. *Les esclaves aux Antilles françaises, XVIIe-XVIII siècles*. Basse-Terre: Société d'Histoire de la Guadeloupe, 1974.

_____. *Le peuplement des Antilles françaises au XVIIe siècle: les engagés partis de la Rochelle (1683-1715)*. Cairo: Les Presses de l'Institut Français d'Archéologie Orientale du Caire, 1942.

Deive, Carlos Esteban. *Los cimarrones del Maniel de Neiba: Historia y etnografía*. Santo Domingo: Banco Central de la República Dominicana, 1985.

_____. *Las emigraciones dominicanas a Cuba, 1795-1808*. Santo Domingo: Fundación Cultural Dominicana, 1989.

_____. *La esclavitud del negro en Santo Domingo (1492-1844)*. Santo Domingo: Museo del Hombre Dominicano, 1980.

- _____. *Los guerrilleros negros: Esclavos fugitivos y cimarrones en Santo Domingo*. Santo Domingo: Fundación Cultural Dominicana, 1989.
- _____. "Les réfugiés français dans la partie espagnole de l'île Saint-Domingue au temps de la fronde des Grands Blancs et de la révolte des Mulâtres." In Yacou, *Saint-Domingue espagnol*, 123-133.
- Derby, Lauren. "Haitians, Magic and Money: Raza and Society in the Haitian-Dominican Borderlands, 1900 to 1937." *Comparative Studies in Society and History* 36, no. 3 (July 1994): 488-526.
- Desan, Suzanne. *The Family on Trial in Revolutionary France*. Berkeley: University of California Press, 2004.
- Dubois, Laurent. *Avengers of the New World: The Story of the Haitian Revolution*. Cambridge, MA: Belknap Press, 2004.
- _____. "Citizen Soldiers: Emancipation and Military Service in the Revolutionary French Caribbean." In Brown and Morgan, *Arming Slaves*, 233-254.
- _____. *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804*. Chapel Hill: University of North Carolina Press, 2004.
- _____. "An Enslaved Enlightenment: Rethinking the Intellectual History of the French Atlantic." *Social History* 31, no. 1 (February 2006): 1-14.
- Dubois, Laurent, and John Garrigus. *Slave Revolution in the Caribbean, 1789-1804: A Brief History with Documents*. New York: Palgrave, 2006.
- Englund, Steven. *Napoleon: A Political Life*. New York: Scribner, 2004.
- Farge, Arlette, and Jacques Revel. *The Vanishing Children of Paris: Rumor and Politics before the French Revolution*. Translated by Claudia Miéville. Cambridge, MA: Harvard University Press, 1991. First published as *Logiques de la foule: l'affaire des enlèvements d'enfants, Paris 1750* (Paris: Hachette, 1988).
- Fatton, Robert. *Haiti's Predatory Republic: The Unending Transition to Democracy*. Boulder, CO: Lynne Rienner Publishers, 2002.
- Fernández-Armesto, Felipe. *Before Columbus: Exploration and Colonization from the Mediterranean to the Atlantic, 1229-1492*. Philadelphia: University of Pennsylvania Press, 1987.
- Ferrer, Ada. *Insurgent Cuba: Race, Nation and Revolution, 1868-1898*. Chapel Hill: University of North Carolina Press, 1999.

- _____. "Speaking of Haiti: Slavery, Revolution, and Freedom in Cuban Slave Testimony." In Geggus and Fiering, *The World of the Haitian Revolution*, 223-247.
- Fick, Carolyn. "Emancipation in Haiti: From Plantation Labour to Peasant Proprietorship." *Slavery and Abolition* 21, no. 2 (August 2000): 11-39.
- _____. *The Making of Haiti: The Saint Domingue Revolution from Below*. Knoxville: University of Tennessee Press, 1990.
- Fouchard, Jean. *Les marrons de la liberté*. Paris: L'École, 1972.
- Frostin, Charles. *Les révoltes blanches à Saint-Domingue aux XVIIe et XVIIIe siècles*. Paris: L'École, 1975.
- Fuente, Alejandro de la. "Slave Law and Claims-Making in Cuba: The Tannenbaum Debate Revisited." *Law and History Review* 22, no. 2 (Summer 2004): 339-369.
- _____. "Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*." *Hispanic American Historical Review* 87, no. 4 (2007): 659-692.
- Garrigus, John. *Before Haiti: Race and Citizenship in French Saint-Domingue*. New York: Palgrave Macmillan, 2006.
- _____. "Blue and Brown: Contraband Indigo and the Rise of a Free Colored Planter Class in French Saint-Domingue." *The Americas* 50, no. 2 (October 1993): 233-263.
- _____. "Opportunist or Patriot? Julien Raimond (1744-1801) and the Haitian Revolution." *Slavery and Abolition* 28, no. 1 (2007): 1-21.
- _____. "'Thy coming fame, Ogé! Is sure:' New Evidence on Ogé's 1790 Revolt and the Beginnings of the Haitian Revolution." In *Assumed Identities: The Meanings of Race in the Atlantic World*, edited by John Garrigus and Christopher Morris, 19-45. College Station, TX: Texas A&M University Press, 2010.
- Gaspar, David. *Bondmen and Rebels: A Study of Master-Slave Relations in Antigua*. Durham: Duke University Press, 1985.
- _____. "La Guerre des Bois: Revolution, War and Slavery in Saint Lucia, 1793-1838." In Geggus and Gaspar, *A Turbulent Time*, 102-130.
- Geggus, David. "The Arming of Slaves in the Haitian Revolution." In Brown and Morgan, *Arming Slaves*, 209-232.

- _____. "The Caribbean in the Age of Revolution." In *The Age of Revolutions in Global Context, c. 1760-1840*, edited by David Armitage and Sanjay Subrahmanyam, 83-100. New York: Palgrave Macmillan, 2010.
- _____. "The French Slave Trade: An Overview." *William and Mary Quarterly* 58, no. 1 (January 2001): 119-138.
- _____. *Haitian Revolutionary Studies*. Bloomington: Indiana University Press, 2002.
- _____, ed. *The Impact of the Haitian Revolution in the Atlantic World*. Columbia, SC: University of South Carolina Press, 2001.
- _____. "Sex Ratio, Age and Ethnicity in the Atlantic Slave Trade: Data from French Shipping and Plantation Records." *Journal of African History* 30, no. 1 (1989): 23-44.
- _____. "Slave Resistance in the Spanish Caribbean in the mid-1790s." In Geggus and Gaspar, *A Turbulent Time*, 131-155.
- _____. *Slavery, War and Revolution: The British Occupation of Saint Domingue 1793-1798*. Oxford: Oxford University Press, 1982.
- _____. "The Slaves and Free Coloreds of Martinique during the Age of the French and Haitian Revolutions: Three Moments of Resistance." In Paquette and Engerman, *The Lesser Antilles in the Age of European Expansion*, 280-301.
- _____. "The Sounds and Echoes of Freedom: The Impact of the Haitian Revolution on Latin America." In *Beyond Slavery: The Multilayered Legacy of Africans in Latin America and the Caribbean*, edited by Darién J. Davis, 19-36. Lanham, MD: Rowman and Littlefield, 2007.
- Geggus, David, and Norman Fiering, eds. *The World of the Haitian Revolution*. Bloomington: Indiana University Press, 2008.
- Geggus, David, and David Gaspar, eds. *A Turbulent Time: The French Revolution and the Greater Caribbean*. Bloomington: Indiana University Press, 1997.
- Ghachem, Malick. *The Old Regime and the Haitian Revolution*. Cambridge: Cambridge University Press, forthcoming.
- _____. "Sovereignty and Slavery in the Age of Revolution: Haitian Variations on a Metropolitan Theme." PhD diss., Stanford University, 2002.
- Girard, Philippe. "Black Talleyrand: Toussaint Louverture's Diplomacy, 1798-1802." *The William and Mary Quarterly* 66, no. 1 (January 2009): 87-124.

- _____. "Napoleon Bonaparte and the Emancipation Issue in Saint-Domingue, 1799-1803." *French Historical Studies* 32, no. 4 (Fall 2009): 587-618.
- González-Ripoll, María Dolores, Consuelo Naranjo, Ada Ferrer, Gloria García, and Josef Opatrny. *El rumor de Haití en Cuba: Temor, raza y rebeldía, 1789-1844*. Madrid: Consejo Superior de Investigaciones Científicas, 2004.
- Graham, Sandra Lauderdale. *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro*. New York: Cambridge University Press, 1988.
- Gray, Richard. "The Papacy and the Atlantic Slave Trade: Lourenço da Silva, the Capuchins and the Decisions of the Holy Office." *Past and Present* no. 115 (May 1987): 52-68.
- Grinberg, Keila. "Slavery, Liberalism and Civil Law: Definitions of Status and Citizenship in the Elaboration of the Brazilian Civil Code (1855-1916)." In *Honor, Status and Law in Modern Latin America*, edited by Sueann Caulfield, Sarah Chambers, and Lara Putnam, 109-127. Durham: Duke University Press, 2005.
- Guitar, Lynne. "No More Negotiation: Slavery and the Destabilization of Colonial Hispaniola's Encomienda System." *Revista Interamericana* 29, no. 1-4 (1999). <http://www.sg.inter.edu/revista-ciscla/volume29/guitar.html>.
- Hamnett, Brian. "Process and Pattern: A Re-Examination of the Ibero-American Independence Movements, 1808-1826." *Journal of Latin American Studies* 29, no. 2 (May 1997): 279-328.
- Hardwick, Julie. *The Practice of Patriarchy: Gender and the Politics of Household Authority in Early Modern France*. University Park: Pennsylvania State University Press, 1998.
- Hébrard, Jean. "Esclavage et dénomination: imposition et appropriation d'un nom chez les esclaves de la Bahia au XIX^e siècle." *Cahiers du Brésil contemporain* 53/54 (2003): 31-92.
- Heuer, Jennifer. *The Family and the Nation: Gender and Citizenship in Revolutionary France, 1789-1830*. Ithaca, NY: Cornell University Press, 2005.
- _____. "The One-Drop Rule in Reverse? Interracial Marriages in Napoleonic and Restoration France." *Law and History Review* 27, no. 3 (Fall 2009): 515-548.
- Hoffman, Léon-François. "Un mythe national: La cérémonie du Bois-Caïman." In *La République haïtienne: Etat des lieux et perspectives*, edited by Gérard Barthélemy and Christian A. Girault, 434-448. Paris: Karthala, 1993.

- Holt, Thomas. *The Problem of Freedom: Race, Labor and Politics in Jamaica and Britain, 1832-1938*. Baltimore: Johns Hopkins University Press, 1992.
- James, C. L. R. *The Black Jacobins: Toussaint L'Ouverture and the San Domingo Revolution*. 2nd ed. 1938. Reprint, New York: Vintage, 1963.
- Johnson, Walter. *Soul by Soul: Life Inside the Antebellum Slave Market*. Cambridge, MA: Harvard University Press, 1999.
- King, Stewart R. *Blue Coat or Powdered Wig: Free People of Color in Pre-Revolutionary Saint-Domingue*. Athens: University of Georgia Press, 2001.
- Korngold, Ralph. *Citizen Toussaint*. Boston: Little, Brown and Company, 1944.
- Knight, Franklin W. "The Haitian Revolution and the Notion of Human Rights." *Journal of the Historical Society* 5, no. 3 (2005): 391-416.
- Landers, Jane. "Maroon Women in Spanish America." In *Beyond Bondage: Free Women of Color in the Slave Societies of the Americas*, edited by David Gaspar and Darlene Hine, 3-18. Bloomington: Indiana University Press, 2004.
- _____. "Rebellion and Royalism in Spanish Florida: The French Revolution on Spain's Northern Colonial Frontier." In Geggus and Gaspar, *A Turbulent Time*, 156-177.
- _____. "Transforming Bondsmen into Vassals: Arming Slaves in Colonial Spanish America." In Brown and Morgan, *Arming Slaves*, 120-137.
- Lundahl, Mats. "Toussaint L'Ouverture and the War Economy of Saint-Domingue, 1796-1802." *Slavery and Abolition* 6, no. 2 (1985): 122-138.
- Lynch, John. *Simón Bolívar: A Life*. New Haven: Yale University Press, 2006.
- Madiou, Thomas. *Histoire d'Haïti*. Vol. 2. 1847-1848. Reprint, Port-au-Prince: Deschamps, 1989.
- Mamigonian, Beatriz. "In the Name of Freedom: Slave Trade Abolition, the Law and the Brazilian Branch of the African Emigration Scheme (Brazil-British West Indies, 1830s-1850s)." *Slavery and Abolition* 30, no. 1 (March 2009): 41-66.
- Martínez, Samuel. "From Hidden Hand to Heavy Hand: Sugar, the State, and Migrant Labor in Haiti and the Dominican Republic." *Latin American Research Review* 34, no. 1 (1999): 57-84.
- Métral, Antoine Marie Thérèse. *Histoire de l'expédition des français à Saint-Domingue, sous le consulat de Napoleon Bonaparte*. Paris: Fanjat Ainé, 1825.

- Mills, Kenneth, William Taylor, and Sandra Lauderdale Graham, eds. *Colonial Latin America: A Documentary History*. Lanham, MD: SR Books, 2004.
- Mintz, Sidney. "Slavery and the Rise of Peasantries." *Historical Reflections/Reflexions Historiques* 6, no. 1 (1979): 213-242.
- _____. *Sweetness and Power: The Place of Sugar in World History*. New York: Viking, 1985.
- _____. *Three Ancient Colonies: Caribbean Themes and Variations*. Cambridge, MA: Harvard University Press, 2010.
- Mintz, Sidney, and Richard Price. *The Birth of African-American Culture: An Anthropological Perspective*. Boston: Beacon Press, 1992.
- Mintz, Sidney, and Sally Price, eds. *Caribbean Contours*. Baltimore: Johns Hopkins University Press, 1985.
- Moïse, Claude. *Le projet national de Toussaint Louverture et la constitution de 1801*. Montréal: Editions du CIDIHCA, 2001.
- Monti, Laura V. *A Calendar of Rochambeau Papers at the University of Florida Libraries*. Gainesville: University of Florida Libraries, 1972.
- Moya Pons, Frank. *Manual de historia dominicana*. 9th ed. Santo Domingo: Caribbean Publishers, 1992.
- Nabajoth, Eric. "Toussaint-Louverture et la Constitution de 1801: une perspective indépendantiste dans le cadre d'un régime autoritaire?" In Yacou, *Saint-Domingue espagnol*, 259-280.
- Nasiali, Minayo. "Native to the Republic: Negotiating Citizenship and Social Welfare in Marseille 'Immigrant' Neighborhoods since 1945." PhD diss., University of Michigan, 2010.
- Niort, Jean-François, and Jérémy Richard. "À propos de la découverte de l'arrêté consulaire du 16 juillet 1802 et du rétablissement de l'ancien ordre colonial (spécialement de l'esclavage) à la Guadeloupe." *Bulletin de la Société d'Histoire de la Guadeloupe* no. 152 (January-April 2009): 31-59.
- Northrup, David. *Indentured Labor in the Age of Imperialism, 1834-1922*. Cambridge: Cambridge University Press, 1995.
- Ojeda, Jorge Victoria. *Tendencias monárquicas en la revolución haitiana: El negro*

Francisco Petecou bajo las banderas francesa y española. Mexico City: Siglo XXI Editores, 2005.

Palmer, Vernon. "The Strange Science of Codifying Slavery—Moreau Lislet and the Louisiana Digest of 1808." *Tulane European and Civil Law Forum* no. 24 (2009): 83-113.

Paquette, Robert. "Revolutionary Saint Domingue in the Making of Territorial Louisiana." In Geggus and Gaspar, *A Turbulent Time*, 204-225.

Paquette, Robert, and Stanley Engerman, eds. *The Lesser Antilles in the Age of European Expansion*. Gainesville: University Press of Florida, 1996.

Peabody, Sue. "'Free Upon Higher Ground:' Saint-Domingue Slaves' Suits for Freedom in U.S. Courts, 1792-1830." In Geggus and Fiering, *The World of the Haitian Revolution*, 261-283.

_____. "Négresse, Mulâtresse, Citoyenne: Gender and Emancipation in the French Caribbean, 1650-1848." In *Gender and Slave Emancipation in the Atlantic World*, edited by Pamela Scully and Diana Paton, 56-78. Durham: Duke University Press, 2005.

_____. "There are No Slaves in France:" *The Political Culture of Race and Slavery in the Ancien Régime*. New York: Oxford University Press, 1996.

Pérotin-Dumon, Anne. *Être patriote sous les tropiques: La Guadeloupe, la colonisation et la Révolution (1789-1794)*. Basse-Terre: Société d'Histoire de la Guadeloupe, 1985.

Pluchon, Pierre, ed. *Toussaint Louverture d'après le général de Kerverseau*. Port-au-Prince: Éditions le Natal, 1999.

_____. "Toussaint Louverture d'après le général de Kerverseau." In Cauna, *Toussaint Louverture et l'indépendance d'Haïti*, 157-161.

_____. "Toussaint Louverture défie Bonaparte: l'adresse inédite du 20 décembre 1801." In Cauna, *Toussaint Louverture et l'indépendance d'Haïti*, 171-179.

_____. *Toussaint Louverture: De l'esclavage au pouvoir*. Paris: L'École, 1979.

_____. *Toussaint Louverture: Un révolutionnaire noir d'ancien régime*. Paris: Fayard, 1989.

Popkin, Jeremy. *Facing Racial Revolution: Eyewitness Accounts of the Haitian Insurrection*. Chicago: University of Chicago Press, 2007.

- _____. *You Are All Free: The Haitian Revolution and the Abolition of Slavery*. New York: Cambridge University Press, 2010.
- Price, Richard, ed. *Maroon Societies: Rebel Slave Communities in the Americas*. Baltimore: Johns Hopkins University Press, 1996. First published in 1973 by Anchor Press (Garden City, NY).
- Putnam, Lara. "To Study the Fragments/Whole: Microhistory and the Atlantic World." *Journal of Social History* 39, no. 3 (Spring 2006): 615-630.
- Racine, Karen. *Francisco de Miranda: A Transatlantic Life in the Age of Revolution*. Wilmington, DE: Scholarly Resources, 2003.
- Régent, Frédéric. *Esclavage, métissage, liberté: La Révolution française en Guadeloupe 1789-1802*. Paris: Grasset, 2004.
- Reis, João José. *Slave Rebellion in Brazil: The Muslim Uprising of 1835 in Bahia*. Translated by Arthur Brakel. Baltimore: Johns Hopkins University Press, 1993.
- Renault, Agnès. "Les conditions d'affranchissements des esclaves appartenant aux immigrants français résidant à Santiago de Cuba entre 1791 et 1825." Paper presented at conference entitled *Affranchis et descendants d'affranchis dans le monde atlantique (Europe, Afrique et Amériques) du XVe au XIXe siècle: Statuts juridiques, insertions sociales et identités culturelles*. Musée d'Aquitaine, Bordeaux, France, 13-16 May 2009. Publication forthcoming; paper cited with the author's written permission.
- Restall, Matthew, ed. *Beyond Black and Red: African-Native Relations in Colonial Latin America*. Albuquerque: University of New Mexico Press, 2005.
- Roederer, P.-L. *Journal du Comte P.-L. Roederer*. Paris: H. Daragon, 1909.
- Rogers, Dominique. "On the Road to Citizenship: The Complex Route to Integration of the Free People of Color in the Two Capitals of Saint-Domingue." In Geggus and Fiering, *The World of the Haitian Revolution*, 65-78.
- Sahlins, Peter. *Boundaries: The Making of France and Spain in the Pyrenees*. Berkeley: University of California Press, 1989.
- Sala-Molins, Louis. *Le Code Noir, ou le calvaire de Canaan*. Paris: Presses Universitaires de France, 1987.
- Schloss, Rebecca. *Sweet Liberty: The Final Days of Slavery in Martinique*. Philadelphia: University of Pennsylvania Press, 2009.
- Schoelcher, Victor. *Vie de Toussaint Louverture*. 1889. Reprint, Paris: Karthala, 1982.

- Schroeder, Paul W. *The Transformation of European Politics 1763-1848*. Oxford: Clarendon Press, 1994.
- Scott, Julius. "The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution." PhD diss., Duke University, 1986.
- _____. "Crisscrossing Empires: Ships, Sailors and Resistance in the Lesser Antilles in the Eighteenth Century." In Paquette and Engerman, *The Lesser Antilles in the Age of European Expansion*, 128-143.
- Scott, Rebecca. *Degrees of Freedom: Louisiana and Cuba after Slavery*. Cambridge, MA: Belknap Press/Harvard University Press, 2005.
- _____. "Public Rights and Private Commerce: A Nineteenth-Century Atlantic Creole Itinerary." *Current Anthropology* 48, no. 2 (April 2007): 237-256.
- _____. "'She...Refuses to Deliver Up Herself as the Slave of Your Petitioner.' Émigrés, Enslavement, and the 1808 Louisiana Digest of the Civil Laws." *Tulane European and Civil Law Forum* no. 24 (2009): 115-136.
- _____. *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899*. Princeton: Princeton University Press, 1985.
- Scott, Rebecca, and Jean Hébrard. "Les papiers de la liberté: Une mère africaine et ses enfants à l'époque de la Révolution Haïtienne." *Genèses* 66 (March 2007): 4-29.
- _____. "Servitude, liberté et citoyenneté dans le monde atlantique des XVIIIe et XIXe siècles: Rosalie de nation Poulard..." *Revue de la Société Haïtienne d'Histoire et de Géographie* no. 83 (July-September 2008): 1-52.
- Seed, Patricia. "'Are They not Also Men?': The Indians' Humanity and Capacity for Spanish Civilization." *Journal of Latin American Studies* 25, no. 3 (October 1993): 629-652.
- Sheller, Mimi. *Democracy after Slavery: Black Publics and Peasant Radicalism in Haiti and Jamaica*. Gainesville: University Press of Florida, 2000.
- Sidbury, James. "Saint-Domingue in Virginia: Ideology, Local Meanings, and Resistance to Slavery, 1790-1800." *Journal of Southern History* 63, no. 3 (August 1997): 531-552.
- Silié, Ruben. *Economía, esclavitud y población: Ensayos de interpretación histórica del Santo Domingo español en el siglo dieciocho*. Santo Domingo: Editora de la Universidad Autónoma de Santo Domingo, 1976.

- Silverblatt, Irene. *Modern Inquisitions: Peru and the Colonial Origins of the Civilized World*. Durham: Duke University Press, 2004.
- Smith, Jay M. "No More Language Games: Words, Beliefs, and the Political Culture of Early Modern France." *American Historical Review* 102, no. 5 (December 1997): 1413-1440.
- Stein, Barbara, and Stanley Stein. *Edge of Crisis: War and Trade in the Spanish Atlantic, 1789-1808* (Baltimore: Johns Hopkins University Press, 2009).
- Stevens-Arroyo, Anthony. "The Inter-Atlantic Paradigm: The Failure of Spanish Medieval Colonization of the Canary and Caribbean Islands." *Comparative Studies in Society and History* 35, no. 3 (July 1993): 515-543.
- Temin, Peter. "The Economy of the Early Roman Empire." *The Journal of Economic Perspectives* 20, no. 1 (Winter 2006): 133-151.
- Thornton, John. "'I Am the Subject of the King of Kongo:': African Political Ideology and the Haitian Revolution." *Journal of World History* 4, no. 2 (Fall 1993): 181-214.
- Tomich, Dale. *Through the Prism of Slavery: Labor, Capital and the World Economy*. Lanham, MD: Rowman & Littlefield, 2004.
- Torres-Saillant, Silvio. "The Tribulations of Blackness: Stages in Dominican Racial Identity." *Latin American Perspectives* 25, no. 3 (May 1998): 126-146.
- Trouillot, Michel-Rolph. "Culture, Color, and Politics in Haiti." In *Race*, edited by Steven Gregory and Roger Sanjek, 146-174. New Brunswick, NJ: Rutgers University Press, 1994.
- _____. *Haiti, State against Nation: The Origins and Legacy of Duvalierism*. New York: Monthly Review Press, 1990.
- _____. *Silencing the Past: Power and the Production of History*. Boston: Beacon Press, 1995.
- Turits, Richard. *Foundations of Despotism: Peasants, the Trujillo Regime, and Modernity in Dominican History*. Stanford: Stanford University Press, 2003.
- _____. "New World of Color: Slavery, Freedom and the Making of Race in Dominican History." Paper presented at CUNY Graduate Center, 23 November 2010. Cited with author's written permission.
- _____. "Par-delà les plantations: Question raciale et identités collectives à Santo Domingo." *Genèses* 66 (March 2007): 51-68.

- Turits, Richard, and Lauren Derby. "Historias de terror y los terrores de la historia: la matanza haitiana de 1937 en la República Dominicana." *Estudios Sociales* 26, no. 92 (April-June 1993): 65-76.
- Twinam, Ann. *Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America*. Stanford: Stanford University Press, 1999.
- Vázquez Cienfuegos, Sigfrido. *Tan difíciles tiempos para Cuba: El gobierno del Marqués de Someruelos (1799-1812)*. Seville: Universidad de Sevilla, 2008.
- Vega B., Wenceslao. *Los documentos básicos para la historia dominicana*. Santo Domingo: Taller, 1994.
- Watson, Alan. *Slave Law in the Americas*. Athens: University of Georgia Press, 1989.
- White, Ashli. *Encountering Revolution: Haiti and the Making of the Early Republic*. Baltimore: Johns Hopkins University Press, 2010.
- Yacou, Alain, ed. *Saint-Domingue espagnol et la révolution nègre d'Haïti (1790-1822)*. Paris: Karthala, 2007.
- Zeuske, Michael. *Francisco de Miranda y la modernidad en América*. Madrid: Fundación Mapfre Tavera, 2004.