

Itineraries of Freedom
Revolutionary Travels and Slave Emancipation in Colombia
and the Greater Caribbean. 1789-1830

by

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Table of Contents

Acknowledgments	ii
List of Figures	v
Introduction: From the Antilles to the Andes	1
Chapter 1. Landscapes of slavery, rumors of freedom	16
The French scare	19
Cartagena and the phantom of “French Negros”	27
Antioquia and the “candanga” affair	34
Popayán and the “Black Queen” in the Americas	47
Chapter 2. The unwritten pact	55
The land and the slaves	58
The unwritten pact unmade	65
Tribunes of the plebs	72
A double-edged sword	82
From emancipation to abolition	90
Chapter 3. The first blast of the cannons	96
Friend or foe?	98
The King’s slave	103
“Supreme obligation”	112
The revolution of Popayán	119
Chapter 4. Privateer Republics	128
Freedom at sea	132
The revolution of Cartagena	138
A privateer republic against Spain	149
From Cartagena to the Gulf of Mexico	153
Mutiny and fire	158

Chapter 5. “Bonded Freedom”	164
Young rebels	166
The revolution of Antioquia	171
“Free womb”	178
Patriots and royalists at war	186
The specter of re-enslavement	194
Crime and punishment?	204
Chapter 6. Itinerant citizens, agents of revolution	209
A thwarted conspiracy	213
Colombia: the idea and the Republic	221
Citizen and colonel	223
Soldier and sibling	229
The uses of citizenship	233
Unfulfilled prophecies	236
Chapter 7. “The colossus of aristocracy”	241
Republicanism and aristocracy	244
Marronage and collectivism	253
Seigneurial memories	258
The last hopes of the masters	264
Epilogue	272
Figures	276
Sources and Bibliography	285

List of Figures

Figure 1. Tierra Firme and the Greater Caribbean	276
Figure 2. Caribbean Colombia	277
Figure 3. The Mining Districts of the Province of Popayán	278
Figure 4. Approximate Location of San Bartolomé de la Honda, South of Mompós	279
Figure 5. Privateer Vessels of the State of Cartagena	280
Figure 6. Petition of José María Martínez	283
Figure 7. The Magdalena River	284

Introduction: From the Antilles to the Andes

Colonel William Duane of Philadelphia, a Jeffersonian journalist, printer and bookseller, was one of the first foreigners to visit the Republic of Colombia. He traveled to this recently founded South American republic in 1822 to legally represent American businessmen in the justice tribunals. On his way back to the United States, as he glided down the Magdalena River on a wooden boat, Duane saw the physical and social landscape of a country born out of the ashes of war. En route, Duane passed by the town of Tenerife. The desolate aspect of the town impressed Duane. He later wrote in his memoir that Tenerife was “an utter wreck; the havoc of artillery was fresh as the day after the assault [...] the timbers of the roofs stood in all directions, as if an explosion took place a week before, and of all lengths and magnitudes, doors and windows gave every attitude of which ruin, and military ruin especially, is so *ingenious* in forming.”¹

A battle had taken place in Tenerife on June 25, 1820.² The town was just one of the many places in northern South America, then known as Tierra Firme, where military confrontations occurred during the Wars of Independence (1811-1821)

¹ William Duane, *A Visit to Colombia, in the Years 1822 & 1823, by Laguayra and Caracas, Over the Cordillera to Bogota, and Thence by the Magdalena to Cartagena* (Philadelphia: Printed by Thomas H. Palmer, for the author, 1826), 604.

² José Manuel Restrepo, *Historia de la revolución de la república de Colombia en la América meridional* (Medellín: Universidad de Antioquia, 2009, 1st. ed., 1827, 2nd. ed., 1858), vol. II, 30-32.

(See Figures 1 and 2). This conflict transformed the Spanish viceroyalty of the New Kingdom of Granada and the Captaincy General of Venezuela into the independent Republic of Colombia, which encompassed modern-day Colombia, Ecuador, Panamá, and Venezuela. Colombia held its first legislative congress, known as the Congress of Cúcuta, in 1821.³

Duane, who had lived in Ireland, England and had travelled to India, strongly supported the cause of Spanish American independence. While in Colombia, he spoke to many veterans of the war and gathered some of their stories. On board his boat, Duane saw an oarsman of African descent who had the experience of war inscribed on his body. As a slave, the man had fought with the revolutionaries, who promised freedom to those willing to join their cause. The former slave bore a scar on his abdomen from the battle of Tenerife. His body appeared as “if it had been ripped open from the left hip to beneath the right armpit.” Miraculously recovered from his wound, the veteran told Duane “here I am,” and laughed and expressed “gratitude and delight” as he retold his battle story.⁴

On May of 1823, just days before setting sail for the United States, Duane passed by the village of Ternera, not far from the Caribbean port city of Cartagena

³ José Manuel Restrepo, *Historia*, 2 vols.; *Actas del Congreso de Cúcuta, 1821* (Bogotá: Biblioteca de la Presidencia de la República, 1989), 3 vols. The shorter name of “New Granada” was not in use until the revolutionary period. The viceroyalty, also referred to by people at the time as the New Kingdom, or simply the Kingdom, had been created in 1739. Also known as the viceroyalty of Santafé after the name of its capital city, this Spanish polity was described in detail before the revolutions by the Bourbon bureaucrat Francisco Silvestre, “Apuntes reservados particulares y generales del estado actual del Virreinato de Santafé de Bogotá [...]”, 1789, Germán Colmenares, ed., *Relaciones e informes de los gobernantes de la Nueva Granada* (Bogotá: Biblioteca Banco Popular, 1989), vol. II, 35-152. For a comprehensive introduction to the history of the viceroyalty see Anthony McFarlane, *Colombia Before Independence. Economy, Society, and Politics Under Bourbon Rule* (New York: Cambridge University Press, 1993).

⁴ William Duane, *A Visit*, 606.

de Indias. In Ternera, he saw washerwomen who offered their services to military personnel, “with their elbows in the suds narrating the battles of their lovers, or chanting an eulogistic *canta* or an *aria* on Bolívar.”⁵

Indeed, the name of Simón Bolívar, the President of the Republic, officially named *El Libertador* --the liberator--, was known by virtually everyone and celebrated by many. Those who could not read or write remembered Bolívar in their own way. They also recalled the founding events of the Republic, their participation in the battles, and other important events of the time.

The scarred oarsman who spoke to Duane had obtained freedom after serving in the military and seemed happy to have participated in the war. But not all slaves had been emancipated after Independence. One of the foundational laws of the Republic, Law 7 passed by the Congress of Cúcuta on July 21, 1821, decreed that all children of slave women would henceforth be born free. However, this legislation did not grant freedom to those already living in bondage. In 1821, there were about forty-eight thousands slaves in Colombia. Around nineteen thousand of them (39%) achieved emancipation through the mechanisms established by Law 7. Around twenty nine thousand slaves (60%) never achieved emancipation. Most of them died while in slavery. A few hundred escaped or were sold into slavery outside of Colombia.⁶

⁵ William Duane, *A Visit*, 620.

⁶ “Ley 7-Julio 21 de 1821,” *Recopilación de leyes de la Nueva Granada. Formada i publicada en cumplimiento de la lei de 4 de Mayo de 1843 i por comisión del poder ejecutivo por Lino de Pombo, miembro del Senado* (Bogotá: Imprenta de Zoilo Salazar, por Valentín Martínez, 1845), 104; Jorge Andrés Tovar Mora and Hermes Tovar Pinzón, *El oscuro camino de la libertad. Los esclavos en Colombia, 1821-1851* (Bogotá: Universidad de los Andes, 2009), 90.

For most slaves, lives remained much the same after Independence. A slave on a sugar cane *hacienda*, for instance, who was born in Africa and spoke “the dialect of the British West Indies,” lamented to Duane that his enslavement would continue, while his children were free according to the new legislation. The slave “thought every hour of his life a misery, of which he said he was tired -- «Why do I toil? -- To me this plantation is as the whole world -- and nothing to hope!».”⁷

However, many of those in bondage, ever since the late eighteenth century, had predicted that an end of slavery was on the way. They heard rumors and news from Europe and the Caribbean regarding the amelioration of servitude, the emancipation of slaves, and the abolition of the slave trade. In Saint-Domingue, a French colony in the Caribbean just a few days’ sail from Tierra Firme, slavery had ended in the midst of revolution. In Tierra Firme itself, as elsewhere in the New World, slaves had painstakingly liberated themselves and their families through means offered by the Spanish legal system, or through flight and marronage. After 1811, furthermore, hundreds of slaves joined the Royalist and Republican armies in hopes of obtaining freedom after military service. Many acquired their desired goal, as their roles became crucial in the battlefields.⁸

This dissertation is a historical exploration of some of the social and political processes of revolution and slave emancipation that took place during the period of upheaval that led to the establishment of the Republic of Colombia. The Colombia

⁷ William Duane, *A Visit*, 613. For a bibliography on slavery and abolition in Colombia see Eduardo Restrepo and Axel Rojas, *Afrodescendientes en Colombia: compilación bibliográfica* (Popayán: Universidad del Cauca, 2008), 25-37.

⁸ Peter Blanchard, *Under the Flags of Freedom: Slave Soldiers and the Wars of Independence in Spanish South America* (Pittsburgh: University of Pittsburgh Press, 2008).

seen by Duane in the early 1820s was both old and new, filled with hope and frustration. This republic rested on the wartime efforts of thousands of slaves and former slaves. However, the new country was conceived as a gradual emancipationist polity. Although many Colombian leaders held antislavery values, expressing ideas that were critical of any or all of the dimensions of the Atlantic slave system and the presence of slavery in Tierra Firme, this antislavery ideology led them only to timid and limited antislavery initiatives and not to the abolition of slavery. Fearing sudden social and economic change, revolutionary leaders and legislators offered freedom only to some, while maintaining state recognition of a right to property over others. No specific date for the final end of slavery was conceived during the revolutionary period, the slave trade was reopened briefly in the 1840s, and the efforts of those seeking their freedom were often curtailed.⁹

According to Law 7 of 1821, freeborn children of enslaved women had to work for their mother's masters until age eighteen as a form of compensation. The Republic created *juntas de manumisión*, boards in charge of collecting funds to pay for the freedom of slaves, but most remained in bondage. Slavery remained legal in Colombia for decades, finally coming to an end on January 1, 1852.¹⁰

Despite this moderate approach, the Republic of Colombia was a polity with antislavery principles, one that recognized the emancipation of many slaves who

⁹ I borrow the notion of "antislavery" as a complex web of values, sentiments and opinions "critical of some or all aspects of the Atlantic slave system," from Christopher Leslie Brown, *Moral Capital. Foundations of British Abolitionism* (Chapel Hill: The University of North Carolina Press, Omohundro Institute of Early American History and Culture, 2006), 17-18.

¹⁰ "Ley 7-Julio 21 de 1821," Gregorio Hernández de Alba, *Libertad de los esclavos en Colombia* (Bogotá: Editorial A.B.C., 1956); Jorge Andrés Tovar Mora and Hermes Tovar Pinzón, *El oscuro*.

had fought for the revolutionary cause during the Wars of Independence. After 1821, the state used the press to officially praise its citizens who liberated their slaves, contributing to the undermining of proslavery ideology. Colombia officially supported the idea of a future world without slavery, but hesitated in its initiatives to accelerate the coming of that era, as slaveholders and slavery sympathizers remained politically influential individuals across the revolutionary period.¹¹

Gradual emancipation legislation and action did not emerge only from those who welcomed slaves as soldiers or drafted the laws of the Republic. Leaders like Juan del Corral and Félix José de Restrepo, who drafted and supported emancipationist legislation, did not act in isolation. They maintained contact with other revolutionaries, and these connections shaped their political culture. Corral and Restrepo additionally interacted both directly and indirectly with slaves and former slaves whose quests for freedom, as well as their role during the Wars of Independence, pushed them closer to antislavery opinions.

Slave emancipation became a topic of discussion among revolutionaries and reached public agendas thanks to the extensive and powerful role of various social groups of people of African descent. Their participation in the revolutionary

¹¹ "Ley 7-Julio 21 de 1821," *Recopilación*, 104. For examples of publicized manumissions see *Gaceta de Colombia* (Bogotá), No. 19, February 24, 1822; No. 64, January 5, 1823; No. 69, February 9, 1823; No. 77, April 6, 1823; No. 84, May 25, 1823; No. 113, December 14, 1823; No. 116, January 4, 1824; No. 119, January 25, 1824; No. 122, February 15, 1824; No. 132, April 25, 1824; No. 169, January 9, 1825; No. 170, January 16, 1825; No. 172, January 30, 1825; No. 173, February 6, 1825; No. 176, February 27, 1825; No. 205, September 18, 1825; No. 226, February 12, 1826; No. 228, February 26, 1826; No. 229, March 5, 1826; No. 230, March 12, 1826; No. 396, January 18, 1829; No. 402, March 1, 1829; No. 404, March 15, 1829; No. 416, June 7, 1829; No. 417, June 14, 1829; No. 457, March 21, 1830; No. 462, April 25, 1830; No. 463, May 2, 1830; No. 471, June 27, 1830; No. 473, July 11, 1830; No. 478, August 15, 1830; No. 499, January 16, 1831; No. 500, January 23, 1831; No. 503, February 13, 1831; No. 508, March 20, 1831; No. 509, March 27, 1831.

process, as well their previous struggles for freedom, property and standing, pushed their concerns into the spheres of private and public debate, and facilitated the assertion and reception of notions of liberty, equality, and universal rights. But this was not an easy, organized, clear, or locally determined process. This dissertation seeks to illuminate and describe the transnational, dynamic, and often messy, unpredictable character of this process.

Indeed, this work aims to show that, for patricians and plebeians alike, political revolutions worked much like a clutch, opening things up for them to shift the gears of their lives and extant social conditions, to innovatively and skillfully pursue, in small and big ways, autonomy, freedom, political standing or property in their homes and beyond. Revolutions both created and were made of new opportunities for people to continue to pursue their own goals and to give new dimensions to their struggles. It was some aspects of their previous experiences what often led people to participate in revolutionary events and to adapt to or adopt new political idioms. Most of the time people could not anticipate where their struggles would end, furthermore think that they were contributing to the building of a new nation and a post-slavery society that would come a generation later. These pages pay close attention to the cultural, political, and personal backgrounds and agendas of specific actors before, during, and after revolution.¹²

Thus, rather than concentrating on a unified, monolithic version of revolution and slave emancipation in Tierra Firme, this work lays bare the more illuminating messiness of individual moments within, movements for, and contests over the

¹² This formulation owes to Richard Turits and has been influenced by Christopher Leslie Brown, *Moral Capital*, 25.

strategies to achieve and give meaning to freedom, independence, and equality in a confusing era in which both what was seen as possible and what was seen as moral were increasingly up for grabs.

This work pays special attention to the lived experiences of people with specific names and stories.¹³ This history is thus a history of itineraries, of people on the move who sometimes found themselves in dramatic and unexpected situations. At the same time, these individual odysseys come together into a powerful pattern, one whose ultimate effect hastened the coming of political independence and the freedom of many.

While the familiar narrative of the Colombian nation generally credits “singular thinkers” and famous historical characters with the achievements of the revolutionary period, the following pages propose that lesser known individuals -- sometimes completely ignored figures--, as well as larger social groups, were equally responsible for those achievements.¹⁴

Furthermore, the interactions among famous individuals and common folk, which often took place as the result of travels across provinces and countries, shaped ideologies and practices relating to slave emancipation during the age of the intertwined French, Haitian and Spanish American Revolutions. Moving back and forth among the provinces of Cartagena, Antioquia, and Popayán and out across the

¹³ On the “biographical turn” in the study of the history of slaves and former slaves, particularly rich in Brazilian historiography, see Jean Hébrard, “L’esclavage au Brésil. Le débat historiographique et ses racines,” Jean Hébrard, ed., *Brésil. Quatre siècles d’esclavage. Nouvelle questions, nouvelles recherches* (Paris: Karthala, CIRESC, 2012), 57-62.

¹⁴ I borrow the notion “singular thinkers” from Stuart B. Schwartz, *All Can be Saved. Religious Tolerance and Salvation in the Iberian Atlantic World* (New Haven: Yale University Press, 2008), 243.

water to port cities outside of Colombia, this dissertation offers a “connected history” that illuminates the revolutionary period in Tierra Firme and other neighboring spaces. This work shows how revolution and slave emancipation in Tierra Firme had a social and political genealogy rooted not just in local and regional processes but also in events and currents of larger Caribbean and Atlantic dimensions.¹⁵

The following chapters use intersecting biographical histories and case studies to demonstrate the relevance of ordinary struggles in the emergence of anti-Spanish and emancipationist practices and doctrines against a backdrop of tight interaction across the different provincial, imperial, and national spaces of Tierra Firme and the Greater Caribbean. To understand those interactions, this work examines experiences of flight from slavery, military service, litigation, political exile, clandestine conspiracy missions, and privateering voyages.

When Félix José de Restrepo stood before the Congress of Cúcuta to introduce a bill that proposed the gradual emancipation of slaves on May 28, 1821, he had already crossed paths with some of the members of this epochal gathering, as well as with slaves and former slaves throughout Tierra Firme.¹⁶ His distant

¹⁵ On “connected history” see Sanjay Subrahmanyam, “Connected Histories: Notes Towards a Reconfiguration of Early Modern Eurasia,” Victor B. Lieberman, ed., *Beyond Binary Histories: Re-Imagining Eurasia to c. 1830* (Ann Arbor: University of Michigan Press, 1999), 289-316; Sanjay Subrahmanyam, *Explorations in Connected History. From the Tagus to the Ganges* (New Delhi: Oxford University Press, 2005); Serge Gruzinski, *Les quatre parties du monde. Histoire d'une mondialisation* (Paris: Editions de La Martinière, 2004). On Atlantic history see Jorge Cañizares-Esguerra and Erik R. Seeman, eds. *The Atlantic in Global History, 1500-2000* (Upper Saddle River, NJ: Pearson Prentice Hall, 2007); Jack D. Greene and Philip D. Morgan, eds., *Atlantic History: A Critical Appraisal* (New York: Oxford University Press, 2009); David Armitage, “Three concepts of Atlantic History,” David Armitage and M. J. Braddick, *The British Atlantic World, 1500-1800* (New York: Palgrave Macmillan, 2002).

¹⁶ Acta 26, May 28, 1821, *Actas*, vol. I, 97-100.

kinsmen and fellow delegate José Manuel Restrepo, for instance, had worked for the revolutionary government of Antioquia, where the two men shared public responsibilities. Félix José had also spent many years in Popayán, while José Manuel had visited Jamaica and the United States. Félix José, himself a slaveholder, had witnessed in Popayán the challenges faced by slaves and freedmen. He had been involved in the legal struggles of Pedro Antonio Ibargüen, a former slave who became an itinerant litigator and an ardent and sophisticated defender of official and vernacular principles of republicanism.

Félix José de Restrepo's efforts to enact gradual emancipationist legislation had begun in Antioquia in 1814. Juan del Corral, president-dictator of revolutionary Antioquia, had supported him. Corral had arrived in Antioquia from the town of Mompós, in the province of Cartagena, where slavery and freedom had been intensely debated in the justice tribunals before the revolutionary period, in light of the doctrines of the Enlightenment. This encounter crystallized their efforts to bring gradual emancipation to all of Tierra Firme. Though they were only partially successful in Antioquia, Restrepo drew on this provincial experience when he introduced the free womb bill at Cúcuta in 1821.

Other members of the Congress of Cúcuta, which issued the Constitution of the Republic of Colombia on August 30, 1821, had equally itinerant, intersecting transnational trajectories. Pedro Gual, for example, was a lawyer from Venezuela who had traveled throughout Tierra Firme, the Caribbean, and the United States in the 1810s. Gual was in part responsible for drawing in hundreds of sailors of African ancestry and slave past from the French Caribbean to defend revolutionary

Cartagena. Along with his colleague Louis Michel Aury, a veteran of the Napoleonic Wars, Gual helped create a bond that united the Revolution of Cartagena with the Haitian Revolution. Throughout this period, Tierra Firme served as a meeting point of several Andean, Caribbean, and Atlantic networks.¹⁷

At the Congress of Cúcuta, on June 28, 1821, Félix José de Restrepo read a speech in favor of the bill he had introduced days before regarding gradual emancipation. The majority of congressmen agreed with Restrepo's opinions and seconded his plan with applause. A few legislators even publicized their intention to emancipate their own slaves in advance of any legal requirements to do so.¹⁸

In his speech, Restrepo deemed criminal any government that established slavery or made no effort to abolish it. Building on his earlier ideas, and drawing on his knowledge of slavery in his own country, on the process of enslavement in Africa as described by the Scottish explorer Mungo Park, on the doctrine of natural law, and on French and British abolitionism, Restrepo argued that slavery was illegal, amoral, unchristian, and anti-republican. Furthermore, he insisted that it would be criminally selfish for the founders of the new Republic to strive for their own freedom from Spain while keeping their servants under the yoke of slavery. God had

¹⁷ William Duane, for instance, had been in contact with revolutionaries from Tierra Firme thirty years before his trip to Colombia. He knew Manuel Torres, a Spaniard exiled from Tierra Firme to Philadelphia in the mid 1790s who became a mediator between Spanish American revolutionaries and Anglo Americans. Torres represented the government of Colombia in the United States from 1819 to 1822. Duane seems to have become *chargé d'affaires* for the Colombian government after the death of Torres. Daniel Gutiérrez Ardila, *El reconocimiento de Colombia: diplomacia y propaganda en la coyuntura de las restauraciones (1819-1831)* (Bogotá: Universidad Externado de Colombia, 2012), 55; William Duane, *A Visit*, iii-iv, 607-608; *Washington Review and Examiner* (Washington, Pennsylvania), vol. VI, No. 22, October 14, 1822.

¹⁸ Acta 56, June 28, 1821, *Actas*, vol. I, 218-219.

given Colombia freedom, and God would surely send back Colombia into the hands of Spain unless the country extended freedom to the slaves.¹⁹

In Restrepo's eyes, no polity could sustain slavery and freedom at the same time. They were "two enemies," always at war. "There are no other means to prevent the horrible disasters of this frightening combat, than conciliation and justice."²⁰ Restrepo seems to have been pondering several possible avenues toward the end of slavery, including a war of slaves against the masters, which he hoped to prevent. As a proponent of gradual emancipation, however, he also hoped to prevent masters from being suddenly deprived of their property in human beings.

The free womb law of July of 1821 contained measures for the gradual emancipation of slaves in Colombian territory. This law also abolished the slave trade and upheld all emancipations achieved by slaves during the early revolutionary process (1811-1819), when multiple independent sovereignties appeared in the former viceroyalty. Both timid and intrepid, this law, like the revolutionary process itself, brought change within a framework of important continuities.

Nevertheless, the individual and collective fights of slaves for freedom, their involvement in the multiple fronts of the war effort, and their presence before the viceregal, revolutionary and republican tribunals, ultimately prevented their most urgent concerns from being entirely ignored by the leaders of the provinces of Cartagena, Antioquia, and Popayán, and later by the legislators at Cúcuta. It was

¹⁹ Félix José de Restrepo, "Discurso sobre la manumisión de esclavos, pronunciado en el Soberano Congreso de Colombia reunido en la villa del Rosario de Cúcuta en el año de 1821," Biblioteca Nacional de Colombia, Bogotá, Fondo Antiguo, RM 223, ff. 13r-67v.

²⁰ Félix José de Restrepo, "Discurso," f. 54r.

these actions of slaves and former slaves that crucially shaped the law of 1821 and that largely influenced the anti-Spanish, antislavery principles that characterized the early Republic of Colombia.

By the time of the establishment of the Republic of Colombia, many enslaved and free individuals had chosen to revolt instead of obey, to leave their masters instead of staying in bondage, to call themselves free men and women instead of bondsmen, to be citizens instead of vassals, and even to think good of what they had been told was bad. This work tells some of their intertwined stories and explores the larger significance and impact of their individual choices.

As a “micro-history set in motion,” this study builds its argument for the importance of slave and free people of color’s actions not just by multiplying examples, but by following individuals as they moved in and out of war and peace, slavery and freedom.²¹ Each episode of this history revolves around the story of a single individual, a discrete group of people, or a particular case. Whether the narrative follows a rumor, a group of slaves, a provincial lawyer, or a runaway slave turned soldier, the reader will see that these stories are intertwined. The paths of its protagonists intersect and their actions affect each other. As people traveled, spoke

²¹ I borrow the notion and approach of “microhistory set in motion” from Rebecca J. Scott and Jean M. Hébrard, *Freedom Papers. An Atlantic Odyssey in the Age of Emancipation* (Cambridge: Harvard University Press, 2012). I have also drawn on the methodologies deployed by Julius S. Scott III, “The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution,” (PhD diss., Duke University, 1986), Robert Harms, *The Diligent. A Voyage Through the Worlds of the Slave Trade* (New York: Basic Books, 2002), and Rebecca J. Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery* (Cambridge: Belknap Press of Harvard University Press, 2005). On the possibilities of a micro-historical focus within an Atlantic perspective, see Lara Putnam, “To Read the Fragments/Whole: Microhistory and the Atlantic World,” *Journal of Social History* vol. 39, No. 3 (2006): 615-630.

and fought in towns, boats, military units or justice tribunals, revolution and slave emancipation took on form and meaning.

This dissertation builds on previous regional, national, and biographical works, but it aims at building bridges across regions and groups of people, and therefore at putting into dialogue diverse historiographies. While the stories told here complement recent work on the issues of race, equality and republicanism in revolutionary Colombia, they also connect Colombia with the larger revolutionary world of the Antilles and the Atlantic, as explored by historians during the last twenty-five years. The revolutions of Tierra Firme were highly transnational and politically sophisticated, and they emerged from and into a larger revolutionary Atlantic world.²²

²² The present work thus builds on, and is in dialogue with, three main bodies of recent historiography. First, the works on Caribbean Colombia by Alfonso Múnera, Aline Helg, and Marixa Lasso. Second, the works on the Haitian Revolution and its impact in the Greater Caribbean by Julius Scott, Laurent Dubois, Ada Ferrer, Rebecca Scott and Jean Hébrard. Finally, the works on the social and political history of the revolutions of Tierra Firme and the early Republic of Colombia by Jaime E. Rodríguez O., Armando Martínez Garnica, Daniel Gutiérrez Ardila, Matthew Brown, Clément Thibaud, and Peter Blanchard. The basic bibliography is: Alfonso Múnera, *El fracaso de la nación: Región, clase y raza en el Caribe colombiano (1717-1821)* (Bogotá: Banco de la República, 1998); Aline Helg, *Liberty and Equality in Caribbean Colombia, 1770-1835* (Chapel Hill: The University of North Carolina Press, 2004); Marixa Lasso, *Myths of Harmony: Race and Republicanism During the Age of Revolution, Colombia 1795-1831* (Pittsburgh: University of Pittsburgh Press, 2007); Julius S. Scott III, "The Common;" Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: The University of North Carolina Press, Omohundro Institute of Early American History and Culture, 2004); Laurent Dubois, *Avengers of the New World. The Story of the Haitian Revolution* (Cambridge: Harvard University Press, 2004); Ada Ferrer, "Cuba en la sombra de Haití: noticias, sociedad, y esclavitud," María Dolores González-Ripoll et al., *El rumor de Haití en Cuba: Temor, raza, y rebeldía, 1789-1844* (Madrid: Consejo Superior de Investigaciones Científicas, 2004), 179-231; Ada Ferrer, "Talk About Haiti. The Archive and the Atlantic's Haitian Revolution," Doris L. Garraway, ed., *Tree of Liberty. Cultural Legacies of the Haitian Revolution in the Atlantic World* (Charlottesville: University of Virginia Press, 2008), 21-40; Ada Ferrer, "Speaking of Haiti. Slavery, Revolution, and Freedom in Cuban Slave Testimony," David Patrick Geggus and Norman Fiering, eds., *The World of the Haitian Revolution* (Bloomington and Indianapolis: Indiana University Press, 2009), 223-247; Ada Ferrer, "Haiti, Free Soil, and

By tracking down documentary evidence on specific individuals and weaving together the threads of their secret and public networks, this work builds a history of revolutionary travelers whose crisscrossed itineraries were at the center of the antislavery and anti-Spanish movements that contributed to the emergence of the Republic of Colombia. This history carries the reader back and forth from the Antilles to the Andes. It opens, moreover, not with the classic moment of the Napoleonic invasion of Spain that triggered a crisis of sovereignty in Tierra Firme, but instead with the winds of revolutionary change brought about and fueled by the French and Haitian Revolutions.

Anti-Slavery in the Revolutionary Atlantic," *American Historical Review* vol. 117 No. 1 (febr. 2012): 40-66; Rebecca J. Scott and Jean M. Hébrard, *Freedom Papers*; Jaime E. Rodríguez O., *La revolución política durante la época de la independencia. El Reino de Quito, 1808-1822* (Quito: Universidad Andina Simón Bolívar, Corporación Editora Nacional, 2006); Daniel Gutiérrez Ardila, *Un Nuevo Reino. Geografía política, pactismo y diplomacia durante el Interregno en Nueva Granada (1808-1816)* (Bogotá: Universidad Externado de Colombia, 2010); Daniel Gutiérrez Ardila, *El reconocimiento*; Armando Martínez Garnica and Daniel Gutiérrez Ardila, eds., *La contrarrevolución de los pueblos de las Sabanas de Tolú y el Sinú (1812)* (Bucaramanga: Universidad Industrial de Santander, 2010); Matthew Brown, *Adventuring Through Spanish Colonies. Simón Bolívar, Foreign Mercenaries and the Birth of New Nations* (Liverpool: Liverpool University Press, 2006); Matthew Brown, *The Struggle for power in Post-Independence Colombia and Venezuela* (New York: Palgrave Macmillan, 2012); Clément Thibaud, *Repúblicas en Armas. Los ejércitos bolivarianos en la guerra de Independencia en Colombia y Venezuela* (Bogotá: IFEA, Planeta, 2003); Peter Blanchard, *Under the Flags*.

Chapter 1. Landscapes of slavery, rumors of freedom

In 1697, settlers from the then infant French colony of Saint-Domingue attacked Cartagena de Indias, one of the most important Spanish ports in the Caribbean. Filibusters and “negroes,” as well as French sailors and soldiers, robbed Cartagena of its treasures, including relics from the city’s churches. French officer Joseph d’Honor de Gallifet invested his share of these spoils in the establishment of sugar plantations in Saint-Domingue. Some of the relics ended up in shrines around the French colony; people were still venerating them when the Haitian Revolution broke out in 1791. In that year, the slaves of what had become the most profitable plantation society in the Americas destroyed the properties Gallifet had founded long before, along with many other sugar estates. The 1697 defeat of Cartagena had accelerated the meteoric rise of Saint-Domingue, and the upending of power relations in that French colony after 1791 would have important consequences for Cartagena and other Spanish provinces of Tierra Firme.²³

In the wake of the French and Haitian Revolutions, a hurricane of political upheaval and slave activism shook the slave societies of the Americas. After 1791, many white people feared slave uprisings inspired by the events in Saint-Domingue or Haiti and discovered conspiracies with real or supposed connections to

²³ Laurent Dubois, *Avengers of the New World. The Story of the Haitian Revolution* (Cambridge: Harvard University Press, 2004), 17-18.

revolutionaries from that island. The fear of Haiti spread among elites across the Caribbean, South America, and the United States.²⁴

During the Revolution in Saint-Domingue, thousands of individuals who had previously been confined to plantations crowded the roads of the colony. Many sought their freedom in town or in neighboring communities, while others traveled with masters who fled the island. Some found freedom at sea, signing on as sailors in the privateer ships of Revolutionary France. When these men and women set sail from the various ports of the colony, they carried with them the news of the uprising. Their very presence on ships and in port towns outside of Saint-Domingue was a clear sign of the new reality brought about by the epochal events unfolding on the island. Through their actions, slaves from Saint-Domingue widened the horizons of what slaves elsewhere could conceive as possible.

At the heart of the slave societies of the time, revolution was now bringing about an end of slavery. In turn, French authorities proclaimed emancipation decrees in 1793 and a legislated abolition of slavery in 1794. However, Napoleon Bonaparte set out to re-impose slavery again the following decade. By 1803, the former slaves of Saint-Domingue were making the French Generals abandon their

²⁴ Julius S. Scott III, "The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution" (PhD diss., Duke University, 1986), 157-158, 221-227, 248-264, 273-274, 289-307; David Barry Gaspar and David Patrick Geggus, eds., *A Turbulent Time: The French Revolution and the Greater Caribbean* (Bloomington and Indianapolis: Indiana University Press, 1997); David Patrick Geggus, ed., *The Impact of the Haitian Revolution in the Atlantic World* (Columbia, S.C.: University of South Carolina, 2001); Ada Ferrer, "Cuba en la sombra de Haití: noticias, sociedad, y esclavitud," María Dolores González-Ripoll et al., *El rumor de Haití en Cuba: Temor, raza, y rebeldía, 1789-1844* (Madrid: Consejo Superior de Investigaciones Científicas, 2004), 179-231; Ada Ferrer, "Speaking of Haiti. Slavery, Revolution and Freedom in Cuban Slave Testimony," David Patrick Geggus and Norman Fiering, eds., *The World of the Haitian Revolution* (Bloomington and Indianapolis: Indiana University Press, 2009), 236.

efforts to impose Napoleon's will. In 1804, the colony became Haiti, a new, independent polity. This new country proclaimed antislavery principles, offering "free soil" to enslaved men and women who could reach its shores. Its leaders would soon collaborate with anti-colonial revolutionaries from Tierra Firme during the 1810s.²⁵

News and rumors of revolution and slave emancipation traveled to Cartagena, Antioquia and Popayán, three provinces of Tierra Firme that were home to about 45,000 slaves at the end of the 1700s. Close study of the trail of rumor, conspiracy, and revolutionary presence in these provinces reveals the emergence of a climate of expectation and fear at the turn of the century, fueled by elements of Caribbean origin. In this environment, some slave communities became hopeful of collective freedom. Some slaves acted to accelerate the end of slavery, conspiring to rebel or demanding what they thought were concessions granted to them by distant monarchs. Government officials, slaveholders, common folk, and slaves themselves thus engaged in a series of events and dialogues in which the end of slavery could be conceived and enunciated. A new era seemed to be on the horizon, but its contours still seemed very unclear.

²⁵ C. L. R. James, *The Black Jacobins. Toussaint L'Ouverture and the San Domingo Revolution* (New York: Vintage Books, 1989); Paul Verna, *Pétion y Bolívar. Cuarenta años (1790-1830) de relaciones haitiano-venezolanas y su aporte a la emancipación de Hispanoamérica* (Caracas: Oficina Central de Información, 1969); Caroline Fick, *The Making of Haiti: The Saint Domingue Revolution from Below* (Knoxville: The University of Tennessee Press, 1990); David Patrick Geggus, *Haitian Revolutionary Studies* (Bloomington and Indianapolis: Indiana University Press, 2002); Laurent Dubois, *Avengers*; José Luciano Franco, *Historia de la Revolución de Haití* (Santo Domingo: Sociedad Dominicana de Bibliófilos, 2008); Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: The University of North Carolina Press, Omohundro Institute of Early American History and Culture, 2004); Ada Ferrer, "Haiti, Free Soil and Anti-Slavery in the Revolutionary Atlantic," *American Historical Review* vol. 117, No. 1 (February 2012): 40-66.

The French scare

On August 3, 1797, a rural inhabitant of the Caribbean plains of the New Kingdom of Granada named Joaquín Moreno left the town of El Guáimaro, by the Magdalena River, to sell a load of cheese in the city of Cartagena. Moreno, who traveled with another man on board a raft, had a peculiar encounter during his journey. He spotted a small boat with about fifteen or sixteen men on board whom, on account of their “dress, color and language,” he immediately judged to be a group of foreigners. Cautious, Moreno told them he was en route to the town of Santa Cruz de Mompós and not to Cartagena. Amiable, the foreigners invited him for a little get together on an islet. They shared with him salted meat, biscuits and *aguardiente*, an alcoholic beverage distilled from sugar cane very popular among common folk.²⁶

As he sat to break bread with his unexpected acquaintances, Moreno noted that the foreigners had maps, pencils, pairs of compasses, and other navigation devices. Soon after arriving in the city Moreno reported the unusual encounter to the governor of Cartagena. When retelling the episode before the governor, he recalled the foreigners’ short ponytails and “fine and decent” garments. The governor suspected that the foreigners in the river were sailors from the French brig *Buen Amigo*, which had recently set sail from Cartagena. As the navy commander later confirmed, the strangers were in fact part of the crew of that ship, which had been taken captive by a Spanish privateer. The captors had forced the crew of the captured boat to leap to shore, and at that moment some of the sailors

²⁶ Archivo General de Indias, Sevilla (hereafter AGI), Estado, 57, N.17.

had deserted. Moreno's foreigners were a group of sailors, now looking for their colleagues who had absconded.²⁷

Moreno's cautious attitude and his visit to the governor were not extraordinary. Spanish authorities refused entry to foreigners in their territories and expected that any who arrived illegally would be reported. In 1736, a royal decree had ordered local authorities to monitor foreigners and to prevent individuals from other nations from becoming permanent residents in Spanish domains. In 1751, viceroy José Alfonso Pizarro had ordered the expulsion of all foreigners, except those involved in mechanical arts deemed useful for the common good.²⁸ Every individual who was not of Spanish stock was considered to be a potential enemy of the Crown of Spain.

During the Age of Revolutions, however, Spanish authorities faced enormous difficulties when confronted with foreigners in their territories. It was not easy to navigate the shifting of imperial alliances and even more difficult to control the growing mobility of people caused by war and revolution. Viceroy José de Ezpeleta, in November of 1793, requested that the minister Manuel Godoy in Spain send instructions on how to treat French royalists seeking refuge in the viceroyalty. He had only been confronted with one case, that of French soldier Antoine Gilbert des Arcis Douglas, but he expected more to arise in the near future.²⁹ The Spanish monarchy, at war against revolutionary France, harbored French royalists between 1793 and 1795.

²⁷ AGI, Estado, 57, N.17.

²⁸ Rodrigo García Estrada, "Los extranjeros y su participación en el primer período de la independencia en la Nueva Granada, 1808-1816" *Historia Caribe* No. 16 (2010): 54-59.

²⁹ José de Ezpeleta to Duque de la Alcudia, Santafé, November 19 1793, AGI, Estado, 52, N.2.

Arcis Douglas had left Saint-Domingue after refusing to act against his king, Louis XVI, and was later forced to leave France for the same reason. While in exile in England he had heard that the “Royal Party” was apparently back in control of Saint-Domingue. He set sail for that island, only to realize once he arrived in Jamaica that a revolution was underway in the French colony. He traveled to Cartagena hoping to obtain a military appointment in the Spanish armed forces.³⁰

After the outbreak of the French Revolution, Spanish officials feared even French people who had lived for long periods of time in Spanish territories. Spanish authorities were afraid that the revolutionary spirit emanating from France and its overseas colonies would soon catch up with them. In the New Kingdom of Granada, news from France spread through word of mouth and via the written reports of the *Papel Periódico de la Ciudad de Santafé de Bogotá* (1791-1796), a newspaper printed in Santafé, the capital of the viceroyalty.³¹

A census of all foreigners residing in the viceroyalty was carried out in 1793. The king of Spain had ordered that those who refused to swear loyalty to him should be expelled from his territories. About a dozen Frenchmen resided in Santafé, including Juan Francisco de Rieux and Domingo Feraciel, a tailor from Martinique. Rieux, in turn, was a doctor from Montpellier who had visited Saint-Domingue in a scientific expedition in the 1780s. From that colony he had traveled to Cartagena,

³⁰ Antonio Gilbert des Arcis Douglas to Señor Gobernador Comandante General, n.d., AGI, Estado, 52, N.2.

³¹ Renán Silva, *Prensa y Revolución a finales del siglo XVIII. Contribución a un análisis de la formación de la ideología de Independencia nacional* (Medellín: La Carreta Editores, 2004).

from where he later moved to Santafé, where he became a naturalized subject of the Spanish crown.³²

In 1794, alarming news came from the capital city. “Pasquinades,” lampoons critical of the viceregal authorities and forecasting the burning of Santafé, had been nailed to several walls in the early hours of August 19.³³ Furthermore, on October 21, 1794, “seditious” papers also appeared nailed to walls in the city of Quito, in the southern part of the viceroyalty.³⁴

These alarming events coincided with the discovery of a clandestine translation and printing of the French Declaration of the Rights of Man and Citizen in Santafé. Antonio Nariño, a local notable and a man of letters who owned a large library, was responsible for the deed. He traded in books and was at the center of a local circle of university students and intellectually curious individuals, some of whom were involved in the episode of the pasquinades. Nariño owned French books by Voltaire, Montesquieu and the Abbé Raynal, authors prohibited by Spanish authorities.³⁵

³² “Providencias dictadas por el señor don Juan Doroteo del Postigo y Valderrama, del consejo de Su Majestad oidor honorario de la audiencia de Guadalajara, caballero de la Real y distinguida orden española de Carlos III, y asesor general del Virreinato, en 12 de enero de 1793 en conformidad de la comisión a su señor conferida por el excelentísimo señor virrey del reino de que de los mismos, para que haga efectiva la Real Orden de Su Majestad en punto de la expulsión, y extrañamiento de estos reinos, a los extranjeros que voluntariamente no hagan juramento de fidelidad y vasallaje,” Archivo General de la Nación, Bogotá (hereafter AGN), Archivo Anexo I (hereafter AAI), Historia, vol. 3, No. 59; Sergio Elías Ortíz, *Franceses en la independencia de Colombia* (Bogotá: Academia Colombiana de Historia, Editorial ABC, 1971), 85-99; Anthony McFarlane, *Colombia Before Independence. Economy, Society, and Politics Under Bourbon Rule* (New York: Cambridge University Press, 1993), 285-291; Rodrigo García Estrada, “Los extranjeros,” 60-61.

³³ Renán Silva, *Los ilustrados de Nueva Granada, 1760-1808. Genealogía de una comunidad de interpretación* (Medellín: Banco de la República, Universidad EAFIT, 2002), 99-118.

³⁴ AGI, Estado, 53, N.55.

³⁵ Renán Silva, *Los ilustrados*, 292-297.

The judges of the *Audiencia* of Santafé, the highest tribunal in the viceroyalty, arrived at the conclusion that they had uncovered a plot to revolutionize the Kingdom and adopt the French form of republican government. Nariño was detained and sent to Spain as a prisoner. The authorities were convinced that his involvement in the events and his political tendencies were the result of his friendship with Frenchman Luis Francisco de Rieux, who was also detained and sent to Spain.³⁶

The imprisonment of the men involved in the events of Santafé caused much concern among the *criollo* elites, the patricians of Spanish ancestry. Even the conservative among them resented peninsular officials for harshly punishing their relatives and friends, in disregard of their social status.³⁷ Conspirators who actively despised monarchical government were naturally even more upset by the arrests. In a letter dated October 3, 1794 in Santafé, which traveled all the way to port city of Guayaquil, on the Pacific coast, an anonymous writer stated that “the great men who are currently imprisoned will get out of jail whenever we want it; for the spirit of the hatred of Monarchism that afflicts us is now possessing all the souls of those who are not traitors to the Fatherland.” The letter also announced the possibility of independence and spoke of revolutionary agents on the Magdalena River intent on preventing troops from traveling to defend Santafé.³⁸

³⁶ Anthony McFarlane, *Colombia*, 285-291; Rodrigo García Estrada, “Los extranjeros,” 60-61; Sergio Elías Ortíz, *Franceses*, 85-99.

³⁷ Anthony McFarlane, *Colombia*, 285-291.

³⁸ A copy of the document in José de Ezpeleta to Duque de la Alcudia, Santafé, January 19 1795, AGI, Estado, 52, N.10.

The viceroy received the confiscated letter and ordered all the provincial governors to inform him of any disturbances of “public tranquility.”³⁹ It was now evident that rumors, letters, and printed materials critical of the government and with possible French influences were circulating throughout Tierra Firme. In 1797, for instance, a Spanish package destined for Guayaquil was confiscated in Maracaibo and sent to Santafé. It contained “French printed materials, gazettes and other publications.”⁴⁰

Besides writings of French origin, many people from the revolutionary French world arrived in the coastal provinces of Riohacha, Santa Marta and Cartagena. The number of soldiers and sailors in Caribbean waters increased dramatically in the 1790s and early 1800s as revolutionary and Napoleonic France resorted to regular naval war and privateering in the region.⁴¹ Many of these men eventually reached the coasts of Tierra Firme. Towards the end of 1796, for instance, a French privateer disembarked a group of “Frenchmen” in Riohacha. Local authorities immediately arrested the foreigners, sent them to Cartagena and later to Les Cayes, on the south coast of Saint-Domingue.⁴²

Imperial policy placed viceroys and their subalterns in a very difficult position when dealing with French interlopers. While Spanish authorities abhorred the principles emanating from the sphere of revolutionary France, the Franco-

³⁹ José de Ezpeleta to Duque de la Alcudia, Santafé, January 19 1795, AGI, Estado, 52, N.10.

⁴⁰ Pedro de Mendieta to Príncipe de la Paz, Santafé, August 19 1797, AGI, Estado, 52, N.57.

⁴¹ Laurent Dubois, *A Colony*, 241-246; Michel Rodigneaux, *La guerre de course en Guadeloupe. XVIII^e-XIX^e siècles. Ou Alger sous les tropiques* (Paris: L’Harmattan, 2006); Edgardo Pérez Morales, *El gran diablo hecho barco. Corsarios, esclavos y revolución en Cartagena y el Gran Caribe. 1791-1817* (Bucaramanga: Universidad Industrial de Santander, 2012). See also Chapter 3 of the present work.

⁴² José de Ezpeleta to Príncipe de la Paz, Santafé, December 6 1796, AGI, Estado, 52, N.38.

Spanish alliance between 1795 and 1805 obliged them to collaborate with French republican officers. In late 1802, with his expedition facing difficulties, Charles Victor Emmanuel Leclerc asked viceregal authorities for financial support for the French troops under his command in Saint-Domingue.⁴³ Leclerc had arrived on the island with orders from Napoleon to retake control of the colony from its governor - Toussaint Louverture-- and destroy the autonomy that revolutionary Saint-Domingue had achieved. Most residents of the colony, convinced that Leclerc had plans to return those recently freed to slavery, fiercely opposed his occupation of the island.⁴⁴

In charge of about 80,000 men in arms, Leclerc encountered strong resistance and faced a multitude of logistical problems. He lacked food and shoes for his men, and he had to pay inflated prices to Anglo-American merchants for much needed supplies. Furthermore, he was helpless in the face of the elements; heat, sun, and tropical diseases eventually led thousands of his men to their graves.⁴⁵

In 1802, Leclerc's commissioner, Octaviano Dalvimart, presented his desperate request for money before Spanish bureaucrats in Cartagena. After gaining approval from Santafé, the viceroyalty sent Leclerc 400,000 pesos. In the meantime, however, Leclerc had died of yellow fever and his replacement in Saint-Domingue, General Donatien Marie Joseph de Rochambeau, dispatched his own commissioner with orders to collect the money. Rochambeau's commissioner, Leblond Plasian, arrested Dalvimart. Although viceregal authorities gave orders to withhold the cash,

⁴³ Pedro de Mendinueta to Miguel Cayetano Soler, Santafé, March 19 1803, AGI, Estado, 52, N.135.

⁴⁴ Laurent Dubois, *Avengers*, 251-279.

⁴⁵ Dubois, *Avengers*, 268.

the French eventually received 166,000 pesos, as well as quinine and “balms” for medical purposes.⁴⁶

Louis Thomas Villaret de Joeyeuse, captain general of Martinique and Sainte-Lucie, was also desperate for resources. Along with a third commissioner from Saint-Domingue, the French citizens Eugenio Eduardo Boyer and Louis Delpech also arrived in Cartagena as commissioners from Villaret. Boyer and Delpech requested a loan of 600,000 pesos. They insisted on being treated as ambassadors and requested passports to continue their journey to Santafé, where they expected to meet with the viceroy in person. The commissioners hoisted a French flag at the house they occupied in Cartagena. Although they had initially been welcomed in the city, viceroy Pedro de Mendinueta ordered their arrest. He argued that all foreigners who had no official authorization to be on Spanish territory had to remain in custody.⁴⁷

By July of 1803, Mendinueta complained to his superiors in Spain about the frequent arrival of such French “commissioners,” generally eager for supplies and showing an annoying sense of entitlement to Spanish aid. Mendinueta also regretted that Dalvimart, who presented himself as the chief of a brigade, had turned out to be a much lower-ranking officer. Mendinueta made efforts to prevent French envoys from coming into the interior of the Kingdom and kept a close eye on them. He

⁴⁶ Pedro de Mendinueta to Miguel Cayetano Soler and Pedro de Mendinueta to Donatien Marie Joseph de Rochambeau, Santafé, March 19 1803, AGI, Estado, 52, N.135. See also AGI, Estado, 53, N.15.

⁴⁷ Pedro de Mendinueta to Pedro Cevallos, Santafé, June 19 1803, AGI, Estado, 53, N.15; AGN, Colonia, Milicias y Marina, vol. 113, ff. 74v-79r.

nonetheless predicted terrible consequences from their presence, given that they often and publicly talked about revolutionary ideas of “liberty.”⁴⁸

Along with the French scare at the turn of the century came a host of ideas and events that would affect slaves and slave owners alike. The sequence of the intertwined French and Haitian Revolutions, the Napoleonic wars and the Spanish crisis of 1808, encouraged many slaves in the viceroyalty to strike for what, in many instances, they had been already fighting for or anxiously awaiting: their individual and collective freedom.

Cartagena and the phantom of “French Negros”

It took only about five days to sail from the port of Cartagena to southern Saint-Domingue. By contrast, it could take more than a month to travel overland from Cartagena to Santafé, located in the rugged Andean interior at 8,612 feet above sea level. Closer to their neighbors in the Antilles and aware of the sizable population of slaves throughout the province, Cartagena’s elites developed a fear of slave uprising that may have drawn on connections to the French colony.⁴⁹

The province of Cartagena had a network of harsh roads and risky waterways that internally connected the capital city to its hinterland. Many routes also allowed for direct contact with coastal towns and with the neighboring Caribbean provinces of Santa Marta and Riohacha. Access to the provinces of the Andean interior was also possible. The Magdalena River was the most important of these waterways, linking Cartagena with many other towns, including the second

⁴⁸ Pedro de Mendinueta to Pedro de Cevallos, July 19 1803, AGI, Estado, 53, N.13.

⁴⁹ José Ignacio de Pombo, *Comercio y contrabando en Cartagena de Indias* (Bogotá: Nueva Biblioteca Colombiana de Cultura, 1986), 87-90.

largest urban center in the province, Santa Cruz de Mompós. Further south, the navigable portion of the Magdalena reached the province of Mariquita, where travelers left their boats behind to continue on the overland road to Santafé or to Antioquia and Popayán. The trip from Cartagena to Popayán could take up to three months.⁵⁰

According to figures from 1780, the province of Cartagena comprised about 120,000 inhabitants, the second largest province in the viceroyalty after the Andean province of Tunja, north of Santafé, which boasted a quarter of a million people. Cartagena's population included 9,626 slaves, more than 75,000 individuals categorized as "free people of all colors," about 20,000 Indians, and some 13,850 people counted as white. At least 2,000 slaves lived in the provincial capital city, which was also home to about 3,400 white people.⁵¹

Three months after the uprising in Saint-Domingue, José Moñino y Redondo, count of Floridablanca and Spanish Secretary of State, alerted the viceroy of Santafé and the governor of Cartagena that the conflict on the French colony might affect Spanish territories. Floridablanca ordered his subalterns to avoid getting involved in the Saint-Domingue struggles. He also exhorted them to lend a helping hand to those who could be potentially affected by *malhechores* (bandits), pirates or *negros* from

⁵⁰ Antonio Ybot León, *La arteria histórica del Nuevo Reino de Granada* (Bogotá: Editorial A.B.C., 1952); Marta Herrera Ángel, *Ordenar para controlar. Ordenamiento espacial y control político en las Llanuras del Caribe y en los Andes Centrales Neogranadinos. Siglo XVIII* (Bogotá: Academia Colombiana de Historia, Instituto Colombiano de Antropología e Historia, 2002); Orián Jiménez Meneses and Edgardo Pérez Morales, *La Mojana. Medio ambiente y vida material en perspectiva histórica* (Medellín: Imprenta Universidad de Antioquia, 2007).

⁵¹ Hermes Tovar Pinzón, Camilo Tovar M. and Jorge Tovar M., *Convocatoria al poder del número. Censos y estadísticas de la Nueva Granada (1750-1830)* (Bogotá: Archivo General de la Nación, 1994), 487-503; McFarlane, *Colombia*, 353.

the French colony with intentions to “destroy” white people. Furthermore, he prohibited Spanish soldiers and sailors from communicating with the French so as to avoid “the results and consequences of bad example, seduction and bribery.”⁵²

Anastacio Cejudo, the governor of Cartagena, also received news directly from the Antilles of the events on Saint-Domingue and other islands. On May 24, 1798, Cejudo’s informant in Jamaica, a man who signed his letters as Manuel González, wrote to alert him to the evacuation of the British from the territories they had occupied in Saint-Domingue. González also told the governor about escalating slave disorder in Jamaica. Although the British governor was determined to put out the fire of insurrection, González thought it would be impossible to do so, for the slaves were emboldened by the “dammed idea of liberty and equality.”⁵³

In the wake of events in France and the Antilles, authorities in Tierra Firme were well aware of the volatility of the situation. The expectation of freedom among slaves had preceded the great conflagration of the Haitian Revolution for many years. In the Greater Caribbean, rumors of impending freedom were known to help “coalesce and organize revolts.”⁵⁴ It was therefore imperative to stay alert for news and people from neighboring islands, especially those of French origin, slave condition, or African ancestry.

Africans and people of African descent from the French islands inspired suspicion and fear among authorities and slaveholders throughout the Greater

⁵² Conde de Floridablanca to Virrey de Santafé, San Lorenzo, November 26 1791, AGN, AAI, Guerra y Marina, vol. 74, doc. 12, ff. 823r-v.

⁵³ Manuel González to Anastacio Cejudo, Kingston, May 24 1798, AGN, AAI, Historia, vol. 4, No. 7, f. 34r-v.

⁵⁴ Laurent Dubois, *A Colony*, 89.

Caribbean. Patricians in Cuba, the United States or Tierra Firme saw them as agents of conspiracy, libertinage, antislavery and equality, often referring to them generically as *negros franceses* or “French Negros.” Spanish authorities tried to closely monitor these people.

Slaveholders in the province of Cartagena feared both the arrival of revolution from outside and potential insurrection brewing within their own society. In Mompós, where rich masters lived with numerous slaves, both slaves and free people of color were accused of setting a series of roaring fires that consumed more than four hundred houses during January of 1793.⁵⁵ Juan Santiago, the slave of Mariana Damiana González and over fifty years old, had allegedly predicted the conflagration. He advised his masters to pack their garments and valuables in preparation for what he called a “great fire.” Allegedly, he said he was able to predict the fires by looking at the sun. Other slaves had also foreseen the fires. Juan Santiago, though he denied the charge, was accused of saying that the inferno was the work of “demons” and that people should leave town to avoid divine judgment.⁵⁶

Juan Nepomuceno Berruero, lieutenant governor of Mompós, informed the governor that local patricians feared that the fires were the result of a “conspiracy.” They were worried that this situation would have devastating effects on the town, already divided by bitter feuds among the local elites, who were, as Berruero

⁵⁵ Joaquín de Cañaverl to José de Ezpeleta, Cartagena, January 29 1793, AGN, Colonia, *Milicias y Marina*, vol. 84, f. 102r-v. Another fire was reported on March 19. See Matías Ruíz and José Feliciano Cassado to José de Ezpeleta, Mompós, April 19 1794, AGN, Colonia, *Milicias y Marina*, vol. 127, No. 105, ff. 880r-881r.

⁵⁶ AGN, Colonia, *Juicios Criminales*, vol. 139, doc. 1. On Juan Santiago see ff. 3r-4r, 14v-23v.

pointed out, naturally suspicious of their slaves.⁵⁷ Over two thousand slaves worked in Mompós and its surrounding towns and parishes, contributing to a thriving economy.⁵⁸ The governor, the lieutenant governor, and the local patricians were deeply concerned about slave conspiracy. The lieutenant governor requested troops from Cartagena to safeguard Mompós. Seeing no other alternative to prevent further fires, Joaquín de Cañaveral, the provincial governor, sent fifty soldiers to Mompós on January 24.⁵⁹

Over the course of the 1700s, trade in Mompós had grown significantly. As more goods were brought inland up the Magdalena River, the town became a “major staging post for contraband,” the most important port on the river. Mompós was thus connected to the Atlantic Ocean, along with its trade links with most of the provinces of the viceroyalty, including the Kingdom of Quito and even the viceroyalty of Perú. At the river docks and at the houses of merchants in Mompós, trade flourished in the exchange of European and local fabrics, metal and wooden goods, gold, silver, wines, wheat, maize, tobacco, sugar cane products, hides, cattle, animal skins, and tallow.⁶⁰ In 1780, 7,197 people resided in Mompós. By 1801 the population had doubled, numbering over 14,000.⁶¹

⁵⁷ Juan Nepomuceno Berrueco to Joaquín de Cañaveral, Mompós, January 22 1793, AGN, Colonia, Milicias y Marina, vol. 84, f. 104r-105v.

⁵⁸ Hermes Tovar Pinzón, Camilo Tovar M. y Jorge Tovar M., *Convocatoria*, 498-499, 515.

⁵⁹ Joaquín de Cañaveral to Juan Nepomuceno Berrueco, Cartagena, January 24 1793, AGN, Colonia, Milicias y Marina, vol. 84, f. 107r.

⁶⁰ McFarlane, *Colombia*, 40-48, 105-106. Orián Jiménez Meneses and Edgardo Pérez Morales, *La Mojana*; Vladimir Daza Villar, *Los marqueses de Santa Coa. Una historia económica del Caribe Colombiano, 1750-1810* (Bogotá: Instituto Colombiano de Antropología e Historia, 2009).

⁶¹ Hermes Tovar Pinzón, Camilo Tovar M. y Jorge Tovar M., *Convocatoria*, 499; Aline Helg, *Liberty and Equality in Caribbean Colombia, 1770-1835* (Chapel Hill: The University of North Carolina Press, 2004), 84.

Most of the wealth was concentrated in the hands of a few families, tied by blood and affinity. Aside from their merchant activities, elite individuals from Mompós were able to amass extensive landholdings, with thousands of head of cattle, as well as cacao trees, tobacco, and sugar. Some elite families were also involved in gold mining. Others held positions at the village council and the most successful ones accumulated enough money to buy nobility titles.⁶²

In April of 1799, Mompós was rattled by the news that slaves at an important sugar cane *hacienda* had rebelled and taken up arms to resist any attempt to send them back to servitude. The *hacienda* was named San Bartolomé de La Honda and held over one hundred slaves. La Honda was located south of Mompós. It was a big property, its lands forming a rectangular space that stretched from the hills of the central cordillera down to the valley of the Magdalena River, which served as its eastern boundary. That river, as well as the Viejo River, served as the waterways linking the property with Mompós and other riverside towns such as Morales and Honda. Oarsmen of African and Indian ancestry known as *bogas*, propelled wooden boats transporting people, groceries, and merchandise up and down the Magdalena (See Figures 4 and 7).⁶³

⁶² Hermes Tovar Pinzón, *Hacienda colonial y formación social* (Barcelona: Sendai Ediciones, n.d.) 93-119; McFarlane, *Colombia*, 44-45; Aline Helg, *Liberty*, 49-53; Vladimir Daza Villar, *Los marqueses*.

⁶³ “Don Gabriel Martínez Guerra alcalde ordinario de la villa de Mompós dirige testimonio de la solicitud de Juan Nepomuceno Surmay albacea testamentario de don Juan Martín de Setuain, sobre la reducción y pacificación de los esclavos de la hacienda de San Bartolomé de la Honda; para la providencia que haya lugar,” AGN, Colonia, Negros y Esclavos de Bolívar, vol. 3, doc. 5, ff. 831v-833v. For a description and analysis of the uprising, see chapter 2 of the present work.

At the same time as the uprising on this rural estate, a conspiracy of “French Negroes” had apparently been uncovered in Cartagena. According to Spanish authorities, the conspirators planned to take over the forts protecting the city, enter into the center of town, attack white people, and loot royal property. African slaves were also said to be involved in the plot, allegedly in collaboration with members of the local *pardo* militia, the military unit comprising free men of African descent. Word of the supposed conspiracy became public knowledge on the first day of the month. On April 30, two *haciendas* near the city caught fire. The governor attributed these fires to rebellious slaves who remained at large, but this seems to be the only materialization of the conspiracy.⁶⁴

The century was drawing to a stormy close on the Caribbean plains of the New Kingdom of Granada. With real and supposed threats of slave uprising, authorities in the coastal provinces were preoccupied with the arrival of people from the neighboring French Caribbean. In February of 1803, a corvette from Guadeloupe arrived at the port of Chimare, near a swath of territory controlled by the Guajiro Indians, long antagonistic to Spanish settlers. The ship brought “more than two hundred French negroes and mulatos.” They apparently sought refuge among the Indians. Though the provincial governor was able to arrest some of these visitors, who were turned in by individual Indians, he reported that he did not

⁶⁴ AGI, Estado 53, N.76 and N. 77. See also Aline Helg, “A Fragmented Majority. Free «of all colors», Indians and Slaves in Caribbean Colombia during the Haitian Revolution,” David Patrick Geggus, ed., *The Impact*, 157-175.

deport them to their island because he believed that, according to French orders, they would be “thrown alive into the sea.”⁶⁵

The viceroy Pedro de Mendinueta was alarmed with news of these events. Some two hundred individuals of African descent had arrived, it seemed, from an island governed by French revolutionaries, where slaves were emancipated, incorporated into the ranks of the military, and employed as sailors on privateer ships.⁶⁶ From the viceroy’s perspective, those individuals constituted “a class of people infected with the ideas of liberty, equality and others that have been so pernicious and have caused many ravages and horrors in the unhappy French Islands.” Fearful that these individuals might make their way into the interior of the viceroyalty, Mendinueta requested that the governor to throw them in jail, send them to public works or interrogate and deport them back to their place of origin.⁶⁷

Little did the viceroy imagine that in a decade’s time the most important Caribbean port of the viceroyalty would be filled with Frenchmen and “French Negros,” this time welcomed by a revolutionary government. In the meanwhile, his efforts could not prevent rumors of freedom and revolution from traveling south from Cartagena into the interior of the district under his command.

Antioquia and the “candanga” affair

Towards the late 1790s, rumors of slave insurrection and emancipation had emanated from the Antilles and Cartagena into the Andean provinces of Antioquia and Popayán. Thousands of slaves had long shaped the social and geographical

⁶⁵ Pedro de Mendinueta to Pedro Cevallos, Santafé, April 19 1803, AGI, Estado 52, N.137.

⁶⁶ Laurent Dubois, *A Colony*, 241-246; Michel Rodigneaux, *La guerre*, 71-96.

⁶⁷ Pedro de Mendinueta to Pedro Cevallos, Santafé, April 19 1803, AGI, Estado, 52, N.137.

landscapes of these provinces. They worked in gold mines, cultivated the land, and served their masters in their townhouses and rural properties. For the prosperous and the entrepreneurial in the free population, holding other human beings as property also conferred a mark of social status.

As rumors of emancipation swirled, slaves and their free relatives often came to believe that masters and local authorities were trying to conceal rulings from Europe granting them freedom or better working conditions. This conviction, in turn, could fuel grumbling, conspiracy, and even rebellion.⁶⁸ Some rumors of emancipation took the form of predictions that African monarchs might arrive in the New World to liberate the slaves. In 1768, a rumor had circulated among the slaves of French-controlled Martinique that an African king had arrived on the island and had purchased all slaves with the intention of sending them back to Africa.⁶⁹

In Antioquia, variations on the theme of slave emancipation and the abolition of slavery crystallized as early as 1781. Priest Sancho Lodoño Piedrahíta, the largest slave owner in the province with about two hundred and thirty slaves, discovered an apparent conspiracy of slaves seeking to rise up and demand the publication of a royal decree favoring their freedom. Slaves alleged that the local authorities in Santafé de Antioquia, the provincial capital, had hidden the document. They apparently planned to rise up on January 1, 1782.⁷⁰

⁶⁸ Julius S. Scott III, *The Common Wind*; Laurent Dubois, *A Colony*, 90-92.

⁶⁹ Julius S. Scott III, *The Common Wind*, 117-118.

⁷⁰ "Testimonio de un expediente relativo al levantamiento o insurrección de esclavos en la provincia de Antioquia," *Documentos para la historia de la insurrección Comunera en la provincia de Antioquia. 1765-1785* (Medellín: Universidad de Antioquia, 1982), 441-588. On Sancho Lodoño Piedrahíta see Beatriz Patiño Millán, *Riqueza, pobreza y diferenciación*

The 1781 conspiracy had not gone far. The fears and hopes of slave upheaval, however, revived in the 1790s, again in seeming connection with events in the Antilles. Through Mompós, people and goods constantly moved between the plains of the Caribbean province of Cartagena and the mountains of Antioquia, a rugged province but by no means an isolated one. Antioquia remained closely linked with the outside world by social, commercial and political ties.⁷¹

In 1794, the local patrician Juan Pablo Pérez de Rublas, a councilman with judiciary authority who was temporarily in charge of the provincial government in the city of Antioquia, communicated to the viceroy about individuals in town with revolutionary sentiments. In the wake of the pasquinades episodes of August and October of that year, Pérez de Rublas assumed that, in all likelihood, the “pernicious maxims of the Frenchmen” had reached the viceroyalty.⁷² A reader of the *Papel Periódico de la Ciudad de Santafé de Bogotá*, he also drew from the anti-French campaign stemming from the viceregal capital.⁷³

Pérez de Rublas also accused the royal accountant Francisco José Visadías of inspiring plebeians to revolt. In the event of an uprising, he believed the accountant should be held responsible for kindling a fire that would no doubt “embrace and consume this unhappy city and the entire province.” Pérez de Rublas described

social en la provincia de Antioquia durante el siglo XVIII (Medellín: Universidad de Antioquia, 2011), 244-245.

⁷¹ Marta Herrera Ángel, *Ordenar*; Orián Jiménez Meneses, Edgardo Pérez Morales and Felipe Gutiérrez Flórez, eds., *Caminos, rutas y técnicas: huellas espaciales y estructuras sociales en Antioquia* (Medellín: Universidad Nacional de Colombia, Sede Medellín, 2005); Orián Jiménez Meneses and Edgardo Pérez Morales, *La Mojana*, 70-79.

⁷² Juan Pablo Pérez de Rublas to José de Ezpeleta, Antioquia, December 13 1794, AGN, AAI, Historia, vol. 3, No 63, ff. 649r-653v.

⁷³ *Papel periódico de la ciudad de Santafé de Bogotá* (Santafé) No. 20, June 24 1791, 171. See also Renán Silva, *Prensa*, 27-41.

Visadías as a depraved, irreligious womanizer. Furthermore, the merchant argued that Visadías was suspiciously friendly with all plebeians in town. They regarded him as an “oracle,” and he fiercely defended them in court. Pérez de Rublas accused Visadías of treating *mulato* families as though they were of noble stock.⁷⁴

Pérez de Rublas alleged that he himself had helped to stop a slave uprising in 1780, perhaps referring to the conspiracy of 1781. Since then, he had become convinced that Visadías’s public pronouncements in favor of liberty had inspired the revolt. Pérez de Rublas told the viceroy that slaves might strike again, encouraged by Visadías and hoping to “see themselves freed from captivity.”⁷⁵

Pérez de Rublas was particularly worried about a possible uprising of slaves and free people of color in and around the city of Antioquia. He thought the movement could later spread to the rest of the province, which contained around ten thousand slaves, more than forty-five thousand free people of color, and fewer than ten thousand whites. About four thousand of the slaves lived the capital city and its surrounding area. With almost three thousand Indians and more than fifteen thousand free people of color, the city of Antioquia counted only a minority of whites, some 1,774 in the census of 1798.⁷⁶

The city of Antioquia sits at 1,640 feet above sea level, in the hot and narrow Ebéjico Valley, a few miles from the Cauca River. It is flanked by the imposing Andes mountains, which rise abruptly from the hot lowlands of the Ebéjico valley up to

⁷⁴ Juan Pablo Pérez de Rublas to José de Ezpeleta, Antioquia, December 13 1794, AGN, AAI, Historia, vol. 3, No 63, ff. 649r-650v.

⁷⁵ Juan Pablo Pérez de Rublas to José de Ezpeleta, Antioquia, December 13 1794, AGN, AAI, Historia, vol. 3, No 63, f. 651v.

⁷⁶ Hermes Tovar Pinzón, Camilo Tovar M. y Jorge Tovar M, *Convocatoria*, 118-120.

altitudes of above 13,000 feet. Although a small town, as the seat of the provincial governor Antioquia was an important political center. There were no magnificent buildings, but the main houses and their tile roofs, three small churches, and a bigger parish church under construction since the 1790s gave the town its urban element. Beyond the main buildings, poor people, mainly free people of African descent, occupied numerous tiny thatch houses.⁷⁷

The town of Nuestra Señora de la Candelaria de Medellín was located one day of travel to the West and up the mountain. This town had been gaining economic, demographic, and political importance over the old capital city since the late 1600s.⁷⁸ Located at 4,905 feet above sea level and at an important crossroads in the Aburrá Valley, Medellín was home to more than four thousand slaves and about the same number of white people. In the town and throughout the valley there were fifteen thousand free people of color.⁷⁹

Given their seasonal occupation in gold mining, most slaves in the province enjoyed relative freedom of movement and communication. Many of them traveled throughout the province panning for gold or bringing supplies from rural farming areas to mining zones.⁸⁰ Slaves also participated in agricultural labor, which local landowners saw as a source of supplies for internal consumption. Most proprietors and investors concentrated on mining and had little interest in export-driven

⁷⁷ Edgardo Pérez Morales, "La sombra de la muchedumbre: vida urbana y reformismo borbónico en la ciudad de Antioquia," *Historia y Sociedad* No. 10 (2004): 183-199.

⁷⁸ Roberto Luis Jaramillo, "De pueblo de Aburraes a villa de Medellín," Jorge Orlando Melo, ed., *Historia de Medellín* (Medellín: Suramericana de Seguros, 1998), vol. 1, 106-120.

⁷⁹ Hermes Tovar Pinzón, Camilo Tovar M. y Jorge Tovar M, *Convocatoria*, 118-119.

⁸⁰ Robert C. West, *Colonial Placer Mining in Colombia* (Baton Rouge: Louisiana State University Press, 1952); Ann Twinam, *Miners, Merchants and Farmers in Colonial Colombia* (Austin: University of Texas Press, 1982), 19-21; Beatriz Patiño Millán; *Riqueza*, 189-268.

agriculture, which would have been very difficult given the dangerous and slow transportation with the exterior. But mining, which dealt in valuable and portable “gold dust,” was thriving. From 1780 to 1799, Antioquia mined around 236,000 *pesos* worth of gold: four times what it had produced from 1750 to 1779.⁸¹

Unlike the priest Sancho Londoño, most slave-owners in Antioquia did not own slaves numbering in the hundreds. A case in point is the couple formed by Bacilio Jaramillo and his wife Salvadora Jaramillo. In Sacaojal, a rural parish near the provincial capital, the Jaramillos had two houses and one *almud* and a half of land, equivalent to a little less than one acre. They also owned a small property in the cold highlands of the Los Osos plateau, to the east. Their slaves regularly traveled back and forth between the properties.⁸²

On the Jaramillo farm in Sacaojal, one iron hoe and one ax sufficed for the agricultural work. At this property, bounded by the Cauca River and irrigated by the Potreros creek, three slaves aged nineteen, sixteen and twelve did the heavy lifting, tending ten pigs, one mare, four goats and the crops. A six-year-old female was also enslaved along with them. Her mother, a thirty-one-years old slave, was in charge of the household tasks and of caring for yet another slave of six years of age and a recently born baby.⁸³ Seven human beings held as slaves thus shared their lives in this corner of the New Kingdom of Granada, growing up under the orders of the Jaramillo couple.

With individual slaves and slave families scattered throughout the province,

⁸¹ Ann Twinam, *Miners*, 27-31, 92-100.

⁸² “Mortuoria de don Bacilio Jaramillo sus inventarios, y valuos [sic],” AHA, Mortuorias, vol. 238, doc. 5376.

⁸³ “Mortuoria,” ff. 515r-516v.

the elites of the provincial capital and Medellín feared both slave insurrection and popular uprising. It was in Medellín, a provincial junction of communication and travel, where news broke in December of 1798 that slaves believed a royal decree had set them free.⁸⁴ Similar information had circulated not only in Antioquia in 1781, but also in the Caribbean and Tierra Firme since at least 1749, when a rumor spread in Caracas that the king of Spain had emancipated all Spanish slaves. In 1789, slaves in the British island of Tortola, to the East of Puerto Rico, rebelled. They thought that local slaveholders had suppressed an act for their emancipation passed in England. In 1792, a group of slaves in Jamaica insisted that the king of England had granted their freedom and believed that local planters plotted to prevent their emancipation.⁸⁵

Besides their expectations of emancipatory action, many slaves had reason to discuss potential legislation to ameliorate their working conditions. In 1785, a French law went into effect trying to curtail masters' brutality in punishing slaves. This law seems to have caused much "noise" among slaves in Saint-Domingue. Towards the end of 1789, news of a formal Spanish instruction ordering the good treatment of the slaves stirred public speculation and conspiracy among slaves in Cuba. Some envisioned this document, which the elites of Havana struggled to keep secret, as legislation in favor of the "Ethiopians:" the community of African and African-descended slaves. By early 1790, fear of slave uprising was widespread in

⁸⁴ "Expediente seguido en la villa de Medellín, sobre las voces, que se esparcieron en ella de que los negros esclavos, se hallaban impresionados en que habían venido providencias para su libertad, y que intentaban solicitarla, cuyos rumores promovieron la averiguación del origen de ellas," AGN, AAI, Esclavos, vol. 2, December 1798, ff. 1r-38v.

⁸⁵ Julius S. Scott III, *The Common Wind*, 133, 224-225.

Cuba. In Caracas, some slaves soon learned the actual content of the instruction. Rumor transformed these partial reforms into an imminent end of slavery. In 1795, a slave revolt in Coro, to the northeast of Caracas, centered on agitation around the 1789 legislation. Time and again, local elites were portrayed as withholding rights promised by the Crown. Similar rumors appeared in the island of Dominica in early 1791 and in Curaçao in 1795.⁸⁶

In the era of British agitation against the slave trade and of the French and Haitian Revolutions, these sorts of rumors became more common and their implications even greater. The “common wind” behind these rumors intensified with the emancipation decrees issued by French civil commissioners in Saint-Domingue in 1793, subsequently ratified in 1794 by the French National Convention. The much-anticipated process of slave emancipation was coming to pass through the very abolition of slavery and in the most important of the slave societies of the Greater Caribbean.⁸⁷ Rumor had become reality.

As the inhabitants of Medellín and the Aburrá Valley prepared for the festivities of New Year’s Eve in 1798, word circulated that slaves were determined to “violently” shake off the yoke of servitude, “instigated as they are by the false idea that there exists a high order benefiting them and supposing that the magistrates of

⁸⁶ Malick W. Ghachem, “Prosecuting Torture: The Strategic Ethics of Slavery in Pre-Revolutionary Saint-Domingue (Haiti),” *Law and History Review* Vol. 29, No. 4 (November 2011): 995-997, 1018; Julius S. Scott III, *The Common Wind*, 147-158, 193-201, 262-264; Laurent Dubois, *A Colony*, 85-123. The 1789 Spanish instruction is “R. Instrucción sobre la educación, trato y ocupación de los esclavos,” Aranjuez, May 31 1789, Richard Konetzke, *Colección de documentos para la historia de la formación social Hispanoamericana. 1493-1810* (Madrid: Consejo Superior de Investigaciones Científicas, 1962), vol. III-2 (1780-1807), doc. 308, 643-652.

⁸⁷ Julius S. Scott III, *The Common Wind*, 247.

this town are hiding it, so as to make them serve whites in perpetual slavery.”⁸⁸ The theme of slave emancipation decrees withheld by masters had reappeared, this time in the Andean interior of the New Kingdom of Granada.

Local judge José Joaquín Gómez Londoño ordered an investigation. He sent word to the governor of Antioquia and even considered preventing slaves and commoners from purchasing iron, steel, machetes, and knives. Although he did not take the rumors themselves seriously, he still thought these measures were in order. He reasoned that slaves in Antioquia were numerous, violent, strong, and ill intentioned. Furthermore, they had useful “knowledge of the place, its woods and hide-outs, whose advantages, in the case of mutiny or uprising, sadly forecast a disastrous end.”⁸⁹

Gómez Londoño avoided meeting with the Medellín *cabildo* --the town council-- over this issue. He was aware that slaves saw the official meetings of the *cabildo* as gatherings where slaveholders would receive the order to free their slaves. He had hired someone to spy for him, and he learned that slaves were expecting the official announcement of their freedom on New Year’s Eve, coinciding with the expectations of slaves involved in the 1781 conspiracy. The spy also informed the judge that the slaves had named their revolution the *candanga*. Slaves apparently expected to buy their freedom at the price of one gold *peso* and hoped to live in their own towns with their own elected magistrates after the revolution.⁹⁰

⁸⁸ “Expediente seguido en la villa de Medellín,” f. 1r.

⁸⁹ “Expediente seguido en la villa de Medellín,” ff. 1v, 3r-v.

⁹⁰ “Expediente seguido en la villa de Medellín,” ff. 4r-v, 5v-6v.

The word *candanga*, of seemingly African roots, might have evoked struggle and trouble. It only appeared in Spanish dictionaries much later in the twentieth century. It is considered a colloquial Americanism from Cuba, El Salvador and Honduras, meaning “the devil” in the latter two places. In Cuba, *candanga* implies trouble or things that cause tedium or nuisance. It is also used in Venezuela to refer to combative, fiery individuals.⁹¹

In the province of Antioquia, local patricians feared that the *candanga* had crystallized in the crucible of the slave community, which they knew had its own social and political structures. According to Ignacio Posada, slaves and freedmen held meetings and elected their own judges to rule over the farms where they worked, as well as over the *playas*, the banks of the rivers where they panned for gold during the dry seasons of the year.⁹²

Slaves and freedmen seem to have drawn upon the structure, or at least the terminology, of Spanish local government in the ruling of their own community. One freedman, Gregorio, who used to be Miguel Vasco’s slave, had been named *alcalde*, a term used for local judges and other offices in the Spanish administration. Meanwhile, Juan María Restrepo, a freedman who had belonged to Joaquín Restrepo, was referred to as *alcalde de hermandad*, possibly acting as a leader policing the members of his community.⁹³

⁹¹ *Diccionario de la lengua española*, 22nd. ed. (Madrid: Real Academia Española, 2001). President Hugo Chávez of Venezuela established an Internet Twitter account named @chavezcandanga.

⁹² “Expediente seguido en la villa de Medellín,” f. 6v.

⁹³ “Expediente seguido en la villa de Medellín,” f. 11r.

According to Posada, slaves José Manuel and Pablo, belonging to Miguel de Restrepo and Francisco Miguel de Restrepo respectively, were spreading word that if their freedom was not granted on New Year's Eve they would appeal before the king of Spain himself. He had had not heard, however, that slaves planned to rise. Teodoro García, in turn, declared that one slave Miguel, whose master was José María de Restrepo, had told him that "God was to punish all the whites for holding them [the blacks] as slaves." Miguel also told García that a slave belonging to Javier de Restrepo was raising funds among the slave community to litigate for their freedom. García himself had overheard a conversation between some slaves and a freedman married to one of José María de Restrepo's slaves; they had anticipated that on New Year's Day they would confront their destiny.⁹⁴

Conversation and rumor stirred the expectations of the slave community and revived fear among the local elites, who prepared to safeguard Medellín for New Years' Day, 1799. As prescribed by law, on the first day of the year local elites held a town meeting for the election of the new *cabildo* members.⁹⁵ The rumor that the *cabildo* had discussed emancipating the slaves, and the fact that slaves were said to be planning a rebellion, provided good reasons for authorities to be alert. The governor sent Antonio de Viana to coordinate the defense of Medellín. He arrived in the early morning of December 31. Viana reported that many people were talking about the *candanga*, and that slaves were determined to strike on the first day of the New Year. Viana was also informed that slaves in Medellín had been communicating

⁹⁴ "Expediente seguido en la villa de Medellín," ff. 11r-13r.

⁹⁵ On the history of the Medellín *cabildo*, see Luis Miguel Córdoba Ochoa, *De la quietud a la felicidad. La villa de Medellín y los procuradores del cabildo entre 1675 y 1785* (Bogotá: Instituto Colombiano de Cultura Hispánica, 1998).

with slaves in Santiago de Arma de Rionegro, located to the east in the valley of San Nicolás.⁹⁶

In spite of all this, 1799 started peacefully.⁹⁷ The new *cabildo* was formed and everyone went back to work after the end of the festivities. A tense calm settled in Antioquia, but the theme of freedom withheld did not disappear. Seven years later, in 1806, slaves once again claimed that a royal decree for their liberation had arrived in the province. Some slaves harassed José Mariano Pontón, the local postal administrator of Medellín, accusing him of preventing the document from coming to light. It was in early March of that year that Pontón suspected that this was the *candanga* revived.⁹⁸

Rumor that a royal document had granted slaves their freedom seems to have spread not only among the slave community and their freed relatives, but also among many free plebeians in Medellín. People of all classes knew of these developments, but slave-owning patricians were the ones with the most to lose. They suspected, once again, that the Medellín slaves were allied with slaves elsewhere in the province, this time possibly with those of the Los Osos valley.⁹⁹ The slaves, in turn, were again animated with hope for their freedom through a royal decree. Some of them even spread word among other slaves that they should stop working so hard, for soon they would be free. Some slaves did just that. They even

⁹⁶ "Expediente seguido en la villa de Medellín," ff. 14v, 34r-v.

⁹⁷ "Oficio reservado del virrey al secretario de Estado de España sobre la asonada que con el nombre de libertad, han causado los negros de la villa de Medellín," AGN, Colonia, Miscelánea, vol. 99, doc. 8, f. 133r.

⁹⁸ "Expediente de la Candanga. Criminal contra los esclavos de esta jurisdicción porque se les presumía alzamiento," Archivo Histórico Judicial de Medellín, Medellín (hereafter AHJM), box 171, doc. 3532, f. 2r-v.

⁹⁹ "Expediente de la Candanga," ff. 4r-7v.

dared to directly challenge the authority of their masters.¹⁰⁰

A variation on this theme of slave emancipation surfaced during the events of 1806. On April 18, a little more than a month after the possibility of a *candanga* had reappeared, Juan José Porres declared that he had heard from María Antonia Piedrahíta that a “black Queen” had arrived in Antioquia to grant all the slaves their freedom. María Antonia offered further details about the secret presence of this monarch in Antioquia. The “black Queen” was in hiding, and “she heard mass every day from a priest at her hide-out.” Upon further investigation about the “black Queen,” Porres found that opinion was divided: some people thought the black monarch existed, but that she had not yet made it to the province.¹⁰¹

The year of 1806 was also an eventful one at the farmstead of the Jaramillos, near the provincial capital. The balance of power had started to change following the death of Bacilio Jaramillo in 1805. After this, the slaves now seemed to be defying their mistress, Salvadora Jaramillo. A slave by the name of José María, who would later in his life adopt the name José María Martínez, ran away to the edge of the province in 1806: he left for Nare, some twenty days of travel away. Nare, a small port town in the banks of the Magdalena River, was a place from which people could easily secure transport to most places in the viceroyalty and beyond.¹⁰²

There is no direct evidence that the rumors of slave emancipation circulating in Antioquia in 1806 influenced the slave José María’s decision to run away.

Furthermore, the young slave, then about sixteen years old, had already run away

¹⁰⁰ “Expediente de la Candanga,” ff. 8r-9v.

¹⁰¹ “Expediente de la Candanga,” ff. 10v-11r.

¹⁰² Salvadora Jaramillo to Señor Alcalde Ordinario, February 25 1807, “Mortuoria,” f. 544r.

on one occasion, before the rumors began to circulate. However, his actions of 1806 certainly alarmed Salvadora Jaramillo, who paid someone to bring José María back to the farmstead. In the face of such rebelliousness, she requested the aid of the mayor of Antioquia in February of 1807. She claimed that the slave José María was very likely to cause great damage to the estate of her deceased husband for, as she put it, “whoever completes six leagues has no problem completing one hundred.”¹⁰³

The helpless mistress was referring to accomplishing distances on the harsh roads and the risk that José María would stray far and forever. Little did she know that her words were premonitory. José María, indeed, was to go places the widow Jaramillo herself would never see. He would over the years that followed become a peripatetic figure, traveling long distances as he fought to achieve and sustain his autonomy.

No slave uprising took place in Medellín and the “black Queen” never appeared. The idea of a black monarch with plans to protect slaves, however, was part of a larger stock of rumors and ideas about slave emancipation that had arrived in Antioquia from the Caribbean. The Andean province, with its restive slaves and fearful masters, was especially susceptible to this sort of rumor. This information, along with other news and speculation, traveled on farther south to the province of Popayán, the largest province in the Kingdom and the one where slavery was most important for the regional economy.

Popayán and the “Black Queen” in the Americas

¹⁰³ Salvadora Jaramillo to Señor Alcalde Ordinario, February 25 1807, “Mortuoria,” f. 544r.

A black monarch setting out to free all slaves was an old tale of hope for those in bondage.¹⁰⁴ This trope seems to have caught the “common wind” of the Haitian Revolution. After reaching Antioquia, the rumor of a liberating “black Queen” reached the province of Popayán, Antioquia’s powerful neighbor to the south. The “black Queen” rumor thus traversed the rugged Andes, making it as far as the gold mine of San Juan, not far from the Pacific Coast of the viceroyalty, months away of travel from Cartagena.¹⁰⁵

The San Juan mine was one of many gold mining enclaves on the western slopes of the Andes, facing the Pacific lowlands and located at elevations below 2,000 feet.¹⁰⁶ The Pacific coast and the piedmont were part of the jurisdiction of the province of Popayán and therefore administered by the authorities in the provincial capital, the city of Popayán. The largest province of the viceroyalty in territory, Popayán contained about 140,000 people towards the end of the eighteenth century. A little more than 23,000 slaves inhabited the entire province, of whom 9,200 lived in the Pacific coast and the piedmont. This sub-region was divided into five different mining districts --Barbacoas, Tumaco, Micay, Iscuandé, and El Raposo-- in which slaves were mostly devoted to gold mining in rivers and creeks (See Figure

¹⁰⁴ Julius S. Scott III, *The Common Wind*, 117-118.

¹⁰⁵ See the detailed exposition of the events at the San Juan mine in Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, Archivo Central del Cauca, Popayán (hereafter ACC), sig. 6596, (Ind. CIII-2g), f. 1r.

¹⁰⁶ Robert C. West, *The Pacific Lowlands of Colombia: a Negroid Area of the American Tropic* (Baton Rouge: Louisiana State University Press, 1957).

3). They cultivated plots of arable land carved out of the rainforest terrains, mainly with plantains and maize for their own consumption.¹⁰⁷

Across the mountains to the east, in the Pubenza Valley, lay the city of Popayán. Small thatch houses surrounding the central part of town, inhabited by Indians and free people of color, bore witness to the social and economic diversity of the region. In the center, solid brick and mortar two-story houses, cloistered convents, a cathedral and other churches, plus a clock tower in the south side of the central plaza, lent to the town an air of affluence.¹⁰⁸

Between 1680 and 1730, the elites of the city had consolidated the conquest of the Pacific piedmont and the lowlands. They had constructed a productive system that allowed them to exploit the rich gold mines while living in Popayán as absentee *señores de cuadrilla*, masters of slave gangs. They owned many *haciendas* around their town, as well as in the fertile Cauca Valley to the north. These estates, also worked by their slaves, produced sugar, *aguardiente*, salted meats, tobacco, and other supplies for the gold mines. Slaves often traveled between the *haciendas* and the mines, transporting supplies. The mines were also reachable by river canoes

¹⁰⁷ Hermes Tovar Pinzón, Camilo Tovar M. y Jorge Tovar M, *Convocatoria*, 499; Robert C. West, *The Pacific*; Mario Diego Romero, *Poblamiento y Sociedad en el Pacífico colombiano siglos XVI al XVIII* (Cali: Editorial Facultad de Humanidades, Universidad del Valle, 1995); Jorge Ignacio del Valle and Eduardo Restrepo, eds., *Renacientes del Guandal. "Grupos Negros" de los ríos Satinga y Sanquianga* (Bogotá: Biopacífico, Universidad Nacional de Colombia, 1996); Oscar Almarío García, *Los Renacientes y su territorio. Ensayos sobre la etnicidad negra en el Pacífico sur colombiano* (Medellín: Universidad Pontificia Bolivariana, Concejo de Medellín, 2003).

¹⁰⁸ Peter Marzahl, *Town in the Empire. Government, Politics and Society in Seventeenth Century Popayán* (Austin: Institute of Latin American Studies, University of Texas at Austin, 1978); Germán Colmenares, *Historia económica y social de Colombia II: Popayán, una sociedad esclavista, 1680-1800* (Bogotá: Tercer Mundo, 1997); María Teresa Pérez, "Hábitat, Familia y comunidad en Popayán (Colombia) 1750-1850" (Doctoral dissertation, Université de Montréal, 2008), 73-100.

transporting other New World and European supplies that arrived on the coasts of the mining districts from the ports of Callao, in Perú, Guayaquil, in the southern part of the viceroyalty, and Panamá to the north.¹⁰⁹

The political turmoil of the 1790s and the early 1800s reached Popayán and its mining districts, where slave-owners and local authorities in 1791 already feared the possibility of an uprising of the slaves, who “so much yearn for their freedom.”¹¹⁰ At the mine of San Juan, owned by the Torres Tenorio family and located in the district of Micay, news had arrived about the pasquinades episode of 1794. Gerónimo Francisco de Torres, the patriarch of the Torres Tenorio family in Popayán, was visiting the mine when he received a letter from his son, Camilo Torres Tenorio.

The missive came from Santafé, where Camilo was a professor of civil law at the *Colegio del Rosario*. Authorities had questioned him about the pasquinades episode, searching all his books and papers as they looked for evidence of his potential complicity. Before his letter reached San Juan, news of the pasquinades had already arrived in the mine. Camilo’s letter was meant to assure his father that he had not been involved in the writing of the pasquinades, and that the affair had been blown out of proportion by the Spanish authorities.¹¹¹

¹⁰⁹ ACC, sig. 5903 (Col. CI-10m); sig. 6320 (Col. CI-10m); sig. 7294 (Col. CI-10m); sig. 6131 (Col. CI-10m); sig. 6529 (Col. CI-10m); Germán Colmenares, *Historia económica*; Germán Colmenares, *Cali: terratenientes, mineros y comerciantes. Siglo XVIII* (Bogotá: Tercer Mundo, 1997).

¹¹⁰ Archivo General de Simancas, Simancas, Secretaría de Guerra, 7087, exp. 24.

¹¹¹ The undated letter is quoted and analyzed by Renán Silva, *Los ilustrados*, 106-108. The document, which I have not yet been able to consult, is kept at the Archivo de la Academia Colombiana de Historia, Bogotá, Archivo Camilo Torres, box 2.

In his letter of 1794, Camilo sought to reassure his father of his own honorable conduct and of his loyalty to the monarch. As a master of slaves, however, he may also have intended to minimize the events in hopes of avoiding further trouble with the slave gang at the mine. The slaves at San Juan had already challenged the authority of the Popayán patricians. As early as June of 1782 the slave gang was apparently in a state of revolt.¹¹² Over a period of fifteen years, as the potential heirs to the mine fought a bitter battle over this property, the slaves seized the opportunity to advance their quest for freedom. For the Torres Tenorio family, it had become increasingly difficult both to defend their claim to property in the courts at Popayán and to control the workforce and make the slaves produce gold at San Juan.¹¹³

The tensions between slaveholders and slaves in San Juan had local origins. By 1794, however, it was becoming clear to most patricians in Popayán that political upheaval in the capital city of Santafé could affect the mining districts. As imperial confrontations and the Napoleonic wars upset the Spanish world, inhabitants of the region became increasingly exposed to violent winds of change. In early 1797, the Spanish declaration of war on Great Britain was publicized throughout the province,

¹¹² "Concurso de acreedores de los bienes de José Tenorio," ACC, sig. 11273 (Col. J III-9su), f. 46v.

¹¹³ "Concurso de acreedores de los bienes de José Tenorio," ACC, sig. 11273 (Col. J III-9su); "Avalúos relativos a la sucesión de José Tenorio. Remate de la hacienda las Huertas de dicho Tenorio para pagar a los acreedores de la testamentaría," ACC, sig. 10694 (Col. J II-24su); "Autos relativos a la nulidad del nombramiento del albacea de José Tenorio," ACC, sig. 10592 (Col. J II-22su); "Expediente sobre la administración de la mina de San Juan por dimisión que de ella hizo don Miguel Tenorio: e instancia y reales provisiones presentadas por don Antonio Tenorio sobre que se le restituya dicha administración," Archivo Nacional del Ecuador, Quito, Popayán, box No. 246, exp 7.

including the Pacific mining districts. Spain was now an ally of revolutionary France and would continue to be until 1805.¹¹⁴

In March, Diego Antonio Nieto, the governor of the province and also a sugarcane planter in Mompós, alerted slave drivers, mine administrators, and local authorities in the mining districts on the presence of British enemies along the Pacific coast. British interlopers had been present on this coast since the sixteenth century, but now with the ongoing war and increasing fear of slave uprising, Nieto thought that foreign enemies might try to “seduce” the slave gangs against Spain. He sought to short-circuit all communication between slaves and outsiders, and he called for closer administration of the mines from the Andean interior.¹¹⁵

A diligent Bourbon administrator, Nieto made efforts to tune up the precarious defensive system of the mining districts.¹¹⁶ By 1799 there had been several skirmishes with the British, who had attacked the ports of Esmeraldas and Atacames, north of Guayaquil.¹¹⁷ Spanish authorities feared that the British, who had already established themselves in the Galapagos Islands, could carve out an enclave of their own on the coast. Above all, viceroy Mendinueta and governor Nieto feared the British would promote a slave uprising in the mining districts. Nieto advised slave owners, especially those of Barbaocas and Micay, to prevent slaves

¹¹⁴ “Expediente sobre publicación de guerra contra la nación Británica, y providencias dadas a las poblaciones de la costa del Mar del Sur por el Señor Gobernador; agregadas las del Excelentísimo Señor Virrey,” ACC, sig. 9062 (Col. M I-1c), ff. 5r, 6r, 9r, 13r.

¹¹⁵ “Expediente sobre publicación de guerra contra la nación Británica,” ACC, sig. 9062 (Col. M I-1c), f. 25r.

¹¹⁶ “Acuerdos del cabildo de justicia de Barbaocas, sobre la construcción de un cuartel para los veteranos,” ACC, sig. 9677 (Col. M I-1c); ACC, sig. 8854 (Col. M I-5p).

¹¹⁷ Mariano Alvarez y Basconos to Diego Antonio Nieto, Atacames, January 20 1799, Juan Martínez de Araújo to Diago Antonio Nieto, Iscuandé February 3 1799 and Pedro de Mendinueta to Francisco de Saavedra, Santafé, May 19 1799, AGI, Estado, 52, N.75.

from travelling to the seashore, which they usually did to buy supplies.¹¹⁸

As hostilities among the European powers escalated and the political climate of the viceroyalty grew strained, the governor of Popayán, the viceroy in Santafé, and very likely most patricians feared foreign forces would spark slave uprising in the mining districts. Slaves themselves, on the other hand, might have thought that trouble at the heart of the slaveholders' society could mean new opportunities to get away from forced work and seek more autonomy, if not freedom.

While Camilo Torres was busy as a political leader in Santafé, his siblings in Popayán tried to keep control of the San Juan mine, as it was one of their most important sources of income. Gerónimo Torres Tenorio would later recall how difficult this task had been. Indeed, he revealed the slaves of San Juan had risen up on two occasions.¹¹⁹

Although the chronology of Torres Tenorio's narrative is unclear, he mentioned that governor Miguel Tacón y Rosique had been initially able to put an end to the plans of the slaves. They first rose against one of Torres's siblings who had traveled to the mine to oversee work. The leader of the slave movement was severely punished by the governor. Soon afterwards, however, slaves began to hold nightly meetings to discuss how to attain the freedom to which they felt entitled. Torres Tenorio reported that the captive workers at the mine seem to have thought "a black Queen had come to the Americas bringing freedom for the slaves." They believed, moreover, that the masters were trying to conceal this from their servants,

¹¹⁸ Pedro de Mendinueta a Francisco de Saavedra, Santafé, May 19 1799, AGI, Estado, 52, N.75.

¹¹⁹ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g).

just as slaves elsewhere had imagined that masters were hiding emancipationist legislation. By early 1811, the slaves at San Juan were in open revolt.¹²⁰ The mine was never again fully controlled from Popayán. It would become a pivot of the slave struggle for autonomy and freedom in the years to come.

In and around the town of Mompós, in the province of Cartagena, to the north of Popayán, challenges by slaves during the turn of the century could take a different form. More closely communicated with authorities and legal advisers in urban centers, some slaves in the northern plains of the viceroyalty, on occasion, could resort to the justice tribunals to ameliorate their working conditions or attempt to obtain their freedom. Nevertheless, they proved equally willing to risk their lives and directly confront their masters outside of the legal system.

¹²⁰ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 1r-v.

Chapter 2. The unwritten pact

Juan Martín de Setuain was a prominent merchant and landowner from Santa Cruz de Mompós in the province of Cartagena. In 1796, his neighbors and other patricians in town knew he was ill. But they were also aware that he was still in business. Through the work of his proxies, slaves and employees, Setuain remained in charge of his house in Mompós and his rural *hacienda* of San Bartolomé de la Honda, extensively cultivated with sugar cane. On August 20, Lorenzo Nieble, Setuain's godson, signed a contract on behalf of his godfather formally agreeing to supply the royal distillery in town with four hundred *cántaras* of cooked sugar cane juice a year during the next five years. Complying with the contract would be made possible by the labor of his more than one hundred slaves. They toiled the land, harvested the sugar cane, and worked the sweltering and dangerous *trapiches* at La Honda to grind and cook the produce.¹²¹

By January 31, 1798, the slaves had produced a little more than one fourth of the annual amount that was expected from Setuain by Manuel de Herrera, the administrator of the royal distillery. Production was swift and no apparent

¹²¹ "Libro de compras de simples de la Real Fábrica de Aguardiente de Mompós para el año de 1798," Archivo General de la Nación, Bogotá (hereafter AGN), Colonia (hereafter C), Real Hacienda Cuentas, 2299, ff. 1r-2r; "Don Gabriel Martínez Guerra alcalde ordinario de la villa de Mompós dirige testimonio de la solicitud de Juan Nepomuceno Surmay albacea testamentario de don Juan Martín de Setuain, sobre la reducción y pacificación de los esclavos de la hacienda de San Bartolomé de la Honda; para la providencia que haya lugar," AGN, C, Negros y Esclavos de Bolívar (hereafter NEB), vol. 3, doc. 5, ff. 831v-833v.

problems existed among the slaves at La Honda, a rural property that had been active for more than a century. Furthermore, by the end of April they had sent to the distillery almost six hundred *cántaras*. Bartolomé Gallardo, Setuain's proxy, had received payments amounting to almost nine hundred *pesos*. But while Gallardo usually showed up at the distillery with deliveries of more than one hundred *cántaras* --equivalent to more than five thousand and five hundred pounds-- on May 31 he arrived at the village with only twenty-five *cántaras*. After that day, no produce from La Honda was ever received again at the distillery.¹²²

Perhaps anticipating the death of their master, the slaves at La Honda had slowed production, eventually halting work altogether. The ailing Setuain had lost his agile managerial skills, and the enslaved workers, as the life of their master slowly slipped away, exercised more autonomy, inching closer to the achievement of *de facto* freedom. Setuain died on April 9, 1799. News soon traveled to La Honda, where the slaves abandoned what little work they were still doing.¹²³ Since the slaves were overtly refusing to obey, returning the workforce of La Honda to its former state of subordination and regular production now seemed to be a very delicate task.

By mid July, hoping to avoid future legal trouble with the distillery, Juan Nepomuceno Surmay, the executor of Setuain's last will and testament, was painstakingly trying to cancel the contractual obligations that had been formalized

¹²² "Libro de compras," ff. 5v-9v.

¹²³ "Don Gabriel Martínez Guerra," ff. 788r, 794v; Vladimir Daza Villar, *Los marqueses de Santa Coa. Una historia económica del Caribe Colombiano, 1750-1810* (Bogotá: Instituto Colombiano de Antropología e Historia, 2009), 55-56.

in the document signed by Setuain's godson.¹²⁴ Unfortunately for him, he was unable to cancel the obligations. Expected to keep supplying the distillery with molasses, Surmay and many other people would over the next few years try to return La Honda to what they saw as normality.

The struggles at La Honda became part of a thriving dialogue on slavery and freedom taking place in Mompós well before the political revolutions of Tierra Firme.¹²⁵ The circumstances in which the slaves stopped grinding sugar cane and the evidence of their expectations, ideas, and plans for freedom confirms that slavery at La Honda rested on negotiation and reciprocity between slaves and slave owners as well as the exercise of force. But once the balance between the two was disturbed, it would not be easy to restore.

Both slaves and masters had to negotiate and to comply with certain duties for the slave system to work, particularly in a non-plantation environment with very scarce slave supplies from the Atlantic slave trade. The Castilian laws and the laws of the Indies, as well as the proliferation of a new language of slave protection and natural law during the Age of Revolutions, provided a legal system and a set of ideas that made it possible for some slaves to try to hold their masters accountable for their offenses. When slaves thought their masters were not doing their part, they could in theory bring those masters to court. For most slaves, however, judicial action was difficult to accomplish.

¹²⁴ "Don Gabriel Martínez Guerra," f. 805r-v.

¹²⁵ Aline Helg, *Liberty and Equality in Caribbean Colombia, 1770-1835* (Chapel Hill and London: The University of North Carolina Press, 2004), 108-120.

But Mompós was a place where slaves could sometimes find allies. In that town, there were some lawyers and crown officials willing to defend slaves, to try to ameliorate working and living conditions, and even to denounce slavery altogether.¹²⁶ But the efforts in favor of slaves were not without their contradictions. These issues were part of the debates and confrontations among many social groups in the province of Cartagena, where patricians had been quarreling among themselves for generations in a struggle for political preeminence, social status, and economic resources.¹²⁷

Mompós, a commercial hub and crossroads for continental and Atlantic trade, had developed a distinctive ambiance of liberal and autonomist aspirations. Merchants and magistrates in Mompós helped gave rise to a mildly anti-slavery, potentially proto-abolitionist environment. Furthermore, liberal minded individuals from Mompós would gain importance across the period of the revolutions of Tierra Firme, in their own town and elsewhere. Out of Mompós came the Gutiérrez de Piñeres, one of the most radical elite revolutionary families in the province of Cartagena. Juan del Corral, the revolutionary leader of the province of Antioquia who would decree the gradual emancipation of slaves for the first time in what would become the Republic of Colombia, was also from Mompós. The history of this town thus holds important keys to the understanding of the larger history of revolution and slave emancipation in Tierra Firme.

The land and the slaves

¹²⁶ Aline Helg, *Liberty*, 117.

¹²⁷ Alfonso Múnera, *El fracaso de la nación: región, clase y raza en el Caribe colombiano (1717-1821)* (Bogotá: Banco de la República, 1998); Vladimir Daza Villar, *Los marqueses*, 247-286.

The Company of Jesus, the Catholic community whose clergymen were referred to as Jesuits, ran a thriving network of colleges and churches supported by the income of highly organized properties throughout the New World. The Jesuits had first acquired La Honda in 1695. It belonged to the Jesuit College at Mompós, from whom José de Mier had purchased the property in 1728. Like many other Jesuit estates, this one was devoted to cacao and held more than ten thousand trees. As in most other rural properties in the northern plains of the viceroyalty, the estate also raised cattle and horses. Mier, however, seems to have had in mind transforming this *hacienda*, for he purchased adjacent lands for improvement. When Mier bought the property, forty slaves were accounted as living in the *hacienda*, most of them adults and elderly.¹²⁸

By the time of the rebellion, La Honda had been in Setuain's possession for some years and had been transformed into a larger, more sophisticated estate devoted to the cultivation and grinding of sugar cane. At the center of the property a portion of flatland holding buildings, trees, and garden plots was the heart of slave social life as well as production. Known as the *ranchería*, this central space was dominated by a chapel. The small church was roofed with palm leaves and had all required accoutrements for the celebration of mass and religious festivities, including gold and silver utensils, religious images and bells. A road connected the *ranchería* with a port on the Magdalena River, where boats could use a dock for

¹²⁸ Germán Colmenares, *Haciendas de los jesuitas en el Nuevo Reino de Granada* (Bogotá: Universidad Nacional de Colombia, 1969), 63; "Propiedad de la hacienda de La Honda que dejó don Martín de Setuay [sic] a sus herederos José Emeterio y María Isabel de Mier y Setuayn en 26 de noviembre de 1798 por el último codicilio," AGN, C, Real Hacienda Cuentas, 2883 c, ff. 4r-10v.

loading and unloading people and produce. Communication between the *hacienda* and Mompós was not difficult (See Figure 4).¹²⁹

There were sixteen houses for the slaves at the *ranchería*. Another building, also located at the center of the property, housed the *trapiche*, the grinding mechanism for the production of sugar cane juice. Indeed, by the 1790s there remained only fifteen hundred cacao trees, while fifteen plots of land were devoted to sugar cane. By the time of Setuain's illness and death, life at this *hacienda* revolved around the *molienda*, the grinding season. This was the time when the slaves joined efforts to cut and grind the cane, whose juices were then cooked in copper cauldrons and thus turned into *miel* (syrup) that was finally packaged in barrels and shipped on wooden boats to Mompós. At the royal distillery, the *miel* was transformed into *aguardiente*, an alcoholic beverage that was as eagerly consumed during special celebrations as it was drunk on an everyday basis throughout the viceroyalty.¹³⁰

Slaves devoted time to repairing the buildings and tools. They also took care of the more than two thousand plantain trees as well as the coconut, orange, lime, plum, and other trees around the property. Horses, thirty pigs, and some cattle also needed tending. With notably fertile land, La Honda was a multicolor landscape of sugar cane fields, garden plots, grass fields, and thick forests full of game and fine

¹²⁹ "Propiedad de la hacienda," ff. 12r-13r.

¹³⁰ "Propiedad de la hacienda," ff. 12r-16r; Gilma Mora de Tovar, *Aguardiente y conflictos sociales en la Nueva Granada durante el siglo XVIII* (Bogotá: Universidad Nacional de Colombia, 1988); Felipe González Mora, *Reales fábricas de aguardiente de caña en el Nuevo Reino de Granada. Arquitectura industrial del siglo XVIII* (Bogotá: Pontificia Universidad Javeriana, 2002).

woods. The property also held deposits of limestone, used for making lime in three furnaces built for this purpose.¹³¹

Though this might seem at first glance to be an autarchic rural world, life at La Honda could not be sustained without intense links to Mompós. Like the Pacific gold mining districts in the province of Popayán, this *hacienda* depended on outside supplies of salt, clothes, metal tools and candles.¹³² Salt was particularly emblematic of the links with Mompós for it was crucial for meat and fish conservation as well as for cooking. The master was obliged to supply his slaves with material goods as well as with medical care and “spiritual goods.”¹³³ Pregnant women and ill slaves travelled to Mompós where they were cared for at the expense of the master.¹³⁴ Besides sending salt and other supplies into the estate, he was expected to send a priest once in a while to perform the rituals of the sacraments. Failing to do so could endanger the continuation of the social and familial lives of the slaves, and therefore the productivity of the estate.

The fulfillment of these obligations was a serious matter for the master. Slaves could not be easily replaced after flight, illness or death. The internal slave market was very modest; the best evidence suggests that only some five hundred and eighty five slaves arrived directly from Africa at the port of Cartagena in the second half of the eighteenth century and fewer still would ever reach Mompós.¹³⁵ Under such circumstances, a harsh regime depending solely on the lash would be

¹³¹ “Propiedad de la hacienda,” ff. 12r-16r.

¹³² “Don Gabriel Martínez Guerra,” ff. 788r-789r.

¹³³ I borrow the term “spiritual goods” from Arnold J. Bauer, *Goods, Power and History. Latin America’s Material Culture* (Cambridge: Cambridge University Press, 2001).

¹³⁴ “Don Gabriel Martínez Guerra,” f. 789r.

¹³⁵ *Trans Atlantic Slave Trade Database*, slavevoyages.org, voyages 91148, 14351, 25626.

counterproductive. Although family ties made slaves less likely to flee the *hacienda*, the proximity of the Magdalena River made escape a relatively realistic possibility. *Palenques* (maroon settlements) were not prevalent in the provinces of Cartagena and Santa Marta during the 1700s, but there were many *sitios* and *rochelas*, small communities of free people of color where runaway slaves could try to blend in with the population.¹³⁶

Although this slave system worked on an unwritten pact, slavery itself was a condition abhorred by most of those subjected to it. In order to gain the loyalty of his slaves, Setuain sought to make that unwritten pact a little more appealing. When he was still fully in charge of the *hacienda* he apparently promised them freedom. Their liberty was to have been deferred until Setuain's death.¹³⁷

The slaves apparently became restive when they learned about the illness of the master. Slave communities often took the opportunity of sudden change in their labor regimes to advance their autonomy and, in some cases, obtain their freedom. The death of an overseer or the death of a master and estate owner could open windows of opportunity, even as it carried the risk of sale or the breaking up of families.¹³⁸ At La Honda, the death of the master signaled the end of subordination and of the obligation to perform servile work.

¹³⁶ Marta Herrera Ángel, *Ordenar para controlar. Ordenamiento espacial y control político en las Llanuras del Caribe y en los Andes Centrales Neogranadinos. Siglo XVIII* (Bogotá: Academia Colombiana de Historia, Instituto Colombiano de Antropología e Historia, 2002), 203-248; Orián Jiménez Meneses and Edgardo Pérez Morales, *La Mojana. Medio ambiente y vida material en perspectiva histórica* (Medellín: Imprenta Universidad de Antioquia, 2007), 40-70.

¹³⁷ "Don Gabriel Martínez Guerra," ff. 787v-788r.

¹³⁸ Hermes Tovar Pinzón, *De una chispa se forma una hoguera: esclavitud, insubordinación y liberación* (Tunja: Universidad Pedagógica y Tecnológica de Colombia, 1992), 31-39.

Just a few weeks after Setuain's death, the slave driver Tiburcio Carriazo, who was married to the slave Mónica, with whom he had seven children, arrived in Mompós with disturbing news. He informed Juan Nepomuceno Surmay, the executor of Setuain's last will and testament, that the *hacienda* was in complete disarray, with the slaves claiming to be free.¹³⁹

Surmay then sent an envoy with orders to resume production. This man was Francisco Javier Monteros. He arrived at La Honda on May 11, 1799, with the mission of searching for free laborers in the vicinity, hiring them for five *pesos* a month, and get the cooking of the sugar cane juices going again. But the slaves prevented him from doing so. He too returned to Mompós with bad news for Surmay: the slaves had declared that they had no master other than God.¹⁴⁰

After this first attempt to resume production failed, Surmay hired a man by the name of José María Rodríguez to gather intelligence and, if possible, thwart the uprising and retake control of the *hacienda*. After eight days of navigation upriver from Mompós, Rodríguez arrived at La Honda on the night of June 25. He had received written instructions from Surmay commanding him to return the slaves to obedience. He should try to persuade those who seemed more inclined toward subordination to return to work and complete the *molienda*. He was to carefully inform the more "rational" slaves that they were under servitude and supposed to work and obey. Upon his arrival at the estate, however, things proved difficult for this man.¹⁴¹

¹³⁹ "Don Gabriel Martínez Guerra," f. 796r-v.

¹⁴⁰ "Don Gabriel Martínez Guerra," ff. 796r-800v.

¹⁴¹ "Don Gabriel Martínez Guerra," ff. 774r-775v, 796r-797r.

The slaves surely suspected that the envoy from Mompós was also a spy. Rodríguez had been instructed to figure out the reasons for the slaves' discontent and to identify the leaders of the resistance. Furthermore, he had instructions to find out whether it was necessary to resort to the force of the royal authorities to retake control of the property. He was also instructed, if possible, to send the leaders of the movement back to Mompós or to Morales and to prevent them from returning to the estate.¹⁴²

Though he was unable to accomplish his goals, we have a record of his encounter and conversations with the slaves. After his return to Mompós, Rodríguez provided testimony to a scribe named Remigio Antonio Valiente leaving valuable evidence of the plans of the rebellious slaves.

When Rodríguez arrived at the estate, as he walked from the port on the river to the *ranchería*, he spoke to Vicente, a slave who had overseeing responsibilities but who now told him that the *hacienda* was uncontrollable, that he had no authority over the other slaves anymore, and that they were all acting as "one single voice," that is to say in a coherent fashion and without one particular leader. After arriving at the *ranchería*, the spy requested lodging and food from the slave Carlos, who seemed amiable enough. Soon, however, six or seven men armed with pikes and machetes surrounded Rodríguez. They demanded to know the reason for his presence there.¹⁴³

Rodríguez said that he was there hoping to buy maize, plantains or pigs and to talk to one Father Melchor. Large *haciendas* such as La Honda were indeed places

¹⁴² "Don Gabriel Martínez Guerra," ff. 775v-778r.

¹⁴³ "Don Gabriel Martínez Guerra," f. 784r-v.

where agricultural surplus was often available for sale or barter and where rural folk could easily find a priest for confession, for the last rites or for planning a baptism or a wedding. After further inquiry on the part of the armed slaves, Rodríguez told them not to suspect any bad intentions from him, as he had showed up without a “stick” in his hands. He also told them that if they were suspicious of him he would leave the estate. The slaves told him that he could stay but that they were “resolved and determined to give up their heads before serving any white man or consenting to having any white man arrive at the *hacienda*.”¹⁴⁴

The slaves displayed their firm intention to remain independent, stated that “the voice of the people is the voice of heaven,” and told Rodríguez that they intended to capture Surmay. Just when the spy thought that he could sleep over, however, yet a new group of armed slaves showed up. They told him that he should leave, for they did not want any white men in the *hacienda*. He took to the road, but as he approached the port he was again invited by Vicente to spend the night. The slaves seemed to be divided in their attitude towards the visitor; perhaps the situation was more volatile than Surmay had realized back in Mompós. In spite of the confusing circumstances, Rodríguez stayed that night and spent some hours talking to the slaves Valerio, Antonio, Ascención, and Vicente. They turned out to be eager for news from Mompós and Cartagena.¹⁴⁵

The unwritten pact unmade

The spy was a bold and clever man. After deciding to stay at La Honda over the night of June 25, 1799, he provided his interlocutors with their desired news and

¹⁴⁴ “Don Gabriel Martínez Guerra,” ff. 784r-785r.

¹⁴⁵ “Don Gabriel Martínez Guerra,” ff. 785r-787r.

transformed the encounter into an opportunity to try to convince them of the futility and dangerousness of their course of action. Revolts, battles, and sieges had been recently shattering the Atlantic world in dramatic ways. Rodríguez tried to link the events at La Honda with the events that had unfolded recently in the Caribbean and elsewhere. First, he told the slaves about the harms, damages, and offenses against God brought about by wars. He then talked about the war machines used for gaining control of fortified cities and finally told them that even free men “found themselves in unhappy servitude, worse off than slaves for defending their Law and their King.”¹⁴⁶

Rodríguez was veiling his message, but he was suggesting to the slaves that even if they fortified themselves at La Honda, there were ways to vanquish them. He also implied that their revolt would end up in sin and destruction, as had all other revolutionary events of their times. He then directly questioned them about their motivations for living restively and without working. But the spy’s words did not intimidate Valerio, Antonio, Ascención and Vicente. They told their visitor that they would rather be chopped into quarters than serve any white man. Furthermore, they justified their refusal to work on the grounds that their master had promised them that they would be emancipated after his death. Since they had stopped working after the death of Setuain, all they were doing was enjoying the freedom to which they had been entitled by their own master, whom they had often seen and talked to directly.¹⁴⁷

¹⁴⁶ “Don Gabriel Martínez Guerra,” f. 787r-v.

¹⁴⁷ “Don Gabriel Martínez Guerra,” ff. 787v-788r.

Slaves had frequently travelled between La Honda and Mompós, where the master had his primary dwelling. Ailing individuals, pregnant women, porters, and oarsmen went back and forth and held frequent communication with their master, his relatives and clients, as well as other residents of the town. Back in the days in which he enjoyed good health, Setuain could often be seen leaping on shore at the small port of the *hacienda*.

On the night of their dialogue with Rodríguez, the four slaves told him that their master had repeated several times --both at the *hacienda* and the village, and before many witnesses-- that they would be emancipated if they worked for a period of ten years. As a matter of fact, he had emancipated his house slaves, so they had a real basis for hope. They also said that if their mistress doña María de Mier had any children, they would gladly have served them. But she did not. By contrast, they referred to the legal heirs named by Setuain as “sons of bitches.”¹⁴⁸ They thought of their new potential masters as illegitimate successors, and they believed themselves to have a legitimate claim to their freedom, based on a promise publicly made by their master.

The slaves had strong words to say that night. They assured Rodríguez that they would only serve God and the local priest, whom they much esteemed. They also said that although they had worked from dawn to dusk and even into the nights, motivated as they were by the promise of emancipation, their master had

¹⁴⁸ “Don Gabriel Martínez Guerra,” f. 788r-v.

nonetheless left them unclothed and hungry. They said that they had even lacked candles to enable them to pray the rosary at night.¹⁴⁹

The implication was that their master had violated the unwritten pact of reciprocity that could entitle him to the services and loyalty of his slaves. Material and spiritual goods had not been properly provided. This suggests why the slaves slowed down the pace of work even before the death of the owner of La Honda. They not only anticipated freedom that would come after the end of Setuain's days, but also responded their master's failure to do what he was expected to. The unwritten pact had been undone by his negligence.

Rodríguez had brought salt to make credible his intentions of buying provisions from the slaves, for salt was a good item for barter. Perhaps, too, he had done so in order to remind them that they could not survive without such supplies from Mompós. But they told their interlocutor that he could take the salt back with him and assured him that the women of La Honda would not go to Mompós anymore to deliver their babies.¹⁵⁰

The disguised messages of the spy did not go unnoticed by the slaves. They made sure he understood that they now held the ancient dependencies on the masters at Mompós to be over. They were determined to take all necessary risks to defend their autonomy, and they had been traveling freely outside of the *hacienda* to places such as Río Viejo, San Pedro, Morales, Regidor, Norosí, and San Martín de Loba, where they had traded for supplies.¹⁵¹

¹⁴⁹ "Don Gabriel Martínez Guerra," ff. 788v-789r.

¹⁵⁰ "Don Gabriel Martínez Guerra," f. 789r.

¹⁵¹ "Don Gabriel Martínez Guerra," f. 765v.

Catholic religious practices and beliefs were very important for the slaves at La Honda. Some of the slaves descended from the slaves of the Jesuits and as was the case in most *haciendas* and gold mines, the church calendar determined the times of work, prayers, and religious celebration, combining labor and rest in a sacred fashion.¹⁵² It comes as no surprise that slaves expected spiritual goods from their owner. Furthermore, the slaves interpreted their situation through the prism of religion.

Slaves spoke of having no other master than God and they truly seem to have meant it. On the one hand, they were convinced that, due to the promise made to them as well as the breaking of the unwritten pact, they were legitimately free. On the other hand, they did not think of themselves as being in rebellion since they had asked for a priest to come to the estate. A rejection of the church and of religion would amount to a rebellion; their own actions were something else. They wanted the presence of the priest so people could go to confession. In exchange, they intended to pay tithes and ecclesiastical stipends. They told Rodríguez that they would allow the executor of Setuain's will to send someone for the cattle and tools, but that he had better not entertain other plans for they were not "fools" and had enough men and arms to defend themselves.¹⁵³

¹⁵² Magnus Mörner, "Los jesuitas y la esclavitud de los negros. Algunas sugerencias para la investigación histórica," *Revista Chilena de Historia y Geografía* No. 135 (1967): 107-108; Nicholas P. Cushner, *Lords of the Land. Sugar, Wine, and Jesuit Estates of Coastal Peru, 1600-1767* (Albany: State University of New York Press, 1980), 100-101; Alberto Flores Galindo, *Aristocracia y plebe. Lima, 1760-1830. (Estructura de clases y sociedad colonial)* (Lima: Mosca Azul Editores, 1984), 109-110; Edgardo Pérez Morales, "Vida material, religiosidad y sociedad colonial. Espacios, objetos y prácticas de consumo en el Colegio Jesuita de la ciudad de Antioquia. 1726-1767," *Historia Crítica* No. 38 (May-August 2009): 70-95.

¹⁵³ "Don Gabriel Martínez Guerra," ff. 789v-790v.

After Antonio, Ascención and Vicente retired for the night, the spy was left alone with Valerio, with whom he tried to strike up a friendship. Valerio repeated that all the slaves were determined to die rather than serve any white man, for they were free, as their master had promised them. The spy assured him that they had good reason to believe so, but that their current behavior was not the way to go about securing their freedom. He told Vicente that they were entitled to the help of a *procurador* in Mompós, and that they ought to send a group of slaves to present their case before the justice tribunals or write a *representación*, a formal legal petition addressing a magistrate or tribunal. Rodríguez also told the slave that they should request a judge to govern them, to which the slave answered that they were planning to request a magistrate from Simití or Morales.¹⁵⁴

Valerio insisted that they were not in a state of rebellion. They were planning to be subjected to the authority of a priest and a magistrate, but they were not willing to serve any white man as slaves. The spy was also informed by the slaves that they had “entrusted themselves to the Virgin” in hopes that their plans of freedom and autonomy would come to fruition. They had been offering her a chanted mass every month, celebrating her festivity every year, and devotedly praying the rosary on a regular basis.¹⁵⁵ Their hopes of a better life, their trust in future freedom, were inseparable from their Catholic practices.

Rodríguez spent the rest of the night alone. He was afraid and heard many movements and conversations going on outside of his quarters. The following morning, as his departure was delayed because the oarsmen were trying to acquire

¹⁵⁴ “Don Gabriel Martínez Guerra,” ff. 791r-792r.

¹⁵⁵ “Don Gabriel Martínez Guerra,” f. 792v.

some food before leaving, a slave named Juan Clemente approached him. The slave told the spy to be grateful with the Virgin Mary that they had not killed him or “punished” him, and that he should at once leave La Honda. When the spy and the oarsmen were on board the boat, ready for leaving, the slaves at the port tried to cut the rope tying the boat to the dock. The pilot exclaimed that the rope did not belong to the *hacienda*, to which the slaves then answered that “this was not an *hacienda* anymore, and that he should be careful not to come back with any white people because he would have a bad time.”¹⁵⁶

These words reveal the nature of the transformation that had taken place in the estate and the understanding of the events by the slave leaders. An *hacienda* was, in their perspective, not a physical space but a set of social relationships of subordination, respect, loyalties, and commitments that made slavery and agricultural work possible. From this perspective, the undoing of the unwritten pact between the master and the slaves had brought about the end of the *hacienda*.

The slaves thought that an offer of freedom from their master, matched by their performance of the required labor as a counterpart, made them legitimately entitled to manumission. This firmly held belief served as the basis for them to dissolve all the social and economic links between the rural estate and Mompós. Their ideas, however, were not just the product of their imagination. Although they resorted to violent means, they hoped to work out an arrangement to live in freedom, but under the authority of a priest and a magistrate. They anticipated that the authorities in Mompós might even come to favor their cause.

¹⁵⁶ “Don Gabriel Martínez Guerra,” ff. 792v-794v.

Tribunes of the plebs

According to the *Siete Partidas*, the medieval legal code of Castile and the fundamental source of Spanish and Spanish American jurisprudence, slavery was an unnatural, undesirable condition. The code stated that slavery had been instituted in ancient times “contrary to natural reason,” that according to nature “no distinction exists” between free and slave, and that men had a natural love and desire for liberty. The legal code described slavery as the “vilest and most contemptible thing that can exist among men.”¹⁵⁷ Although the *Siete Partidas* prevented slaves from testifying in most criminal cases, it recognized in them not only humanity but also a degree of juridical personhood. Slaves could appear before the justice tribunals in many circumstances.¹⁵⁸ Slaves, provided they were Christians, could also get married.¹⁵⁹

Slaves were human beings subjected to a wretched condition and were therefore entitled to access to means for ameliorating their lives or acquiring their freedom. In the face of excessive cruelty from their masters, who should not “kill or wound” them, slaves could “complain to the judge,” who would in theory investigate the matter and could go as far as to order slaves sold to a different master, so that the slaves “never can be again placed in the power, or under the authority of the

¹⁵⁷ Robert I. Burns, S.J., ed., *The Siete Partidas*, Translation and notes by Samuel Parsons Scott (Philadelphia: University of Pennsylvania Press, 2001, 5 vols.), Part IV, Tit. V, preamble, Tit. XXI, Law I, Tit. XXII, preamble, vol. 4, 901, 977-981.

¹⁵⁸ Robert I. Burns, S.J., ed., *The Siete Partidas*, Part. III, Tit. XVI, Laws XII-XIII, vol. 3, 670-671; Frank Tannenbaum, *Slave and Citizen. The Negro in the Americas* (New York: Vintage Books, 1946); Alejandro de la Fuente, “Slave Law and Claims-Making in Cuba: The Tannenbaum Debate Revisited,” *Law and History Review* vol. 22, No. 2 (Summer 2004): 339-369; Alejandro de la Fuente, “Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*,” *Hispanic American Historical Review* vol. 87, No. 4 (November 2007): 659-692.

¹⁵⁹ Robert I. Burns, S.J., ed., *The Siete Partidas*, Part. IV, Tit. V, vol. 4, 901-903.

party through whose fault they were sold.”¹⁶⁰ That these protections were often ignored or violated did not erase them from the legal codes.

Lawsuits and petitions from slaves to local magistrates had over time become common throughout the New Kingdom of Granada. While slaves in the countryside had to overcome more difficulties to bring their complaints before the justice tribunals, urban slaves, by virtue of being closer to magistrates, scribes and *papelistas* --scribes with informal legal training--, had somewhat easier access to the legal system.

Very few slaves could read and write, but those who could often tried to use such abilities to their advantage. A case in point is Francisco Javier de Mier, a slave who had worked in the “exercise of the quill” for one of the richest men in Mompós, Juan Bautista de Mier y la Torre, the first marquis of Santa Coa. After the death of his master in 1750 he had become the slave of field marshal José Fernando de Mier y Guerra, from whom he received cruel and violent treatment. Determined to exercise his right to change his master, the slave-scrivener brought a lawsuit in 1758. As he battled his powerful master, he wrote a letter to the viceroy in 1760, detailing his case and describing how he had been assaulted in prison, where he was held pending the final decision on his case. He protested that he had lost his “trunk of papers” containing the documents pertaining to his legal undertakings.¹⁶¹

Those who could not write could hope to draw on the services of lawyers, *papelistas*, and notaries who, for a fee, would write their letters and petitions

¹⁶⁰ Robert I. Burns, S.J., ed., *The Siete Partidas*, Part III, Tit. XXIX, Laws XXIII-XXV, vol. 3, 847; Part IV, Tit. XXI, Law VI, vol. 4, 979.

¹⁶¹ Francisco Javier de Mier to José Solís Folch de Cardona, Mompós, December 24 1760, AGN, C, NEB, vol. 9, doc. 16.

according to legal standards and who were common throughout the Spanish world.¹⁶² José Antonio Molla, a savvy African slave of the Chalá nation who presented himself as belonging to the estate of the marquis of Santa Coa, had spent much time on rural estates. He was able to secure the services of a writer who drafted and signed for him a petition of emancipation, in which he argued that he had paid the full value of his freedom. Molla had been able to hire a writer in Mompós and then traveled to Cartagena in his quest for freedom in the 1770s.¹⁶³

Isabel María de la Guardia, whose brother José Román was held in slavery by Francisco Miguel Quintero, a resident of Mompós, was determined to obtain freedom for her relative. However, she had no money to pay a professional writer to initiate the legal proceedings. Aware that the viceroy was in Mompós, in transit to the vice-regal court at Santafé, she appeared before the powerful man himself in March of 1776 to plead with him directly on behalf of her brother. The viceroy ordered that, given her poverty, a magistrate in town should hear Isabel María's oral argument and start the appropriate proceedings. Local judge Domingo Rivero was put in charge of the case. He decided that the man was indeed entitled to his freedom.¹⁶⁴

¹⁶² Kathryn Burns, *Into the Archive. Writing and Power in Colonial Peru* (Durham: Duke University Press, 2010), 132-135.

¹⁶³ "Pretensión del esclavo José Antonio Moya sobre su libertad, perteneciente que dijo ser a la causa mortuoria del difunto señor marqués de Santa Coa don Julián Trespalcios Mier," AGN, C, NEB, vol. 2, doc. 18. See also "Autos sobre la libertad de Fermín, y su hija Norberta esclavos de la testamentaria del señor marqués de Santa Coa don Julián de Trespalcios Mier," AGN, C, Negros y Esclavos de Antioquia (hereafter NEA), vol. 6, doc. 10.

¹⁶⁴ "Don Francisco Miguel Quintero sobre libertad que pretende un su esclavo," AGN, C, NEA, vol. 3, doc. 2.

Cases such as this, however, cannot stand in for all those who were intimidated, threatened, or simply too fearful and deferential to ever voice their grievances in public or in the justice tribunals. Moreover, confronting powerful masters was not an easy task. Quintero appealed the ruling against him and José Román remained in jail and without freedom papers while his sister worked to have a new petition drawn up.¹⁶⁵ Though the outcome of this case is unknown, it suggests the breadth of the interactions that could develop between slaves and multiple levels of the law. Some slaves could learn that quarrels among magistrates were prevalent, and that different slaveholders had different local and provincial authorities among their *clienteles*.¹⁶⁶ Furthermore, some jurists debated on the interpretation of the laws regarding slavery and freedom.

The lawyer José Ignacio de San Miguel, who was *corregidor* in the village of Mompós, was of the opinion that “most laws conspire” to protect slaves, who were “wretches” with their “freedom lost.” He thought that, in spite of such protection, slaves in Mompós were treated “with little humanity” for their masters provided them with very little food. According to San Miguel, this went against the laws of “humanity” and “good government.” The lawyer, who might himself have been an owner of slaves, seems to have been friend of the idea that slaves were legitimately entitled to request a change of masters, although he knew that many “judicious jurists” argued that such a right did not exist.¹⁶⁷

¹⁶⁵ “Don Francisco Miguel,” ff. 1060r-1061r.

¹⁶⁶ Aline Helg, *Liberty*, 88-91, 108-120.

¹⁶⁷ “Don José Antonio Ambrosi [sic] de Arango sobre la venta que se le quiere precisar de un negro esclavo,” AGN, C, NEA, vol. 1, doc. 23, f. 703v; Victor M. Uribe-Uran, *Honorable Lives*.

When in 1777 the slave Gregorio José Cevallos, master potter at the brickworks owned by José Antonio de Bros y Arango, filed a suit against his owner so that he would allow him to seek a new master, San Miguel ruled in favor of the slave. San Miguel gave the master three days to provide Cevallos with *papel*, a document authorizing him to go about the village looking for someone willing to buy him.¹⁶⁸ The slave had argued that his master imposed too much work on him and provided him with little food and clothing. He also said the master beat his slaves for the slightest of mistakes. The master, ordered to sell his most skillful slave, appealed to the *Real Audiencia*.¹⁶⁹

Pablo Sarmiento, Bros y Arango's attorney at Santafé, argued that compelling a slave master to allow his slave to find a new master was illegal. Sarmiento stated that this issue had been carefully examined by a minister of the Council of the Indies and *oidor* at the *Real Audiencia* of Lima. Though Sarmiento never cited the name of the jurist, he argued that ordering a master to sale his slave would in effect amount to forcing that master to sell his property, thus contravening the *Siete Partidas*. The medieval legislation, affirmed Sarmiento, stated that no one should be compelled against their will to sell their "movable, or immovable, animate, or inanimate goods." Sarmiento did not go directly to the medieval code but rather quoted from a treatise written by the anonymous magistrate who had worked in Lima.¹⁷⁰

Lawyers, Family, and Politics in Colombia, 1780-1850 (Pittsburgh: University of Pittsburgh Press, 2000), 42.

¹⁶⁸ Alejandro de la Fuente, "Slaves and the Creation of Legal Rights."

¹⁶⁹ "Don José Antonio Ambrosi," ff. 701v, 703v, 704r, 705v, 706r, 711r-712r.

¹⁷⁰ "Don José Antonio Ambrosi," ff. 713v-714r.

A manuscript copy of that treatise has survived, perhaps the very same one Sarmiento read in the 1770s. Unfortunately, this manuscript is missing some pages. It is therefore difficult to ascertain who exactly was the author and when and where he wrote it. The treatise in question is an argument against one of the author's colleagues who argued in favor of slaves' right to request a new master. It is an erudite, legalistic text in which the author assumes, as a universal principle expressed in the *Siete Partidas*, that compelling people to sell their "movable, or immovable, animate, or inanimate goods" against their will is illegal.¹⁷¹ The author, of course, was aware that the code expressly stated that "an owner can be compelled to sell his slave" when he had oppressed said slave unreasonably, wounding, scourging, or providing him or her with little food.¹⁷²

The argument by the unknown magistrate was, then, that only in such cases could slaves exercise their right to request a change of their master, and that this entitlement should not be allowed simply "in favor of freedom." He was aware that many jurists believed that the law favored freedom over slavery, which was considered an undesirable and unnatural condition. Still, he argued that in no case should slave owners be compelled to sell their slaves, not even when someone with the purpose of manumitting those slaves was offering to pay their value.¹⁷³

Perhaps with the aid of a lawyer or *papelista* and favored as he had been by the highest judge in town, Cevallos had nonetheless apparently learned that the law could be interpreted differently and favor his side. Besides the law, slave litigants

¹⁷¹ AGN, Archivo Anexo I (hereafter AAI), Esclavos, vol. 3, f. 656r.

¹⁷² Robert I. Burns, S.J., ed., *The Siete Partidas*, Part. V, Tit. V, Law III, vol. 4, 1027-1028.

¹⁷³ AGN, AAI, Esclavos, vol. 3, ff. 656r-667v.

also took tradition to be an important source of obligations and privileges. The unwritten pacts and reciprocal understandings between masters and slaves could also be thought of as formally binding commitments, as was the case among the slaves of La Honda. In his allegations, Cevallos argued that it was a “custom” for masters to pay slaves when they were sent to work on a holiday. However, his master did not follow this custom. According to custom, too, when slaves had to gather firewood it was the task of one slave to cut it and the task of another slave to carry it to the brickworks. In spite of this arrangement and the fact that Cevallos was sixty-years-old, his master required him to perform both tasks.¹⁷⁴

Tomás Desiderio Pérez, who lived close to the brickworks, testified that Bros y Arango allowed his slaves some free afternoons and paid them one *real* for nighttime work. Manuel José Rico, another neighbor, specified that slaves worked on “regulars tasks” and could enjoy free time once they had completed such tasks. They both attested, however, that the food slaves received from Bros y Arango was in fact very little.¹⁷⁵

Slaves in such a situation could portray these circumstances and other forms of violence and oppression as being against custom and the law. These sentiments became more prevalent at the end of the 1700s due to rumors of slave emancipation as well as agitation and debates in favor of slaves among many magistrates and learned men. Evidence from court cases shows that slaves usually protested against the breach of established conventions and pacts; violence and abuse; the lack of garments and food; the elimination of labor agreements or the right to garden plots,

¹⁷⁴ “Don José Antonio Ambrosi,” f. 701v.

¹⁷⁵ “Don José Antonio Ambrosi,” ff. 702r-703r.

and even against failure to fulfill the last wishes expressed by masters in their testaments before their death.¹⁷⁶

Bros y Arango did confess that he gave little food to his slaves. He argued that cash and free time after tasks had been completed, however, compensated for this. He gave cash --one *cuartillo*-- to each slave instead of more beef and allowed them to go about gathering firewood or to use the kiln at the brickworks to fire their own pottery. Slaves could then sale the wood or the earthenware and make up to two *reales* a day. The slaves themselves had worked out this arrangement with their master. Therefore, wrote the master, if he were to provide them with more food they should in exchange work full time for him, a change in the working conditions that they “without a doubt will not accept.”¹⁷⁷

José Antonio Maldonado, public attorney for the poor, defended the cause of Cevallos at the tribunals of Santafé. He argued that slavery was against “natural law,” and that violence against slaves was reason alone to override the laws according to which no one should be compelled to sell their property. He thought it was in the public interest and in “favor of freedom” to help slaves ameliorate their condition. This was all the more important in “Christian republics,” where religion had a character of “confraternity,” and where slavery was exceptionally permitted though it “had not been induced by the law of war.”¹⁷⁸ Maldonado therefore shared the notion about the origin of slavery stated in the *Siete Partidas*:

The slave derived his name from a word called in Latin, *servare*, which means, in Castilian, to preserve. This preservation was established by the emperors, for, in

¹⁷⁶ Hermes Tovar Pinzón, *De una chispa*, 59, 62.

¹⁷⁷ “Don José Antonio Ambrosi,” ff. 704v-705r.

¹⁷⁸ “Don José Antonio Ambrosi,” f. 716r-v.

ancient times, all captives were put to death. The emperors, however, considered it proper, and ordered that they should not be killed, but that they should be preserved, and use made of them.¹⁷⁹

The final decision by the *Real Audiencia*, however, did not favor Cevallos. He was sent back to his master. His story is thus revealing of the importance of the unwritten pacts that sealed the bonds of slave subordination and of the language and practices of jurists who thought it appropriate to help mistreated slaves. In the end, however, the balance still inclined in favor of subordination.

Both the *corregidor* San Miguel and the public defender Maldonado were jurists who were in dialogue with slaves, knew well the law and its diverging interpretations, and were willing to favor slaves as part of their duties. Maldonado used notions in his argument that would become increasingly fundamental in the quests for the amelioration of the conditions of slavery and in struggles for the abolition of slavery altogether. First, slavery was un-Christian. And second, slavery was against “natural law.”

Natural law was thought to be a universal law, common to all human kind, emanating from reason and nature rather than from history, customs or social conventions. Natural law was then based on what was supposed to be intrinsically good and, as Montesquieu had phrased it, on the “first principles” and the natural inclinations experienced by humankind before the establishment of society.¹⁸⁰ The study of natural law among students and jurists in the New Kingdom of Granada

¹⁷⁹ Robert I. Burns, S.J., ed., *The Siete Partidas*, Part. IV, Tit. XXI, Law I, vol. 4, 977.

¹⁸⁰ *The Spirit of Laws in Two Volumes. Translated from the French of M. de Secondat, Baron de Montesquieu. Volume the first* (Glasgow: Printed by D. Niven for J. Duncan & son; J. & M. Robertson And J. & W. Shaw, Booksellers, 1793, 1st. ed. 1748), vi-x, 4-6.

became popular at the end of the 1700s. They began to study this doctrine outside of the classrooms and between 1774 and 1801 as part of the official studies in the colleges of the viceroyalty. Authors such as Montesquieu, Baron Bielfeld, Jean-Jacques Rousseau, Johann Heineccius, and Gaetano Filangieri became popular as the future lawyers and priests devoted their efforts to understand the place of natural law in the world of social relations.¹⁸¹

Maldonado, who was born in 1748, probably attended school during the 1770s and was thus exposed to these doctrines in the classroom as well as in discussions with his professors and classmates.¹⁸² By natural law he meant what was right according to human nature itself and therefore according to God's creation. Arguing that slavery went against the basic principles of natural law was therefore an idea that would render slavery largely unjustifiable, even if it existed on the written legislation. This claim was also consonant with current intellectual trends. Like San Miguel and Maldonado --the former arguing based on medieval legislation, the latter inspired by the trends of the age of the Enlightenment-- many other lawyers and magistrates were beginning to speak in favor of the cause of slave emancipation and even of the abolition of slavery. When such words were uttered in open court, they could become available beyond the audience to which they were directed.

¹⁸¹ Daniel Gutiérrez Ardila, *Un Nuevo Reino. Geografía política, pactismo y diplomacia durante el interregno en Nueva Granada (1808-1816)* (Bogotá: Universidad Externado de Colombia, 2010), 81-110; Juan Camilo Escobar Villegas and Adolfo León Maya Salazar, *Ilustrados y republicanos. El caso de la "ruta de Nápoles" a la Nueva Granada* (Medellín: Universidad EAFIT, 2011).

¹⁸² Armando Martínez Garnica and Daniel Gutiérrez Ardila, eds., *Quién es quién en 1810. Guía de Forasteros del Virreinato de Santafé* (Bogotá: Universidad del Rosario, 2010), 66.

A double-edged sword

The events at La Honda in 1799 took place in the wake of recent economic transformations. After 1789, the military budget that had been liberally invested by the monarchy in the port of Cartagena, becoming the main economic engine of the city, was severely contracted. Local rich men who owned *haciendas* for the production of *aguardiente* (sugar cane brandy) were also affected by Spain's authorization of the free import of brandies from Catalonia and Cuba. The commercial contraction in the previously thriving port city led to a stagnant economy. Unlike Cartagena, however, Mompós prospered during the 1790s, mostly thanks to contraband trade. By this decade, a younger generation of landowners and merchants there had gained riches, along with prestige and political influence. Legal and illegal trade, local commerce, churches, convents, the local tribunals, the royal distillery, and the Inquisition were all important parts of this active social milieu.¹⁸³ They all demanded ink, paper, and people with the ability to write. It comes as no surprise, then, that scribes, notaries and lawyers abounded in Mompós.

This environment could at certain moments turn out to be favorable for slaves seeking to obtain freedom or the amelioration of their condition as servants. This was also an environment in which men with resources and education did not hesitate to make efforts in order to apply their liberal principles in the everyday life of their town. Men like Pedro Martínez de Pinillos, the brothers Celedonio, Gabriel and Germán Gutiérrez de Piñeres y Cárcamo, Pantaleón Germán Ribón, and priests Juan Fernández de Sotomayor and Manuel Benito Revollo formed a dynamic social

¹⁸³ AGN, C, Milicias y Marina, vol. 35, doc. 7; Aline Helg, *Liberty*, 80-84.

group of learned men who had enjoyed higher education at the colleges in Santafé and had access to the writings of the European thinkers. These men sought political autonomy for Mompós and made efforts to transform it into a modern urban center.¹⁸⁴

However, slaves had hard fights to fight when it came to making their voices heard or trying to secure what they thought to be their legitimate rights. Slaves knew that, under certain circumstances, they could have access to the legal system. They were also aware that they could hire someone to write for them and that if a judge heard their cases they were even entitled to a public attorney. Furthermore, after 1789, when the king of Spain sanctioned an instruction regulating the use of slave labor and outlining the obligations of slaveholders in regards to the education and moderate treatment of slaves, a legal code became available which could be used to hold masters accountable for the agreements they had with their servants. The legislation, indeed, stipulated that masters had the obligation to feed, cloth, and provide slaves with free time and Christian education.¹⁸⁵

Although it had never been intended to generate aggressive legal action on behalf of slaves, the royal instruction became a “bill of rights” for slaves in and around Mompós, and they and their allies in court eagerly used it. The instruction

¹⁸⁴ Aline Helg, *Liberty*, 90; Armando Martínez Garnica and Daniel Gutiérrez Ardila, eds., *Quién es quién*, 62, 115; Alfonso Múnera, *El fracaso*, 188-191; Renán Silva, *Los ilustrados de Nueva Granada, 1760-1808. Genealogía de una comunidad de interpretación* (Medellín: Banco de la República, Universidad EAFIT, 2002), 83-90, 459-460.

¹⁸⁵ Doc. 308, “R. Instrucción sobre la educación, trato y ocupación de los esclavos,” Aranjuez, May 31 1789, Richard Konezke, *Colección de documentos para la historia de la formación social Hispanoamericana. 1493-1810* (Madrid: Consejo Superior de Investigaciones Científicas, 1962), vol. III, segundo tomo (1780-1807), 643-652. See also Manuel Lucena Salmoral, *Los códigos negros de la América Española* (Alcalá de Henares: Ediciones Unesco, Universidad de Alcalá, 1996), 95-123.

made available a set of notions and words that spread among locals. While those in bondage used the legal document in order to challenge their masters, slaveholders used it in order to accuse slaveholding enemies of slave maltreatment. This code, like all the other mechanisms of the legal apparatus, could under certain circumstances turn against slaves. The law and the tribunals were no doubt a double-edged sword. It was nonetheless in the liberal environment of Mompós where by the early nineteenth century “the defense of slaves came closest to an antislavery discourse.”¹⁸⁶

This was very clear in the words of magistrate Melchor Sáenz de Ortíz. When he acted as public attorney for the slave María Magdalena Soto, who was seeking her freedom, he quoted José Marcos Gutiérrez, a Spanish jurist who had argued that it would be easy to prove that “no human beings are slaves except in the legal codes, and in the humanity [sic] and insensibility of other free men.” According to Gutiérrez, such a great insult could not be permitted by nature. Sáenz de Ortíz also seems to have shared Gutiérrez’s wish to see the words serf, servitude, slave, and slavery utterly banished from the legal codes.¹⁸⁷

Just as slaves knew about the advantages offered by the law and by some magistrates, they also knew about “the efficacy of ink on paper.”¹⁸⁸ They knew that those written words that some would wish to see evaporate from the books of the law had powerful effects, either in the defense of their cause or in the entrenchment

¹⁸⁶ Aline Helg, *Liberty*, 114-117.

¹⁸⁷ “Don Melchor Sáenz de Ortíz contra don Francisco de la Barcena Posada sobre la libertad de una esclava,” AGN, C, NEB, vol. 9, doc. 3, f. 265v; Aline Helg, *Liberty*, 115.

¹⁸⁸ I borrow this expression from Rebecca J. Scott and Jean M. Hébrard, *Freedom Papers. An Atlantic Odyssey in the Age of Emancipation* (Cambridge and London: Harvard University Press, 2012), 26.

of their abhorred condition. They knew well the moments when the act of writing reaffirmed their servile status: a sale and purchase formalized before a notary, the drafting of an inventory of an estate, and even the granting of *papel* to go about searching for a new master. During the revolt at La Honda, the slaves tried to avoid one of these moments.

By December of 1799, almost one year and half since the slaves had interrupted their normal pace of work, many of them were living outside of the property and refused to follow orders. Norberto Aconcha, another man who had been hired by Juan Nepomuceno Surmay to restore order to La Honda, tried to convince the slaves to go back to work. Aconcha, whom apparently knew the nooks and crannies of the slave system, had wisely advised Surmay to exercise caution when drafting the inventory of the entire estate. He assured Surmay that the servants, on seeing themselves counted as part of the property's assets, "will know that they are slaves."¹⁸⁹

The spy José María Rodríguez had been instructed in July of 1799 to assume the role of overseer, to send slaves back to work without violence or any new impositions, and to summon priest Melchor de la Vega to the *hacienda*. Rodríguez was to pacify La Honda and become the new authority connecting the estate and Mompós, where the cane syrup was expected at the royal distillery.¹⁹⁰ But Rodríguez also had one other important task to carry out: he was to draft the inventory of the *hacienda* for the settlement of the estate that Surmay would

¹⁸⁹ Norberto Aconcha to Juan Nepomuceno Surmay, Morales, December 15 1799, "Don Gabriel Martínez Guerra," f. 809r.

¹⁹⁰ "Don Gabriel Martínez Guerra," ff. 77r-778r.

supervise. This delicate operation was one of the first steps executors had to take as part of all probate cases. Drafting an inventory allowed executors to calculate the current value of all the property of the deceased person and thus determine the best way to pay taxes, pay creditors, speed the partition of the property, and allocate the correct shares to the rightful heirs.¹⁹¹

Though Rodriguez's instructions did not mention the inventory of human beings, slaves were aware that in the drafting of any inventory they could potentially be counted as property and their monetary values written down on legal papers. This was therefore a moment in which their condition of servitude would be legally reaffirmed. They knew well that slavery was both a set of everyday practices, obligations, and expectations as well as a juridical fiction that depended on the creation and validation of written documents. Given their hope of obtaining freedom after the master's death, it comes as no surprise that they firmly opposed the drafting of an inventory that would reaffirm their captivity and add to the documents attesting to their servile status.¹⁹²

On January 8, 1800, Aconcha himself recognized that it was not wise to follow his own advice. It would be counterproductive to draft the inventories given that the slaves "are all armed against me, for they say I am their enemy, and they

¹⁹¹ Robert I. Burns, S.J., ed., *The Siete Partidas*, Part. III, Tit. XVIII, Law C, vol. 4, 745; Part. VI, Tit. X, vol. 5, 1258-1260; Thomas de Palomares, *Estilo nuevo de escrituras públicas, donde el curioso hallará diferentes géneros de contratos, y advertencias de las leyes, y prematicas destos reynos, y las escrituras tocantes a la navegación de las Indias, a cuya noticia no se deven negar los escrivanos* (Madrid: En la Imprenta Real, 1656), 81-82; Joseph Juan y Colom, *Instrucción de escribanos, en orden a lo judicial: utilísima también para procuradores, y litigantes, donde sucintamente se explica lo ritual, y forma de proceder en las caufas civiles, y criminales, afsi en la theorica, como en la practica, fundada sobre las leyes reales, y eftilo de tribunales ordinarios* (Madrid: En la Imprenta de Antonio Marín, 1761), 255-300.

¹⁹² "Don Gabriel Martínez Guerra," f. 765v.

have armed themselves twice to come to my house to insult me.”¹⁹³ He could only try to recover some of the livestock as well as the tools, but there was little hope to restore the subordination of the slaves. Meanwhile, being untended, the *hacienda* was losing its value. The slaves had been selling some of the belongings, the fields were abandoned, and a jaguar was “annihilating” the livestock.¹⁹⁴

Based in the town of Morales, Aconcha had contact with the slaves, some of whom came to his residence in peace and tried to work things out with him. But slaves were divided in their intentions. Though Aconcha always tried to “catechize” them into subordination, the slaves Ybiricu, Carriazo, and Luis had a position of leadership among the slave community and refused to negotiate or return to bondage.¹⁹⁵ Carriazo, whose given name was Antonio, had been a slave driver according to the *hacienda* inventory of 1795, with a daughter named Seferina.¹⁹⁶ He had transformed his slave duties into rebel leadership.

Those leaders claimed that their master had set them free in his last will and testament. They said a white man who had read the document had informed them about this. They also claimed that the document had been burnt. Faced with this conviction, Aconcha was sure that unless armed action was taken it would be impossible to recover the property. He advised Surmay that if a decision was made

¹⁹³ Norberto Aconcha to Juan Nepomuceno Surmay, Morales, January 5 1800, “Don Gabriel Martínez Guerra,” f. 812r.

¹⁹⁴ Norberto Aconcha to Juan Nepomuceno Surmay, Morales, December 8 1799; Norberto Aconcha to Juan Nepomuceno Surmay, Morales, January 25 1800; Norberto Aconcha to Juan Nepomuceno Surmay, Morales, February 5 1800; Norberto Aconcha to Juan Nepomuceno Surmay, Morales, February 9 1800, “Don Gabriel Martínez Guerra,” ff. 807r-v, 815r, 816r-817r, 817v-818v.

¹⁹⁵ Norberto Aconcha to Juan Nepomuceno Surmay, Morales, February 15 1800 (two letters), “Don Gabriel Martínez Guerra,” ff. 820v, 821r-822r.

¹⁹⁶ “Don Gabriel Martínez Guerra,” f. 833r.

to send people to subdue the slaves this should be done secretly, for everything that was decided in Mompós was immediately communicated to the slaves. They apparently had secret connections with townspeople allowing them to know what decisions were made about their situation among the patricians of Mompós.¹⁹⁷

On February 23, 1800, following Aconcha's advise, Surmay wrote and sent a letter to the slaves offering them pardon for their errors and inviting them back to the subordination of slavery and to the routines of agricultural work in the cane fields and at the *trapiche*. He also sent a letter to Aconcha asking him to draft the inventories. Three months later, however, the inventories had still not been drafted. Aconcha himself wrote that this was causing the "negroes" to claim that they were not slaves but free people.¹⁹⁸

On May 10, 1802, Surmay was finally able to draft an inventory of the *hacienda* and the slaves. From having more than one hundred slaves subjected to subordination in 1795, this estate went to having only thirteen people listed as slaves. Two of them were very old and four had not reached fifteen years of age. A group of thirty-one rebel slaves who had been captured, including the leader Antonio Carriazo and his wife Paula, had been sold to José Martínez Troncoso. A few slaves had abandoned the woods and agreed to go to Mompós, but they did not

¹⁹⁷ Norberto Aconcha to Juan Nepomuceno Surmay, Morales, February 15 1800; Norberto Aconcha to Juan Nepomuceno Surmay, Morales, February 29 1800, "Don Gabriel Martínez Guerra," ff. 821r-824r.

¹⁹⁸ Juan Nepomuceno Surmay to esclavos de la hacienda de la Honda, Mompós, February 23 1800; Juan Nepomuceno Surmay to Norberto Aconcha, Mompós, February 23 1800; Norberto Aconcha to Juan Nepomuceno Surmay, Morales, May 25 1800, "Don Gabriel Martínez Guerra," ff. 827r-831v.

return to La Honda. With such a reduced labor force, it was impossible to resume production.¹⁹⁹

There remained more than fifty people at large who continued to assert their freedom, leaving La Honda for the nearby woods and settlements and even for places farther away. The details of what had happened in the two years between the initial work stoppage and the inventory of 1802 are unclear. We know, however, that a violent “pacification” of the *hacienda* took place.²⁰⁰ Aside from those who were captured and sold, many slaves managed to escape so that their names would not be re-inscribed in the written records of servitude. They were not, in the end, reduced to the status of the property of other human beings.

Two of the slaves who had stayed at La Honda apparently managed to create a moment of negotiation when the inventory was drafted. Juan Florencio, a sixty-year old man who had shown his opposition to the uprising and at some point convinced some of the slaves to return from the woods, was valued only at twenty-five *pesos*, though the low appraisal was done under the condition that he stayed in the *hacienda* as an overseer with his own garden plot. This meant that any subsequent attempt to purchase his own freedom would be relatively easy. Carlos José Mier, forty-eight years old, had also helped to bring back some of the fugitives. He was offered the same deal as Juan Florencio, which he took. The slave José Ignacio, twenty-two years old, was by contrast appraised at a full one hundred and

¹⁹⁹ “Propiedad de la hacienda,” ff. 15r-v, 35v.

²⁰⁰ “Propiedad de la hacienda,” f. 35v; AGN, C, Miscelánea, vol. 117, doc. 3, f. 952r; AGN, C, Juicios Criminales, vol. 59, doc. 17, f. 880r.

fifty *pesos*.²⁰¹ The double-edged sword of the legal written records allowed both the reaffirmation of servitude and the hope of freedom.

From emancipation to abolition

In July of 1801, exasperated by the situation at La Honda, Surmay had filed a criminal and civil lawsuit against the rebellious slaves. He held them responsible for all the damages that their actions could cause on the late Setuain's properties.

Furthermore, he stated that they were acting against God and King and setting a bad example for other slaves, both by being "lazy" and by refusing to be "subjected to the servitude in the toils of their master, and obligations that they have, due to their social condition." Surmay stated that the slaves at La Honda had chosen violence over reason; arrogance over humility; vice over virtue, and the "debauchery of all passions" over modesty and honesty.²⁰²

The executor of their former master's last will and testament was therefore accusing the slaves of crime and of sin. His rhetoric spoke overtly of their lack of the Christian cardinal virtues (prudence, justice, temperance, and fortitude) as well as of the negative impact of their actions on property and social order. Surmay went into further detail to explain the illegitimacy of their claims to freedom. Adopting his version of the language that was in fashion among the jurists of the time, he affirmed that the slaves were acting against "natural law," against "civil law," and with no respect for the "written laws" and total contempt for the "new code" governing slavery, that is the 1789 royal instruction.²⁰³

²⁰¹ "Propiedad de la hacienda," f. 15r-v.

²⁰² "Don Gabriel Martínez Guerra," f. 836v.

²⁰³ "Don Gabriel Martínez Guerra," ff. 836v-837r.

Surmay cast a wide net in his statement, bringing together natural law, written law, and Christian virtues. He perhaps sought to appeal to all of the potential magistrates who might be put in charge of the case. He was also building the case for the violent action against the slaves that would follow, requesting that armed men be sent to subdue the slaves so that they would pay for their crimes and sins, and so that other slaves would be “chastened” by this action.²⁰⁴ He thought that the revolt at La Honda could potentially spread to other *haciendas* or that, by emulation, other slaves might try to obtain their freedom through violent means. He knew, as did the spy Rodríguez, that slaves had plotted and rebelled for freedom in places of the Antilles and Tierra Firme, including in the very capital city of the province, Cartagena de Indias.

There is no evidence that masters and viceregal authorities feared a massive slave uprising throughout the viceroyalty. The conditions of slavery were so different from place to place and varied so much even within one single province, that a large-scale movement was hard to imagine. Fears of slave conspiracy and rebellions were nonetheless growing in a viceroyalty that was internally connected and intensely communicated with the outside world. The landscapes of slavery had been touched by the rumors of freedom.

Surmay was also aware that it was wise to accuse the slaves of going against the written laws, including the 1789 code. This instruction had become an important part of the mediation mechanisms between slaves and masters. And this, along with the currency gained by the principles of natural law, had reinforced the

²⁰⁴ “Don Gabriel Martínez Guerra,” ff. 837v-838r.

idea, among rural as well as urban slaves, that it was possible to seek the improvement of one's life in servitude and even to obtain freedom through the courts.²⁰⁵

Although the slaves at La Honda had chosen to revolt instead of appealing to the tribunes of the plebs in Mompós, as other slaves had done before, the executor of Setuain's last will and testament knew that those slaves could also resort to the tribunals and legally argue for their freedom. In an environment in which some magistrates clearly held antislavery ideas and where some sparks of abolitionist sentiment had been seen, it was wise to be prepared by advancing the argument that they had acted both against the written law as well as against natural law.

The slaves of La Honda had their own ideas about the legality of their claims to freedom, however, as some of them had told the spy Rodríguez in 1799 and Aconcha in 1800.²⁰⁶ In the first case, they invoked an oral promise of freedom from their master. In the second instance, Aconcha had learned from the slaves that they knew about a clause in Setuain's testament providing that they were to be set free by his executor. Such promises were not uncommon, but the slaves at La Honda had to produce the actual evidence --a legal copy of the clause in question-- and go through the legal process of obtaining emancipation based on that document. They had been informed, though, that the testament had been burned. Legal action seemed perhaps unpromising.

²⁰⁵ Hermes Tovar Pinzón, *De una chispa*, 12-13, 21-22.

²⁰⁶ "Don Gabriel Martínez Guerra," ff. 787v-788r; Norberto Aconcha to Juan Nepomuceno Surmay, Morales, February 15 1800, "Don Gabriel Martínez Guerra," f. 821v.

Slave owners had often used such promises in their own favor. Sometimes they would promise slaves that they would eventually allow them to buy their own freedom. These statements were aimed at preventing slaves from seeking more abrupt, violent avenues to liberty. These promises allowed masters to enjoy sustained subordination of slaves, while for the slaves, as long as they were kept, these arrangements brought freedom through more stable, less disruptive means. Slaves with families may have preferred to try this option, rather than separation and sale as a result of confrontation.²⁰⁷

The slaves at La Honda may, in the end, have been able to convince the judges that their master had solemnly made a promise of freedom before his death. Though the records of the hacienda fall silent in this regard after 1802, some clues suggest that eventually the *Real Audiencia* granted freedom to all the slaves, including the fugitive ones. In July 23, 1808, María Isabel and José Emeterio de Mier y Setuain, Setuain's godchildren and heirs, addressed the highest tribunal in the viceroyalty, arguing that they had documentary evidence that would prove illegitimate the recent rulings handed down by that tribunal decreeing the "freedom of all the negroes from La Honda." They argued that such a decision was an injustice against them, and that Setuain's probate case had been badly managed. The heirs accused the executors of having spent more than five thousand *pesos* in the thwarting of the slave uprising and the authorities of Mompós of being responsible for the debacle at the *hacienda*.²⁰⁸

²⁰⁷ Hermes Tovar Pinzón, *De una chispa*, 24-25.

²⁰⁸ María Isabel and José Emeterio de Mier y Setuain to Real Audiencia, Mompós, July 13 1807, AGN, C, Miscelánea, vol. 117, doc. 73, ff. 951r-952r.

In September 13, 1808, María Isabel de Mier y Setuain once again addressed the tribunal at Santafé. She again spoke of how badly the probate trial and the property had been administered, leading to many mistakes, including the decision that all the slaves be granted *la gracia* --the grace--, which they were not entitled to, of a freedom that had been illegally promised by Setuain. She now recognized that the old master had offered freedom to his slaves, though she did not mention whether this had been done in his last will or orally. Therefore, she implied that the *Real Audiencia* had granted freedom to the slaves based on the existence of evidence of that promise.²⁰⁹

Seventeen years later, while still trying to obtain her inheritance from what little remained of Setuain's property, María Isabel again insisted that the former Spanish *Audiencia* had declared all slaves free from servitude.²¹⁰ Unfortunately, the surviving proceedings for the case of La Honda are fragmentary. Therefore, it remains impossible to verify the exact terms of the court decisions.

The struggle over servitude at La Honda disrupted the *hacienda* as it had developed over generations. The slaves knew that in their search for freedom they could take the avenue of the tribunals, but they began by taking the path of open revolt, grounded in the legitimacy of a promise to be kept and a pact to be restored.

The language of the liberal jurists in defense of freedom and the human dignity of slaves made legal and philosophical sense when spoken before the judges of the viceroyalty. Those who talked of annihilating the very term "slavery," those

²⁰⁹ María Isabel de Mier y Setuain to Real Audiencia, Mompós, September 13 1808, AGN, C, Miscelánea, vol. 132, doc. 45, ff. 317r-318v.

²¹⁰ "Propiedad de la hacienda," f. 40r.

who saw slavery as an odious, undesirable condition, however, did not speak solely among themselves and other members of the educated elite; their words were heard beyond the courts, and as attorneys they entered into direct and indirect communication with slave individuals and communities. The actions and words of slaves like those at La Honda, in turn, pushed some individuals to contemplate the idea of an end to slavery, even men who were themselves the proprietors of slaves.²¹¹

Juan del Corral and Felix José de Restrepo were two such slaveholders who became magistrates willing to oppose slavery. Their paths were soon to cross in the revolution of the province of Antioquia, as the great sequence of transformative events in the Atlantic world and the New Kingdom of Granada unfolded across the years from 1808 to 1816. Del Corral was a native of Mompós and Restrepo had spent many years in the southern slave society of Popayán. It is to Popayán, to Restrepo and to the first blast of the cannons of the Wars of Independence where this story now takes us.

²¹¹ Hermes Tovar Pinzón, *De una chispa*, 13, 21.

Chapter 3. The first blast of the cannons

On January 22, 1789, Félix José de Restrepo visited the office of public scribe Antonio de Zervera, in the town of Popayán, to formalize the sale of his slave José Antonio for the sum of three hundred *pesos*.²¹² Restrepo, a notable of Popayán, had been born in the province of Antioquia, and trained as a lawyer at the *Colegio de San Bartolomé* in Santafé. He had first arrived in Popayán in 1783 to work as a professor at the local college. A few years later, Restrepo married doña Tomasa Sarasti y Ante. The Sarasti family, including Tomasa's father and three brothers, worked as bureaucrats in Popayán's mining districts of the Pacific lowlands, a region that heavily relied on slave labor.²¹³

Restrepo was individually and socially linked to Popayán's slave society. His name, however, has remained instead associated with slave emancipation in Colombia, as he drafted key gradual emancipationist legislation during the

²¹² Archivo Central del Cauca, Popayán (hereafter ACC), Notaría 1ra., vol. 56 (1789-IV), f. 13r.

²¹³ ACC, Notaría 1ra., vol. 59 (1794-II), ff. 178v-180r; sig. 9836 (Col. JII-7cv); "Expediente relativo a la incorporación de Abogado de esta Real Audiencia que solicita el doctor don Félix de Restrepo, abogado matriculado en la Real Audiencia del Nuevo Reino de Granada de Santa Fe," Archivo Nacional del Ecuador, Quito (hereafter ANE), Incorporación de abogados, box 3, vol. 9, January 9 1789; "Expediente del doctor don Félix José Restrepo vecino de la ciudad de Popayán en que pide información para España," ANE, Popayán, box 274, exp. 2, June 20 1793; Mariano Ospina, *El doctor José Félix de Restrepo y su época* (Bogotá: Biblioteca Aldeana de Colombia, 1936), 60-62.

revolutionary period.²¹⁴ The study of Restrepo's life in Popayán suggests a dynamic understanding of the social and political genealogy of slave emancipation in Tierra Firme, revealing Restrepo not as an individual acting alone, but rather as someone involved in complex interactions with free and slave alike.

In Popayán, the lawyers who worked on behalf of slaves and former slaves had not developed antislavery sentiments comparable to those of their counterparts in Mompós. However, Restrepo might have developed his first ideas on the gradual emancipation while still living in Popayán. Restrepo drew on his legal knowledge, and his interactions with slaves and former slaves to understand slavery and freedom. Part of his contact with these individuals came from his stints as a public defender. The experience of Pedro Antonio Ibargüen provides a case in point. Ibargüen received Restrepo's advice during the early stages of a lawsuit that he brought against slaveholders.

Ibargüen went on to become an itinerant litigator, with a complex understanding of equality before the law. After the onset of the revolutions of Tierra Firme in 1809, Restrepo, in turn, traveled to Antioquia, where he crossed paths with Juan del Corral, from Mompós, a revolutionary leader deeply concerned with the issues of slave emancipation and the gradual end of slavery. While Ibargüen, Restrepo and Corral came from different social worlds, they eventually became

²¹⁴ José Manuel Restrepo, *Historia de la revolución de la república de Colombia en la América meridional* (Medellín: Universidad de Antioquia, 2009, 1st. ed., 1827, 2nd. ed., 1858), vol. I, 268; M. Leonidas Scarpetta and Saturnino Vergara, *Diccionario biográfico de los campeones de la libertad de Nueva Granada, Venezuela, Ecuador y Perú. Que comprende sus servicios, hazañas y virtudes* (Bogotá: Imprenta de Zalamea, por M. Díaz, 1879), 504-505; Mariano Ospina, *El doctor*; Gregorio Hernández de Alba, *Libertad de los esclavos en Colombia* (Bogotá: Publicaciones de la Sociedad Colombiana de Etnología, 1956), 44-45.

champions of republican, egalitarian, or gradual emancipationist principles. Once the Spanish vassals of Tierra Firme contemplated the possibility of independence, the most radical ones identified this cause with the ongoing struggles for slave emancipation.

Indeed, Restrepo became an ardent partisan of the local revolutionary faction in Popayán, where the Spanish authorities had turned to slaves when they needed soldiers to defend monarchical government. The governor offered freedom to all male slaves willing to join his cause. Many joined the royalist army. But many slaves had already taken steps to achieve liberty, and would take advantage of the new revolutionary climate to continue to foster their cause.

Friend or foe?

Beginning with the sale of the slave José Antonio in 1789, surviving notarial records up to 1801 attest to the active involvement of Félix José de Restrepo in the slave market of Popayán. Restrepo became the master of at least twelve slaves and participated in the sale of slaves on behalf of other masters.²¹⁵ During the 1780s, 1790s, and early 1800s, Restrepo also occasionally worked as a public defender, appointed by the local authorities to represent poor individuals in court. However, he also worked as a legal counselor to the rich. During his time in Popayán he

²¹⁵ Those sales are found in the following notarial acts: ACC, Notaría 1ra., vol. 56 (1789-IV), ff. 13r, 516r, 523v-525r; vol. 57 (1791-I), ff. 91v-92v, (1791-III), f. 194r; vol. 58 (1792-I), ff. 287r-288r; vol. 59 (1792-I), ff. 46r-v, 48r, 87v, 89r-v, 203v-204v, (1793-IV), ff. 8r-v, 10r; vol. 60 (1794-III), ff. 102r-103v, 125v, 127r-v, (1794-VI), ff. 76v-77r; vol. 61 (1796-V), ff. 91r-92v; vol. 62 (1797-V), ff. 104v, 106r-v, (1797-VI), f. 142r-v; vol. 63 (1798-II), ff. 83r-v, 85r, 92r-v; vol. 73 (1801-I), ff. 146v-147v.

became member of the *cabildo* as well, and he tried, with little success, to build his own fortune, buying merchandise, and sending it to be sold in Antioquia.²¹⁶

Restrepo most likely employed his servants as domestic laborers in his town house. After becoming a member of the Sarasti family, Restrepo also benefitted from the work of other slaves who mined for gold in the Pacific lowlands. He helped his brothers-in-law obtain their public appointments. In turn, they made their income from the wealth generated by the slaves.

Restrepo's father-in-law had been lieutenant governor of Barbacoas in the 1760s, and his brothers-in-law held this and other positions in the 1790s. Barbacoas was one of the most important of the mining districts in the Pacific region. Francisco Antonio Sarasti, Restrepo's brother-in-law, became Royal Treasury officer of Barbacoas in 1790. On November 3, Restrepo provided Francisco Antonio with the sum of 500 *ptacones*. Sarasti invested this money to pay the fee required by provincial authorities before taking his new post. In all likelihood, Sarasti used the money he made from holding this office to pay Restrepo back. As Royal Treasury officer, Sarasti oversaw the collection of taxes for the Crown of Spain, paid by the owners of gold mines, and the merchants who supplied those mines.²¹⁷

José Joaquín Sarasti, also Restrepo's brother-in-law and lieutenant governor of Iscuandé, requested one hundred *pesos* from Restrepo in 1792. José Joaquín invested the money in securing the post administrator of royal *alcabalas* for the

²¹⁶ ACC, Notaría 1ra., vol. 57, (1791-III), ff. 260r-261r; vol. 59 (1792-I), ff. 246r-247r; Mariano Ospina, *El doctor*, 92-93.

²¹⁷ ACC, Notaría 1ra., vol. 57 (1790-IV), ff. 26v-33r.

districts of Iscuandé and Micay, taking charge of the sales taxes paid to the Crown.²¹⁸ That same year, yet a third brother-in-law, Agustín Ramón Sarasti, became administrator of *alcabalas* for the district of Raposo. Before taking this position, Restrepo provided Agustín Ramón with a notarial deed in which he solemnly became his guarantor, promising to pay up to four hundred *pesos* for any deficit that Agustín Ramón might have on his books while holding this office.²¹⁹

On January 30, 1795, Restrepo brought to the Royal Mint in Popayán a little more than two thousand six hundred and sixty *castellanos* of gold dust, which had been mined by slaves in the district of Raposo. This was the equivalent of about twelve kilograms of gold, to be melted into five gold bars.²²⁰ This was the kind of transactions that united Restrepo and his relatives with the wealth produced by the slave gangs in the rich mining districts.

Again in 1796, José Joaquín Sarasti held the posts of lieutenant governor and Royal Treasury officer of the district of Micay. Short of cash, Sarasti was unable to cover all the fees required to take the post. Restrepo paid a little more than eighty-five pesos on his behalf. In that same year, Restrepo became guarantor for the new public scribe of Barbacoas. He may have also received money back from this scribe, who catered to the rich slaveholders of Barbacoas, perhaps the most important town in the mining districts.²²¹

²¹⁸ ACC, Notaría 1ra., vol. 58 (1792-III), ff. 12v-20v.

²¹⁹ ACC, Notaría 1ra., vol. 58 (1792-III), f. 24r-v.

²²⁰ "Libro de fundidor, o manifestaciones de oro del año de 1795," ACC, sig. 6456 (Col. C III-3f), f. 2v.

²²¹ ACC, Notaría 1ra., vol. 61 (1796-III), ff. 7v, 20v-21v.

As a lawyer, Restrepo knew the medieval text of the legal code known as the *Siete Partidas* as well as the more recent Spanish legal doctrines regarding slavery and freedom. Although there seems to be no evidence of strong antislavery discourses among the learned men of Popayán, Restrepo was part of a legal system that, under certain circumstances, could offer slaves, former slaves and their families avenues to freedom or the recognition of certain rights. As it happened in Mompós, some slaves also brought suits against their masters before the judges in Popayán.

In 1791, for instance, Restrepo became the legal adviser of the slave Alejandro de la Rosa, who had obtained *papel* from his master in 1789. *Papel* was a document that entitled slaves to look for another master.²²² De la Rosa's master, however, later accused him of running away. De la Rosa had given his master more than one hundred *pesos* in partial payment of his freedom. With Restrepo's legal advice, de la Rosa held his master accountable to their agreements and obtained a court ruling that allowed him to become a free person.²²³

In 1804, Restrepo defended Clara, a woman born in 1784 to slave parents. Although her parents paid for her freedom at her baptism, her parents' owner now claimed her as his property. Clara provided Restrepo with evidence of the payment. Restrepo argued that this evidence and the fact that Clara had enjoyed freedom most of her life, made her legally free, even if her parents' master had not consented to the payment in the first place. Restrepo mentioned the *Siete Partidas* in his

²²² Alejandro de la Fuente, "Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*," *Hispanic American Historical Review* vol. 87, No. 4 (November 2007): 659-692.

²²³ "Alejandro, esclavo de Manuel de la Rosa, pide su libertad en virtud de haber consignado el valor," ACC, sig. 10250 (Col. J II-14cv).

argument. He may have drawn on the principle of *prescripción* or prescription stated in this medieval code. According to this principle, slaves could obtain their freedom by “lapse of time,” that is by going about “unmolested” for ten years in the country of their masters, or twenty years elsewhere. Restrepo concluded that facilitating freedom was part of a “mild, sensible, and moderate legislation.”²²⁴

Restrepo, however, was not able to continue to defend Clara because he left town. Before handing the case to another lawyer Restrepo stated, on January 14, 1805, that the “cause of freedom” was one in which the law did not require detailed and solid evidence. Instead, he suggested that judges should be less strict in their approach to these cases and try to find the avenues to facilitate the restitution of people to their “natural dignity.”²²⁵

Restrepo seems to have been pushing the principles of the Spanish medieval legal code beyond their usual limits. The lawyer Ignacio de San Miguel, in Mompós, thought that the laws always tended to protect the “wretched” slaves.²²⁶ Restrepo, in turn, argued that even the smallest evidence about the illegality of an individual’s enslavement should compel judges to make all possible efforts to return that individual to freedom.

Though Restrepo did not criticize the legitimacy of slavery as an institution, he appropriated and gave special emphasis to the notion stated in the *Siete Partidas*

²²⁴ “Solicitud de Francisco Rodríguez, para que se le devuelva su esclava Clara, la que fue puesta en prisión,” ACC, sig. 10256 (Col. J II-14cv), f. 5v; Robert I. Burns, S.J., ed., *The Siete Partidas*, Translation and notes by Samuel Parsons Scott (Philadelphia: University of Pennsylvania Press, 2001, 5 vols.), Part IV, Tit. XXII, Law VII, vol. 4, 983.

²²⁵ “Solicitud de Francisco Rodríguez,” f. 19r. Restrepo used the phrase “Dignidad natural.”

²²⁶ “Don José Antonio Ambrosi [sic] de Arango sobre la venta que se le quiere precisar de un negro esclavo,” Archivo General de la Nación, Bogotá (hereafter AGN), Colonia, Negros y Esclavos de Antioquia, vol. 1, doc. 23, f. 703v. See also chapter 2 of the present work.

that slavery was the most “vile” and “contemptible” thing.²²⁷ Inspired by the medieval code and, possibly, by the notion of natural law, Restrepo thought that laws should be applied in accordance to the circumstances of each individual case rather than rigidly adhering to the actual contents of the legislation. Restrepo additionally might have been drawing on the doctrines of Neapolitan lawyer Gaetano Filangieri, a proponent of a new approach to legislation in which the laws should always be conducive to the happiness of human kind.²²⁸ Filangieri’s writings widely circulated in Spain and its overseas territories, and lawyers and law students often had access to them. Later in his life Restrepo would directly quote this Neapolitan philosopher.²²⁹

Restrepo could also draw from direct experience. It was the actions and the efforts of the slaves, or children of slaves, that had led him, in the first place, to have to ponder the question of slavery and freedom. He had represented freed people and slaves in court. His ideas on the protection offered by the king of Spain and the Spanish legal system to all vassals alike, seem to have particularly influenced one freedman from the Pacific mining districts.

The King’s slave

²²⁷ Robert I. Burns, S.J., ed., *The Siete Partidas*, Part IV, Tit. V, preamble, Tit. XXI, Law I, Tit. XXII, preamble, vol. 4, 901, 977-981.

²²⁸ Gaetano Filangieri, *The Science of Legislation. Translated from the Italian of the Chevalier Filangieri, by William Kendall* (London: Printed for G. G. and J. Robinson, and R. Trewman and Son, Exeter, ca. 1791).

²²⁹ Daniel Gutiérrez Ardila, *Un Nuevo Reino. Geografía política, pactismo y diplomacia durante el Interregno en Nueva Granada (1808-1816)* (Bogotá: Universidad Externado de Colombia, 2010), 96-102; Juan Camilo Escobar Villegas and Adolfo León Maya Salazar, *Ilustrados y republicanos. El caso de la “ruta de Nápoles” a la Nueva Granada* (Medellín: Universidad EAFIT, 2011), 45-81.

On April of 1791, Félix José de Restrepo was ordered to provide legal representation for a man who was regarded by the courts and presented himself as a former slave. His name was Pedro Antonio Ibargüen. With the last name of Ibargüen, he may have been born in the Chocó region, north of Popayán's mining districts and also under the influence of the elites of Popayán.²³⁰

Ibargüen seems to have moved south in the 1780s, establishing himself by the Pique River, in the district of Iscuandé, where he worked as a gold miner. By the late 1790s, he had accumulated some money, bought slaves of his own, and hired some free workers to pan for gold. Although he lived in a remote area, in the midst of the rainforest, Ibargüen enjoyed goods that are more often associated with elite urban life, such as abundant clothing, including Spanish and French garments, some china, glasses, a rosary, a reliquary, and gunpowder.²³¹

Ibargüen's life in Pique, nonetheless, had its share of difficulties. Ibargüen's rights to mine for gold at Pique, to farm some land, and build a house by the river, had been violently challenged by the Castro and Grueso families, two slave-owning clans from Popayán who had gold mines in the area. According to Ibargüen, the Grueso family had ordered their slaves to destroy his house, rendering him unable to continue to make his living.²³² In what would be the first of a long series of travels and of legal undertakings to defend his rights to mine at Pique and his political

²³⁰ Ibargüen was a very common last name among the slaves of the provinces of Chocó, but it is hardly found on documents from the Pacific mining districts of Popayán. Orián Jiménez, *El Chocó: un paraíso del demonio. Nóvita, Citará y el Baudó, siglo XVIII* (Medellín: Universidad de Antioquia, 2004), 34, 79-80.

²³¹ "Pedro Antonio Ibargüen contra Manuel José Grueso por despojo de una mina de Iscuandé," ACC, sig. 11367, (Col. JI-17mn), ff. 1r, 16v; "José Ignacio de Castro contra varios individuos de Iscuandé por despojo," ACC, sig. 11378 (Col. JI-17mn), ff. 21r-23v.

²³² "Pedro Antonio Ibargüen," f. 2v.

standing as a free person, Ibargüen went to Popayán in 1791. There he requested a court-appointed legal advisor after most attorneys in town refused to represent him against the Grueso family. It was then that Ibargüen and Restrepo crossed paths for the first time.

In May of 1791, Ibargüen presented a written petition before the authorities of Popayán. He demanded civil damages for lost income and the destruction of his house. Further, he requested formal legal possession of the gold mines at the Pique River. Restrepo composed the document, in which it is possible to discern that Ibargüen provided Restrepo with the details of his case while Restrepo elaborated a final legal coda to justify the claims.²³³

The Grueso family sought to monopolize the gold mines around the Pique River. Restrepo argued that it was not fair for a single family to have exclusive access to certain resources, stating that all vassals equally deserved the Monarch's and the government's protection. He further presented the idea that the "security of the state" depended on this equal protection of the King's vassals.²³⁴

It is impossible to know Ibargüen's thoughts before 1791 regarding the protection that vassals deserved from the King. But it may be that the principle of universal legal protection Restrepo used in this first legal petition of that year inspired or encouraged Ibargüen's prior anti-monopoly intuitions. By January of 1792, Restrepo had recused himself from the case, perhaps after realizing that his

²³³ "Pedro Antonio Ibargüen," f. 2r-v.

²³⁴ "Pedro Antonio Ibargüen," f. 2v.

in-laws had strong connections with the Grueso family. He would later become the lawyer of that family.²³⁵

In 1792, Ibargüen obtained a ruling from governor Diego Antonio Nieto, the judge of the case, ordering the restitution of his mining rights. José Manuel Grueso, along with José Joaquín Sarasti, the lieutenant governor of Iscuandé, nonetheless, prevented Ibargüen from returning to his mining activities. On December of 1792, this time with legal advice from court-appointed lawyer Bartolomé de los Arcos, Ibargüen filed a new complaint, in which he stated that Grueso had bribed Sarasti. He also stated that the powerful Arroyo family from Popayán had advised Sarasti not to favor him for it was not appropriate “for a black man to achieve his goals.”²³⁶

Ibargüen further argued that in the mining districts, the rich never obeyed the governor’s orders and constantly “punished” the poor. He then affirmed that poor people, like himself, behaved as “faithful vassals,” always obeying the royal decrees and never claiming the immunity sought by the “gentlemen.” The poor, therefore, also deserved the protection of the justice tribunals. Ibargüen went on to say that, unlike the rich who settled “in their houses,” the poor had to travel constantly. Here, he referred to freedmen, runaways, and slaves who traveled throughout the rivers of the mining districts of the Pacific lowlands to look for gold. If entitled to property, he implied, they would settle down, thus complying with the Spanish ideal of living *en policía y al son de campana* --in proper order and within the range of the church bells--, that is in an urban space, near monarchical and

²³⁵ “Pedro Antonio Ibargüen,” f. 6r.

²³⁶ “Pedro Antonio Ibargüen,” f. 11v. “Que un negro se saliera con el tanto.”

ecclesiastical authorities.²³⁷ The problem, argued Ibargüen, was that most property was in the hands of the *caballeros* --gentlemen-- who simply sought to accumulate it.²³⁸

By early 1793, Ibargüen had spent almost two years “from one river to the next, and from those rivers to this city [of Popayán]” trying to defend his right to work the gold mines of Pique. He again pleaded before the governor of Popayán, insisting that he would continue to travel in defense of his cause, and that he would if necessary even “make a pilgrimage” to Madrid to seek justice. To him, it was unfair that even the slaves of the powerful gentlemen could call themselves “land owners” --without actually owning property--, while he, who deemed himself a “slave” of the king of Castile, was denied his rights to exploit the gold sources of Pique.²³⁹

Ibargüen seems to have expanded upon the idea that had first emerged in the petition that Restrepo helped him create regarding equal protection by the King. Based on that idea, Ibargüen argued that the monarch should guarantee fair and equal access to property for all his vassals. The former slave argued that while powerful individuals wanted only to accumulate lands and keep them for their children, “I ask for land for my own subsistence.” It was not right for a *señor de cuadrilla* --master of a slave gang--, to be afforded the protection of the tribunals while a poor person was afforded no protection at all. In Ibargüen’s eyes, they were

²³⁷ Marta Herrera Ángel, *Ordenar para controlar. Ordenamiento espacial y control político en las Llanuras del Caribe y en los Andes Centrales Neogranadinos. Siglo XVIII* (Bogotá: Academia Colombiana de Historia, Instituto Colombiano de Antropología e Historia, 2002).

²³⁸ “Pedro Antonio Ibargüen,” f. 12r.

²³⁹ “Pedro Antonio Ibargüen,” f. 17v.

both “equal vassals of His Majesty.”²⁴⁰ Money, hereditary privileges or skin color should not alone guarantee the grace of justice from the King. Fidelity, on the other hand, was the true measure of those who deserved justice.

From 1793 on, Ibargüen traveled throughout the Pacific mining districts, went to Popayán many times, appealed before the *Real Audiencia* tribunals in Quito, and went to Cali, where he presented his case again before governor Nieto. In spite of all his efforts, Ibargüen was not able to recover the value of his lost property, or the right to exploit the mines in the Pique River.²⁴¹

In 1797, the persistent Ibargüen was thrown in jail, seemingly on charges of illegal use of documentation in the case. He was, however, able to get paper and ink. He wrote a petition to a judge in Micay, apparently in his own hand. At his home at the Pique River he had several notebooks, pious texts, and other papers, as well as a pair of spectacles to aid his reading and writing.²⁴²

Literate, with some years of litigation experience, and exposure to tribunals of Popayán and Quito, he now styled himself as “Pedro Antonio Ibargüen, free Ethiopian.” He presented a ruling in his favor he had obtained from the *Real Audiencia* in Quito, was freed from jail, and on October 31, 1797, formally given the right to return to the gold mines in dispute. The Castro family, however, continued to use their slaves to put pressure on Ibargüen and effectively prevented him from enjoying peaceful living and complete access to his former mining areas.²⁴³

²⁴⁰ “Pedro Antonio Ibargüen,” f. 18r.

²⁴¹ “Pedro Antonio Ibargüen,” ff. 17v-87r.

²⁴² “José Ignacio de Castro,” ff. 21r-23v.

²⁴³ Untitled document, ACC, sig. 11383 (Col. JI-17mn), ff. 17r-26v.

In August of 1797, Joaquín de Aguiar y Venegas, Ibargüen's attorney in Quito, told the *Real Audiencia* that José Ignacio de Castro and José Manuel Grueso, as powerful and rich individuals, were able to prevent the rulings of that tribunal from being enforced. He also reported that Grueso had threatened Ibargüen with two hundred lashes --treating him as a slave-- and ordered him to keep silent, arguing that as a "Negro" he should endure any aggravation, and "not speak in his presence or the presence of gentlemen."²⁴⁴

Aguiar y Venegas and Ibargüen were now elaborating a social explanation of the ongoing struggle. Ibargüen was confronting rich and powerful men who thought their economic power and political influence entitled them to subordinate men of color, even if such men were free. In presenting himself as a "free Ethiopian," Ibargüen was acknowledging and dignifying his African ancestry while simultaneously showcasing his free status.

From 1798 on, Ibargüen's struggles became more intense. His opponents seemed to enjoy the support of Agustín Ramón Sarasti, the new lieutenant governor of Iscuandé. Other slaveholders who opposed slaves' self-emancipation and fought to curtail the autonomy of freed people may have also supported Ibargüen's opponents. José Ignacio de Castro's accusations against Ibargüen are emblematic of the characteristic accusations made by slaveholders against free people of color. Castro, indeed, assured the authorities of Popayán in early 1798 that "free people"

²⁴⁴ Untitled document, ACC, sig. 11383 (Col. JI-17mn), ff. 31r-32r.

lived in a state of near “mutiny,” and that they should be kicked out of the environs of the Pique River.²⁴⁵

For years, some slaves had been able to purchase their freedom and that of their relatives as they accumulated resources by working “on their own” on Saturdays and even on Sundays and other Catholic holidays. The communities of free people in the Pacific mining districts had grown in number, and their determination to end slavery for those of their kin who remained enslaved was remarkable. Slave owners and mine administrators knew that slaves’ efforts to emancipate themselves undermined the stability of the slave gangs, whose members were continually exposed to the process of manumission.²⁴⁶

In 1792, governor Nieto and many other slave masters in Popayán firmly opposed the enforcement of the 1789 Spanish royal instruction for the protection of slaves, the same code that had sparked rumor and hope in the Caribbean. They successfully prevented the enforcement of some of the articles of the instruction. Patricians from Barbacoas also petitioned royal authorities to forbid slaves from attempting to obtain their freedom through legal means without consent from their masters.²⁴⁷

²⁴⁵ “José Ignacio de Castro,” ff. 1v-2r.

²⁴⁶ Mario Diego Romero, *Poblamiento y Sociedad en el Pacífico colombiano siglos XVI al XVIII* (Cali: Editorial Facultad de Humanidades, Universidad del Valle, 1995); Mario Diego Romero, *Historia y etnohistoria de las comunidades afrocolombianas del río Naya* (Cali: Colección de Autores Vallecaucanos, 1997); Oscar Almario García, *Los Renacientes y su territorio. Ensayos sobre la etnicidad negra en el Pacífico sur colombiano* (Medellín: Universidad Pontificia Bolivariana, Concejo de Medellín, 2003); Marcela Echeverri, “‘Enraged to the Limit of Despair’: Infanticide and Slave Judicial Strategies in Barbacoas, 1789-1798,” *Slavery & Abolition* vol. 30, No. 3 (September 2009): 403-426.

²⁴⁷ Doc. 308, “R. Instrucción sobre la educación, trato y ocupación de los esclavos,” Aranjuez, May 31 1789, Richard Konetzke, *Colección de documentos para la historia de la formación social Hispanoamericana. 1493-1810* (Madrid: Consejo Superior de Investigaciones

Ibargüen's confrontation with the Castro and Grueso families seems to have been the high point of a conflict that had been brewing for generations. In March of 1798, lieutenant governor Sarasti referred to Ibargüen as the "head of the mutiny," and accused him of thwarting his efforts to carry out the orders of governor Nieto, who had decreed that the community of freed people in Pique be broken up. The slaveholders accused Ibargüen and the freed people of creating disorder and rebellion among their slaves. They referred to Ibargüen and his companions at Pique as members of a *palenque*, a term that referred to maroon communities, suggesting that the slaveholders regarded them as escaped slaves. In a letter to the governor, the local priest José Varona also denounced Ibargüen and the freed people as rebels.²⁴⁸

Castro convinced the governor to order Ibargüen's arrest, but he fled to Quito in May of 1798. From Quito, Ibargüen then accused Sarasti, Castro's ally, of drunkenness while performing his duties. On February of 1799, Félix José de Restrepo, acting as attorney for his kinsman Sarasti, accused Ibargüen of defamation. Restrepo had fulfilled his role as Ibargüen's attorney years earlier, but now represented his opponents.²⁴⁹

Although the judges of Quito seemed to favor Ibargüen in their decisions, it was difficult for him to turn those decisions into effective action in his favor. After October of 1800, Ibargüen was again legally permitted to mine for gold, but by then

Científicas, 1962), vol. III, segundo tomo (1780-1807), 643-652; Manuel Lucena Salmoral, *Los códigos negros de la América Española* (Alcalá de Henares: Ediciones Unesco, Universidad de Alcalá, 1996), 115-117. See chapter two of the present work.

²⁴⁸ "José Ignacio de Castro," ff. 8r-14r.

²⁴⁹ "José Ignacio de Castro," ff. 15r-33v.

Castro and Grueso had apparently taken over the mining infrastructure he had developed years earlier.²⁵⁰

As the eventful decade came to a close, Ibargüen had been able to continue to appeal before the justice tribunals, occasionally getting rulings in his favor.

However, his fight was a complicated one, and enforcing successful judgments on the ground was particularly difficult. His enemies seemed to have local authorities on their side. Ibargüen, nevertheless, had shown himself to be one tenacious and knowledgeable adversary.

“Supreme obligation”

During the turbulent 1790s, Popayán’s slave owners had been concerned not only with local challenges like Ibargüen’s, but also that outsiders who had appeared in the mining communities might inspire their slaves to revolt. This had fueled elite hostility towards free people of color. As fears of French revolutionary contagion, foreign invasion, and locally staged uprisings became realities, the slave system itself faced major challenges. Many slaves rebelled, fled, and joined the armies.

The height of the French scare in the Spanish world came in 1808, as French forces invaded the Iberian Peninsula in the spring of the year. Napoleon Bonaparte seized the crown of Spain and made his brother Joseph king. News of these events began to arrive in Tierra Firme around July. As a man in Maracaibo told his brother in a private letter, this was “extraordinary” news, but worthy of credit as it had

²⁵⁰ ACC, sig. 11383 (Col. JI-17mn), ff. 1r-7v.

arrived via official communications from Curaçao.²⁵¹ Napoleon's actions would trigger bitter internal confrontations as well as autonomist movements in Spain and in its overseas territories, sparking the process that would lead to declarations of self-government and eventually independence movements in many provinces of Tierra Firme.²⁵²

Back in the Iberian Peninsula, local elites created emergency *juntas*, autonomous governing councils acting in the name of the absent, legitimate king. These institutions managed public affairs and tried to stop anarchy from developing in the wake of Napoleon's invasion. These *juntas*, in turn, created a central *junta*, replaced in January of 1810 by a new central governing body named the Regency Council of Spain and the Indies. The Council's mission was to call for a general *Cortes*, a parliamentary meeting that would decide the political future of Spain.²⁵³

In such volatile and unfamiliar circumstances, people in the New World increasingly disputed the legitimacy of authorities appointed from Spain. Local patricians desperate for political autonomy formed their own self-governing *juntas*. In the city of Quito, in August of 1809, the local nobility deposed the authorities and created the first local *junta* in the viceroyalty. This would become the first autonomous movement during the revolutions of Tierra Firme.²⁵⁴

²⁵¹ Agustín Gutiérrez Moreno to José Gregorio Gutiérrez Moreno, Maracaibo, July 21 1808, Isidro Vanegas Useche, comp., *Dos vidas, una revolución. Epistolario de José Gregorio y Agustín Gutiérrez Moreno* (Bogotá: Universidad del Rosario, 2011), 33-34.

²⁵² Manuel Chust, coord., *1808. La eclosión juntera en el mundo Hispano* (México: Fondo de Cultura Económica, El Colegio de México, 2007).

²⁵³ Antonio Moliner Prada, "El movimiento juntero en la España de 1808," Manuel Chust, coord., *1808*, 51-83.

²⁵⁴ Jaime E. Rodríguez O., *La revolución política durante la época de la independencia. El Reino de Quito, 1808-1822* (Quito: Universidad Andina Simón Bolívar, Corporación Editora

Although the nobles of Quito who carried out these actions expressed their commitment to defend the interests of the king, the viceroys of Santafé and Lima deemed their actions rebellious. By the end of October, the count Ruíz de Castilla, deposed president of the *Real Audiencia*, had recovered power and reestablished traditional government.²⁵⁵

In spite of the opposition to the creation of a *junta* in Quito, new autonomous governments soon emerged in Tierra Firme. On April of 1810, Caracas established a *junta*. By the end of July of 1810, at least eight other cities, including the viceregal capital, had claimed the authority to govern themselves while the king was absent. After establishing their *junta*, the autonomous leaders in Santafé forced the viceroy himself to step down. Although the elites of Santafé sought to remain in control of the entire viceroyalty, they were unable to retain centralized power. The viceroyalty soon disintegrated. In the months following July 20, almost thirty new autonomous governments were formed, including one in Cartagena and one in Antioquia.²⁵⁶

From Spain, the Regency Council had sent Antonio de Villavicencio, a noble born in Quito who had grown up in Santafé and was acquainted with local elites in Cartagena and Caracas. He had the mission to spread the idea that if the viceroyalty recognized the Council's legitimacy, the Council would in exchange provide a liberal climate for reforms and autonomy. Although he had no permission to modify the

Nacional, 2006); Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 157-186; Alonso Valencia Llano, "Elites, burocracia, clero y sectores populares en la Independencia Quiteña (1809-1812)," *Procesos* No. 3 (1992): 55-101; Jaime E. Rodríguez O., "Las primeras juntas autonomistas. 1808-1812," Germán Carrera Damas, ed., *Historia de América Andina, vol. 4, Crisis del régimen colonial en Independencia* (Quito: Universidad Andina Simón Bolívar, Corporación Editora Nacional, 2003), 129-168.

²⁵⁵ José Manuel Restrepo, *Historia*, vol. I, 91-105.

²⁵⁶ Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 189-233.

prevailing form of viceregal government, Villavicencio supported the *juntas* as a middle ground between the local autonomous tendencies and the centralizing policy of the Council.²⁵⁷

The leadership in Popayán remained loyal to the Council due to the energetic opposition to political innovation deployed by governor Miguel Tacón y Rosique. Villavicencio, a man of liberal opinions who held anti-slavery ideas, soon entered into the service of the Santafé revolutionaries. They sent him to Popayán to negotiate with Tacón. Villavicencio arrived there around January of 1811. It was then that he crossed paths with Félix José de Restrepo.²⁵⁸

Villavicencio had arrived in Tierra Firme from Spain carrying some of his personal papers. Among these, he had handwritten copies of a document he had authored back in Spain, in late 1809, concerning the abolition of slavery. The document was to be presented to a committee selecting the topics that the Spanish *Cortes* should address. It was titled “A very delicate commentary and plan on the slave trade, and the complete abolition of slavery in both Americas, proposed by a slaveholder.” Villavicencio himself owned slaves in Maracaibo, on the coast of Venezuela.²⁵⁹ The legislation that Restrepo himself would draft three years later in

²⁵⁷ J. D. Monsalve, *Antonio de Villavicencio (el protomartir) y la revolución de la independencia* (Bogotá: Academia Colombiana de Historia, 1920); Armando Martínez Garnica and Daniel Gutiérrez Ardila, eds., *Quién es quién en 1810. Guía de Forasteros del Virreinato de Santafé* (Bogotá: Universidad del Rosario, 2010), 313; Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 132-135.

²⁵⁸ “Memoria histórica de los acontecimientos militares que tuvieron lugar en las provincias del Cauca y Popayán desde el principio de la Revolución de la Nueva Granada en 1809. Por un Alferez de las tropas republicanas,” 1840, ACC, Sala Mosquera, folder 48, doc. 11602; José Manuel Restrepo, *Historia*, vol. I, 192; M. Leonidas Scarpetta and Saturnino Vergara, *Diccionario*, 504, 701; Mariano Ospina, *El doctor*, 92-93.

²⁵⁹ Antonio de Villavicencio, “Delicadísimo punto y plan sobre el comercio de esclavos y la absoluta abolición de la esclavitud en ambas Américas, propuesto por un propietario,”

Antioquia, coincided with Villavicencio's plan in many respects.²⁶⁰

Villavicencio thought of slavery as a tyrannical, un-Christian institution. He further believed that slavery was "absurd" and very impractical from a political and economic vantage point. Slavery "must be abolished," Villavicencio wrote, to prevent slaves themselves from acquiring their freedom "through violent and coercive means." However, sudden abolition would bring social and economic disruptions that would affect not only the slave owners but also the slaves themselves. Villavicencio thus proposed a gradual approach to abolition, a plan to accelerate slave emancipation rather than to legally extinguish the institution of slavery. He suggested that all babies born to slave mothers should be declared to be born free. This would eliminate slavery through attrition. Villavicencio thought the gradual disappearance of an enslaved workforce would be completed over a period of twenty to twenty five years. During those years, the slave trade would be prohibited, old and sick slaves would be set free, and slaves would be permitted to purchase their own freedom at fair prices.²⁶¹

Villavicencio's approach to abolition, both in its goals and its hesitations, was at once Atlantic and universal. Atlantic, for he drew on his knowledge of the British agitation to abolish the slave trade, as well as of the debates about gradual abolition in Pennsylvania and what he referred to as "other provinces of the United States of

November 16, 1809, Biblioteca Nacional de Colombia, Bogotá (hereafter BNC), Fondo Antiguo, RM 223, pza 1.

²⁶⁰ *Gaceta Ministerial de Antioquia* (Antioquia), No. 2, October 2 1814; "Ley 7-Julio 21 de 1821," *Recopilación de leyes de la Nueva Granada. Formada i publicada en cumplimiento de la lei de 4 de Mayo de 1843 i por comisión del poder ejecutivo por Lino de Pombo, miembro del Senado* (Bogotá: Imprenta de Zoilo Salazar, por Valentín Martínez, 1845), 104.

²⁶¹ Antonio de Villavicencio, "Delicadísimo punto," ff. 1r-v, 5r-v.

North America.” Furthermore, he was aware of the Haitian Revolution and thus afraid that, unless a controlled mode of abolition was found, slave societies in the Americas might well face civil war. Villavicencio thought that the extinction of slavery in the Spanish territories of the New World and Asia would also force the British to decree the end of the institution in their own overseas possessions. The slaves of the British “would not suffer with impunity to be kept in such an inferior status, so different from the status enjoyed by men of all colors in other countries.”²⁶²

A universal sentiment permeated Villavicencio’s ideas as well. The notions of “independence” and the “rights of man,” recently discussed in Europe and the New World, illuminated his thinking. It would be an “appalling” contradiction for the Spaniards to strive for independence from Napoleonic forces and for the rights of a selected group of individuals, while “keeping in chains a considerable group of men who deserve a better lot.” Antislavery legislation should be considered a “just” and “humane” course of action, one that would not fuel the fire of the “transformations that we are experiencing in the entire globe, particularly in the Spanish Monarchy,” but would instead contribute to peace and prosperity.²⁶³

The free people of color and the slaves of Saint Domingue had pushed the boundaries of the principles of universalism of the French Revolution by striving to be recognized as French citizens and by later becoming the second independent

²⁶² Antonio de Villavicencio, “Delicadísimo punto,” ff. 3r-v.

²⁶³ Antonio de Villavicencio, “Delicadísimo punto,” f. 2r.

nation of the Americas.²⁶⁴ For Villavicencio, then, it was logical to discuss the universal nature of abolitionism in light of the struggles taking place on both sides of the Atlantic, including the American Revolution, the French Revolution, the Haitian Revolution, and the Spanish War of Independence against Napoleonic invasion.

Villavicencio's universal approach to gradual abolitionism was epitomized by his idea that liberal governments seeking to "regenerate" society would not fulfill their most "supreme obligation" unless they destroyed "even the very name of slavery."²⁶⁵ His words resembled those of Melchor Sáenz de Ortíz, the lawyer from Mompós who had earlier quoted a magistrate who wanted the words "slave" and "slavery" to disappear from legal codes.²⁶⁶

Although we cannot know the precise contents of the conversations between Antonio de Villavicencio and Félix José de Restrepo, their encounter in 1811 may have been a foundational moment of gradual emancipationist discussion in Tierra Firme, bringing the cosmopolitan liberal arrived from Spain into dialogue with the experienced lawyer from Popayán.

However, this encounter did not take place in isolation. Slaves from the Greater Caribbean to the most remote areas of Popayán had already influenced the possibilities that informed these discussions. Slaves had not been waiting for their

²⁶⁴ Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: The University of North Carolina Press, Omohundro Institute of Early American History and Culture, 2004); Laurent Dubois, "An Enslaved Enlightenment: Rethinking the Intellectual History of the French Atlantic," *Social History* vol. 31, No. 1 (February 2006): 1-14.

²⁶⁵ Antonio de Villavicencio, "Delicadísimo punto," f. 3v.

²⁶⁶ "Don Melchor Sáenz de Ortíz contra don Francisco de la Barcena Posada sobre la libertad de una esclava," AGN, Colonia, Negros y Esclavos de Bolívar, vol. 9, doc. 3, f. 265v; Aline Helg, *Liberty and Equality in Caribbean Colombia, 1770-1835* (Chapel Hill: The University of North Carolina Press, 2004), 115.

masters to adopt liberal precepts and to manumit them. They instead had sought legal and extralegal ways to obtain freedom. As the political dissolution of the New Kingdom of Granada brought revolution and war, a new strategy became available to them. For with war came military service, and with military service an avenue to freedom.

The revolution of Popayán

In 1811, governor Tacón's opposition to political change became more ardent as a group of powerful towns in the northern part of the province created a new autonomous government, replicating the actions of autonomist elites in Quito, Santafé, Cartagena and elsewhere. To face this alliance, known as the *Confederación de las Ciudades Amigas del Valle del Cauca* --Confederation of the Allied Cities of the Cauca Valley-- Tacón raised an army and prepared the defense of the provincial capital. Fearful of loosing the impending battle, in early March of 1811 the governor announced that he would grant freedom to those slaves willing to join his army. Word of this new development regarding freedom soon reached many slaves, including those in the Pacific mining districts. This was perhaps the first time an open offer of slave emancipation through military service was announced in Tierra Firme. Similar offers would later come both from royalist commanders and from revolutionary leaders such as Francisco de Miranda, Antonio Nariño, and Simón Bolívar.²⁶⁷

²⁶⁷ AHN, Popayán, box No. 341, 17 XI 1813; José Manuel Restrepo, *Historia*, vol. I, 135; Alfonso Zawadsky Colmenares, *Las Ciudades Confederadas del Valle del Cauca en 1811* (Cali: Centro de Estudios Históricos y Sociales Santiago de Cali, Gerencia Cultural de la Gobernación del Valle, 1996); Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 364-365; Peter Blanchard, *Under the Flags of Freedom: Slave Soldiers and the Wars of Independence in*

The governor took a serious risk with this offer. Fear of slave uprising was already prevalent, and many slaves already anticipated transformative, emancipationist events. Beginning in early January of 1811, slaves at the San Juan mine had openly rebelled. Two deserters from Tacón's army had visited the mine, bringing the false news that the governor had decreed freedom for all the slaves. The deserters might have heard that the governor considered granting freedom after military service, but they transformed this prospect into news of an immediate abolition of slavery. Further expanding on the rumor, the slaves at San Juan sent word to Popayán that they were not slaves anymore, and that the mine was not the property of anyone from that city.²⁶⁸

On February 26, 1811, Tacón ordered the slaves of San Juan to return to work. He had dealt directly with them in the past, punishing slave leaders who had announced the presence of a liberating "black Queen" and the coming of freedom. This time, however, Tacón was preoccupied with fighting the federalist forces in the northern part of the province and could not directly try to restore order at San Juan.²⁶⁹ As slaves from elsewhere in the province joined Tacón's forces, the slaves at San Juan stayed in their homes and continued to mine for gold for themselves. They also distributed lands for their garden plots. Gerónimo Torres Tenorio later accused

Spanish South America (Pittsburgh: University of Pittsburgh Press, 2008), 26, 29, 34, 66, 70, 74.

²⁶⁸ Gerónimo Torres to Miguel Tacón, Tambo, January 24 1811, ACC, sig. 6597 (Ind. CII-2g); Gerónimo Torres to Señor Gobernador, Mina de San Juan, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 1r-v.

²⁶⁹ Gerónimo Torres to Señor Gobernador, Mina de San Juan, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 1r.

them of even offering shelter to runaway slaves from other parts of the mining districts.²⁷⁰

On March 28, 1811, Tacón's army clashed with the forces of the provincial confederacy near the Palacé River, north of Popayán. About eighty men died on that day. Defeated, governor Tacón fled to Pasto, to the south. On June 26, 1811, a new autonomous government was installed in Popayán.²⁷¹

Antonio Nariño, the patrician from Santafé who had been arrested and sent to Europe after the 1794 pasquinades episode, now supported Popayán's autonomous forces. He had escaped after arriving in Spain and was now back in Santafé. Nariño fought hard to retain the powers of centralized government for Santafé, but a coalition of federalist provinces wishing to create a new polity to reunite the viceroyalty, now broken up into various autonomous governments, opposed him. On November of 1811, representatives of those provinces signed a Federation Act establishing the United Provinces of New Granada. Camilo Torres Tenorio, a member of the family who owned the San Juan mine in the province of Popayán, was one of the federalist coalition members in Santafé. He drafted the 1811 Federation Act, inspired by the 1777 Articles of Confederation and Perpetual Union that had served as the founding document of the United States of America until it was superseded by the more centralist US Constitution of 1787. In 1812,

²⁷⁰ Gerónimo Torres to Señor Gobernador, Mina de San Juan, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 1v.

²⁷¹ José Manuel Restrepo, *Historia*, vol. I, 135-136.

representatives from ten provinces ratified the 1811 Act, including those from Cartagena, Antioquia, and Popayán.²⁷²

As had happened on the fields of Palacé, many slaves joined in the subsequent battles of the Wars of Independence. They fought on both sides of the confrontation. Many slaves, from the beginning of the wars, clearly saw this conflict as a struggle that could lead to their own freedom. A case in point is Juan Manuel Mosquera, a slave who worked on a small sugar plantation north of Popayán. Mosquera heard about Tacón's decision to grant freedom to slaves in exchange for military service and immediately traveled to Popayán along with six other slaves. He enlisted in Tacón's army, received a spear as his sole weapon, and deployed to Palacé as an infantry soldier. As soon as the first shots were fired, however, Mosquera ran into the woods, where he stayed until sunset. Mosquera seems to have returned to his masters after the battle.²⁷³

Five months later, however, Mosquera ran away and reenlisted in Tacón's army. During late 1811 and early 1812, Mosquera worked as a soldier under Tacón's orders. Sick and unable to retake Popayán from the south, the deposed governor retreated to the Pacific mining districts and occupied Barbacoas and Tumaco. He seems to have recruited many slaves and apparently turned many others against their revolutionary masters, especially in the districts of Micay and Raposo. Throughout the early period of the revolutionary movements, slaves often sided with the royalists. The revolutionaries had not yet solidified a "viable or

²⁷² Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 281-339.

²⁷³ "Causa contra Juan Manuel Mosquera comenzada a 15 de diciembre. Juez el comandante de Patriotas, escribano, el público y comercio [sic]," ACC, sig. 6384 (Ind. MI-3j), f. 1r-v.

attractive alternative” to the reigning political system that could appeal to the slaves.²⁷⁴

Mosquera stayed with Tacón but was soon notified that the royalists were out of resources and could not pay him or provide him with food and shelter. Mosquera then got a job at a tobacco farm near Tumaco. When Tacón’s forces were defeated, Mosquera presented himself before the revolutionary captain José Ignacio Rodríguez and claimed to be a free man. Mosquera asserted he had been a soldier in Tacón’s army and requested a passport to travel to Popayán. He deemed himself free after having served the royalist forces and, perhaps naively, thought that the new government would recognize his freedom. The revolutionary government, however, saw him as a rebel and returned him to bondage on January 13, 1813.²⁷⁵

Despite disappointments and reversals of this kind, following the outbreak of war some freed and enslaved people seem to have been in a better position to advance their own interests, if only informally. During this time of upheaval, the elites from Popayán were confronted with war, revolution, decreasing incomes, and even exile and death. Their grip on their slaves generally loosened as their economic power diminished.²⁷⁶

The slaves of the mine of San Juan, for instance, maintained relative peace and autonomy during the Wars of Independence, as military forces from Popayán

²⁷⁴ “Causa contra Juan Manuel Mosquera,” f. 2r; José Manuel Restrepo, *Historia*, vol. I, 145-149, 169-179; Peter Blanchard, *Under the Flags*, 22-24.

²⁷⁵ “Causa contra Juan Manuel Mosquera,” ff. 2r-4v.

²⁷⁶ Zamira Díaz de Zulúaga, *Guerra y economía en las haciendas. Popayán 1780-1830* (Bogotá: Universidad del Valle, Banco Popular, 1983); David Fernando Prado Valencia, *Tensiones en la ciudad. Popayán 1808-1822* (Undegraduate thesis in History, Universidad del Cauca, 2008).

were occupied elsewhere. However, once Spanish forces reoccupied Popayán in 1816, a group of twenty-two slaves, led by their partner Juan Camilo Torres, who acted as slave driver, pleaded before the now restored monarchical authorities for their freedom. They claimed that their resistance had been directed against the revolutionary government, which they had prevented from taking over the San Juan road leading from the Andean interior to the Pacific coast. They argued that they had acted against their own masters who had, they claimed, joined the insurgent forces.²⁷⁷

In early 1818, these slaves were still seeking to obtain their freedom on the basis of their service to the King. With the help of public defender Manuel Alonso de Velasco, they insisted that they should be declared free not only because of the offer governor Tacón had made but also because after the revolution, they argued, the king had awarded prizes and recognized the merits of his “faithful vassals,” from the most notable of them to the “last subject.” The slaves of San Juan sought freedom for themselves and low appraisals for their wives and children so they could easily pay for their manumissions. The petitioners argued that slave prices were low, and that they would pay with the money they had earned from their own work.²⁷⁸ Informally, they were free, but they now sought to give a legal basis to their liberty and to secure confirmation of status for themselves and their families.

The lawyer José Joaquín de Sanclemente, representing Manuel Ignacio de Torres, a member of the family who claimed property in the mine and of the slaves,

²⁷⁷ Juan Camilo Torres to Señor Teniente Gobernador, Guapi, August 26 1816, ACC, sig. 6598 (Ind. CIII-2g), f. 1r-v.

²⁷⁸ Manuel Alonso de Velasco to Señor Gobernador, Popayán, february 14 1818, ACC, sig. 6598 (Ind. CIII-2g), ff. 6r-8r.

argued that the slaves had only fulfilled the duties of faithful vassals when they defended the King's cause. This was not special, however, because all vassals were "obligated by law" to defend the monarchy. If the slaves demonstrated that they had made extraordinary efforts in the defense of the King, then their claims to freedom should be heard. But that was not the case, argued Sanclemente, for he himself, as lieutenant governor of the district of Micay, had requested the help of the slaves of San Juan on two occasions in 1813. Both times they had ignored his requests. In the end, the slaves never received a clear answer to their request for freedom. However, they kept their de facto freedom until the end of slavery formally arrived.²⁷⁹

As revolution and war engulfed the city and province of Popayán, Félix José de Restrepo, who as a lawyer had first defended the tenacious ex-slave litigant Pedro Antonio Ibargüen, sided definitively with the revolutionaries. He had been an open champion of modern philosophy since at least 1791. He had studied the republican form of government and became acquainted with antislavery initiatives in his conversations with Antonio de Villavicencio. During the early revolutionary period, Restrepo joined his peers in political discussion at the salon of local notable Mariano Lemos, and soon moved to action in defense of the new regime. Indeed, when a royalist faction attacked the city of Popayán from the south in 1811, Restrepo and his students took up arms to defend the city. Restrepo commanded his pupils as they shot at the royalists from the windows of the building where they had for years peacefully devoted their time to scholarly activities.²⁸⁰

²⁷⁹ ACC, sig. 6598 (Ind. CIII-2g), ff. 10r-10v.

²⁸⁰ Félix José de Restrepo, "Oración para el ingreso de los estudios de filosofía," 1791, *Popayán. Revista mensual ilustrada*, Año IV, No. XXXVIII (1910): 639; M. Leonidas Scarpetta

Living in Popayán was now dangerous. The new government was extremely vulnerable to the attack of royalist forces. Restrepo visited the Royal Mint on one occasion in 1811 to sell two gold bars to obtain some cash. The following year, however, he would find himself visiting the Royal Mint more frequently, as he contemplated plans to leave the province.²⁸¹

By the end of February of 1812, Restrepo had visited the Royal Mint on three different occasions, selling seven gold bars, for which he received more than two thousand and two hundred *doblonos*. Between March and May, Restrepo sold thirty-three gold bars. On May 20 alone, he sold seventeen. By this date he had received more than ten thousand and seven hundred *doblonos*.²⁸² In the midst of the escalating conflict, which grew stronger south of the provincial capital, particularly in the Patía valley, Restrepo tried to secure as much cash as he could. He perhaps anticipated a forced emigration and may have used some of this money to send his family away.

At the end of August, the revolutionary government evacuated Popayán and fled north under pressure from royalist forces in Pasto. Even before the revolutionaries departed, many people in the town of Popayán were showing support for the monarchy, and the rumors of a new impending invasion from the south had scared the revolutionary leaders. The revolutionaries managed to recover the city from royalist forces on October 9. Félix José de Restrepo, nonetheless,

and Saturnino Vergara, *Diccionario*, 504-505; Mariano Ospina, *El doctor*, 60-61, 65-66, 82-83.

²⁸¹ "Libro primero de la Contaduría, para compras de metales de oro, y plata para los años de 1811 y 1812," ACC, sig. 6195 (Ind. CI-11f), f. 45v.

²⁸² "Libro primero," ff. 95r, 97r, 98v, 102r, 108r, 112r, 119v, 120r.

decided to leave Popayán for good. He traveled to the province of Antioquia, where his relatives lived and where he hoped to reunite with his own family.²⁸³

Restrepo had been born in Antioquia and his fame as an outstanding lawyer and professor preceded his arrival in that province. After arriving there, he soon joined Antioquia's revolutionary government. As a revolutionary leader, Restrepo now combined his ideas on the end of slavery with the philosophy of legislative reform to create a plan for gradual emancipation. The political transformations had brought this issue front and center in public debate, as slaves and former slaves continued to fight for their rights, for emancipation, and as soldiers for the forces of monarchism or revolution.

The revolutionaries of the province of Cartagena, however, had preceded Restrepo in bringing the issue of slavery and freedom to public political debate. Free people of color and members of the white elite in Cartagena would create an egalitarian republican constitution and outlaw the slave trade to their state. The concerns of the Cartagena revolutionaries, as well as their strategies for defending their revolutionary polity, had remarkable ties to the great transformations taking place in the Antilles. We now turn our attention again to the Caribbean.

²⁸³ José Manuel Restrepo, *Historia*, vol. I, 192-193; Mariano Ospina, *El doctor*, 85.

Chapter 4. Privateer Republics

In mid March of 1815, three weeks after running aground at Escudo de Veragua, a tiny island off the Caribbean coast of Panama, the sailors of a schooner named *Alta Gracia* took a lifeboat to the isthmus in search of food and of a possible way out of their shipwrecked lives. Instead they found trouble. The Spanish authorities immediately identified them as “French Negroes,” accused them of piracy, and threw them in jail. Among the accused sailors was a man named Ignacio, born in the city of Port-au-Prince, in what had the French colony of Saint-Domingue. He declared before the local magistrates that the *Alta Gracia* had been the prize of the privateer ship he served on, the *Belona*, outfitted in Cartagena de Indias. Ignacio further stated that the master of the privateer was the Frenchman Monsieur Aury, that the majority of seamen on board were “of color,” most of them from Haiti, and that they flew the colors of revolutionary Cartagena de Indias.²⁸⁴

Ignacio’s words seem accurate. By 1815, his captain, the privateer Louis Michel Aury, known in Spanish as Luis Aury, was already famous throughout the Caribbean, the Gulf of Mexico, and Tierra Firme. News of the *Belona* had spread by

²⁸⁴ “Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios con [...] Nación leal, en la goleta nombrada la *Belona*, y la suerte les condujo a varar en el Escudo de Veragua, en la goleta apresada por aquella nombrada *Alta Gracia*” (hereafter “Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios”), Archivo General de la Nación, Bogotá (hereafter AGN), Archivo Anexo I, Guerra y Marina, vol. 131, f. 403r-v.

print and word of mouth. On August 19, 1814, an account of the *Belona* appeared in a gazette in Cartagena. According to the report, the corsair schooner had sailed from that city in April of that year and over the following months had captured seven ships, sunk twenty-three, and battled with two Spanish warships near Havana. Among the ships sunk deep into the Caribbean was the *Cupido*, which had sailed from Jamaica, bound for Havana with twenty thousand silver *pesos* belonging to the king of Spain.²⁸⁵

Aury and his associates had received their letters of marque from the then State of Cartagena. For generations, monarchs and other heads of state in the Mediterranean and Atlantic worlds had issued letters of marque authorizing privateers to attack the vessels of their enemies. The old province of Cartagena had indeed become an independent state on November 11, 1811. Following independence, the new state outlawed the international slave trade and established a privateering policy against Spanish shipping.²⁸⁶ Revolutionary Cartagena quickly attracted outfitters, captains, and sailors not only from the Antilles, but also from Europe and the United States. Theirs was the most important port of the old

²⁸⁵ "Diario del Corsario la Belona presentado a S. E. el Excmo. Sr. Presidente del Estado," *El mensajero de Cartagena de Indias* (Cartagena), Semester 2, No. 28, August 19, 1814.

²⁸⁶ On Cartagena and Caribbean Colombia during the Age of Revolutions see Adelaida Sourdis de De la Vega, *Cartagena de Indias durante la primera República, 1810-1815* (Bogotá: Banco de la República, 1988); Gustavo Bell Lemus, *Cartagena de Indias: de la Colonia a la República* (Bogotá: Fundación Simón y Lola Guberek, 1991); Alfonso Múnera, *El fracaso de la nación: Región, clase y raza en el Caribe colombiano (1717-1821)* (Bogotá: Banco de la República, 1998); Aline Helg, *Liberty and Equality in Caribbean Colombia, 1770-1835* (Chapel Hill: The University of North Carolina Press, 2004); Marixa Lasso, *Myths of Harmony: Race and Republicanism During the Age of Revolution, Colombia 1795-1831* (Pittsburgh: University of Pittsburgh Press, 2007); Armando Martínez Garnica and Daniel Gutiérrez Ardila, eds., *La contrarevolución de los pueblos de las Sabanas de Tolú y el Sinú (1812)* (Bucaramanga: Universidad Industrial de Santander, 2010); Haroldo Calvo Stevenson and Adolfo Meisel Roca, eds., *Cartagena de Indias en la Independencia* (Cartagena: Banco de la República, 2011).

vicerealty, making Cartagena's fight against Spanish forces in the Caribbean crucial for the security of many other provinces as each obtained autonomy and eventually declared independence.

Surviving newspapers from Cartagena provide information on the privateer activity that occurred there from 1813 to 1815. However, a full account of this chapter of the revolutions of Tierra Firme and their connections with the Greater Caribbean can only be achieved by examining scattered evidence. Although the administrative documentation from the State of Cartagena has not survived, bureaucrats and journalists in Cuba, Spain, Jamaica, and the United States recorded the actions of Cartagena's privateers. The corsairs at the service of this republic in Tierra Firme thus left behind a paper trail that is Atlantic in scope.

This evidence includes eyewitness accounts as well as depositions from the corsairs themselves, making it possible to track down the schooner *Belona* and reconstruct the itineraries of its outfitter and sailors. The evidence also reveals their social origins as well as something of their understandings of freedom and their connections to various revolutionary events, traditions, and enclaves. These, in turn, cast light on the life of Cartagena as an independent State that lasted from 1811 to 1815, the first one in the region to break with the monarchical power of Spain.

The story of the *Belona* and her sailors is emblematic of the privateering power that Cartagena held between 1813 and 1815. It further reflects the nature of Cartagena's independence, as well as the autonomist convictions of the common sailors in her service. Most of them came from the "masterless Caribbean," a world

of maritime runaways and free people of color who enjoyed autonomy at sea through their work in coastal boats and sailing ships.²⁸⁷

Former slaves or descendants of slaves from the French Caribbean built the corsair might of Cartagena. For them, life at sea could be synonymous with freedom. Their seamanship skills were remarkable, their cultural capital often included the ability to speak multiple languages, and they sustained a network of communication of unrivaled efficacy that stretched across the Greater Caribbean.²⁸⁸

Men like Aury and Ignacio had intertwining paths that intersect with Cartagena's political transformations. Independent Cartagena was strongly linked with the Greater Caribbean. Its authorities briefly welcomed so called "French Negroes" and other foreigners who Spanish authorities in Tierra Firme had vigorously tried to keep at bay. Revolutionary Cartagena, in turn, served as the model for the Republic of the Two Floridas, at Amelia Island, near the State of

²⁸⁷ I borrow the notion "masterless Caribbean" from Julius S. Scott, "The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution" (PhD diss., Duke University, 1986). See also Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra. Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000), 211-247; Neville A. T. Hall, "Maritime Maroons: *Grand Marronage* from the Danish West Indies," Laurent Dubois and Julius S. Scott, eds., *Origins of the Black Atlantic* (New York: Routledge, 2010), 47-68.

²⁸⁸ Julius S. Scott, "The Common Wind"; Julius S. Scott, "Crisscrossing Empires: Ships, Sailors, and Resistance in the Lesser Antilles in the Eighteenth Century," Robert Paquette and Stanley Engerman, eds., *The Lesser Antilles in the Age of European Expansion* (Gainesville: University Press of Florida, 1998), 128-143; Ada Ferrer, "Cuba en la sombra de Haití: noticias, sociedad, y esclavitud," María Dolores González-Ripoll et al., *El rumor de Haití en Cuba: Temor, raza, y rebeldía, 1789-1844* (Madrid: Consejo Superior de Investigaciones Científicas, 2004), 179-231; Ada Ferrer, "Talk About Haiti. The Archive and the Atlantic's Haitian Revolution," Doris L. Garraway, ed., *Tree of Liberty. Cultural Legacies of the Haitian Revolution in the Atlantic World* (Charlottesville: University of Virginia Press, 2008), 21-40; Ada Ferrer, "Speaking of Haiti. Slavery, Revolution, and Freedom in Cuban Slave Testimony," David Patrick Geggus and Norman Fiering, eds., *The World of the Haitian Revolution* (Bloomington and Indianapolis: Indiana University Press, 2009), 223-247; Ada Ferrer, "Haiti, Free Soil, and Anti-Slavery in the Revolutionary Atlantic," *American Historical Review* vol. 117 No. 1 (February 2012): 40-66.

Georgia. The seagoing initiatives of the small state, moreover, showed anti-Spanish revolutionaries, from Mexico to the Rio de la Plata, that privateering could be a mighty weapon against the Spanish Crown. The presence of former slaves in Cartagena and its privateer ships, in turn, suggests something of the extraordinary impact of the Haitian Revolution and the increasing connections between political revolution and slave emancipation.

Freedom at sea

Cartagena remained independent from November 1811 to December 1815. In this autonomous port city, thousands of foreigners congregated under the protection of the local revolutionaries: anti-Spanish fighters who had emigrated from Venezuela, merchants and adventurers from Jamaica and the United States, French outfitters and captains, and hundreds of seamen from Haiti and elsewhere in the French Antilles. Many among the French Caribbean seamen were privateers with years of experience in the maritime battles that had been sparked in the New World by the French and Haitian revolutions. Aury was an outfitter and an officer. By contrast, Ignacio was a common sailor. Born in Saint-Domingue around 1768, Ignacio had no last name, which suggests that he was a former slave. Their paths converged in Cartagena in mid-1814, as Ignacio served under the command of the Frenchman on the *Belona* beginning in August of that year.²⁸⁹

A sailor by trade, Ignacio had a true passion for life at sea. After capturing the small Spanish ship *Alta Gracia* in early 1815, Aury ordered Ignacio and other sailors to take command of that schooner and sail it to Cartagena. Due to bad weather and

²⁸⁹ "Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios," f. 403r-407r.

an incompetent British captain, they ran aground on the remote island of Escudo de Veragua and were arrested after reaching Panama on board a lifeboat. When interrogated by the Spanish authorities about why he had joined the crew of a corsair ship, Ignacio, simple and irreverent in his language, answered that seafaring was his trade; he had no ulterior motives. To ensure that his interrogators would understand his commitment for life at sea, he added that should “the great Devil turn himself into a ship, in such a ship he would sail.”²⁹⁰ He was a seaman at heart, determined to set sail under any and all imaginable circumstances.

Men like Ignacio were regarded in Tierra Firme, the Caribbean, the Gulf of Mexico and the eastern shore of the United States as “French Negroes,” an expression that denoted African ancestry, a slave past, dangerous connections to the Haitian Revolution and, potentially, anti-slavery and egalitarian tendencies. Among the so-called French Negroes, sailors achieved great levels of independence, mobility and knowledge through their trade. They moved from port to port, from the Antilles to the mainland and from one ship to the next, making use of their seafaring skills and their linguistic abilities. They usually spoke two or three of the languages of the Atlantic Empires: Spanish, French, Creole, English or Dutch.²⁹¹ Although Ignacio knew some Spanish, his words before the Spanish authorities were translated from French by one of his fellow castaways.

²⁹⁰ “Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios,” f. 403v.

²⁹¹ *Affiches Américaines* (Saint-Domingue), No. 12, March 20, 1784, No. 47, November 20, 1784, No. 26, June 25, 1785; Julius S. Scott, “The Common Wind”; Julius S. Scott, “Crisscrossing Empires.”

Born in Paris, Aury had served France in the war against the British in the Caribbean in the early 1790s. He was helmsman on a French ship under the command of Jérôme Bonaparte when a storm forced his squadron to disperse, opening it to easy attack by the British. Aury survived the attack and made it to Guadeloupe, where he became a privateer during the regime of Victor Hugues. While governing the island between 1794 and 1798, Hughes outfitted more than one hundred corsair ships, which by the end of his regime had captured or destroyed some eighteen hundred British vessels.²⁹² Aury obtained fame and fortune from his corsair adventures.²⁹³

Corsairs had operated in the Caribbean for generations. The simultaneous French and Haitian Revolutions, however, sparked this last frantic chapter of privateering history in the Americas. Men like Aury and Ignacio were able to offer their specialized services to Cartagena because of their previous experiences on corsair ships. They had engaged in privateering authorized by revolutionary France after 1794, operating mainly from Saint-Domingue, Guadeloupe, and eastern Cuba. Corsairs who had operated from the ports of the old French possession of Saint-Domingue, which became independent Haiti in 1804, kept strong links with the island while serving under the revolutionary flag of Cartagena.

²⁹² Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill: The University of North Carolina Press, Omohundro Institute of Early American History and Culture, 2004), 241-246; Michel Rodigneaux, *La guerre de course en Guadeloupe. XVIII^e-XIX^e siècles. Ou Alger sous les tropiques* (Paris: L'Harmattan, 2006), 71-96.

²⁹³ Maurice Persat, *Mémoires du commandant Persat. 1806 a 1844. Publiés avec un introduction et des notes par Gustave Schlumberger* (Paris: Plon, 1910), 32-33.

The corsair ships authorized by Cartagena often sought refuge in Haiti, particularly at Les Cayes, on the southern coast, where the republican leader Alexandre Pétion openly supported the revolutionary forces of Tierra Firme.²⁹⁴ In that port and its vicinity, privateers of the State of Cartagena would unload their cargoes, repair their ships, and acquire new vessels. More importantly, sailors could be easily recruited at Les Cayes, where Haitian men were eager to join the crews of ships such as the *Belona*.²⁹⁵ In that port and its surrounding areas, the officers of the *Belona* recruited seamen like Hilario, who later became one of the sailors in charge of the *Alta Gracia*, before it ran aground off Panama in 1815.²⁹⁶

Privateer captains and outfitters recruited sailors in other parts of the Caribbean where slavery still existed, though with greater risks. Indeed, the corsair ship was a potential site of flight and maritime marronage. British authorities in Jamaica tried John Detruie, master of the *Augustus*, a privateer ship of the State of Cartagena, for “employing,” “enticing,” and “inveigling” on board of his vessel a slave named Thomas, belonging to J. P. Tardiff. Besides Thomas, six other slaves had

²⁹⁴ “Comunicación al almirante de las fuerzas navales en Jamaica, fecha Cuba y noviembre 1812, con el fin de que impida la salida de dos mil franceses que parece pretenden proteger a los insurgentes de Cartagena de Indias,” Archivo Nacional de Cuba, La Habana (hereafter ANC), Asuntos Políticos (hereafter AP), leg. 13, No. 37; “Real orden, fecha Madrid 18 abril 1814, para que la Diputación Provincial proporcione al Comandante General de Marina los arbitrios necesarios para perseguir y exterminar los corsarios,” ANC, AP, leg. 15, No. 16; “Comunicación, fecha Madrid 4 febrero 1814, acusando recibo de la que dio cuenta del apresamiento de la goleta española El Tigre por tres corsarios de Cartagena,” ANC, AP, leg. 15, No. 5; Paul Verna, *Robert Sutherland. Un amigo de Bolívar en Haití. Contribución al estudio de los destierros del Libertador en Haití, y de sus Expediciones de Los Cayos y de Jacmel* (Caracas: Fundación John Boulton, 1966); Paul Verna, *Pétion y Bolívar. Cuarenta años (1790-1830) de relaciones haitiano-venezolanas y su aporte a la emancipación de Hispanoamérica* (Caracas: Oficina Central de Información, 1969).

²⁹⁵ Julius S. Scott, “The Common Wind,” 59.

²⁹⁶ “Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios,” f. 404v.

sailed on the *Augustus*: Bois Louis, John, Ely, Damas, John Marcus, alias Martine, and Peter, alias Pierre. The British found Detruie guilty of employing runaway slaves and obliged him to pay a fine and serve six months in prison.²⁹⁷

Those slaves, in all likelihood, had not required much inveigling. Men like Thomas were eager to find jobs on the corsair ships that frequently anchored in the ports of Haiti and Jamaica, joining the crews of sailing ships to make a living away from the land and from slavery or re-enslavement. Even slaves who worked as sailors with the consent of their masters enjoyed a certain degree of autonomy on account of the mobility that their trade entailed. If labor conditions were hard on board, the contractual nature of the relationship between the master and the sailors offered an eventual legal avenue to escape an oppressive boss. This stood in sharp contrast with the conditions most slaves had to endure under the plantation regime. Setting sail as a privateer, however, implied a serious risk of life and limb.²⁹⁸

Before sailing on a corsair ship out of Cartagena, Ignacio had followed a path that reflects the cross-imperial, cross-cultural mobility that some former slaves from Saint-Domingue achieved after the Haitian Revolution.²⁹⁹ At Port-au-Prince, Ignacio boarded a Dutch ship that took him to Jamaica, where he jumped aboard a British ship bound for Cartagena. In that port of Tierra Firme, in early 1814, Ignacio

²⁹⁷ *Postscript to the Royal Gazette* (Kingston), vol. XXXVII, No. 39, September 23-30, 1815.

²⁹⁸ *The Interesting Narrative of the Life of Olaudah Equiano written by Himself. With Related Documents* (Boston and New York: Bedford/St. Martin's, 2007); Julius S. Scott, "The Common Wind," 60, 107-108; Marcus Rediker, *Between the Devil and the Deep Blue Sea. Merchant Seamen, Pirates, and the Anglo-American Maritime World, 1700-1750* (New York: Cambridge University Press, 1987), 5, 115.

²⁹⁹ Julius S. Scott, "The Common Wind."

found himself in a thriving center of privateer activity.³⁰⁰ While conversing with other seamen at the docks, streets and taverns, sailors easily learned about outfitters looking for workers.

Ignacio became a sailor for Aury and his three associates, the French outfitters of the *Belona* and the *Criolla*.³⁰¹ According to Ignacio, all sorts of sailors such as “Spaniards, Frenchmen, Englishmen, Americans, many from the colony of Guarico [Haiti]; and most of them of color” manned the *Belona*.³⁰² When the British brig *Carnation* captured the *Belona* to the windward of Cumberland-Harbour, in Jamaica, the local press reported that seventy-five men manned the ship, “mostly natives of St. Domingo.”³⁰³ The owner of a schooner that had been captured by the *Belona* and who had spent some time on board the privateer vessel, declared that among the crew were “Europeans, Carthaginians, French, and other Nations which he cannot tell.”³⁰⁴ The crew of the *Criolla* “consisted of about seventy Negros.”³⁰⁵

³⁰⁰ “Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios,” f. 403r-v.

³⁰¹ “Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios,” f. 403r-v; “Declaración dada por Don Pedro Bruno y otros en 24 enero 1816, sobre las circunstancias ocurridas en el apresamiento por el corsario insurgente la «Popa de Cartagena» y observaciones que hicieron sobre el asilo que reciben del gobierno del General Alejandro Pétion”; “Minutas de los oficios del gobernador de Santiago de Cuba, fecha 24 junio 1816, sobre haberse retirado los corsarios piratas que se hallaban en la bahía de Naranjo al norte de la Isla, en la jurisdicción de Holguín, y de sus designios de seguir las hostilidades sobre las costas del Reino de México,” ANC, AP, leg. 109, No. 36.

³⁰² “Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios,” f. 403v.

³⁰³ *Postscript to the Royal Gazette* (Kingston), vol. XXXVII, No. 50, December 9-16, 1815. See also *Postscript to the St. Jago Gazette* (Spanish Town), vol. LXI, No. 50, December 9-16, 1815.

³⁰⁴ “Minutas de los oficios del gobernador de Santiago de Cuba, fecha 24 junio 1816,” ANC, AP, leg. 109, No. 36, deposition of don Antonio Suárez, June 14, 1816.

³⁰⁵ *Baltimore Patriot & Evening Advertiser* (Baltimore), vol. VIII, No. 112, November 11, 1816.

Aury, Ignacio and the other crewmen of the *Belona* sailed under the flag of Cartagena. Aury had received a letter of marque authorizing him to “to cruise against the vessels and property of the Spanish nation and its dependencies.”³⁰⁶ Issuing letters of marque was, according to legal conventions, the prerogative of sovereign monarchs, princes and states.³⁰⁷ The revolutionary leaders of Cartagena conceived their polity as a sovereign state and, seeking to defend their revolution and bring in much needed revenue, they established a privateering policy not long after declaring independence.

The revolution of Cartagena

The flag of revolutionary Cartagena --three concentric rectangles of red, yellow and green, adorned with a white star in the middle-- flown by the *Belona*, represented a free and independent polity that had severed all political ties with Spain on November 11, 1811. The Spanish monarchical crisis, in the spring of 1808, had opened a window of opportunity for some members of the local elite in the city to secure the autonomy they had sought for years. Their resentment of viceregal administration from Santafé was well known, and their anxiety for free trade and open cultural contact with the non-Spanish world --in the Antilles and beyond-- was undeniable.

³⁰⁶ All letters of marque followed the same legal formulae. This quotation from the letter of marque issued to André Ranché, Cartagena de Indias, July 13, 1813, Carthagenera formerly Caroline to HMS Sappho, 1813, Jamaica Archives, Spanish Town (hereafter JA), High Court of Vice-Admiralty Records (hereafter HCVA), box 250.

³⁰⁷ Manuel Lucena Salmoral, *Piratas, bucaneros, filibusteros y corsarios en América. Perros, mendingos y otros malditos del mar* (Caracas: Grijalbo, 1994); Oscar Cruz Barney, “Sobre el régimen jurídico del corso marítimo en Francia: la *Ordonnance de la Marine* de 1681,” *Revista de Historia Naval* vol. XXVI No. 105 (2009): 110.

Exposure to Enlightenment ideas, liberal principles, and freemasonry further galvanized the autonomist spirits of some local patricians. In Cartagena, merchants had opened a Masonic lodge in 1808 with authorization from the Great Provincial Lodge of Jamaica. The freemasons in town, future leaders of the autonomist movement, met at José María García de Toledo's house.³⁰⁸ He was an influential lawyer, owned fifty-three slaves and administered several inherited *haciendas*.³⁰⁹

The crisis of 1808 had allowed Cartagena's free people of color to enter the political scene with a position of importance. Moreover, they comprised the majority of the inhabitants, long deprived of equal political standing.³¹⁰ Among the free people of color, many of whom knew of the social transformations taking place in Tierra Firme, the French Caribbean and elsewhere, leadership resided with men of complex backgrounds and connections. Pedro Romero was a *mulato* artisan born in Matanzas, Cuba.³¹¹ Gabriel Gutiérrez de Piñeres, on the other hand, was a Spanish *criollo*, born into an elite family from Mompós, but an ardent ally of the plebeians.

News of the *juntas* that emerged throughout Tierra Firme and the overthrow of the viceregal authorities in Santafé in 1810 bolstered political opinion in favor of the creation of a local *junta* in Cartagena. This course of action seems to have been favored among the common people. Respected lawyer and city councilman Antonio José de Ajos, who worked for many years as a public defender of widows, children

³⁰⁸ Gustavo Bell Lemus, *Cartagena de Indias*, 23-27.

³⁰⁹ Armando Martínez Garnica and Daniel Gutiérrez Ardila, eds., *Quién es quién en 1810. Guía de Forasteros del Virreinato de Santafé* (Bogotá: Universidad del Rosario, 2010), 109-110.

³¹⁰ Alfonso Múnera, *El fracaso*.

³¹¹ Alfonso Múnera, *El fracaso*; Alfonso Múnera, "Pedro Romero: el rostro impreciso de los mulatos libres," Alfonso Múnera, *Fronteras imaginadas. La construcción de las razas y de la geografía en el siglo XIX colombiano* (Bogotá: Planeta, 2005), 153-174.

and the poor, was the first to support the creation of a *junta*. Although most notables in town opposed the idea, popular pressure prevailed and a local *junta* formed on August 13.³¹²

This new local government crystallized a process of political change. Some free people of color saw the opportunity to advance their demands for equality. Patricians and plebeians needed each other in order to transform the government and local society, yet they were divided into two parties: the moderates, led by García de Toledo, and the radicals, led by the *criollo* Gutiérrez de Piñeres. The radicals aligned themselves with the artisan *mulatos* and people from Mompós. This group pressured the *junta* towards the declaration of total independence from Spain on November 11, 1811. Gutiérrez de Piñeres and Pedro Romero led the coalition.³¹³

In Mompós itself, a cross-class, cross-racial alliance led by Celedonio Gutiérrez de Piñeres, Gabriel's brother, had established a *junta* on October 11, 1810, seeking autonomy from the Cartagena *junta*. José Luís Muñoz, Luis Galván, José de los Santos Iglesias, and the carpenter José María Vides, were all free men of color who helped to create the Mompós autonomous government.³¹⁴ But the faction led by García de Toledo in Cartagena reacted emphatically, sending four hundred soldiers to occupy Mompós, dissolve the *junta*, expell its leaders, and confiscate their properties.³¹⁵

³¹² Armando Martínez Garnica and Daniel Gutiérrez Ardila, *La contrarrevolucion*, 9-11, 14.

³¹³ Alfonso Múnera, *El fracaso*.

³¹⁴ "Lista de los sujetos que se citan en el adjunto oficia de esta fecha," AGN, Archivo Anexo I, Embargos, vol. 1, f. 443r.

³¹⁵ Armando Martínez Garnica and Daniel Gutiérrez Ardila, *La contrarrevolucion*, 14-17.

A year later, by advocating for independence in Cartagena, Gabriel Gutiérrez de Piñeres vindicated the actions of radical kin and friends who had demonstrated their autonomous inclinations in Mompós. Gabriel, Celedonio, and a third brother named Germán had gained influence in Cartagena but their roots lay in Mompós and they were conscious of their hometown's specific interests.³¹⁶ The brothers had watched as their home village rose to economic power and developed a dynamic political life. Despite their activities in Cartagena, they wished to see their hometown achieve autonomy from that city and perhaps transform it into the capital of an independent province.³¹⁷

Germán and Gabriel lived in Cartagena but kept in contact with their brother Celedonio, who had stayed in Mompós and become an influential canon law professor, merchant and councilman.³¹⁸ Although Gabriel did not receive a legal education in Santafé, as his brothers had, he nevertheless became a rich merchant, a man of liberal ideas, and a broker between the autonomist elites and the commoners of Cartagena. José Manuel Restrepo, who lived through the years of the revolutions and later became Colombia's first historian, described Gabriel as the one who carried out Germán's plans and someone who "everywhere preaches absolute equality [...] He was always seen surrounded by blacks and *mulatos* who had no

³¹⁶ The father of the Gutiérrez de Piñeres brothers was a nephew of the Bourbon reformer Juan Francisco Gutiérrez de Piñeres, whose power had been challenged by the *Comunero* uprising in 1780-1781. He arrived in the village with an appointment for royal office, and made a fortune in that center of trade and contraband.

³¹⁷ Alfonso Múnera, *El fracaso*, 188-191; Aline Helg, *Liberty*, 108-120. See also chapter 2 of this work.

³¹⁸ Armando Martínez Garnica and Daniel Gutiérrez Ardila, *Quién es quién*, 115.

education, and he desired the rest of citizens to do the same, under the penalty of being deemed aristocrats.”³¹⁹

The radical patricians and allies of the free people of color emerged as the rulers of the State after November of 1811. Manuel Rodríguez Torices and Gabriel Gutiérrez de Piñeres now presided over the government of Cartagena. In January 1812, the revolutionaries formed a constitutional convention, where the *mulato* leader Pedro Romero acted as a representative.

Manuel Benito Rebollo Amate, a priest educated in Santafé, was the primary drafter of the Constitution. He came from the intellectually active elite of Mompós and knew the work of Montesquieu through the writings of the Count of Tracy, a French thinker who had written commentaries on *The Spirit of the Laws*. Like other men of his generation and social status, Rebollo Amate had studied the ideas of modern philosophy through the writings of European thinkers. Montesquieu, Jean-Jacques Rousseau, and Gaetano Filangieri were popular among the educated elites of the New Kingdom of Granada.³²⁰

On June 15, 1812, the State of Cartagena adopted a liberal constitution, possibly the most original conceived in Tierra Firme during the Age of Revolutions. This new Constitution stated that Cartagena was a “representative Republic” with separation of powers and a member state of the United Provinces of New Granada.

³¹⁹ José Manuel Restrepo, *Historia de la revolución de la república de Colombia en la América meridional* (Medellín: Universidad de Antioquia, 2009, 1st. ed., 1827, 2nd. ed., 1858), vol. I, 168.

³²⁰ Daniel Gutiérrez Ardila, *Un Nuevo Reino. Geografía política, pactismo y diplomacia durante el interregno en Nueva Granada (1808-1816)* (Bogotá: Universidad Externado de Colombia, 2010), 98.

The Constitution abolished all corporate, inherited or blood privileges and further recognized “legal equality” as a “correct, just, and natural” principle.³²¹

Pressured by demands for social equality, the revolutionaries of Cartagena acted based on enlightenment principles as studied and practiced in Santafé and Mompós. The Constitution outlawed the slave trade but upheld slavery. It also enabled the legislative power to create a manumission fund for the gradual emancipation of slaves. Finally, following in the steps of the 1789 Spanish instruction for the moderate treatment of slaves, the Constitution called for masters to punish their slaves “without cruelty.”³²²

It was in the province of Antioquia rather than Cartagena where legislators enacted gradual emancipationist legislation a few years later, led by Juan del Corral and Félix José de Restrepo. With former slaves arriving at its port in search of work on privateer vessels, however, revolutionary Cartagena became a cosmopolitan space where the effects of emancipation and political revolution sweeping the Caribbean were a matter of everyday life.

Because of its strategic location, defending Cartagena from external threats and civil war was crucial for the security of Tierra Firme.³²³ North of the province, Santa Marta remained a royalist stronghold. Inside the province, Mompós had declared autonomy from the provincial capital. Moreover, the inhabitants of the plains of Tolú and Sinú rebelled against the city in 1812, deploying their

³²¹ “*Constitución del Estado de Cartagena de Indias (1812)*,” Manuel Antonio Pombo and José Joaquín Guerra, *Constituciones de Colombia. Recopiladas y precedidas de una breve reseña histórica* (Bogotá: Biblioteca Popular de la Cultura Colombiana, 1951), 98-99.

³²² “*Constitución del Estado de Cartagena de Indias (1812)*,” 163-164.

³²³ “*Constitución del Estado de Cartagena de Indias (1812)*,” 158.

monarchical principles and distrust of the independent government. As clients of García de Toledo, the leaders of the uprising resented the overthrow of the benefactor's faction.³²⁴

Defending Cartagena from internal and domestic enemies proved costly. With depleted coffers, the government needed a new source of funds. In light of the longstanding Caribbean privateer tradition, by the end of 1812 the leaders of the newly republican Cartagena decided to resort to privateering to raise revenue. They sent word to the Antilles and soon corsairs from the Caribbean and beyond knew of this budding opportunity. The new state began issuing letters of marque against Spain and its allies.³²⁵

Since the outbreak of war in the summer of 1812, Anglo-American privateers sailed against British vessels. But some of those privateers disliked the regulations decreed by the United States and soon realized that most British merchant ships were heavily protected and therefore difficult to capture.³²⁶ After hearing from the State of Cartagena, Anglo-American privateers sailed south in hopes of finding easier targets and a bigger share of the prizes. The naval power of Spain paled in comparison to Great Britain. Among the first of Cartagena's privateer vessels were

³²⁴ José Manuel Restrepo, *Historia*, vol. I, 200-201; Armando Martínez Garnica and Daniel Gutiérrez Ardila, *La contrarevolución*. A different view on this matter in Marixa Lasso, *Myths*, 73-74.

³²⁵ Alfonso Múnera, *El fracaso*, 205-206.

³²⁶ "Juicio imparcial sobre los corsarios de Cartagena," *Gaceta de Cartagena de Indias* (Cartagena), No. 73, September 2, 1813, and No. 74, September 9, 1813.

the *Cartagena*, the *Lady Madison*, and the *Kingston Packet*. Citizens of the United States outfitted and commanded these three ships.³²⁷

The State of Cartagena appointed Venezuelan lawyer Manuel Palacio Fajardo as diplomatic envoy to the United States. His mission was to recruit revolutionary privateers and obtain political support and military resources, either from the United States or from France, via the French minister in Washington. Among his papers, Fajardo carried blank letters of marque to be issued to privateers willing to serve Cartagena. During his trip, Fajardo met with Pedro Gual, a lawyer from Venezuela who had been the secretary of Venezuelan revolutionary Francisco de Miranda. Gual had been appointed Miranda's diplomatic envoy to the United States. Together, Fajardo and Gual met with Secretary of State James Monroe in December of 1812. Monroe, however, refused support to the revolutionaries of Tierra Firme. The French ambassador, on the other hand, granted Fajardo resources to travel to France to present his cause in Paris. Gual stayed behind in America, still holding the blank letters of marque.³²⁸

Gual traveled to Baltimore, where he crossed paths with Aury in the spring of 1813 and offered him a letter of marque from Cartagena. As the United States government had confiscated Aury's ships in November of 1811, on grounds of violating neutrality laws, he saw this as the perfect opportunity to return to

³²⁷ *Federal Gazette* (Baltimore), vol. XXXIX, No. 5812, February 1, 1813; *Postscript to the Royal Gazette* (Kingston), XXXV, No. 9, February 20-27, 1813, vol. XXXV, No. 16, April 10-17, 1813, vol. XXXV, No. 30, July 17-24, 1813, vol. XXXV, No. 49, November 27-December 4, 1813, No. 51, December 11-18, 1813; *City Gazette & Comercial Daily Advertiser* (Charleston), vol. XXXII, No. 10588, January 22, 1813; *The Democratic Press* (Philadelphia), vol. VI, No. 1723, January 2, 1813; *American & Commercial Daily Advertiser* (Charleston), vol. XXVII, No. 4346, April 20, 1813.

³²⁸ Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 522-533.

revolutionary privateering.³²⁹ This encounter between Gual and Aury was but the first episode in a longer story of shared revolutionary experiences.

In the spring of 1813, Gual acquired a ship, renamed it the *Francisco de Paula*, and adorned it with the colors of republican Cartagena. Aury commanded the ship and the two men sailed south, entering the bay of Cartagena in May. By August, Aury commanded a small fleet of four vessels. He had received appointment as commodore and was on his way to becoming the most renowned of the republican privateers of Cartagena.³³⁰

Cartagena was now Aury's base of operation. The following year, his path converged with that of the sailor Ignacio. At the time of their encounter, French and French Caribbean men with life stories, expectations and experiences similar to Ignacio's and Aury's flooded Cartagena.³³¹ The city took on the shape of a cosmopolitan, revolutionary enclave, crowded with people from the Atlantic world who spoke several languages and had different accents and complexions.

Cartagena's cosmopolitan character was a result both of the circumstances of the time and of the deliberate intentions of its leaders. The Constitution of 1812 expressly allowed foreigners to visit and live in Cartagena, in sharp contrast to prior Spanish anti-foreign regulations.³³² Businessmen and adventurers, captains and

³²⁹ Carlos A. Ferro, *Vida de Luis Aury. Corsario de Buenos Aires en las luchas por la independencia de Venezuela, Colombia y Centroamérica* (Buenos Aires: Editorial Cuarto Poder, 1976), 18-19.

³³⁰ Carlos A. Ferro, *Vida de Luis Aury*, 19-20.

³³¹ Sergio Elías Ortíz, *Franceses en la independencia de Colombia* (Bogotá: Academia Colombiana de Historia, Editorial ABC, 1971); Rodrigo García Estrada, "Los extranjeros y su participación en el primer período de la independencia en la Nueva Granada, 1808-1816," *Historia Caribe* No. 16 (2010): 71.

³³² "Constitución del Estado de Cartagena de Indias (1812)," 164-65, 176.

sailors, outfitters and refugees crisscrossed in the streets of Cartagena. The city became home to veterans of the Caribbean wars like Aury, political refugees like Juan Francisco Pérez, originally from New Orleans and an exile from Margarita, and merchants like one doctor Douét who arrived from Kingston to sell his “anti-venereal syrup.”³³³

“French Negroes” converged on the city in response to the privateering policy of the State. Most members of the European and *criollo* elites, however, feared such men. They had heard about the Haitian Revolution and remembered that slaves from the French Caribbean had been accused of aiming to take over the city in 1799.³³⁴ However, seamen of color from the French Caribbean generally felt relatively safe living in Cartagena, where they enjoyed the benefits of the egalitarian character of the State and the availability of jobs on corsair schooners such as the *Belona*.

Indeed, many men among the outfitters and sailors who traveled to Cartagena in search of privateering opportunities became naturalized citizens of the State. The acquisition of citizenship from this revolutionary polity facilitated life at sea for outfitters and sailors who could easily be accused of treason or marronage in places such as Havana, Kingston or New Orleans. The exile Juan Francisco Pérez, for example, became a citizen of Cartagena. He was the proprietor of the privateer schooner *Cartagenera*, commanded by Frenchman Pierre Yolet, who was also a

³³³ On Pérez see *Cartagenera* formerly *Caroline* to HMS *Sappho*, 1813, JA, HCVA, box 250. On Douét see *El mensajero de Cartagena de Indias* (Cartagena), Semester 1, No. 11, April 22, 1814.

³³⁴ Estado, 52, N 76, N 77, Archivo General de Indias, Sevilla. See also chapter 1 of this work.

naturalized citizen. All fifty-six men on board the *Cartagenera*, claimed Yolet, were also naturalized citizens of Cartagena.³³⁵

Anglo-American travelers and sailors also visited this revolutionary enclave. On July 4, 1812, citizens of the United States in Cartagena celebrated Independence Day on board the schooner *Caroline* from Baltimore.³³⁶ On that day, members of the revolutionary government and the local elite partook in the festivities along with captain John Dieter and other U.S. citizens. At noon, twenty cannon shots marked the start of the celebrations and another twenty blasts acknowledged the arrival of the guests. The toasts raised were both patriotic and political. They invoked the Continental Congress, the Constitution of the United States, and the memories of Thomas Jefferson, Thomas Paine, and George Washington, amongst other Anglo-American patriots.³³⁷

Well-informed individuals in the New Kingdom of Granada had heard of the revolutionary movements in the thirteen British colonies of North America. The political transformations brought about by the American Revolution became important topics of conversation and study in Spanish America. Three lawyers from Tierra Firme did the first translations of the United States Constitution into Spanish: José Manuel Villavicencio, Manuel García de Sena, and Miguel de Pombo y Pombo.³³⁸ Cartagena's connections with the United States became stronger during the revolutionary years, when securing transportation to North America was relatively

³³⁵ *Cartagenera* formerly *Caroline* to HMS *Sappho*, 1813, depositions of Pierre Yolet and Juan Francisco Pérez, December 15, 1813, JA, HCVA, box 250.

³³⁶ *Gaceta de Cartagena de Indias* (Cartagena), No. 14, July 16, 1812.

³³⁷ *Gaceta de Cartagena de Indias* (Cartagena), No. 14, July 16, 1812.

³³⁸ Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 96-102.

easy. The schooner *Caroline*, for example, had traveled several times between Baltimore and Tierra Firme. On October 29, 1812, it sailed back to Baltimore. On board was Manuel Palacio Fajardo, the diplomatic envoy with the blank letters of marque later distributed by Gual, one of which ended up in Aury's hands.³³⁹

A privateer republic against Spain

The flag of Cartagena became the symbol of a privateer force that the Spanish authorities and merchants, particularly in Cuba, dared not underestimate. At the end of July of 1813, the Jamaican press reported on about fourteen privateers from Cartagena operating in the Caribbean. Reports of attacks on Spanish shipping by the corsairs of Cartagena multiplied after mid 1813.³⁴⁰ The schooner *President*, for example, captured the *Aquiles*, a Spanish brig out of New York, bound for Havana, and loaded with flour and other provisions.³⁴¹ From 1813 to early 1816, dozens of privateer vessels with letters of marque issued by Cartagena were active in Caribbean waters (See Figure 5).

On September 2, 1813, the Spanish brig *San Sebastián*, carrying lumber and wine from Boston, entered the bay of Cartagena as a prize of the *Filantrópico*. *Nuestra Señora del Carmen*, which left Havana bound for New York transporting sugar, tobacco, and coffee, arrived on the same day and was also captured by the

³³⁹ *American & Commercial Daily Advertiser* (Baltimore), vol. XXV, No. 4016, March 30, 1812; *Baltimore Weekly Price Current* (Baltimore), No. 508, December 5, 1812; *Federal Gazette* (Baltimore), vol. XXXVIII, No. 5765, December 7, 1812; Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 425.

³⁴⁰ *Postscript to the Royal Gazette* (Kingston), vol. XXXV, No. 29, July 10-17, 1813, vol. XXXV, No. 38, August 7-14, 1813, vol. XXXV, No. 37 [sic], September 4-11, 1813; *Gaceta de Cartagena de Indias* (Cartagena), No. 74, September 9, 1813.

³⁴¹ *Postscript to the Royal Gazette* (Kingston), vol. XXXV, No. 32, July 31-August 7, 1813.

Filantrópico.³⁴² The *Once de Noviembre* --a privateer whose name was a celebration of the Independence of Cartagena-- returned in December after successfully capturing six vessels, including the Spanish schooners *Trinidad* and *Carmelita*, loaded with wine, tobacco, and other merchandise.³⁴³

In 1813, Cartagena corsairs captured at least forty-one Spanish vessels.³⁴⁴ The attacks continued, to the dismay of the Spanish authorities and merchants in Cuba. They feared that the corsairs of Cartagena would even attempt to take over Baracoa, a small port at the eastern part of the island with a long history of contacts with privateers.³⁴⁵ The merchants helped raised a militia to defend the port and outfitted ships to attack privateers flying the colors of Cartagena.³⁴⁶ In 1814, merchants and planters from Havana collected twelve thousand *pesos* to finance another expedition against the corsairs, who continued to prey on their vessels.³⁴⁷

The *Belona* intercepted the *Cupido*, loaded with thousands of *pesos* and official correspondence addressed to the authorities in Havana by the Spanish viceroy in Panamá. On May 31, 1814, Aury and his men captured the Spanish frigate

³⁴² *Gaceta de Cartagena de Indias* (Cartagena), No. 74, September 9, 1813.

³⁴³ *Gaceta de Cartagena de Indias*, (Cartagena), No. 90, December 30, 1813.

³⁴⁴ *El mensajero de Cartagena de Indias* (Cartagena), Semester 1, No. 3, February 25, 1814.

³⁴⁵ "Comunicación, fecha Madrid 26 marzo 1814, acusando el recibo de la que participaba las presas hechas por corsarios del gobierno revolucionario de Cartagena que han intentado un desembarco en Baracoa," ANC, AP, leg. 15, No. 14.

³⁴⁶ "Documento que se refiere a la correspondencia del Capitán General al gobernador de Santiago de Cuba, fecha Habana 20 de noviembre de 1813, aprobando lo realizado por el Teniente Gobernador de Baracoa ante la amenaza de los corsarios de Cartagena," ANC, AP, leg. 215, No. 11; "Documento que se refiere a la correspondencia del Capitan General al gobernador de Santiago de Cuba, fecha Habana 24 de noviembre de 1813, relativa a que por la marina se han habilitado buques para perseguir los corsarios de Cartagena," ANC, AP, leg. 215, No. 18; *Postscript to the Royal Gazette* (Kingston), vol. XXXVI, No. 1, December 25 1813-January 1, 1814.

³⁴⁷ "Real orden, fecha Madrid 18 abril 1814, para que la Diputación Provincial proporcione al Comandante General de Marina los arbitrios necesarios para perseguir y exterminar los corsarios," ANC, AP, leg. 15, No. 16.

San Lorenzo, which had sailed from Havana. On June 21, the frigate *Amable María* fell prey to the *Belona*. The *Amable María* had left from Portland, Maine, carrying wood and foodstuffs.³⁴⁸

Later that year, the *Belona* set sail with Ignacio, the Saint-Domingue born sailor, on board. He joined the crew of the corsair schooner for a monthly salary of fifteen *pesos* and received orders early in 1815 to crew the *Alta Gracia*, the Spanish schooner captured by the *Belona* that ended up stranded near Panama. Upon arrival at the Spanish territory, Ignacio faced charges of piracy against the Spanish nation. Originally sentencing him to serve in the Spanish fleet, viceregal authorities in Panama changed his punishment to eight years of service at the arsenal of Havana.³⁴⁹ After his sentencing, Ignacio disappears from the records.

The privateer attacks especially affected Spanish merchants, planters, and slave traders who aspired to transform Cuba into a large-scale plantation society, while remaining under the sovereignty of Spain. These individuals based their plans on the downfall of the export economy of Saint-Domingue, as they hoped to fill the void in the supply of sugar and coffee left by the now formerly French colony.³⁵⁰ In Cartagena, on the other hand, elites timidly embraced gradual emancipationist principles, though they still harbored racist sentiments towards those of African

³⁴⁸ "Diario del Corsario la Belona."

³⁴⁹ "Autos seguidos en el gobierno de esta capital de Santiago de Veragua contra los individuos que sirvieron de corsarios," ff. 465r-466r, 473r.

³⁵⁰ Manuel Moreno Fraginals, *The Sugarmill. The Socioeconomic Complex of sugar in Cuba. 1760-1860* (New York: Monthly Review Press, 1976), 15-44; Ada Ferrer, "Speaking of Haiti," 225.

descent. Most patricians from Cartagena viewed the Haitian Revolution as a cautionary tale, rather than an opportunity for commercial success.³⁵¹

José Ignacio de Pombo, founder and first consul of the *Real Consulado de Comercio*, the corporate guild of the local merchants in Cartagena, argued that slavery and the slave trade, when examined “in light of reason,” were “not only inhumane and unjust, but also politically ill advised, especially in the current circumstances.”³⁵² The slave trade, he argued, fueled barbaric wars in Africa. The purchase of a man of that continent by an “enlightened European” reduced the captive to a beast of burden, depriving him and his offspring of the “most sacred of rights,” that of freedom. Pombo spoke of the “natural” consequences of slavery in the New World:

Sixty thousand brave Frenchmen, able to conquer any Kingdom in Europe, have been the victims, or experienced the law of the Saint-Domingue Negros, whose island they have entirely evacuated. This new empire, difficult if not impossible to destroy, will soon turn, in the Americas, the nations of Europe into its tributaries [...]. The Englishmen at Jamaica will be the first to receive the worthy prize of their current efforts, and of their greed; how many times does the blood of these poor wretches run along the sugarcane juice in the sugar mills? We shall experience the same evil in the island of Cuba, and even in many parts of the continent, if the introduction of Negros is not brought to a halt, if a system to extinguish slavery in America is not adopted, and if efforts to ameliorate and mix this wretched class among the rest of the inhabitants are not made.³⁵³

It was difficult for people in Cartagena, situated just a few days by boat from Haiti, to turn a blind eye to the events occurring in that island. In stark contrast to Cuba’s Francisco Arango y Parreño, representative of the emerging planter class of

³⁵¹ Alfonso Múnera, “José Ignacio de Pombo y Francisco José de Caldas: pobladores de las tinieblas,” Alfonso Múnera, *Fronteras imaginadas*, 45-88.

³⁵² José Ignacio de Pombo, *Comercio y contrabando en Cartagena de Indias* (Bogotá: Nueva Biblioteca Colombiana de Cultura, 1986), 88.

³⁵³ José Ignacio de Pombo, *Comercio y contrabando*, 88-89.

the Spanish island, Pombo hoped for the Spanish nation to be the first to abolish slavery altogether: “let us be prudent, humane and cultured, and afford cultured Europe with the beautiful example of being the first Europeans to prohibit said loathsome trade, and to have colonies of citizens in America.”³⁵⁴

The specter of the Haitian Revolution, the increasing importance of free people of color in local politics, and the liberal inclinations of some members of the local elite allowed for gradual emancipationist sentiments to gather momentum in Cartagena. In 1812, the Constitution outlawed the slave trade to the State. Five years later, and again in 1835, Spain signed treaties with Great Britain to abolish the slave trade to Cuba. However, the island had taken the path of plantation slavery and the contraband of slaves to Cuba continued to exist into the second half of the nineteenth century.³⁵⁵

From Cartagena to the Gulf of Mexico

The radical elites led by Gabriel Gutiérrez de Piñeres, along with the egalitarian commoners led by Pedro Romero, had transformed Cartagena. The province, now a sovereign state with a republican constitution based on liberal principles, had managed to assemble a privateering force that preyed upon Spanish vessels across the Caribbean.

However, after the restoration of Ferdinand VII Spain deployed an *Ejército Expedicionario* (expeditionary army) whose task was to reestablish Spanish

³⁵⁴ José Ignacio de Pombo, *Comercio y contrabando*, 90.

³⁵⁵ David R. Murray, *Odious Commerce: Britain, Spain, and the Abolition of the Cuban Slave Trade*, (Cambridge, New York: Cambridge University Press, 1980); Christopher Schmidt-Nowara, *Empire and Antislavery: Spain, Cuba, and Puerto Rico, 1833-1874* (Pittsburgh: University of Pittsburgh Press, 1999).

authority in the New World. In July of 1815, a squadron under the orders of General Pablo Morillo, a veteran of the Spanish war against Napoleon, left Puerto Cabello, in Venezuela, bound for Cartagena. Around eight thousand men on board fifty-six ships prepared to annihilate republican Cartagena and retake the rest of revolutionary Tierra Firme in order to control all of Spanish South America.³⁵⁶

The revolutionary port city raised an army of three thousand six hundred men, fewer than half of them with military training. Commodore Aury, who was at sea when the Spanish military operations began, was called in for the defense effort, as were many other corsairs. The *Belona*, however, did not participate in the defense of the city. Commanded by a captain named Pedro Charriol, the schooner had stayed in the Antilles and was captured near Jamaica by the British brig *Carnation* during the first week of December of 1816, just as the leaders of republican Cartagena prepared to flee their besieged city.³⁵⁷

Indeed, Spanish forces had occupied Cartagena's hinterland since September. For four months the inhabitants of the walled city endured a blockade.³⁵⁸ The city experienced an influx of refugees from the countryside. Starvation quickly became a mortal weapon against Cartagena. Three hundred people died of hunger on December 4 alone. The revolutionary leaders realized that they had to flee to Jamaica or Haiti. Aury's squadron aided the departure of these men and their families on December 5. They had no choice but to give up for the moment their

³⁵⁶ José Manuel Restrepo, *Historia*, vol. I, 360-361; José Manuel Serrano, "El Ejército Expedicionario de Tierra Firme en Nueva Granada," Haroldo Calvo Stevenson and Adolfo Meisel Roca, eds., *Cartagena*, 337-370.

³⁵⁷ *Postscript to the Royal Gazette* (Kingston), vol. XXXVII, No. 50, December 9-16, 1815; *Postscript to the St. Jago Gazette* (Spanish Town), vol. LXI, No. 50, December 9-16, 1815.

³⁵⁸ José Manuel Restrepo, *Historia*, vol. I, 360-368, 370-371.

dreams of “independence and freedom for their land.”³⁵⁹ They left behind a city in sickness and fear; the republican experiment of Cartagena had come to an end.

The escape proved extremely difficult. Those who made it safely out of the bay of Cartagena were later dispersed by a storm. Some of them arrived in Spanish territories, where they were arrested and sent back to Cartagena, now in Spanish hands. They shared the fate of the revolutionaries who had stayed in the city; Spanish forces killed many individuals who had been involved in the revolution of Cartagena, including José María García de Toledo and Antonio José de Ayo.³⁶⁰

A second group made it to Jamaica, Haiti, and Grand Cayman, though many died in the process. Corsairs robbed members of a third group, after falsely promising to take them to safety. William Mitchell, for example, took all the money and valuables belonging to Juan de Dios Amador, who had served as governor of the State. Amador and his friends were left to their own devices on Providencia Island, though they eventually made their way to Jamaica.³⁶¹

Some of the Cartagena revolutionaries who made it to Haiti sought refuge at Les Cayes. At this Haitian port, they met with other political refugees, including Simón Bolívar, a Venezuelan revolutionary who had previously lived in exile in republican Cartagena but fled the city before the Spanish siege. Together, they soon

³⁵⁹ José Manuel Restrepo, *Historia*, vol. I, 384-385.

³⁶⁰ José Manuel Restrepo, *Historia*, vol. I, 399-400.

³⁶¹ “Declaración dada por Don Pedro Bruno y otros en 24 enero 1816, sobre las circunstancias ocurridas en el apresamiento por el corsario insurgente la «Popa de Cartagena» y observaciones que hicieron sobre el asilo que reciben del gobierno del General Alejandro Pétion”; “Minutas de los oficios del gobernador de Santiago de Cuba, fecha 24 junio 1816,” ANC, AP, leg. 109, No. 36; José Manuel Restrepo, *Historia*, vol. I, 386; *Postscript to the St. Jago Gazette* (Spanish Town), vol. LXII, No. 2, January 6-13, 1816, *Citty Gazette & Commercial Daily Advertiser* (Charleston), vol. XXXVI, No. 11583, April 27, 1816.

started to plan an expedition to recover Tierra Firme under the leadership of Bolívar. Because of previous disagreements with Bolívar, Aury did not participate in the expedition. Instead, Aury and the sailors under his orders assembled a privateer fleet of about eight vessels and continued to attack Spanish shipping.³⁶² Recovered from the British in Kingston, the schooner *Belona* became the flagship of this fleet.³⁶³

By early May, the *Belona* was cruising off the southern coast of Cuba. In early June, it had nearly reached the shores of the Holguín district at the north coast of the island. On June 7, the *Belona* took the schooner *Aguilar* and brought its captain, Antonio Suárez, on board. Suárez soon discovered that Aury planned to harass ships leaving and entering the port of Havana and later reconvene with the rest of his squadron to attack Tacotalpa and Alvarado, near Veracruz.³⁶⁴ José Vigre, a man of African descent and a sailor from Puerto Rico who was also taken on board the privateer, later declared that he had heard that Aury's men were planning to attack Baracoa as well.³⁶⁵ At this point, the *Belona's* sailors remained loyal to Aury and collaborated in his plans to attack Spain in the New World.

In June, they sailed away from Cuba. Aury and his men soon reached the Gulf of Mexico, where the coasts of Florida, Louisiana, and Texas swarmed with pirates

³⁶² No. 5, Eusebio Escudero to Ministro de Estado, June 24 1816; No. 27, Francisco de Zayas to Eusebio Escudero, June 16 1816; No. 28, Francisco de Zayas to Eusebio Escudero, June 17 1816, "Minutas de los oficios del gobernador de Santiago de Cuba, fecha 24 junio 1816," ANC, AP, leg. 109, No. 36.

³⁶³ "Declaración dada por Don Pedro Bruno y otros en 24 enero 1816, sobre las circunstancias ocurridas en el apresamiento por el corsario insurgente la «Popa de Cartagena» y observaciones que hicieron sobre el asilo que reciben del gobierno del General Alejandro Pétion"; "Minutas de los oficios del gobernador de Santiago de Cuba, fecha 24 junio 1816," ANC, AP, leg. 109, No. 36; Carlos A. Ferro, *Vida de Luis Aury*, 31-38.

³⁶⁴ Deposition of don Antonio Suárez, June 14, 1816, "Minutas de los oficios del gobernador de Santiago de Cuba, fecha 24 junio 1816," ANC, AP, leg. 109, No. 36.

³⁶⁵ Deposition of José Vigre, *moreno*, June 23, 1816, "Minutas de los oficios del gobernador de Santiago de Cuba, fecha 24 junio 1816," ANC, AP, leg. 109, No. 36.

and privateers preying on Spanish vessels. Many sailors from the “masterless Caribbean,” under the orders of French revolutionaries, were operating corsair vessels with letters of marque issued by the revolutionary governments of the old Spanish viceroyalties, from New Spain to the Río de la Plata.³⁶⁶

By September, news had circulated throughout the United States that Aury had taken over Matagorda, northeast of Corpus Christi, in Texas.³⁶⁷ He had established a revolutionary enclave and by the end of the year his fleet was actively privateering in the Gulf waters. Aury was made a General and appointed governor of Texas by Mexican revolutionaries, who also authorized him to issue letters of marque in their name.³⁶⁸ These activities raised fear among merchants whose vessels sailed under the flag of the United States. The press mistakenly reported, for example, that Aury had taken the *Swift*, a merchant vessel that had sailed for Nassau from New Orleans. The ship, in fact, had made it safely to its destination.³⁶⁹

Even in November of 1816, almost a year after the fall of republican Cartagena, some journalists in the United States assumed that Aury’s fleet in the Gulf

³⁶⁶ Francisco de Zayas to Eusebio Escudero, June 17, 1816, item 28, “Minutas de los oficios del gobernador de Santiago de Cuba, fecha 24 junio 1816,” ANC, AP, leg. 109, No. 36. Johanna von Grafenstein Gareis, “Curso y piratería en el Golfo-Caribe durante las guerras de independencia hispanoamericanas,” Mickaël Augeron and Mathias Tranchant, dirs., *La violence et la mer dans l’espace atlantique (XIIIe-XIXe siècle)* (Rennes: Presses Universitaires de Rennes, 2004), 269-282; Carlos Pérez Jurado, “Corsarios extranjeros al servicio de la República (Guerra de Independencia, 1811-1824) Estudio histórico-militar,” *Boletín de la Academia Nacional de Historia*, vol. LXVI, No. 258 (April-June 1982): 461-470.

³⁶⁷ *Baltimore Patriot & Evening Advertiser* (Baltimore), vol. VIII, No. 64, September 16, 1816.

³⁶⁸ *Memorie inedite di Agostino Codazzi sui suoi viaggi per l’Europa en nelle Americhe (1816-1822)* (Milan: Edizione Alpes, 1930), 231-241; Carlos A. Ferro, *Vida de Luis Aury*, 39-44.

³⁶⁹ *Baltimore Patriot & Evening Advertiser* (Baltimore), vol. VIII, No. 112, November 11, 1816, vol. VIII, No. 80, October 4, 1816.

still acted on orders from Cartagena revolutionaries.³⁷⁰ Aury and the sailors of the *Belona* came to fame sailing under the colors of that state and the name of Cartagena seemed to follow them wherever they went. But Aury was loyal to a cause ---the overthrow of Spanish power-- rather than to any given republic. His work with individual revolutionary polities was a means to a greater end. In contrast, Aury's sailors desired above all to maintain a certain level of autonomy and mobility, even if they had to temporarily abandon privateering against the European powers. Aury would soon learn this the hard way.

Mutiny and fire

After the fall of Cartagena at the end of 1815, the revolutionary Pedro Gual stayed in the United States. There, he advocated and conspired for Spanish American independence. Gual contacted other revolutionary emissaries and planned the establishment of an independent, privateering, anti-Spanish republic in Florida. The polity would, he imagined, act as a stepping-stone for the liberation of the rest of Spanish America.³⁷¹

In June of 1817, with the help of Scottish revolutionary Gregor McGregor, the Republic of the Two Floridas was founded on Amelia Island, just south of Georgia. After September of that year Aury, along with Gual, many Frenchmen, Haitians, Anglo-Americans, and South Americans, became the driving force behind this new revolutionary enclave.³⁷²

³⁷⁰ *Baltimore Patriot & Evening Advertiser* (Baltimore), vol. VIII, No. 112, November 11, 1816.

³⁷¹ Harold A. Bierck Jr., *Vida pública de don Pedro Gual* (Caracas: Ministerio de Educación Nacional, 1947), 137-150; Carlos A. Ferro, *Vida de Luis Aury*, 39-57.

³⁷² Harold A. Bierck Jr., *Vida pública de don Pedro Gual*, 137-150.

The citizens of the new Republic of the Two Floridas elected a legislative body in which Gual, along with men from Charleston, Baltimore, Connecticut, and Haiti, sanctioned a constitution that enfranchised all free men, regardless of race, who had lived in the island for at least fifteen days. The Constitution further mandated that residents renounce their loyalties to any other polity not committed to the liberation of Spanish America.³⁷³

The Republic of the Two Floridas, following the earlier example of Cartagena, soon turned to privateering. After McGregor took control of the island, he promptly issued letters of marque. Under the flag of this new polity, Aury was named captain of the brig *Congreso*.³⁷⁴ Corsairs operating from Amelia Island attacked Spanish shipping between Havana and Cádiz.

While the Republic of the Two Floridas had enfranchised all free men, its leaders showed little interest in fighting the slave trade. In 1817, the boats of the *Morgiana* captured a schooner from Africa loaded with captives to be sold as slaves. The republican corsairs of the Two Floridas did not grant these Africans their freedom.³⁷⁵ This was not an isolated case; Aury and his allies had sold hundreds of African captives into slavery after capturing them from slave ships and smuggling them into the State of Georgia.³⁷⁶ Their control of the island, their illegal slave trade activities, as well as the presence of over a hundred Haitian men among Aury's

³⁷³ Maurice Persat, *Mémoires*, 32-35; Jane Landers, *Atlantic Creoles in the Age of Revolutions* (Cambridge: Harvard University Press, 2010), 130-133.

³⁷⁴ *Baltimore Patriot & Mercantile Advertiser* (Baltimore), vol. X, No. 226, September 27, 1817.

³⁷⁵ *Baltimore Patriot & Mercantile Advertiser* (Baltimore), vol. X, No. 236, October 9, 1817.

³⁷⁶ Jane Landers, *Atlantic Creoles*, 131-136.

forces had sparked deep concerns among many Anglo-Americans in and near Amelia Island.

Increasingly threatened by Anglo American and Spanish forces, both seeking to gain control of the island, Aury desperately tried to sustain the Republic of the Two Floridas, which he led as president and military commander. However, many of his supporters were seamen constantly drawn to jobs on sailing ships and their availability to defend Amelia Island was not guaranteed. A group of dissatisfied Anglo-Americans, on the other hand, grew stronger as people from Georgia arrived on the island and United States military forces in nearby positions received reinforcements.³⁷⁷

Conflict plagued the Republic of the Two Floridas. The Anglo-Americans, most of whom were inclined to white supremacy, rejected the presence of free people of color in Amelia Island, especially those from Haiti. On November 5, Aury denounced the Anglo-Americans for promoting civil war. He declared martial law and re-declared war against Spain, which he called the “oppressor of America, and the enemy of the rights of Man.” He further called for the unity of all men on the island, stating that they should remain as one forever, joined by their love of freedom and hatred of tyranny.³⁷⁸ He was silent on the discrepancy between these goals and his own willingness to profit from the slave trade.

News of the declaration of martial law by Aury provided the occasion for one mainland newspaper to denounce the whole enterprise:

³⁷⁷ Maurice Persat, *Mémoires*, 27-31.

³⁷⁸ *Baltimore Patriot & Mercantile Advertiser* (Baltimore), vol. X, No. 273, November 21, 1817.

[Aury's] St. Domingo brigands have triumphed over, and put down the Americans and we may now expect that the island will become a city of refuge for all the runaway slaves from Georgia, &c. While on this subject we would observe that the present state of the country embraced in what has been called the Venezuelan Republic is in one particular at least very little understood in the U. States. It is believed by many of the best informed persons with whom we have conversed that the present struggle will certainly eventuate in the Independence of that country, and the Independent Government will be in the hands of *Black or Coloured people*. General Paez, who is said to command 10,000 cavalry in the province of Varinas, is a BLACK MAN.³⁷⁹

Soon the United States was ready to take steps to confront the imagined danger. On orders from president James Monroe, United States troops occupied the island on December 24, 1817, and later imprisoned the “black troops” under Aury’s command.³⁸⁰ The Republic of the Two Floridas ceased to exist as the United States now possessed Amelia Island.

By the time of the establishment of the Republic of the Two Floridas and its confrontation with Anglo-American forces, the *Belona* and its sailors had parted ways with Aury. The year before, in the fall of 1816, news had begun to circulate in New Orleans and Baltimore that Aury’s squadron in the Gulf of Mexico, which included the *Belona* and had taken eight prizes, had been destroyed as a result of a mutiny against Aury, rumored to have died in the sailors’ uprising. This news was based on the words of Galician sailor José Peña, who had been captured by Aury’s privateers, fled to New Orleans after the mutiny and retold the episode before the Spanish consul. According to Peña, Aury’s men, tired of their captain’s impositions, lost their patience when he sent them to relentless work salvaging the merchandise

³⁷⁹ *Baltimore Patriot & Mercantile Advertiser* (Baltimore), vol. X, No. 275, November 24, 1817.

³⁸⁰ John D. Henley to B. W. Crowinshield, December 24, 1817, and excerpt from a letter from Aury to John D. Henley, December 22, 1817, *Baltimore Patriot & Mercantile Advertiser* (Baltimore), vol. XI, No. 12, January 16, 1818; Jane Landers, *Atlantic Creoles*, 134-137.

from six prizes that ran aground when entering their enclave at Matagorda. Aury had also treated them “cruelly,” prompting them to mutiny one night in early September.³⁸¹

The uprising began on the *Criolla*, which had previously sailed under the colors of Cartagena. Seventy men of color imprisoned all the officers on board. The noise alerted the master of another ship who sent a boat, manned by an officer and some sailors, to find out what had happened on the *Criolla*. When that group requested to come on board the *Criolla*, the sailors on this privateer answered with a round of gunfire, killing the officer and some of the other men on the boat. After this, mutiny spread throughout the rest of the corsair fleet. The news report circulating in the United States stated that:

the negroes on shore who garrisoned a fort which Aury had constructed to defend the port, being already prepared, as soon as they heard the fire from the *Criolla*, proceeded to Aury’s tent and summoned him to surrender; he disregarded their threat, and in the act of drawing his sword was shot through the body by one of the negroes, and fell mortally wounded; then they secured all the officers of the privateers and gave them a vessel to go where they chose – they collected the arms and ammunition, and all the effects that were in possession of Aury, and shipped them on board three schooners and were to proceed with their booty to St. Domingo. The schooner *Bellona* was burnt.³⁸²

The *Belona* burned off the coast of Texas. By setting the ship on fire, the French Caribbean sailors followed in the footsteps of their predecessors in Haiti. The sailors set ablaze their worksite, destroying with fire what had become the

³⁸¹ *Baltimore Patriot & Mercantile Advertiser* (Baltimore), vol. VIII, No. 112, November 11, 1816. A manuscript copy of Peña’s deposition was sent to Havana, where it was published in an official gazette. For a transcription see José Luciano Franco, *La batalla por el dominio del Caribe y el Golfo de México. Tomo 1. Política continental americana de España en Cuba. 1812-1830* (La Habana: Instituto de Historia, Academia de Ciencias, 1964), 128-131.

³⁸² *Baltimore Patriot & Mercantile Advertiser* (Baltimore), vol. VIII, No. 112, November 11, 1816.

space and the symbol of their unhappiness and oppression. This mutiny against a cruel commander seems to have been based on the very principles that had, at the beginning of their lives as seamen, brought the sailors of the *Belona* to the docks, to the sailing ships, and on to the deep blue sea. In two schooners from Aury's fleet, the former sailors of the *Belona* set sail from Matagorda to Haiti, where new jobs on ships and the possibility of a new cycle of autonomy at sea awaited them.³⁸³

In Tierra Firme, Cartagena had inaugurated the revolutionary transit from autonomy to independence from Spain. The province of Antioquia, to the south of Cartagena, followed suit, declaring independence in 1813. José Félix de Restrepo, returned from Popayán, and Juan del Corral, originally from Mompós, met each other in revolutionary Antioquia, where they promoted debate about slavery and freedom and enacted emancipationist legislation.

These men, however, did not act alone. Just as former slaves turned sailors became the protagonists of Cartagena's revolutionary project, slaves and former slaves helped shape the destiny of revolution and war in Antioquia. A slave from that province, whose name has not drawn the attention of historians, became one of the protagonists of the revolutionary actions leading up to the creation of the Republic of Colombia. His life, too, intersected with those of Restrepo and Corral.

³⁸³ *Baltimore Patriot & Mercantile Advertiser* (Baltimore), vol. VIII, No. 116, November 15, 1816; *Postscript to the Royal Gazette* (Kingston), vol. XXXVII, No. 51, December 16-23, 1815.

Chapter 5. “Bonded Freedom”

On September of 1822, José María Martínez, the slave who had ran away from his mistress Salvadora Jaramillo back in 1806, delivered a rather peculiar written petition to the local authorities of the city of Antioquia. In the document, Martínez claimed to be free and stated that a powerful man of that city was now challenging his freedom. The document was penned in perfect calligraphy, with sophisticated orthography, and concluded with a simple but elegant signature (See Figure 6). Throughout Tierra Firme, very rarely were slaves or former slaves literate, let alone able to show such a good command of the pen. It was very likely someone else, perhaps a paid *papelista*, who wrote this petition, combining José María’s ideas with a few legalistic and formal additions.³⁸⁴

Illiterate customers who requested the services of *papelistas* and lawyers often provided the raw materials for the drafting of their written legal petitions. Details, names of people and places, dates and demands mattered as much as legal formulae or an elegant signature. Such details, of course, could be modified according to the needs of the customer. The success of a legal claim, however,

³⁸⁴ “José María Martínez hace recuento de su libertad, méritos y servicios durante la época de la Independencia,” Archivo Histórico de Antioquia, Medellín (hereafter AHA), Esclavos, vol. 38, doc. 1283, f. 410r-v. On José María Martínez’s escape of 1806 and the Jaramillo estate see chapter one of the present work. On literate agents writing for illiterate people see chapter two of the present work and Kathryn Burns, *Into the Archive. Writing and Power in Colonial Peru* (Durham: Duke University Press, 2010), 132-135.

depended on a believable account, one that could be crafted with fictitious elements but within the confines of social, legal, and historical conventions.³⁸⁵

The internal elements of Martínez's petition of 1822 --what he had to say-- are even more interesting than its external features. This remarkable petition offers rich details on his eventful life. Martínez also offered an argument. His legal status, he attested, was not that of an enslaved person. He instead claimed to enjoy what he termed *libertad servil* --bonded freedom--. His former master's father, Juan Esteban Martínez, he reported, was now determined to return him to bondage. To prevent this, José María sought to be legally recognized as a free person and not as an enslaved one.³⁸⁶

The paradoxical notion used by Martínez --bonded freedom-- seems to be part of a vernacular set of ideas about slavery, emancipation, and social order that gained currency among common folk throughout the Americas during the Age of Revolutions. People like Martínez or Pedro Antonio Ibargüen, from the province of Popayán, coined, interpreted, and articulated notions according to their individual possibilities, experiences, and needs. They often drew on legal and political currents of Atlantic scope, infusing borrowed elements with their own principles. The study of these intersecting currents of thought and action sheds light on the complex historical formation of the anti-Spanish and antislavery climate that formed in Tierra Firme across the revolutionary period.

³⁸⁵ The classic examples are the French letters of pardon and remission studied by Natalie Zemon Davis. These documents were authored by several people who told and shaped events to create credible narratives of judicial value. Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987), 1-35.

³⁸⁶ "José María Martínez," f. 410r.

Martínez developed the idea that he was not a slave as he participated in profound political and social transformations in the New Kingdom of Granada. In his legal undertakings to defend his freedom, he left a testimony of those transformative events and of the influence that his travels and revolutionary experiences had on his perceptions of slavery and emancipation.

Martínez's rights-consciousness was anchored not only in his own eagerness to assert his freedom, but also in the revolutionary circumstances of the time. The turmoil of revolution had allowed for some people of his social condition to participate in epochal events, both as they travelled in attendance on émigré masters as well as when they enrolled in republican or royalist military units. José María took to the road and was directly exposed to notions and practices of slavery, emancipation, and social equality in public and private spaces beyond his hometown.

As Félix José de Restrepo and Juan del Corral introduced gradual emancipation debates into the discussions held by Antioquia's revolutionary leaders, José María Martínez stood in intimate, yet servile proximity to the provincial revolutionary elite. Furthermore, it was the actions of men like Martínez, who went to great lengths to obtain his freedom, that influenced the revolutionary leaders' decision to address slave emancipation as part of the political transformation they envisioned.

Young rebels

José María Martínez was born around 1789, not far from the city of Antioquia, on the farmstead of Bacilio and Salvadora Jaramillo. Routines of work,

moments of prayers and the usual hardships of the weather ruled the lives of the Jaramillos and their slaves until the head of the household died on August 27, 1805.³⁸⁷ Bacilio Jaramillo had traveled to the town of Honda, by the Magdalena River, and had surely left Sacaojal for business. He was directly connected to the trade networks of Honda if only because of his debts to Juan Pablo Pérez de Rublas, the wealthy merchant from Navarre who had settled in the city of Antioquia and claimed to have helped stop a slave uprising in the 1780s.³⁸⁸

Jaramillo passed away while far from home. He had not prepared a last will and testament. After his death, the widow Jaramillo took charge of drafting an inventory of the estate, acting as the legal administrator. When Jaramillo died, the young slave José María became quite impetuous, as did his brother Gabino, then nineteen years old. As had happened at La Honda, in the neighboring province of Cartagena, the death of the master apparently changed things on the farmstead. In 1806, as combined rumors of slave uprising and slave emancipation circulated in Antioquia, José María Martínez ran away, already for the second time.³⁸⁹

Fewer than two years after Jaramillo passed away, the balance of power had shifted in favor of the slaves. Under the circumstances, the widow could not manage the estate and rule as before over the servants, now eager to advance their own

³⁸⁷ "Mortuoria de Don Bacilio Jaramillo sus inventarios, y valuos [sic]," AHA, Mortuorias, vol. 238, doc. 5376, f. 517r. For a description of the farmstead and the group of slaves see chapter one of the present work.

³⁸⁸ "Mortuoria," ff. 512r-514r, 546r-547r. On Pérez de Rublas, see AHA, Libros, vol. 470, doc. 8382, No. 616; AHA, Mortuorias, vol. 198, doc. 4867; Archivo Histórico Nacional, Madrid, Estado, Carlos III, exp. 1273; Beatriz Patiño Millán, *Criminalidad, ley penal y estructura social en la provincia de Antioquia. 1750-1820* (Medellín: IDEA, 1994), 154-156; Edgardo Pérez Morales, "La sombra de la muchedumbre: vida urbana y reformismo borbónico en la ciudad de Antioquia," *Historia y Sociedad*, 10 (2004): 183-199.

³⁸⁹ Salvadora Jaramillo to Señor Alcalde Ordinario, February 25 1807, "Mortuoria," f. 544r. See also chapter one of the present work.

interests and autonomy. Gabino, if we are to believe the widow Jaramillo, sought refuge from slavery with a married woman with whom he moved in around early 1807.³⁹⁰

In fact, José María and Gabino had not simply run away or sought refuge with friends. Gabino also sought legal advice and was able to be *depositado* --placed-- with another master, Miguel Ruíz. José María, following his brother's example, had "gone out of the house requesting a similar placement in order to live at his own will."³⁹¹ With their actions, these slaves had informally challenged the property rights of their mistress, seeking to take a step toward effective freedom. And they moved on to formally challenge the authority of the mistress by using the legal mechanisms to which they were entitled.

The widow Jaramillo had requested a local judge's help through a letter. This document seems to be the only surviving evidence concerning Gabino and José María's use of the legal system in their attempt to be removed from the widow's power. There remains, however, evidence that another slave from the Jaramillo farmstead named Tomás brought complaints of mistreatment before the authorities. Indeed, the *procurador* of Antioquia, Tomás Pérez de Rublas, officially requested that the slave be placed with another owner on account of being "punished with excess by the widow."³⁹²

Members of José María's social and familial circle challenged the exercise of the property rights by the widow in part because she herself no longer believed that

³⁹⁰ Salvadora Jaramillo to Señor Alcalde Ordinario, February 25 1807, "Mortuoria," f. 544r.

³⁹¹ "Mortuoria," f. 544r.

³⁹² "Mortuoria," f. 596r.

she could keep them subordinated to her authority. She requested that José María and Gabino be sent to prison,

if necessary at the expense of the estate, with a shackle, and that they be sent to the construction site of the Church of the Virgin and that this be done at once in order to avoid scandals and robberies and to avoid having their idleness and lack of subordination lead them to do things damaging to the estate and for I fear that they may take to the road and be lost as was their brother.³⁹³

From this request, it appears that yet another one of the slave brothers had run away. Furthermore, when the widow drafted the inventories after the death of her husband in 1805, she had to reduce José María's monetary value because he had already run away on one occasion. Given his rebelliousness, very likely known to everyone in Sacaojal and perhaps beyond, he would never yield full value in the event of a sale.³⁹⁴ It appears that local authorities listened to the widow's request that José María and his brother be sent as laborers on the construction of the parish church. A man somewhat related to this construction project, indeed, would purchase José María.

In the year between the writing of the letter in which the widow Jaramillo recognized her lack of power to control the slaves and the purchase of José María by a new master, the slave achieved an autonomy that his mistress was unable to curtail. She nonetheless managed to make good use of her slave's independence.

By October of 1807, the Jaramillo farm in Sacaojal was in complete disarray. There were no more pigs, the goats had been stolen, and the mare was gone. Furthermore, the floodwaters of the Cauca River and Potreros creek had caused

³⁹³ "Mortuoria," f. 544r.

³⁹⁴ "Mortuoria," f. 515r.

significant damage to the land. In dire need of selling what little remained in order to fend off utter poverty, the widow searched for potential buyers with little success. Despite her distrust of her peripatetic slave, she was apparently able to have him advertise the sale of the farm, acquainted as he was with people from their parish and beyond. While the widow herself had found no potential buyers, José María, by October 20, 1807, brought the news that Tomás Becerra was willing to buy the farm so long as the price was reduced.³⁹⁵

The land was not the only property to be sold. Slaves, perhaps one stubborn slave in particular, were also for sale. On March 4, 1808, Faustino Martínez bought José María. The patrician paid a little over sixty-six *pesos*, a very low price for a young, able-bodied slave.³⁹⁶ Faustino, who was a lawyer, made another purchase later that year: on November 3 he bought the public office of *alguacil mayor* in the local *cabildo*, a position of prestige and responsibility in local politics.³⁹⁷

By the time José María entered the Martínez household, he had run away at least twice and had been to the very borders of the province. He had seen the most important waterway of the viceroyalty and had defied the claim to property rights over him. Throughout his early journeys he had met many people and communicated with others regarding his own interests as well as those of the widow Jaramillo.

³⁹⁵ "Mortuoria," ff. 553r, 554r, and Salvadora Jaramillo to Pedro Campero, October 20, 1807, f. 555r.

³⁹⁶ "Mortuoria," f. 563r-v.

³⁹⁷ "Auto sobre la ninguna asistencia de los regidores al cabildo de Medellín y al folio VII se hallan las diligencias sobre empleo de alguacil mayor rematado en el doctor don Faustino Martínez," AHA, Empleos, vol. 100, doc. 2664, f. 29r-v.

His new owner's father, Juan Esteban Martínez, was in charge of the construction of the parish church. He was an important patrician in the city of Antioquia and served as *mayordomo* of the brotherhood of the Blessed Sacrament at the parochial church, the person charged with the administrative affairs of the group. He also administered business for other brotherhoods, being a very devout man entangled in the material and monetary interests of the Catholic Church. In sum, he was an administrator of the local "spiritual economy," a man directly linked with the most important corporations and families in Antioquia.³⁹⁸

José María now left the periphery of Sacaojal and the routines of rural life to join the busy urban world of Antioquia, entering the milieu of one the most important families of the province. He would remain in Antioquia until 1813, when he left for the Antilles with his master. Their trip and their subsequent stay in Jamaica for almost three years, represented aftershocks of the transformations that had altered the provincial government from 1811 onwards.

The revolution of Antioquia

The city of Antioquia had long been an urban center with a life of its own: washerwomen, day laborers, cattle thieves, merchants, rumors and scandals crisscrossed its streets and alleys, where civil and religious celebrations took place

³⁹⁸ "Don Juan Esteban Martínez mayordomo de nuestro Amo y Señor Sacramentado hace presente que don Pablo de Vargas consignó cien castellanos que reconocía a favor de su cofradía los que se pasaron a la caja de consolidación y hasta ahora se hallan sin aseo," AHA, Eclesiásticos, vol. 83, doc. 2322, f. 32r; "Don Juan Esteban Martínez hace presente que por final del presbitero don Ignacio Tabares cura de Sopetrán resultaron algunas cantidades a favor de las cofradías que eran a su cargo y promete entregarlas al mayor que se nombre," AHA, Eclesiásticos, vol. 83, doc. 2325; Archivo General de la Nación, Bogotá (hereafter AGN), Colonia, Miscelánea, vol. 122, doc. 94. I borrow the notion "spiritual economy" from Kathryn Burns, *Colonial Habits. Convents and the Spiritual Economy of Cuzco, Peru* (Durham and London: Duke University Press, 1999).

year round. Dozens of pigs and dogs, along with the open ditches in the streets serving as sewers, made daily life in Antioquia a rather smelly business. Public life, however, had been dramatically changed by the upheaval of 1808-1810.³⁹⁹

During the last days of August of 1810, member of the *cabildo* very likely ordered the town streets and nearby roads cleaned up for the unusual events about to take place. On August 30, six men sitting on a boat with fancy cushions crossed the roiling Cauca River and reached the east side of the province. They leaped on the banks of the river, just a few miles away from town. Six men on horseback, riders and horses “richly adorned,” were waiting for the travelers. First among the men on horseback was Francisco Martínez, who greeted the newly arrived with great formality. The boat, like the *cabildo* house where they held a meeting later that day, was adorned with white flags in which the names of Antioquia, Medellín, Rionegro and Marinilla, the three provincial towns with functioning *cabildos* were clearly seen. The names were crowned by two very telling words: “Provincial Alliance.”⁴⁰⁰

Manuel María Martínez, Faustino Martínez’s uncle, was also among the hosts. The slave José María knew all these men well. He had now been a servant to the Martínez family for a little more than two years. Masters and slaves in such a small urban center always lived in close proximity. On August 30, José María might have caught a glimpse of the newcomers, representatives of the towns whose loyalty to

³⁹⁹ AHA, Estadística y Censo, vol. 333, docs. 6359 and 6360; Edgardo Pérez Morales, “La sombra de la muchedumbre;” Daniel Gutiérrez Ardila, “Introducción. Un estado al borde del precipicio: el caso de la provincia de Antioquia (1810-1812),” Daniel Gutiérrez Ardila, comp., *Las asambleas constituyentes de la Independencia. Actas de Cundinamarca y Antioquia (1811-1812)* (Bogotá: Corte Constitucional de Colombia, Universidad Externado de Colombia, 2010), 169-186.

⁴⁰⁰ AGN, Archivo José Manuel Restrepo, reel 4, ff, 12r-13r.

the crown was not in doubt, but who knew that it was urgent to transform the provincial government in order to prevent a dreaded Napoleonic invasion and internal chaos.⁴⁰¹

Since September of 1808, crucial news had reached this corner of the viceroyalty. Francisco de Ayala, governor of the province, had in that month received a communication from the Supreme *Junta* of Seville announcing the imprisonment of the royal family of Spain. The governor had promptly announced war against French forces. The language of war now permeated local politics, accompanied by fear of major political unrest.⁴⁰²

The following year, further intriguing news arrived from Quito. People in Antioquia learned that the nobles of Quito had deposed the president of the *Audiencia*, creating an autonomous *junta* to govern in the name of the King.⁴⁰³ Quito and the province of Antioquia were bound together by links of trade and family. From Quito, religious imagery, textiles and private letters flowed to Antioquia, through the province of Popayán.⁴⁰⁴

⁴⁰¹ Armando Martínez Garnica, "Las juntas neogranadinas de 1810," Armando Martínez Garnica and Guillermo Bustos, eds., *La Independencia en los países andinos: Nuevas perspectivas. Memorias del Primer Módulo Itinerante de la Cátedra de Historia de Iberoamerica. Quito, diciembre 9 al 12 de 2003* (Bucaramanga: Universidad Andina Simón Bolívar-Ecuador, Organización de los Estados Iberoamericanos para la Educación, la Ciencia y la Cultura, 2004), 128; Daniel Gutiérrez Ardila, "Introducción."

⁴⁰² AHA, Libros Capitulares, vol. 649, doc. 10340.

⁴⁰³ Jaime E. Rodríguez O., *La revolución política durante la época de la independencia. El Reino de Quito, 1808-1822* (Quito: Universidad Andina Simón Bolívar, Corporación Editora Nacional, 2006); Daniel Gutiérrez Ardila, *Un Nuevo Reino. Geografía política, pactismo y diplomacia durante el Interregno en Nueva Granada (1808-1816)* (Bogotá: Universidad Externado de Colombia, 2010), 157-186; AHA, Documentos Generales, vol. 817, doc. 12853, ff. 54r, 55r; Archivo Histórico de Medellín, Medellín (hereafter AHM), Libros Capitulares, vol. 75, f. 158r.

⁴⁰⁴ AHA, Documentos Generales, vol. 816, doc. 12833, ff. 18r-19r; Ann Twinam, *Miners, Merchants and Farmers in Colonial Colombia* (Austin: University of Texas Press, 1982), 60-

In 1810, news about the transformation of the government in Santafé during July arrived at Antioquia in August. This set in motion the preparations for the dramatic river-crossing ceremony. The self-called Supreme *Junta* of Santafé had invited Antioquia's *cabildo* to send a representative to the capital of the viceroyalty. The councilmen of Antioquia, in turn, exhorted their counterparts from Medellín, Rionegro and Marinilla to hold a "provincial congress," and to collectively decide whether the province should send a representative to Santafé. The meeting held in Antioquia in August of 1810 took place in an environment of true political commotion.⁴⁰⁵

With their amiable meeting, the elites of the provincial capital overcame more than a hundred years of confrontations with other towns, particularly with Medellín. "Anarchy," as they called it, was indeed the state of affairs in much of the now dismembered viceroyalty. Unity between former rivals thus seemed the only way to fend off civil war as well as possible slave and popular uprisings. The events of 1806, when rumors had again surfaced that the slaves were determined to strike for their freedom, were surely still fresh in the memories of the slaveholders.⁴⁰⁶

This call to comity was made in the name of Ferdinand VII. In his name, too, the provincial Congress transformed itself into a governing *junta* and provided a set of rules to govern provincial matters until the king was restored to his throne, or the

90; Daniel Gutiérrez Ardila, "Cartas relacionadas con la Junta de Quito de 1809," *Boletín de Historia y Antigüedades* vol. LCVI, No. 845 (2009): 419-438.

⁴⁰⁵ Armando Martínez Garnica, "Las juntas neogranadinas," 127.

⁴⁰⁶ AHM, Libros Capitulares, vol. 76, f. 168v; Daniel Gutiérrez Ardila, "Introducción," 171. See chapter one of the present work.

people were duly represented in *cortes*.⁴⁰⁷ The establishment of an autonomous government in Antioquia had been achieved peacefully, in contrast to the turmoil elsewhere in the viceroyalty.

Despite early moments of cooperation, the Antioquia *junta* chose not to send a representative to Santafé, where the local elites sought to form general Courts of the Kingdom. Although the Santafé *junta* aspired to keep the central powers of the deposed viceregal administration, in reality it was but a mere provincial *junta*. Less central places such as Quito, Cartagena, Pamplona, Socorro, and Tunja had erected their own *juntas* before the one formed at the viceregal capital took shape. The Santafé *junta* was thus thwarted in its plans to become a central power. The elites of Antioquia decided to align instead with the Cartagena *junta*, which called for a General Congress to develop a federal system, as opposed to a central government resembling Spanish rule. Not surprisingly, the members of the Cartagena political elite proposed that the Congress be held at any town in the province of Antioquia.⁴⁰⁸

In the end, that Congress held sessions at Ibagué, in another province, between December 1810 and February 1811. The meeting soon dissolved among intense internal disagreements. Antioquia had sent José Manuel Restrepo as its representative, but he arrived at Ibagué after the Congress had been adjourned and was effectively defunct. Accompanying him as a potential substitute was Juan del Corral, a native of Mompós who had become a member of Antioquia's *cabildo* and a

⁴⁰⁷ AHM, Libros Capitulares, vol. 76, f. 170v; Armando Martínez Garnica, "Las juntas neogranadinas," 130.

⁴⁰⁸ Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 64-77; Armando Martínez Garnica, "Las juntas neogranadinas," 130.

businessman of prestige involved in trade, the cultivation of cacao, and frontier colonization.⁴⁰⁹

People from Mompós, in the province of Cartagena, often visited Antioquia. Some residents of Mompós had commercial links with their neighbors to the south. Such was the case of the Corral family. These networks were tightly woven. Ramón del Corral, a Galician established in Mompós, was a business associate of Juan Pablo Pérez de Rublas in Antioquia. Ramón's son, Juan del Corral, settled down in Antioquia at the end of the eighteenth century. In 1800, he married the daughter of Pérez de Rublas and Rita Martínez, a sister of Faustino Martínez, José María's master. A slave in one Martínez household would likely have occasion to meet Juan del Corral, suitor and then husband to a daughter of another branch of the family.

A political culture of constitutionalism had been gaining currency throughout these turbulent years. Men from Antioquia and Cartagena had studied the Constitution of the United States and seem to have been fond of the American Revolution. Restrepo and Corral, like others of liberal principles within the new autonomous governments, thought it wise to adopt constitutions in order to extirpate what they had increasingly been denouncing as "ancient despotism." In the province of Santafé, a constitution amalgamating European and Anglo-American

⁴⁰⁹ Anthony McFarlane, "La construcción del orden político: la "Primera República" en la Nueva Granada, 1810-1815," *Historia y Sociedad* 8, (2002): 62; Armando Martínez Garnica, "El problema de la representación política en el primer Congreso General del Nuevo Reino de Granada," *Boletín de Historia y Antigüedades* vol. 90, No. 824 (January-March 2004): 3-16; Roberto Luis Jaramillo, "Notas al Carnero," José Antonio Benítez "El Cojo," *Carnero, y miscelánea de varias noticias, antiguas, y modernas, de esta villa de Medellín* (Medellín: Autores Antioqueños, 1988), 407. Juan del Corral's baptismal record of June 30, 1778, is transcribed in *Repertorio Histórico* vol. XVI, No. 148 (August 1941): 117-118.

revolutionary institutions was ratified in 1811.⁴¹⁰ In Antioquia, a *colegio constitucional* or constituent assembly met early in 1812 at Rionegro. On March, a Constitution drafted by José Manuel Restrepo and Juan del Corral and strongly influenced by the Constitution of the United States went into effect. The Constitution guaranteed the separation of powers and held equality before the law as one of the fundamental “rights of man.”⁴¹¹ The Constitution of revolutionary Cartagena went into effect on June of 1812.

While Antioquia’s leaders now governed their province according to its new Constitution, Spanish troops acting in the name of the king of Spain were advancing from the south, suffocating the life of political autonomy as they proceeded. Royalist forces had occupied the city of Popayán and most of the territories of its province by July of 1813. They had looted towns and cities as they marched north, and their advance on Antioquia was now imminent.

Antioquia was not ready to fight this battle. Their province in apparent peril, the autonomist leaders decided to name a dictator. His job was to prepare, in a stronger, swifter fashion, the defense of the land. They chose Juan del Corral, a man well versed in politics, geography, and the military arts. He became President-Dictator on July of 1813. The new leader chose José Manuel Restrepo as his Secretary of Justice. Such a desperate situation for autonomist forces was fertile ground for staunch monarchists to conspire against the new government. Corral decided to expel them from the province, not without first confiscating their

⁴¹⁰ Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 239-243.

⁴¹¹ *Constitución del Estado de Antioquia sancionada por los representantes de toda la provincia. Y aceptada por el pueblo en tres de mayo del año de 1812* (Santafé de Bogotá: Imprenta de D. Bruno Espinosa, Por D. Nicomedes Lora, 1812).

fortunes. Among those expelled was José María's master, Faustino Martínez, who took his slave with him into exile in Jamaica.⁴¹²

"Free womb"

With the conspiring monarchists out of commission but a royalist threat looming from the south, the idea of a declaration of absolute independence gathered momentum. The revolutionary leaders now openly distrusted everything emanating from the Iberian Peninsula, including the Constitution of Cádiz. It seemed increasingly unlikely that the new Spanish *Cortes* would allow free commerce, equal representation of the American territories, and amnesty. Following in the footsteps of Cartagena, Antioquia thus declared independence from Spain on August 11, 1813. The new State ceased to recognize Ferdinand VII as its King, or any other authority "not emanating directly from the people, or its representatives." Antioquia had broken "the political union of dependence with the Metropolis," and declared itself "forever separated from the Crown and government of Spain."⁴¹³

Corral kept in contact with his hometown of Mompós, where struggles and debates around slavery and emancipation had been taking place in full public view.⁴¹⁴ He knew slavery well, for he had been exposed to the intense confrontations between masters and slaves taking place in Mompós. He too seems to have grown accustomed to the idea that slavery should be ameliorated, perhaps

⁴¹² José Manuel Restrepo, *Historia de la revolución de la república de Colombia en la América meridional* (Medellín: Universidad de Antioquia, 2009, 1st ed. 1827, 2nd ed. 1858), vol. I, 239-246; José Manuel Restrepo, *Autobiografía. Apuntamientos sobre la emigración de 1816, e índices del "Diario Político"* (Bogotá: Biblioteca de la Presidencia de Colombia, 1957), 14.

⁴¹³ AHA, Documentos Generales, vol. 827, doc. 13054, ff. 1r-2v.

⁴¹⁴ Daniel Gutiérrez Ardila, "Juan del Corral: dictadura, leyes de excepción y revolución sin terror (1812-1813)," paper delivered at the conference *Guerra y revolución en Antioquia*, Medellín, Banco de la República, September 2012, 5.

abolished. He knew first hand the ardent desire for freedom expressed by many slaves. Back in Mompós, four of his slaves had risked their lives in order to obtain freedom. They had run away to the hills of San Lucas, where they joined a maroon community. The maroons remained there until they were captured and brought back to town.⁴¹⁵

In 1810, Corral had served as *procurador* in Antioquia. He may have seen legal proceedings in pursuit of freedom, a change of master, or the amelioration of conditions of servitude. In this capacity and as an in-law of the Martínez clan, Corral was aware of the struggles of enslaved individuals and families, including perhaps those of José María. Corral had addressed the president of the United Provinces of New Granada, the federation that both Antioquia and Cartagena became part of, mentioning the possibility of replacing slavery with a more flexible “glebe servitude” system. Through this request, he brought the issue of slave emancipation to a federal level. Although elites from most provinces of the Union praised the idea, it was only in Antioquia that revolutionary leaders would take effective steps to create legal avenues that would accelerate slave emancipation.⁴¹⁶

Corral’s antislavery thinking became more radical as his influence on Antioquia’s revolutionary movement grew, and as a result of his encounter with Félix José de Restrepo, who fled the royalist occupation of Popayán in 1812 and sought refuge in Antioquia. Restrepo had for many years seen the everyday life of

⁴¹⁵ Hermes Tovar Pinzón, *De una chispa se forma una hoguera: esclavitud, insubordinación y liberación* (Tunja: Universidad Pedagógica y Tecnológica de Colombia, 1992), 17.

⁴¹⁶ Hermes Tovar Pinzón, *De una chispa*, 68; Corral to Presidente de la Unión, December 12, 1813, in Roberto M. Tisnés Jiménez, *Don Juan del Corral libertador de los esclavos* (Cali: Biblioteca Banco Popular, 1980), 262-268.

slavery and the challenges faced by freedmen and freedwomen after slavery. He had also discussed slave emancipation with Antonio de Villavicencio and perhaps had access to Villavicencio's 1809 document proposing a gradual plan to end slavery.⁴¹⁷ Corral and Restrepo crossed paths at the right time. The political circumstances in Antioquia seemed to favor the rapid evolution of their ideas.

The Antioquia elites considered Restrepo to be a man of great talents. They soon incorporated him into the revolutionary government. The encounter of Restrepo with Corral, two men of similar ideas, took place in a politically radicalized environment. They soon decided to go a step further in the revolutionary process. Perhaps against the wills of slaveholders around them, they set out to design legislation to enact the gradual emancipation of slaves in Antioquia.

Slaveholders in the provinces of Chocó and Popayán, where thousands of slaves worked in *haciendas* and gold mines, soon learned of these plans, much to their dismay. Slaves in Antioquia, however, must have been pleased to hear about this new development. Some who were old enough to remember the rumors of slave emancipation that had emerged episodically since the 1780s, as well as those who heard of or were involved in the *candanga* affair, presumably wondered whether there would be real action in their favor. Meanwhile, as José María and his relatives had, some slaves had figured out legal and illegal ways to advance their own interests.

Restrepo and Corral drew on multiple sources. Most revolutionary leaders

⁴¹⁷ Antonio de Villavicencio, "Delicadísimo punto y plan sobre el comercio de esclavos y la absoluta abolición de la esclavitud en ambas Américas, propuesto por un propietario," November 16, 1809, Biblioteca Nacional de Colombia, Bogotá (hereafter BNC), Fondo Antiguo, RM 223, pza 1. See chapter three of the present work.

had been trained as lawyers, practiced law, or were priests or other learned men who had been exposed to the principles of natural law. Among their favorite authors was Neapolitan lawyer Gaetano Filangieri. Men of letters in Tierra Firme held his works in high esteem and thought of him as one of the greatest legislators of humankind. Filangieri believed that harmony should exist between law, revelation and the principles of nature. Laws should be meant to improve the human condition and they were to be done in accordance with “the state of the nation for whose use they are enacted.”⁴¹⁸ Corral had read Filangieri and used his arguments in support of his gradual emancipationist doctrine. By this time, Restrepo may have also read Filangieri.⁴¹⁹

Writing in the 1770s and 1780s, Filangieri argued that if the principles of religion had been considered, “The barbarous shores of Senegal would never have been frequented by Europeans as the market for purchasing, at a vile price, the inviolable rights of humanity and of reason [...] The Europeans would not so often have cause to blush at beholding ships laden with Catos, resolved to prefer independence to life, and death to slavery.”⁴²⁰

Existing legislation nonetheless sanctioned such a state of affairs in “European America.” For the Neapolitan, it was hard to believe that while slavery

⁴¹⁸ Gaetano Filangieri, *Analysis of the Science of Legislation, from the Italian of the Chevalier Filangieri* (London: Printed for G. G. J. and J. Robinson, 1791), 22.

⁴¹⁹ Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 96-102; Victor Uribe Urán, *Honorable Lives: Lawyers, Family and Politics in Colombia, 1780-1850* (Pittsburgh: Pittsburgh University Press, 2000); Renán Silva, *Los ilustrados de Nueva Granada, 1760-1808. Genealogía de una comunidad de interpretación* (Medellín: Banco de la República, Universidad EAFIT, 2002); Juan Camilo Escobar Villegas and Adolfo León Maya Salazar, *Ilustrados y republicanos. El caso de la “ruta de Nápoles” a la Nueva Granada* (Medellín: Universidad EAFIT, 2011).

⁴²⁰ Gaetano Filangieri, *The Science of Legislation. Translated from the Italian of the Chevalier Filangieri, by William Kendall* (London: Printed for G. G. and J. Robinson, and R. Trewman and Son, Exeter, ca. 1791), 73.

had been disappearing in Europe the New World was “covered with slaves.” Filangieri believed that legislative reform should be brought to the Americas, where “there is but one small region of heroes to be found, that has chosen to save itself from the remorse attendant on this injustice and from the execration of posterity. Pennsylvania alone no longer contains slaves.”⁴²¹ He was clearly aware, if only partially, of antislavery legislation enacted in some of the northern states of United States of America.

From their vantage point in revolutionary Antioquia, Corral and Restrepo amalgamated various experiences, knowledge, and perspectives, drawing together their readings of European thinkers and their experiences in the slaveholding provinces of Cartagena, Popayán, and Antioquia itself. The institution of slavery had long been part of their lives for they had been masters of slaves, had bought and sold human beings as property, and had interacted with slaves in their households, in the justice tribunals, and *cabildos*. Corral and Restrepo may have also drawn on their knowledge of slaves who had painstakingly tried to ameliorate their lives, obtain freedom and build new lives beyond captivity.

These two revolutionary leaders felt compelled to identify political freedom from Spain with emancipation from slavery. Other leaders had similar ideas, but Corral and Restrepo were among the very few to use this comparison well beyond its metaphoric potential. Many revolutionaries were prone to talk of Spain’s monarchical government as a cruel master subjugating the New World territories as slaves who were, therefore, in dire need of emancipation. But they seldom spoke of

⁴²¹ Gaetano Filangieri, *The Science of Legislation*, 74.

Spanish vassals as actual slavers holding people as property in conditions of captivity.⁴²²

Restrepo and Corral were determined to see Spain in the New World as a cruel master holding people in captivity but also to denounce the evil of actual slavery in Antioquia. Restrepo drafted a “free womb” law that Corral presented before the legislature of Antioquia. While the legislators discussed the law, Corral died on April 7, 1814, at the age of thirty-five. His ideas, however, survived.

On April 20, the legislature of Antioquia passed a manumission law. After this date, all newborn children of slave women would be considered free. The masters had to support the free children of their slaves until they reach sixteen years of age, and the children, in turn, had to reciprocate working for those masters. The law also stipulated the creation of manumission boards called *juntas de amigos de la humanidad* --boards of friends of humanity--. These boards would collect funds to pay for the manumission of slaves. Finally, the law prohibited the slave trade to other states, as well as domestic slave trade resulting in the separation of slave families. These measures would bring a gradual end to slavery, although a timetable towards this goal was not specified.⁴²³

The opening statement of Antioquia’s manumission law stated that freedom from Spain was incompatible with slavery; facilitating slave emancipation was a way to make independence more perfect. Filangieri’s doctrine had been taken seriously. According to the language of the legislation, the liberty of the “peoples of America,” as sanctioned by the Supreme Being, could have no other object than turning them

⁴²² Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 130, 133, 138, 245, 351.

⁴²³ *Gaceta Ministerial de Antioquia* (Antioquia), No. 2, October 2, 1814.

into more virtuous, just citizens, worthy of enjoying their rights. The law explained that during the process of the “political regeneration” it had been impossible for revolutionary leaders not to notice the presence of so many “degraded beings” perpetually condemned to slavery. Reduced to beasts of burden, they were imagined to have no education or sentiments, with no legacy to pass down to their offspring. It was now the time to take them out of such a state and place them among the “class of the citizens,” while creating the conditions for them to enjoy a “just and fair government,” one never to be expected “under the barbaric laws of Spain.”⁴²⁴

Legal freedom gave citizenship to former slaves. However, the exercise of full citizenship rights remained restricted to a few in revolutionary Antioquia. The ability to vote or run for office belonged exclusively to male citizens who were at least twenty five years old, reputed as heads of household --*pater familias*--, and economically independent. Though citizens in theory, it is hard to imagine newly freed slaves as potential electors.⁴²⁵

The language and spirit of the law coincided with Corral’s opinions, as he had presented them to the legislature in a meeting earlier that year. Although the law did not mention that its intention was also to avoid a slave uprising, Corral had been clear in this respect when addressing the revolutionary legislators. In arguing that freedom from Spain would not be consolidated until freedom from slavery was extended to all, Corral insisted that slaves were suffering under a yoke much heavier than that of their masters under Spain. If slaves were to continue in condition of

⁴²⁴ *Gaceta Ministerial de Antioquia* (Antioquia), No. 2, October 2, 1814.

⁴²⁵ “Reglamento definitivo para las elecciones,” Antioquia, September 28, 1811, Daniel Gutiérrez Ardila, comp., *Las asambleas*, 232-238.

servitude, they would eventually find freedom through a “bloody insurrection.”

There were compelling instances of such events throughout both distant and present history:

Behold the turmoil suffered by Sparta on account of the atrocious, ill-advised policy of maintaining their helots in chains; review the scene of the slave war in Sicily, so well portrayed by the eloquent pen of the historian Serofani; and coming down from Antiquity to our own time and day, bring to your imagination, for just a moment, the horrors, the murders, the cruelties carried out in the island of Haiti, on account of the Frenchmen having wanted freedom for themselves, while sustaining by a formal decree the slavery of black men in their colonies and revoking all the beneficial and liberal legislation they had previously sanctioned.⁴²⁶

Corral argued that slaves would keep on trying to obtain freedom by rising against their masters. He insisted that no essential difference existed between “the love of freedom” expressed by slaves suffering under the will of their masters and that of a people seeking to reassume its “original rights and former independence.” In essence, the fight for freedom from Spain was parallel to the fight for freedom from slavery. Corral also believed that “revolutionary fever” was prevalent among slaves, not only because of their wish to be free but because royalists agents were planning to cause instability through slave upheaval. The “internal security of the Republic” was thus one of the main concerns among revolutionary elites, including those who had proved to be the most radical liberals.⁴²⁷

Corral and Restrepo envisioned a plan for gradual slave emancipation under the assumption that, given slaves’ lack of education, property, and bonds to the “fatherland,” they would become “perverted,” turning into “criminals” and “bandits”

⁴²⁶ The speech is quoted by José Manuel Restrepo, *Historia*, vol. I, 267-268. The author does not provide information on the exact date Corral gave the speech.

⁴²⁷ Juan del Corral to Presidente de la Unión, December 12, 1813, in Roberto M. Tisnés Jiménez, *Don Juan del Corral*, 263.

if freedom was suddenly granted to them through an abolition of slavery decree. In this respect, Restrepo might have been drawing on Antonio de Villavicencio's gradualist approach to slave emancipation.⁴²⁸

Antioquia's gradualist program stipulated mechanisms against the manumission of individuals who could potentially be seen by local patricians as unworthy of citizenship. Manumission boards had to find out about the good conduct and "good services" of slaves in order to grant freedom to the "most honorable," as well as to those who had legally accumulated economic resources and were presumably better suited to survive "in their new status." The boards would also privilege elderly slaves. Finally, freedmen who "abuse" their citizenship would be turned to the manumission boards, who would then seek to "reform" them.⁴²⁹

Gradualism and racist sentiments and prejudices against people of African descent would continue to be prevalent among both pro-slavery masters and the supporters of gradual slave emancipation. They shared a common fear of slave uprising and of the consequences of sudden economic and social change. However, in the midst of revolution and war, masters and slaves had to confront new challenges, which often allowed individuals like the slave José María Martínez to pursue their goals of freedom through new avenues.

Patriots and royalists at war

In the radicalized climate of 1813, many royalists from Antioquia left their

⁴²⁸ José Manuel Restrepo, *Historia*, vol. I, 266; Antonio de Villavicencio, "Delicadísimo punto y plan."

⁴²⁹ *Gaceta Ministerial de Antioquia* (Antioquia), No. 2, October 2, 1814.

homes for Cartagena in search of passage to the Antilles. Expelled by Corral, they were expatriates in Tierra Firme who arrived as émigrés in Jamaica and elsewhere in the Greater Caribbean. Among them were members of the Martínez family, including Faustino Martínez. It was in these circumstances that the slave José María was exposed to the social worlds of the Caribbean plains of the viceroyalty and the islands of the Antilles. When he left Antioquia he was still legally held as property; he had been chosen to accompany his master into exile.

José María had very likely learned of the debates on slave emancipation that preceded the “free womb” legislation of early 1814. After all, his master Faustino was a cousin of Corral’s wife. Faustino’s aunt, María Teresa Martínez, was the mother-in-law of Corral’s son, Toribio. In such a small town, in such close proximity to the elites, men like José María had easy exposure to political debate among their masters.

On their way to Jamaica, master and slave spent time in Mompós and Cartagena, where slavery, slave emancipation and the end of the slave trade had been debated in the previous years. In Cartagena, for instance, the Constitution of 1812 had decreed the end of the international slave trade to the state. José María and his master would soon arrive at an English-speaking colony where slavery ruled the land.⁴³⁰

Both men stayed in Jamaica for three years. According to José María, he behaved as a “loving servant” during their life in exile.⁴³¹ However, according to the testimony of José Rodríguez, Corral’s appointee to banish the royalists in 1813, José

⁴³⁰ “José María Martínez,” f. 410r.

⁴³¹ “José María Martínez,” f. 410r.

María's autonomous impulses had already been evident in this journey toward exile. Rodríguez later stated that José María had acted wickedly towards him. Desperate, he had turned to Martínez to complain about his slave. The master had replied that he was unable to punish the servant.⁴³²

In December of 1815, news arrived in Kingston about the fall of Cartagena at the hands of General Pablo Morillo. In January of 1816, the same news reached Antioquia. For the patriots of Antioquia, it was clear that Morillo's advance from Cartagena would soon begin. The fall of the privateering republic sparked new hopes for the exiled royalist Faustino Martínez.⁴³³

Amidst great fear, the revolutionary government of Antioquia was dissolved by the end of March. Félix José de Restrepo and José Manuel Restrepo, tried to emigrate south to Popayán. José Manuel was not able to complete his trip and arrived back in Rionegro on March 24. By then, Spanish troops had occupied all major towns in the Antioquia.⁴³⁴ Morillo, meanwhile, had ordered the execution of Cartagena revolutionaries, including Antonio José de Ajos and José María García de Toledo. Morillo and his officers would soon order many more executions throughout the former viceroyalty. The general arrived in Santafé on the night of May 26.⁴³⁵

⁴³² "José María Martínez," f. 411r.

⁴³³ José Manuel Restrepo, "Apuntes sobre la emigración que hice en 1816 de la provincia de Antioquia a la de Popayán," José Manuel Restrepo, *Autobiografía*, 63-77; Justo Cuño Bonito, *El Retorno del Rey: el restablecimiento del régimen colonial en Cartagena de Indias (1815-1821)* (Castellón: Universitat Jaime I, 2008).

⁴³⁴ José Manuel Restrepo, "Apuntes sobre la emigración," 63-77.

⁴³⁵ José Manuel Restrepo, *Historia*, vol. I, 399-424.

Trying to avoid the fate of so many patriots, José Manuel Restrepo escaped to Jamaica, where two of his in-laws lived as émigrés.⁴³⁶ While revolutionaries were arriving on the island, royalists were going back to Tierra Firme. Faustino Martínez now decided to leave the British colony. He was soon back in the continent, along with José María. In January of 1816, Martínez joined the forces of General Morillo early on his re-conquest campaign, becoming *auditor de guerra* --legal adviser to the Expeditionary Army.⁴³⁷ In this capacity he took part in the infamous tribunal that sent dozens to the gallows during that year. José María, still accompanying him, thus witnessed the repression at close range.

Martínez left Santafé with Morillo for Sogamoso on November 16, but the General soon fired him. Staunch royalist that he was, Martínez nonetheless provided Morillo with a list of patriots to be arrested in Antioquia, some of his close relatives included.⁴³⁸ Without a job and away from his hometown, Martínez was in a difficult position, perhaps short of money. Taking advantage of the disruption, José María “deserted” his master and proceeded to “wander” for about three years.⁴³⁹ During those three years, sovereignty had been restored to king Ferdinand VII of Spain. With royal power reestablished, José María’s former master returned to Antioquia, where he joined the Spanish government.

After the re-occupation of Tierra Firme by Spanish forces led by General Pablo Morillo in 1815 and 1816, surviving revolutionary leaders fled into exile or

⁴³⁶ José Manuel Restrepo, “Diario del viaje que hice de la ciudad de Rionegro en la Provincia de Antioquia, a la de Kingston, en la isla de Jamaica,” José Manuel Restrepo, *Autobiografía*, 79-101.

⁴³⁷ AGN, Archivo Anexo I, Guerra y Marina, vol. 135, doc. 19, N 119-A

⁴³⁸ José Manuel Restrepo, *Historia*, vol. I, 427, 443.

⁴³⁹ “José María Martínez,” f. 410r.

retreated to the backcountry. During the following years, an irregular war by guerrilla fighters harassed Spanish forces throughout northern South America. In their effort to stabilize the area, Spanish troops not only sent hundreds of patriots to the gallows, but also plundered and exacted resources from patricians and plebeians alike. In the process, monarchical government increasingly lost what legitimacy it had. By 1819, the reliance on local troops, as well as internal disputes, had rendered the Spanish forces uncoordinated. The guerrilla fighters, on the other hand, gained battle experience, popular support and determination.⁴⁴⁰

Around May of 1819, the revolutionaries fighting in Venezuela decided to change their strategy, as Simón Bolívar consolidated the insurgent forces under his command. He planned for a strong army to traverse the Venezuelan floodplain and climb through the Andes mountains in order to take Santafé and liberate New Granada. An army of *llaneros* --plainsmen guerrillas who had been fighting in the Orinoco basin flatlands--, British soldiers and many other foreigners, including “French Negroes” from Saint Domingue, set out to accomplish this mission.⁴⁴¹

On July 5 and 6, Bolívar and his men made it across the *Páramo de Pisba*, a moor-like Andean highland known for unforgiving weather. Dozens of soldiers died and deserted along the way. In the province of Tunja, however, the army received local support and reorganized. On August 7, with about two thousand and eight hundred troops, including dozens of Haitians who made up most of the *Rifles*

⁴⁴⁰ Rebecca A. Earle, *Spain and the Independence of Colombia. 1810-1825* (Exeter: University of Exeter Press, 2000), 133-144.

⁴⁴¹ José Manuel Restrepo, *Historia*, vol. I, 989-998; doc. 39, Barreyro to Sámano, July 19, 1819, Juan Friede, *La batalla de Boyacá -7 de agosto de 1819- a través de los archivos españoles* (Bogotá: Banco de la República, 1969), 83-87.

battalion, the patriots fought Spanish soldiers at the site of the Boyacá Bridge, not far from the city of Tunja. With their victory on that day, the revolutionaries inflicted a major blow on their enemy. Santafé, now unguarded, was within reach. Spanish authorities fled and Bolívar took the city on August 9.⁴⁴²

Simultaneously, political leaders of revolutionary Tierra Firme were gathered at the Congress of Angostura, by the banks of the Orinoco River, where they laid the legislative foundations of a new Venezuelan republic. Bolívar retraced his steps and was back at Angostura on December 11. Three days later he spoke before the Congress, asking for the foundation of a larger republic that would encompass Venezuela and New Granada. This union, argued the triumphant General, would guarantee the freedom of all of South America. On December 17, 1819, the Congress passed the “Fundamental law of the Republic of Colombia.” Bolívar’s republic had been formally created. The legislators also planned for a general congress to be held in 1821. This new meeting would consolidate the representative character of the new polity with participation of delegates from the old provinces that had formed Venezuela and the New Kingdom of Granada.⁴⁴³

After the decisive battle of Boyacá, Bolívar dispatched liberation expeditions to the provinces still in Spanish possession. News of the battle alerted Spanish officials and royalists in Antioquia. They would soon find themselves on the run. Bolívar sent José María Córdova to Antioquia, where Spanish colonel Carlos Tolrá escaped north. Most royalists and thirty of the king’s soldiers escaped along with

⁴⁴² José Manuel Restrepo, *Historia*, vol. I, 1012-1024; doc. 39, Barreyro to Sámano, July 19, 1819, doc. 54, “Diario histórico de la división,” Juan Friede, *La batalla*, 85, 115-122; Rebecca Earle, *Spain*, 133-140.

⁴⁴³ José Manuel Restrepo, *Historia*, vol. I, 1042-1045.

Tolrá. Some days later, his advisor, Faustino Martínez, took to the road with other soldiers. Martínez had become the *de facto* head of the last royalist faction. At the arrival of Córdoba's liberation forces Faustino became the target of an intense pursuit.⁴⁴⁴

By the end of August Córdoba reestablished the revolutionary government of Antioquia, appointing José Manuel Restrepo political governor of the province and Félix José de Restrepo director of the printing press office.⁴⁴⁵ Córdoba oversaw the confiscation of property belonging to many royalists, as well as the enforcement of "voluntary" donations for sustaining the "cause of independence." Among those listed for donations, members of the Martínez family made it to the top, both for their affluence and their involvement with monarchist rule. Faustino's father, Juan Esteban Martínez, was to contribute with five hundred *pesos*; Manuel Antonio Martínez had to pay an equal amount, and Eugenio Martínez was to supply the new government with two hundred *pesos*.⁴⁴⁶

The former slave José María, who himself was now adopting the surname Martínez, would later refer to this time as the "reestablishment of the Republic." It was at this moment that he joined the patriot forces, perhaps pushed by Córdoba's recruitment efforts, perhaps moved by anti-Spanish sentiment having witnessed the

⁴⁴⁴ José Manuel Restrepo, *Historia*, vol. I, 1026.

⁴⁴⁵ José María Córdoba to Carlos Soublette, Medellín, August 30, 1819; José María Córdoba to Simón Bolívar, Medellín, September 1, 1819; José María Córdoba to Carlos Soublette, Rionegro, September 3, 1819; José María Córdoba to Félix de Restrepo, Rionegro, October 22, 1819, Pilar Moreno de Ángel, *Correspondencia y documentos del General José María Córdoba* (Bogotá: Editorial Kelly, 1974), vol. I, 14-15, 16-17, 19-20, 63.

⁴⁴⁶ "Lista de los Patriotas que deben contribuir según sus facultades, y en calidad de empréstito para la defensa del Estado," AHA, Documentos, vol. 875, doc. 13721, ff. 239r, 240r; "José María Martínez," f. 410r.

horrors of the executions led by Morillo and Faustino Martínez.⁴⁴⁷ José María joined a military unit under the orders of lieutenant Buenaventura Correa, known as Ventura for short. Correa himself had joined the *Conscriptos de Antioquia* battalion in 1815 and had been taken prisoner by Spanish forces in April of 1816. He had rejoined patriot forces after the battle of Boyacá, becoming part of Córdova's expedition for the liberation of Antioquia.⁴⁴⁸ Upon arrival in the province, Correa's unit became part of the campaign against the fleeing royalists.⁴⁴⁹

Faustino Martínez had retreated north with other royalists on the run, once again trying to secure exile in the Antilles. This time, however, José María was not travelling with him. The former slave, now a soldier of the republican forces, was part of the very military unit chasing down his former master. Along with Correa and other fellow combatants, José María Martínez marched north after the retreating royalists. This may have been the paramount moment of José María's life, in which he openly overturned his masters' authority over him and his destiny.

This patriot military unit moved north to the provincial border with Cartagena. Along the way, the patriots took some prisoners and confiscated military supplies. Their quarry, however, kept one step ahead of them. Although Faustino Martínez was ill, he was able to make it to the interior of Cartagena along with four

⁴⁴⁷ "José María Martínez," f. 410r.

⁴⁴⁸ Capitán Buenaventura Correa, military service record, AGN, República, Hojas de Servicios, vol. 9, ff. 241v, 250r-253r.

⁴⁴⁹ José Manuel Restrepo, *Diario político y militar. Memorias sobre los sucesos importantes de la época para servir a la Historia de la Revolución de Colombia y de la Nueva Granada, desde 1819 para adelante* (Bogotá: Imprenta Nacional, 1954), vol. 1, 23, 26-27.

Spanish officers. At Sabanalarga, they left behind men and supplies in an attempt to hurry their escape to the Caribbean shore.⁴⁵⁰

Increasing numbers of people of African descent, particularly slaves or escaped slaves like José María, had joined the liberation armies after the battle of Boyacá. Anti-republican conspirators still in place in Antioquia struggled to persuade them not to do so, assuring them that the return of the Spaniards would not take long. But the recruitment of slaves as well as voluntary enlistment continued into the following year, when the new authorities gave orders to recruit all unmarried slaves. With slaves' voluntary or coerced help the revolutionaries firmly established military control of the province.⁴⁵¹ This did not mean, however, that maintaining the effective freedom of wartime was an easy task for the former slaves who had collaborated in the war effort.

The specter of re-enslavement

While sharing exile with his master after 1813 José María Martínez had in his everyday life contested the apparently tenuous but still existing yoke of slavery, all the while remaining as a dependent and servant. After their return to Tierra Firme

⁴⁵⁰ Buenaventura Correa to José María Córdova, Marinilla, August 27, 1819, Yolombó, August 31, 1819 and October 6, 1819, Zaragoza, October 7, 1819, Zaragoza, October 12, 1819; Carlos Robledo to José María Córdova, Sabanalarga, September 3, 1819, all in "Contiene partes militares de varios jefes remitidos al gobernador comandante general José María Córdova," AHA, Documentos, vol. 879, doc. 13734; José de Villa to José María Córdova?, "Contiene comunicaciones de varios empleados para el gobernador con 126 fojas. 1820," AHA, Documentos, vol. 904, doc. 13944; Capitán Buenaventura Correa, military service record, ff. 241v, 250r-253r; José María Córdova to Francisco de Paula Santander, Rionegro, October 16, 1819, Pilar Moreno de Ángel, *Correspondencia y documentos*, 58-60.

⁴⁵¹ Peter Blanchard, *Under the Flags of Freedom: Slave Soldiers and the Wars of Independence in Spanish South America* (Pittsburgh: University of Pittsburgh Press, 2008), 64-85; "Contiene documentos de varios empleados para el gobernador, con 219 fojas," AHA, Documentos, vol. 904, doc. 13945, ff. 285r-26r; "Contiene comunicaciones de los comisionados para reclutar esclavos para el Gobernador Comandante General, con 112 fojas," AHA, Documentos, vol. 915, doc. 14004.

in 1816, however, Martínez had deserted his master altogether, becoming a free agent despite being, at law, a runaway with no freedom papers. When the revolutionaries triumphed in the fields of Boyacá, in 1819, revolution and his own participation in the war effort offered a new public basis for his claims to lasting freedom.

Living as a free person differed substantially from having the legal standing of a free person.⁴⁵² Although he moved freely across the countryside for three years after departing the control of his legal master, Martínez remained legally a slave, vulnerable to formal re-enslavement. Freedom through flight was precarious and uncertain. Martínez later argued that while traveling to exile in the Antilles his master had repeatedly insisted that he had taken him as his “partner, not as his slave.”⁴⁵³ However, it was clear that unless Martínez possessed legal documentation proving that he had been manumitted, his master could brought him back to servitude.

Perhaps as a way to more firmly ground his claims to freedom, Martínez, as Córdova recruited men in Antioquia, decided to join the army in 1819. Thousands of slaves and former slaves throughout the Americas had joined military unit as a means to obtain freedom dating back at least to the American Revolution. However, only in early 1820 did Bolívar explicitly offer freedom to slaves willing to join his

⁴⁵² Rebecca J. Scott and Jean M. Hébrard, *Freedom Papers. An Atlantic Odyssey in the Age of Emancipation* (Cambridge and London: Harvard University Press, 2012), 6-82; Rebecca J. 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 & Civil Law Forum* vol. 24 (2009): 115-136; Rebecca J. Scott, “Paper Thin: Freedom and Re-enslavement in the Diaspora of the Haitian Revolution,” *Law and History Review* Vol. 29, No. 4 (November 2011): 1061-1087.

⁴⁵³ “José María Martínez,” f. 410r.

forces. By then Martínez was already in the army, and he would not complete the three years of service the patriots required from slaves before providing them with freedom papers.⁴⁵⁴

After the campaign against the fleeing royalists, Martínez served as a fresh water sailor in the Magdalena River and was stationed at Morales, not far from La Honda, where slaves had rebelled in 1799. In the Caribbean plains, as the patriots retook the province of Cartagena, José María saw action again in 1820, worked at the mobile military hospital, and was stationed at Mompós and Magangué. It was in Magangué that he encountered other people from Antioquia serving in the patriot army.⁴⁵⁵

Among his countrymen were three relatives of his former master: Manuel del Corral, who was Juan del Corral's son, and the husband of María de los Santos Martínez, Faustino Martínez's sister; Celestino Martínez, Faustino's cousin; and Julián Arrubla, the nephew of Juan Pablo Pérez de Rublas. The encounter with these men may have alerted Martínez to the fragility of his freedom. It was very likely from them that he learned that his former master's father, Juan Esteban Martínez,

⁴⁵⁴ Peter Blanchard, *Under the Flags*, 74. On slave participation in revolutionary and monarchical forces see, besides Peter Blanchard's work, Ira Berlin, *Generations of Captivity: A History of African-American Slaves* (Cambridge and London: Harvard University Press, 2003), 111-112, 123-125; Simon Schama, *Rough Crossings. Britain, the Slaves and the American Revolution* (New York: Harper Collins, 2006); George Reid Andrews, *Afro-Latin America, 1800-2000* (Oxford and New York: Oxford University Press, 2004), 55-67; Laurent Dubois, *A Colony of Citizens: Revolution and Slave Emancipation in the French Caribbean, 1787-1804* (Chapel Hill and London: The University of North Carolina Press, Omohundro Institute of Early American History and Culture, 2004), 222-248. For a broad approach to the history of slaves in arms see Christopher Leslie Brown and Philip D. Morgan eds., *Arming Slaves: From Classical Times to the Modern Age* (New Haven: Yale University Press, 2006).

⁴⁵⁵ "José María Martínez," f. 410r.

was determined to re-enslave him. After this encounter, José María Martínez left the army.⁴⁵⁶

Among that cohort of three members of the family he had served as a slave, Julián Arrubla seems to have been the one with some sympathy for the claims of José María Martínez. When both men crossed paths again in Antioquia in 1822, Arrubla provided Martínez with a short letter, stating that he had known him as a member of the patriot forces of Antioquia under the command of Córdoba. Signed on September 5, that document, as an object and as potential piece of evidence of his services to the Republic and his connections with local patricians, became crucial for Martínez in his strategy to defend his freedom. Along with that signed testimony Martínez presented his own written petition, crafted with the help of a literate person, asking local authorities to legally recognize his free status.⁴⁵⁷

In his argument to request the validation of his *de facto* freedom, Martínez drew from his experiences, making use of what he knew and thought about slavery and emancipation. His military service became one of the grounds for arguing the legality of his freedom. Although highly relevant given the political circumstances, military service was but one of the many reasons Martínez had in mind to deem himself a man who had enjoyed “bonded freedom,” and should be declared legally free.

Martínez asked local authorities to gather evidence on his case, stating that if they did not collect testimonies on his freedom in order to secure it, “reason would be in danger.” He thus invoked reason rather than political order or his own

⁴⁵⁶ “José María Martínez,” f. 410v.

⁴⁵⁷ “José María Martínez,” ff. 409r, 410r.

wellbeing. This echoed what Juan del Corral, through the prism of enlightened liberalism, had termed the “privileges” bestowed upon all men by the “sovereign Legislator of the universe.”⁴⁵⁸ The concept of freedom-conferring “reason,” an idea shared by Corral and other members of the elite of the revolutionary movement, now emerged in the petition Martínez presented.

Martínez explained that he was now at risk of being returned to his “former slavery.” This expression confirms that he had seen himself as a free man for many years, having made decisions of his own and taken to the roads as he pleased. Freedom was a matter of actions, everyday life practices, and personal experiences. During the revolution, particularly after his return from Jamaica, he had been living and acting as a free man, thus expanding up the autonomy he had been able to achieve at earlier stages in his life. However, Martínez also knew that everyday practices of freedom, as indicative as they were of liberty, had to be officially recognized by the authorities and legally backed by the proper documentation. Obtaining those papers should not be a problem: his freedom was just, and he should be a “free and emancipated man according to the law, to equity, and to justice.”⁴⁵⁹

Martínez, now about thirty-three years old, did not need a paper to show that he was living as free man. Nevertheless, he did need a paper to show that he was not legally a slave anymore. Martínez’s thinking and his allegation thus differed radically from the practices of requesting emancipation directly from the owners or through a negotiated process, often mediated by *procuradores* and other authorities. His

⁴⁵⁸ José Manuel Restrepo, *Historia*, vol. I, 267.

⁴⁵⁹ “José María Martínez,” f. 410r.

claims were also independent of the mechanisms of gradual emancipation provided by the manumission law of 1821, itself inspired by Antioquia's legislation of 1814 and drafted by Félix José de Restrepo.

The written petition and Arrubla's letter reveal that Martínez was seeking the recognition of something that he saw as already his. He considered that according to liberal principles and in the new political environment resulting from a revolutionary process the state should not ignore but rather should defend the legitimacy of his claims to freedom.

One of the words chosen for the last line of the request is revealing of these circumstances. The principle of "equity," the petition reads, should guarantee Martínez's freedom. Equity was the moderation in enforcing the law, the quality of fairness guaranteeing that law would be applied in accordance with the circumstances and with the "legislator's intention," rather than according to the sole written contents of the legislation.⁴⁶⁰

The expression chosen by Martínez to describe his legal status also reveal the meanings that freedom had taken on in his imagination. As he put it, he had enjoyed "bonded freedom" under the authority of Faustino Martínez.⁴⁶¹ A declaration of José Rodríguez, who had observed their interactions during their 1813 émigré journey, could prove that, while he was indeed a servant, he had enjoyed much autonomy during those days.

⁴⁶⁰ *Diccionario de la lengua Castellana compuesto por la Real Academia Española, reducido a un tomo para sumás fácil uso. Tercera edición, en la cual se han colocado en los lugares correspondientes todas las voces de los suplementos, que se pusieron al fin de las ediciones de los años de 1780 y 1783, y se han intercalado en las letras D. E. y F. nuevos artículos, de los cuales se dará un suplemento separado* (Madrid: Viuda de Joaquín Ibarra, 1791), 384.

⁴⁶¹ "José María Martínez," f. 410r.

In his deposition Rodríguez said that José María Martínez had on one occasion disrespected him, upon which he had requested the master to punish the “slave.” The supposed master, however, had replied that he was unable to do so. Rodríguez then assumed that Martínez was a free individual and told the master that he would then treat the supposed slave as a free man. The master did not object to this. Rodríguez thus finally arrived at the conclusion that “José María was a free man.”⁴⁶²

By 1822, Martínez had come to view slavery in a flexible, dialogical way. As he had experienced it throughout his life, the yoke of servitude was expressed through a variable set of circumstances, a reality determined by the nature of his daily interactions with others. In developing his notion of “bonded freedom,” Martínez combined two apparently contradictory words in order to convey the idea that, although legally a slave, the services he had rendered to his master had emanated from his own decision to serve the Martínez family. He had interacted with the members of this family in a context of autonomy within slavery.

José María Martínez was at law the property of another person, to be sure, and “a person with a price,” as he well knew. However, many times it was he himself who decided whether to serve this putative owner or not.⁴⁶³ Earlier in his life he had decided to flee the Jaramillo farmstead. He had also confronted the authority of the widow Jaramillo as well as that of Faustino Martínez and his peers. To serve was one option, and so was to escape or to avoid serving.

⁴⁶² “José María Martínez,” f. 411r.

⁴⁶³ I borrow the expression “a person with a price” from Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999).

From his petition we can gather that Martínez thought of slavery as a temporary condition that slaves could leave behind, not only through flight, in an informal way, but also through compensation, in a formal, lasting fashion. He was aware that slaves with a substantial savings, known as *peculium*, could use them in order to pay for their freedom. He also thought it was possible to pay for one's freedom through other means. The very work that a slave was supposed to perform during an extended period of time could eventually amount to a just compensation for the original value paid by the master for that slave. As Martínez explained, he had had a "humble birth as a slave" and as such he had been acquired by Faustino Martínez "who bought me from the Bacilio Jaramillo succession for ninety *castellanos*, for which he was compensated with my loyalty during seven years, in which I accompanied him in long journeys to Bogotá and Jamaica, and a thousand different services, these being so well known that I choose not to mention them."⁴⁶⁴

Martínez seems to have adhered to a principle of compensation through works and services, much like the one underlying the "free womb" law of 1814 created by Restrepo and Corral. Colombia's free womb law of July 21, 1821 also stated that masters of slave women whose children were born free after the passing of the law would gain compensation for the value of those children with the "works and services" of the freeborn during a certain period of years.⁴⁶⁵

⁴⁶⁴ "José María Martínez," f. 410r.

⁴⁶⁵ "Ley 7-Julio 21 de 1821," *Recopilación de leyes de la Nueva Granada. Formada i publicada en cumplimiento de la lei de 4 de Mayo de 1843 i por comisión del poder ejecutivo por Lino de Pombo, miembro del Senado* (Bogotá: Imprenta de Zoilo Salazar, por Valentín Martínez, 1845), 104-108.

Martínez was perhaps willing to concede that a period of apprenticeship or tutelage was the price of freedom before leaving behind the yoke of servitude, a vernacular understanding or acceptance of gradualism. He had been familiar with a similar kind of arrangement for his godson, a young slave whose name and life story remain largely hidden. Martínez argued that after having saved the life of Juan Esteban Martínez in a street fight he had received the gratitude of the family and the promise of freedom for his godson, to be delivered upon his acquiring of “a little bit of experience.”⁴⁶⁶ Whether or not this promise had actually been made, Martínez apparently thought of such an apprenticeship as an avenue to freedom, a freedom both earned through labor and bestowed in gratitude.

Martínez also seemed to have thought that good services and loyalty rendered to his master should be seen as grounds for his claim to legal freedom. He tried to prove his logic correct by mentioning that during the street fight he had risked his own life in order to save that of his master’s father. In a grandiloquent turn of phrase, Martínez said that it was he, second only to God, who had given life to Juan Esteban Martínez.⁴⁶⁷

To add force to his argument, he characterized the street fight as an ordeal for Juan Esteban and stated that his own actions in that occasion had been heroic and loyal. Martínez was, as might be expected, shaping the narrative of past events to serve his present needs. His retelling of the episode, which had happened in 1811, includes elements that seem at odds with earlier accounts. Surviving criminal records regarding the fight of 1811 suggest that although the slave had indeed

⁴⁶⁶ “José María Martínez,” f. 410r.

⁴⁶⁷ “José María Martínez,” f. 410r.

defended Juan Esteban from a drunken man, apparently Juan Esteban's life may have never been at risk. But now that José María Martínez's own freedom was at stake, he reshaped his version of the incident to support his petition.⁴⁶⁸

Given that he had been seriously wounded in the events of 1811, José María Martínez presented this episode as major proof of his love for his master's family. This reinforced the evidence supporting the claim that he made his own choices and took responsibility for his own actions, even while legally held as property. This was a detailed way to express what he had called "bonded freedom." Such a display of loyalty went above and beyond what a master could expect from a slave. It had emanated from his deliberate desire to serve the Martínez family well and not from obligation or coercion.⁴⁶⁹

A long revolutionary decade had passed since the street fight of 1811. During those years, Martínez had turned into reality what the widow Jaramillo had once forecast: that those able to complete one sixth of a road should have no problem completing the whole of it. He had witnessed the first episodes of political revolution and had later become part of revolution itself, gaining a status of apparent freedom by joining the army. After leaving the army, however, Martínez now confronted the risk of re-enslavement.

Just a few days after Martínez presented his petition, the Colombian government issued an order allowing masters to recover their servants who had fled during the war. This order of August 28, 1822, could inspire some slaves to join

⁴⁶⁸ "Contra Manuel Herrera por heridas que dio a un esclavo del doctor Faustino Martínez," AHA, Criminal, box B-78, leg. 1800-1820, doc. 10.

⁴⁶⁹ "José María Martínez," f. 410r.

the army, where they would obtain legal freedom after three years of service. It could also encourage masters to take immediate steps to re-enslave their runaway servants who were not working as soldiers. This may have prompted Martínez to drop his uncertain legal bid for freedom papers and instead become a soldier once again.⁴⁷⁰

On January 17, 1823, Martínez re-enlisted in the army. He was recruited to work as a soldier “for the duration of the war,” as the Republic of Colombia continued its fight against Spain on a continental scale. Colombian forces now concentrated on the southern campaign of Perú and Upper Perú. Many of Martínez’s fellow combatants from the campaigns of 1819-1820 marched south. His former chief José María Córdova reached Popayán at the end of 1823 and made it to Guayaquil by February of 1824. The following months, Córdova’s men became part of the United Army for the Liberation of Perú. José María Martínez himself, however, remained in Antioquia.⁴⁷¹

Crime and punishment?

By 1822 José María had been using the surname Martínez for some time. Slaves often used their master’s family name to shape their own individual and collective identity. Many slaves could have the name José María, but with the use of

⁴⁷⁰ Peter Blanchard, *Under the Flags*, 82.

⁴⁷¹ “Copia de la filiación del sodado José María Martínez,” in “Plaza de Medellín. Año 1824. Compañía de Guarnición. Causa criminal contra José María Martínez soldado de la misma compañía, por haber caído alevosamente al ciudadano José Moreno de que le resultó la muerte en la tarde del 31 de diciembre. Juez fiscal el señor capitán José María Botero,” AHA, Documentos, vol. 962, doc. 14388, f. 9v; José María Córdova to General José Mires, Popayán, December 28, 1823, José María Córdova to José Manuel Restrepo, Guayaquil, February 20, 1824, José María Córdova to Antonio José de Sucre, Otuzco, April 14, 1824, Pilar Moreno de Ángel, *Correspondencia y documentos*, vol. II, 100, 120, 121; Peter Blanchard, *Under the Flags*, 64-112.

the last name Martínez the protagonist of this story could be singled out among those who shared his Christian names. José María Martínez's brother, Gabino Jaramillo, had similarly kept the last name of their first owners.⁴⁷² Martínez himself was also at times known by the nickname of Jaramillo, a carry over from the early stages of his life.

It was under this full name that, a little less than a year after his reenlistment, a military tribunal of the Republic of Colombia charged José María Martínez, "alias Jaramillo," with one count of murder. The circumstances of the crime were terribly ordinary. Martínez had been arrested on December 31, 1823, after taking refuge at the house of Juan Pablo Arrubla, a relative of Julian Arrubla, the patrician who had provided him with the informal certificate that he had attached to his petition of 1822. In the evening of the last day of 1823, it seems, José María Martínez had inflicted a wound on José Moreno as they struggled in the street in the Buga neighborhood of the city of Antioquia.⁴⁷³

On his deathbed, the victim, José Moreno, declared that Martínez had attacked him with premeditation while he was simply talking to his cousin Manuel Moreno. He also declared that in the afternoon, while enjoying a "masquerade party," he had inadvertently left some silver coins slip out of his pocket. A little later he had been informed that Martínez and his friend Pascual Nuno had picked up his coins. He went to the authorities and accused Martínez of the theft, a charge that

⁴⁷² "Contra Manuel Herrera," ff. 2v-3r.

⁴⁷³ "Plaza de Medellín," ff. 2v, 9r-v, 10v.

may had motivated the attack. Moreno was wounded on the left side of his abdomen.⁴⁷⁴

On account of his past experiences and loyalty, no doubt, Martínez had a few months earlier been named an assistant to governor Francisco Urdaneta Rivadavia's wife, Manuela Girardot. Urdaneta was a cousin of General Rafael Urdaneta, while Girardot was the sister of Atanasio Girardot Díaz, a famed son of Frenchman Louis Girardot, a revolutionary man whose three sons were killed in the battlefields fighting for the independence of Spanish America.⁴⁷⁵

It was Manuela Girardot who turned Martínez over to the authorities after realizing that he had wounded a man and run away. In the quarrel with Moreno, two other soldiers had accompanied Martínez: Dionisio Delgado and Gregorio Martín. Martínez declared that he had drunk some *aguardiente* before the encounter. According to three witnesses, during the heat of the fight Delgado shouted at Martínez with the cry "kill him, kill him." Witness Enrique Zabala assured the authorities that Delgado had unsheathed Martínez's sword, while Martínez himself stated that the sword had come out of its sheath unintentionally, when he fell down during the fight. Whatever the circumstances, an unsheathed sword was run through Moreno when he charged against Martínez as the latter was lying on the floor. In his deposition, Martínez tried to imply that Moreno had thrown himself against his sword.⁴⁷⁶

⁴⁷⁴ "Plaza de Medellín," ff. 2r-v, 3r.

⁴⁷⁵ Sergio Elías Ortíz, *Franceses en la independencia de Colombia* (Bogotá: Academia Colombiana de Historia, Editorial ABC, 1971), 77-83.

⁴⁷⁶ "Plaza de Medellín," ff. 6v-7v, 11r-v.

Martínez was in a difficult position. It was going to be hard to prove his innocence, given the implausibility of his story of Moreno's self-impaling. After charges were filed, Martínez was sent from Antioquia to the military tribunal in Medellín, where he was tried and found guilty of voluntary homicide during a fight. The crime was punishable with the death penalty. On July 10, 1824, at four in the afternoon, José María Martínez was shot by a firing squad.⁴⁷⁷

Perhaps because of an accident, perhaps because of a terrible mistake in a day of too many drinks, or perhaps because of the fiery personality he had displayed since early in his life, the army that had given José María Martínez adventures, travels, knowledge, the dignity of a triumphant soldier, and a solid basis to defend his freedom, also condemned Martínez to lose it all.

After Independence, the liberty to choose a life path other than hard agricultural work or the military was restricted to a few. Necessity may have inclined Martínez to re-enlist; necessity may have inclined him to take the coins slipping out of Moreno's pocket at that masquerade party on New Year's Eve, 1823. But whatever the cause, the consequences became irrevocable.

Martínez's former commanding officer Buenaventura Correa, a man of free, European descent, went on to become a captain and stayed in the army until 1830. Both men had joined the army, leaving their previous lives behind. Correa had been a student when the revolution of independence started in Antioquia. Fifteen years later, he petitioned the army to discharge him so he could concentrate entirely on the "career of letters." He was now ready to go back to the books, prepare himself to

⁴⁷⁷ "Plaza de Medellín," ff. 43r-44r.

be ordained as a priest, and enjoy the property he had received from his deceased father. Correa was later entitled to a pension, and for the rest of his days after July of 1849 he received half of the salary he had received as first lieutenant.⁴⁷⁸

In spite of the very different circumstances of their lives, Martínez had like Correa participated in turning points of history, fought decisive revolutionary battles, and shared space and time with men and women whose privileged social position allowed for their names to be commemorated years later. Martínez developed his own idiosyncratic idea of “bonded freedom,” and the rights it might convey, in the context of other principles and practices emerging from an entire generation of patriots, both plebeian and patrician. The twist he gave to that idea --a claim of autonomy visibly exercised despite legal subordination-- was his own.

José María Martínez’s idiosyncratic idea of “bonded freedom” hints at the vernacular ways in which revolutionary events in Tierra Firme generated an important stock of tales and ideas about freedom, military service and citizenship. As conspirators and revolutionaries continued to fight against Spain throughout the 1820s, often turning to Colombia as a beacon of revolution, these notions spread even further across the Caribbean.

⁴⁷⁸ Capitán Buenaventura Correa, military service record, ff. 242r, 258r.

Chapter 6. Itinerant citizens, agents of revolution

At the *Imprenta Filantrópica*, a busy printing shop in Havana, Cuba, active in the early 1820s, a white man named Pedro Pascasio Arias, with the help of African slaves Tomás and Miguel, of the Gangá nation, produced theater advertisements, political pamphlets and gazettes that circulated around the city. In August of 1823, these craftsmen secretly printed up a revolutionary proclamation. The document announced that the time had come to forever separate Cuba from Spanish domination. The proclamation, confiscated by the Spanish authorities of the island, stated that Cubans were “resolved to live as free men and independent from any nation,” and that an army had been formed to achieve this goal.⁴⁷⁹

José Francisco Lemus was the alleged author of the proclamation, which noted that Paraguay, Chile, Lima, Buenos Aires, Colombia, and México had now shaken off the “old and heavy yoke of servile dependency.” It further claimed the “valiant islanders” of Cuba were now ready to defeat Spain and lead their country to its proper rank among free nations, increasing the number of the “American

⁴⁷⁹ Doc. XL, “Proclama de Lemus;” Doc. LI, “Declaración del negro Tomás, de nación gangá, esclavo de D. Miguel de Oro,” Havana, August 5, 1823; Doc. LII, “Declaración de José Miguel de Oro,” Havana, August 6, 1823, Roque E. Garrigó, *Historia documentada de la conspiración de los soles y rayos de Bolívar* (La Habana: Academia de la Historia de Cuba, Imprenta El Siglo XX, 1929), vol. II, 127-130, 165-168.

republics.” The proclamation addressed this belligerent message to all Spaniards in the island.⁴⁸⁰

Since early 1820 Cuba had been governed according to the Cádiz Constitution of 1812, therefore enjoyed formal freedom of press. Nevertheless, the printers produced this document clandestinely because it was meant not merely to spark public debate but also to inspire revolution against Spain. Their boldness built on a substantial background of discussion and agitation.

In the years prior to the confiscation of the document, many public and secret societies had formed on the island. Primarily comprised of members of a new generation of freethinking Cubans, these associations maintained communication with South American revolutionaries recently arrived on the island, as well as revolutionaries in other parts of the Atlantic World. While each societies’ goals varied, some were explicitly created to assist Cuba’s transformation into a republic.⁴⁸¹

José Francisco Lemus, along with other alleged members of one of these anti-Spanish secret societies, was detained on August of 1823. Local authorities accused him of conspiracy against the Spanish monarchy. Although he was a thirty-three years old Cuban-born Spanish vassal, he declared himself a citizen of the Republic of Colombia. The items confiscated by the authorities, besides the revolutionary

⁴⁸⁰ Doc. XL, “Proclama de Lemus,” Roque E. Garrigó, *Historia*, vol. II, 128.

⁴⁸¹ Jaime E. Rodríguez O., *The Emergence of Spanish America. Vicente Rocafuerte and Spanish Americanism. 1808-1832* (Berkeley, Los Angeles and London: University of California Press, 1975), 69-84; Luis Navarro García, *La independencia de Cuba* (Madrid: Mapfre, 1992), 87-102.

proclamation and other documents, included badges and flags in shades of yellow, blue, and red, the colors of the Colombian flag.⁴⁸²

Lemus was not the only individual implicated in this conspiracy to have a connection to Colombia. Authorities also accused the printer Pedro Pascasio Arias, another Cuban-born, of conspiracy against Spain. He later sought enrollment in Simón Bolívar's armies, requesting the privilege to serve in the liberation of Perú and acceptance into what he called the "great family of Colombia."⁴⁸³

Neither Arias nor Lemus had visited the Republic of Colombia before 1823. An exploration of the circumstances in which Arias decided to become a soldier of that newly born republic and the reasons behind Lemus' claim to be a citizen of Colombia, reveals why this country seemed to be so important for these revolutionaries. Arias and Lemus belonged to larger group of ardent, itinerant rebels whose lives took place in distant but interconnected places, including Bogotá, Cádiz, Havana, Lima, London, New Orleans, Paris, and Philadelphia.

The intersecting itineraries of these men and other members of the Colombian polity afford us with an opportunity to understand the importance of the political ideas fostered by those involved in the creation and the defense of the Republic of Colombia. The actions of Simón Bolívar, José María Córdova, José María Martínez, and José Félix de Restrepo had important repercussions beyond Tierra Firme.

⁴⁸² Doc. XLIII, "Declaración de José Francisco Lemus," Havana, August 20, 1823, Roque E. Garrigó, *Historia*, vol. II, 137.

⁴⁸³ Pedro Pascasio Arias, military service record, Archivo General de la Nación, Bogotá (hereafter AGN), República, Hojas de Servicios (hereafter HS), vol. 2, f. 256v.

On the one hand, Colombia became a beacon for anti-Spanish agitators and an exporter of revolutionary ideas and stories of triumphs against Spain. On the other hand, anti-Spanish sympathizers entered into contact with Colombian revolutionary agents who tried to directly foster revolution outside of Colombia. These men discussed notions and practices of revolution, slave emancipation, republicanism, and citizenship that the new Colombian state officially promoted.

Soldiers who fought against Spain and in many occasions against slavery as they had joined the armies hoping to obtain their own freedom or facilitate slave emancipation were the most common Colombian new citizens. They helped consolidate the independence of Spanish South America. The actions of those fighters, in turn, enabled or inspired other citizens and aspiring citizens of Colombia to foster revolutionary ideas in their home countries and abroad. The ideal citizen of Colombia was a fighter and a revolutionary. This was an ideal that circulated throughout the Atlantic world as a vernacular conception, independent of official recognition of citizenship by the Colombian state.

The idea of Colombian citizenship employed by Lemus, as well as Arias' identification with the Colombian army, had more to do with their immediate revolutionary concerns than with the long-term issues debated in the Courts of Cádiz (1810-1812) or the various constitutional conventions of Tierra Firme (1811-1821). Aspirations regarding political belonging to Colombia did not always involve suffrage or representation. Rather, Lemus and Arias deployed vernacular uses of Colombian citizenship as a revolutionary tool and a form of political identity.

Intrinsically intertwined with racial equality, suffrage, representation, and constitutional rights, citizenship can be seen as an end, a culminating state achieved through revolution. In light of the cases of Arias and Lemus, however, it becomes apparent that citizenship was also a means to achieve short-term yet significant goals during the very times in which revolution was unfolding.

The journeys, notions and undertakings of Arias and Lemus demonstrate that the name “Colombia” belonged to a revolutionary “semiosphere” that had evolved among anti-Spanish revolutionaries throughout the Atlantic world.⁴⁸⁴ Through their interactions and communications, soldiers, political thinkers, and secret and public revolutionary agents shared a stock of ideas, notions, words, names, and stories that they utilized to justify, foster, and make sense of revolution.⁴⁸⁵

A thwarted conspiracy

In August of 1823, after a series of arrests in Havana, word reached the streets that local authorities had thwarted a conspiracy to overthrow Cuba’s Spanish government. According to the lurid version spread by government officials, the plot further aimed to assassinate white people and all the enemies of a potential republican form of government for the island.⁴⁸⁶ News of the thwarted conspiracy

⁴⁸⁴ I borrow the notion “semiosphere,” a semiotic space full of elements that are necessary for the experience of communication, from Yuri M. Lotman, *Universe of the Mind. A Semiotic Theory of Culture* (Bloomington and Indianapolis: Indiana University Press, 1990).

⁴⁸⁵ Jaime E. Rodríguez O., *The Emergence*; Clément Thibaud, *Repúblicas en Armas. Los ejércitos bolivarianos en la guerra de Independencia en Colombia y Venezuela* (Bogotá: IFEA, Planeta, 2003); Daniel Gutiérrez Ardila, *El reconocimiento de Colombia: diplomacia y propaganda en la coyuntura de las restauraciones (1819-1831)* (Bogotá: Universidad Externado de Colombia, 2012).

⁴⁸⁶ “Criminales contra don José Francisco Lemus y don Pero Pascasio Arias por conspiradores en la capital de la Habana de independencia,” Archivo Nacional de Cuba, La Habana (hereafter ANC), Asuntos Políticos (hereafter AP), leg. 5, No. 23, ff. 3r-4r.

soon spread to other Caribbean islands. Information of this also traveled to Tierra Firme, reaching Bogotá, the capital of Colombia, in early December.⁴⁸⁷

The *Imprenta Filantrópica* had printed José Francisco Lemus' revolutionary proclamation announcing the beginning of the struggle to separate Cuba from Spain. This proclamation proved the intentions of the conspirators. As it was a site of political discussion as well, the printing shop, along with a café and a tailor's shop, landed itself at the very center of the plot. On August 8, local judge Juan Agustín de Ferreti ordered the arrest of Arias, the printer, and Lemus, the author. José Miguel de Oro, the owner of the printing shop, was also thrown in jail in connection with the conspiracy.⁴⁸⁸

Pedro Pascasio Arias was the son of a landed family, born in the city of Puerto Príncipe, in the interior of Cuba, in the year 1800. Besides working at the *Imprenta Filantrópica*, Arias was also second lieutenant of artillery in one of the local army units. Authorities failed to arrest him. He may have fled in a schooner leaving Havana for Nuevitas, a port town northeast of his hometown.⁴⁸⁹

Other suspects like Ignacio Felix Fimco and Pedro Recio were imprisoned at the *cuartel de Dragones*, just outside the city, along with a large number of people of color. Patricians and plebeians alike were evidently part of this conspiracy. In the capital, the leadership rested in the hands of white men, but individuals of African

⁴⁸⁷ *Gaceta de Colombia* (Bogotá), No. 112, December 7, 1823.

⁴⁸⁸ "Criminales" ff. 3r-4r.

⁴⁸⁹ "Criminales," f. 6r.

ancestry were part of the plot across the island. In Matanzas, for instance, Francisco Herrera led the conspirators of color.⁴⁹⁰

The conspirators were also said to include the Colombian merchant Juan Jorge Peoli y Tanco, a rich man from the department of Venezuela; Francisco Garay, a member of Havana's *cabildo*, and the poet José María Heredia. In Guanajay, Martín de Mueses, who claimed to be "Bolívar's number two," was involved in the plot. In San Antonio de los Baños, authorities accused José Antonio Miralla as conspirator. He was originally from Argentina and stood now accused of travelling from the United States to Colombia in search of support for a revolutionary expedition against Cuba. Miralla would later work for the Republic of Colombia at the Foreign Ministry in Bogotá.⁴⁹¹

The conspiracy to create an independent, republican Cuba took place in the midst of significant political and social unrest across the Spanish Atlantic. As Ferdinand VII prepared to attempt yet a new military recovery of lost territories in the Americas, an uprising in early 1820 had challenged his absolute power, turning Spain into a constitutional monarchy. By the end of 1823 French troops had invaded Spain and restored absolute power to the king. This triggered discontent among liberal-minded reformists in Cuba, who still hoped to reconcile the Old World and the New to create a constitutional Spanish commonwealth. The 1823 conspiracy,

⁴⁹⁰ Vidal Morales y Morales, *Iniciadores y primeros mártires de la revolución cubana* (La Habana: Imprenta Avisador Comercial, 1901), 28-29; doc. XXXIX, "Rollo de Matanzas.- Declaración de D. Santiago Jiménez," Matanzas, October 8, 1823, Roque E. Garrigó, *Historia*, vol. II, 126.

⁴⁹¹ Vidal Morales y Morales, *Iniciadores*, 20-21, 29; Daniel Gutiérrez Ardila, *El reconocimiento*, 38.

however, seems to have been only obliquely connected with recent liberal displeasure.⁴⁹²

The conspiracy had marinated in the minds of its perpetrators for a long time. Spanish officials reported that “the vigilance and cooperation on the part of most of the honest and peaceful inhabitants” had allowed them to identify “the machinations of the very few, unruly and ill-intentioned, hidden among this great population.”⁴⁹³ In fact, the plot may have failed because two of the conspirators, José Dimas de Valdés and Alejandro Campos, informed the authorities in Havana and identified the leaders.⁴⁹⁴

It soon became apparent that the printed proclamation of 1823 and the conspiracy that it revealed were part of a bigger phenomenon. The plot was exposed not long after revolutionaries had declared independence in nearby Spanish Santo Domingo, proclaiming that the island would become part of the Republic of Colombia.⁴⁹⁵ In Arias’ hometown of Puerto Príncipe alone, five aborted uprisings had occurred in the years 1795, 1798, 1805, 1809 and 1811-1812. In the early 1820s, Havana itself was “alive with conspirators,” some of whom maintained contact with liberal agitators acting in Philadelphia and New York.⁴⁹⁶

⁴⁹² Jaime E. Rodríguez O., *The Emergence*, 69-84.

⁴⁹³ “Criminales,” f. 6r-v.

⁴⁹⁴ Vidal Morales y Morales, *Iniciadores*, 19.

⁴⁹⁵ R. Lépervanche Parparcén, *Núñez de Cáceres y Bolívar. El proyecto de incorporación del “Estado Independiente de Haití Español” a la Gran Colombia* (Caracas: Editorial Bolívar, 1939); Frank Moya Pons, “The land question in Haiti and Santo Domingo: The sociopolitical context of the transition from slavery to free labor, 1801-1843,” Manuel Moreno Fraginals, Frank Moya Pons and Stanley L. Engerman, eds., *Between slavery and free labor: The Spanish Speaking Caribbean in the Nineteenth Century* (Baltimore and London: The Johns Hopkins University Press, 1985), 185-186.

⁴⁹⁶ Ada Ferrer, “Cuba en la sombra de Haití: noticias, sociedad, y esclavitud,” María Dolores González-Ripoll et al., *El rumor de Haití en Cuba: Temor, raza, y rebeldía, 1789-1844* (Madrid:

After 1821, the Republic of Colombia officially praised emancipationist sentiments and fostered the idea of a future world without slavery, albeit achieved through gradualist means.⁴⁹⁷ Further, its triumphant army included slaves and freedmen and it took the anti-Spanish fight to Peru and Upper Peru. The potential involvement of Colombians in a Cuban conspiracy troubled authorities in Havana, now thoroughly embarked on the project of protecting their growing slave society. The name of one of the Masonic lodges acting in Puerto Principe in 1823 even demonstrated the island's freethinkers ties with Colombia: the *Cadena Triangular de Bolívar*. When slaves later rose in Matanzas in 1825, authorities still sought to identify a connection of the events on this growing plantation district with Colombia.⁴⁹⁸

After the arrests in 1823, government officials in Havana began gathering documentary evidence. On August 19, they confiscated three trunks filled with books and manuscripts at the *Casa Café* run by Pedro de Rojas, on *Calle de la Cuna*. It soon became clear that these papers belonged to a secret political brotherhood. The inventory of the trunks' contents, drafted three days later, reveals that the secret group had embraced the idiom of the French Revolution.

Consejo Superior de Investigaciones Científicas, 2004), 216; Jaime E. Rodríguez O., *The Emergence*, 77; Marial Iglesias Utset, "Los Despaigne en Saint-Domingue y Cuba: narrativa macrohistórica de una experiencia Atlántica," *Revista de Indias*, vol. LXXI, No. 251 (2011): 77-108; Manuel Barcia, *The Great African Slave Revolt of 1825: Cuba and the Fight for Freedom in Matanzas* (Baton Rouge: Louisiana State University Press, 2012).

⁴⁹⁷ *Gaceta de Colombia* (Bogotá), No. 19, February 24, 1822; No. 64, January 5, 1823; No. 69, February 9, 1823; No. 77, April 6, 1823; No. 84, May 25, 1823; No. 113, December 14, 1823; No. 116, January 4, 1824; No. 119, January 25, 1824; No. 122, February 15, 1824; No. 132, April 25, 1824; No. 169, January 9, 1825; No. 170, January 16, 1825; No. 172, January 30, 1825; No. 173, February 6, 1825; No. 176, February 27, 1825; No. 205, September 18, 1825.

⁴⁹⁸ Vidal Morales y Morales, *Iniciadores*, 17.

Among other items, the trunks contained a notebook that documented all speeches delivered at the so-called “American Academy” of Havana in 1821. Scribe Santiago de Zubieta, who compiled the list, also found another notebook with the words “Ça va Ça va,” illustrated by a pyramid crossed by an arrow and adorned with two flags on the sides and a cap, perhaps of the Phrygian style. There was also another manuscript book beginning with the words *niveladora navaja de la República* --leveler knife of the Republic--, a twelve page notebook containing the phrase “Diderot used to say: when shall I see the last of kings hanged,” and one and a half sheets of paper that bore “various figures and sums with the numbers of whites, *mulatos* and free and slave Negroes from 15 to 60 years of age.”⁴⁹⁹

Given this evidence and further depositions from witnesses, it seemed that the conspiracy was influenced by Freemasonry and linked to events elsewhere. Spanish authorities knew of the role that public and secret groups such as “economic societies” and Masonic lodges played in the dissemination of liberal ideas throughout the Atlantic world. The members of these organizations held regular meetings and often travelled beyond their hometowns. They thus had opportunities to meet similarly inclined individuals. Given their clandestine nature and the scrutiny individuals underwent before becoming members, Masonic lodges proved ideal for fostering revolution. When individuals of revolutionary inclinations could not become members of a Masonic lodge, they simply turned to other similar secret societies.⁵⁰⁰

⁴⁹⁹ “4^a pieza. Sumario actuado sobre conspiración en el tribunal del señor alcalde 3^o constitucional,” ANC, AP, leg. 9, No. 115, ff. 957r-958v.

⁵⁰⁰ Jaime E. Rodríguez O., *The Emergence*, 18-20.

Leandro Barona, one of the detainees, captain of the regiment of *pardos* and the owner of a tailor's shop at *Calle Honda de Santo Domingo*, declared early in October that people had entered his shop cautiously with the intention of "taking the oath." He himself, stated Barona, was ready "for initiation among those who called themselves the Suns." The oath and rite of initiation confirmed that a Masonic-like group had planned the conspiracy: the *Soles y Rayos de Bolívar*, or Bolívar's Suns and Rays.⁵⁰¹

The reference to Simón Bolívar did not go unnoticed by Spanish authorities. It indicated that the Cuban conspiracy might be tied to revolutionary Tierra Firme and particularly to the newly proclaimed Republic of Colombia, founded by Bolívar and his allies. Barona, a free person of color, declared he was unaware of an "independence cry" planned for August 16. Nevertheless, he did mention that, on that very day, he had learned of a ship arriving in Havana with "Americans" onboard, members of a larger group that would support the uprising.⁵⁰²

On August 21, orders to capture Arias and Lemus arrived in the city of Puerto Príncipe, well east of Havana. Francisco Sedano, the subaltern political chief of the port town, thought that Arias had arrived two days prior at La Guanaja onboard the merchant schooner *Voladora*. He believed Arias then traveled to Cubitas, seven leagues away from the port. Arias' desired destination, however, remained unknown: it was either the Cahobado *hacienda*, or a farm at La Rivera de Cubitas, both of which belonged to his father. Arias' father, Agustín Arias, as well as his cousin, José Joaquín Lescano, a resident of Havana, were also thought to be involved

⁵⁰¹ "4^a pieza," f. 1007r.

⁵⁰² "4^a pieza," ff. 1010r-1013r.

in the conspiracy. Lescano had apparently authored some printed materials “subversive of public order, as they voice revolutionary maxims and ideas, and tend to induce disobedience to the legitimately established authorities.”⁵⁰³

Authorities in Puerto Príncipe speculated that Lemus had left Havana for the United States onboard an American frigate.⁵⁰⁴ Their prediction proved incorrect, however, as Lemus was apprehended while trying to escape in the early hours of August 19.⁵⁰⁵ Spanish officials believed that Lemus, described in the revolutionary proclamation as “chief of the first republican troops of his homeland,” was the principal leader of the *Soles y Rayos de Bolívar*. He had allegedly authored the proclamation, which invited Cuba’s inhabitants to “separate us forever from the dominion of the Spanish nation.”⁵⁰⁶

In his deposition, Lemus denied any involvement in the conspiracy and stated that he had been “a citizen and a colonel of the Republic of Colombia” since 1817.⁵⁰⁷ In 1817, however, the Republic of Colombia had not yet been founded. Colombia, nevertheless, was an idea that had been developing in the minds of many revolutionaries for several years. In 1823, Spain had not recognized the Republic of Colombia as an independent nation. However, Lemus used his alleged links to Colombia to try to escape further trouble with the Spanish authorities, as he may have been seeking to be treated not as a Spanish rebel vassal but as a foreign

⁵⁰³ “Comunicación del jefe político subalterno de Puerto Príncipe, del jefe político superior de Cuba, fecha 10 de septiembre de 1823, acompañando informes, sobre la persecución de José Francisco Lemus y Pedro Pascasio Arias,” ANC, AP, leg. 7, No. 115.

⁵⁰⁴ “Comunicación del jefe.”

⁵⁰⁵ Doc. XLIII, “Declaración de José Francisco Lemus,” 133; Vidal Morales y Morales, *Iniciadores*, 20.

⁵⁰⁶ Doc. XL, “Proclama de Lemus,” 127.

⁵⁰⁷ Doc. XLIII, “Declaración de José Francisco Lemus,” 133.

national. As such he should be tried according to the law of nations. By arguing that he had been appointed a colonel of the Colombian republic in 1817, however, he also reveals a history more complex than it might appear at first glance.

Colombia: the idea and the Republic

When Lemus crafted his argument, he may have conceived of Colombia in 1817 as a future independent polity that encompassed all of Spanish America. This idea was then in vogue among Spanish American revolutionaries, who sometimes referred to themselves as “Colombians.” Francisco de Miranda developed the name Colombia in the late 1700s and early 1800s. In 1806, he commanded a revolutionary expedition to Venezuela with a military force called the Colombian Army. Pedro Gual, a “Colombian” Lemus claimed to have met in Philadelphia, worked as Miranda’s secretary before leaving for the United States as a diplomatic envoy of revolutionary Venezuela in 1812 and would also work for revolutionary Cartagena.⁵⁰⁸

The name Colombia conveyed a strong revolutionary meaning, especially after the consolidation of the Republic between 1819 and 1821, not long before the failure of the Cuban conspiracy. However, the name “Colombia” also circulated by word of mouth. Revolutionaries also used it to label the instruments of their struggle. A privateer schooner outfitted in Cartagena was called the *Colombiana*. A revolutionary military unit named *Batallón Colombia* operated as early as 1816. José

⁵⁰⁸ Harold A. Bierck Jr., *Vida pública de don Pedro Gual* (Caracas: Ministerio de Educación Nacional, 1947), pp. 56-56, 127; Olga Cock Hincapié, *Historia del nombre de Colombia* (Bogotá: Instituto Caro y Cuervo, 1998), 87-133; Daniel Gutiérrez Ardila, *Un Nuevo Reino. Geografía política, pactismo y diplomacia durante el interregno en Nueva Granada (1808-1816)* (Bogotá: Universidad Externado de Colombia, 2010), 579-580. See chapter four of the present work.

María Gutiérrez de Piñeres, from a Mompós family of famed radicals, served in this unit for one and half years.⁵⁰⁹

If we believe Lemus' story, we are confronted with an individual whose travels outside of Cuba had put him in contact with revolutionaries from Tierra Firme. Those revolutionaries helped create the Republic of Colombia, then the fiercest enemy of Spain in the Americas. By 1823, with territories stretching from the Pacific to the Atlantic and from the Andes of Quito to the Caribbean shores, the Republic encompassed many port cities, vast amounts of fertile lands, and countless untapped resources.⁵¹⁰

Despite all these, however, Colombia's real power rested on its experienced army. About thirty thousand troops strong by 1825, Colombia's soldiers had seen battle on the warm Caribbean coasts, the Venezuelan flatlands, the blustery Andes, and many temperate valleys. When Lemus allegedly received confirmation of his appointment as colonel, Colombian troops were advancing to Peru, where they would inflict the final blow on the Spanish forces in South America on December 9, 1824, at the battlefield of Ayacucho.⁵¹¹

Lemus seems to have actually been in touch with South American revolutionaries. During the early revolutions of Tierra Firme, public commissions as

⁵⁰⁹ AGN, Archivo Anexo I, Historia, vol. 18, No. 24, f. 129v; José María Gutiérrez de Piñeres, military service record, AGN, HS, vol. 20, f. 835r-v; José Manuel Restrepo, *Historia de la revolución de la república de Colombia en la América meridional* (Medellín: Universidad de Antioquia, 2009, 1st. ed., 1827, 2nd. ed., 1858), vol. I, 976.

⁵¹⁰ *An Appeal to the Mercantile Interest of the United Kingdoms on Behalf of Southern Columbia: Shewing the Importance of Speedily Contributing to Secure the Independence of that Country, and the Many Advantages Which Await Those Who Enter Into Commercial Relations With the Republic* (London: W. Wright, 1820).

⁵¹¹ José Manuel Restrepo, *Historia*, vol. II, 382-389; Clément Thibaud, *Repúblicas*.

well as secret agents worked for autonomous states such as Cartagena as well as for the United Provinces of New Granada in various parts of the Atlantic world. The Republic of Colombia built upon this experience. This polity had agents and emissaries in Spain, France, the United Kingdom, the United States, Haiti, and Jamaica. These agents fostered a pro-Colombian climate in public discussions and private planning. They defended the cause of Colombian and Spanish American emancipation before foreign governments and courts, as they sought to achieve the recognition of Colombian independence.⁵¹²

Secrecy was fundamental for sustaining the revolutionary and diplomatic efforts abroad. Even ministers publicly appointed in the New World acted clandestinely while in Europe, as their governments were not yet recognized sovereignties. While the armies fought for independence, these secret agents and public diplomatic commissions fought for the international recognition of the emerging sovereign polities. Like the armies, these groups too recruited sympathizers among people whose anti-Spanish sentiment had led them to admire the efforts of the South American patriots. These individuals threaded intense networks of communication and created a common stock of pro-independence arguments.⁵¹³

Citizen and colonel

⁵¹² Daniel Gutiérrez Ardila, *Un Nuevo Reino*; Daniel Gutiérrez Ardila, *El reconocimiento*.

⁵¹³ Jaime E. Rodríguez O, *The Emergence*; Daniel Gutiérrez Ardila, *El reconocimiento*; Karen Racine, "Nature and Mother: Foreign Residence and the Evolution of Andrés Bello's American Identity, 1810-1829," Ingrid E. Fey and Karen Racine, eds., *Strange Pilgrimages. Exile, Travel, and National Identity in Latin America, 1800-1990s* (Wilmington: Scholarly Resources: 2000), 3-19.

According to his own testimony, Lemus was appointed colonel the Colombian Army in June of 1817, while in Philadelphia, by a commission of "Colombians." The commission included Pedro Gual and Manuel Torres. Three years later, Lemus said, he received documents from the vice-president of Colombia that made his appointment official.⁵¹⁴

Lemus claimed to have received his documents from Colombia while in Havana. In August of 1820, he traveled to Spain, where he met again with two commissioners of Colombia. In his deposition, he provided only their last names: Revenga and Echeverría.⁵¹⁵ These men, presumably José Rafael Revenga and Tiburcio Echeverría, were the known envoys of Bolívar to Spain. After his arrest in Cuba, Lemus claimed that as a member of the armed forces of the South American republic he was not engaged in any business in the island; Revenga and Echeverría had ordered him to go to Colombia and his return to Cuba in July of 1822 was only temporary. He claimed to be in Cuba waiting for resources from Campeche, Mexico, before continuing his journey to Colombia. Lemus also affirmed that he planned to "intervene in no way in plans of Independence, or Republic in spite of the repeated invitations he has received from various anonymous persons."⁵¹⁶

Lemus further denied having anything to do with the printed proclamation in which his name had appeared. He denied, too, having manufactured round, tricolor badges "whose shades are similar to those of the Republican flag," as well as three large, squared flags with similar colors --blue and red-- and a shining sun at their

⁵¹⁴ Doc. XLIII, "Declaración de José Francisco Lemus," 133.

⁵¹⁵ Doc. XLIII, "Declaración de José Francisco Lemus," 134.

⁵¹⁶ Doc. XLIII, "Declaración de José Francisco Lemus," 135.

center.⁵¹⁷ Intrepidly, however, he said that he was a citizen of Colombia. Even in France, throughout the 1820s, Spanish Americans were never recognized as citizens of independent countries but as rebel vassals of the king of Spain.⁵¹⁸ Spain did not recognize Colombia as a sovereign state until August 12, 1881.

Lemus seems to have relied heavily on the argument of his citizenship and military appointment as he tried to convince his interrogators that he was in Cuba only by accident and with no conspiratorial schemes in mind. Interrogated from six in the morning to three in the afternoon on August 20, 1823, he pushed his luck as he related that he had performed intelligence tasks for his Republic some years earlier. He claimed that in 1820, when he had first returned from Philadelphia, he had arrived in Cuba with orders from Colombia to learn what the inhabitants of the island thought of independence. He informed his Colombian contacts that most people rejected the idea. Two years later, after his trip to Spain, however, Lemus, perceived a change in attitude from reading “public papers” circulating in Havana. He further learned that many people had approached a certain Barrientos, “commissioner” of Colombia, to discuss the island’s transformation into a republic.⁵¹⁹

Furthermore, Lemus explained that he had indeed visited the *Imprenta Filantrópica*, which was heavily implicated in the conspiracy, but with no intention to print. Rather, he went to the shop for the sole purpose of buying books and collecting free publications from Oro. Lemus denied any knowledge of a plan staged

⁵¹⁷ Doc. XLIII, “Declaración de José Francisco Lemus,” 137.

⁵¹⁸ Daniel Gutiérrez Ardila, *El reconocimiento*, 201-235.

⁵¹⁹ Doc. XLIII, “Declaración de José Francisco Lemus,” 134-135.

by people of color to kill all troops, white inhabitants, and enemies of a Cuban republic. He professed to be horrified by the idea and affirmed that he would seek out the individuals who accused him of being part of the plan. His white relatives and neighbors, he said, would have been victims had the plan been actualized.⁵²⁰

Lemus seems to have told the truth about his contacts with revolutionaries from Tierra Firme. Pedro Gual, whom Lemus claimed to have met in the Philadelphia, had been chosen to lead a diplomatic mission to the United States in May of 1815. He was to seek help for the revolutionary State of Cartagena from the Anglo-Americans in the form of arms, money or credit and, if possible, the protection of the United States government for the United Provinces of New Granada. He was also instructed to spread news of the independence movement and to promote the revolutionary cause among the people of the United States.⁵²¹

Gual was indeed in the United States at the time of Lemus' visit. In any case, Lemus asserted that he was at the service of the Republic of Colombia, yet this polity did not exist in the year he claimed to have received citizenship and military appointment. When claiming Colombian citizenship, therefore, Lemus linked his early contacts with revolutionaries from Tierra Firme in the United States with his later relationships with Colombian commissioners in Spain.

Lemus' contacts with Gual in the United States and with Revenga and Echeverría in Spain, provided him with prime sources of information, news, and ideas emanating from Tierra Firme. While visiting Philadelphia, he had probably

⁵²⁰ Doc. XLIII, "Declaración de José Francisco Lemus," 138-139.

⁵²¹ Harold A. Bierck Jr., *Vida pública*, 95-163; Daniel Gutiérrez Ardila, *Un Nuevo Reino*, 579-580.

been in touch with or heard of many other revolutionary individuals. This city had for long been welcoming to Spanish American revolutionaries and Spanish liberals alike.⁵²²

Revenge and Echeverría's diplomatic effort in Spain --to negotiate a peace treaty and obtain recognition of Colombian independence-- failed. Spain expelled the two agents and they left for France on September 2, 1821. They made it to Paris, where Revenge arrived with his Indian servant and took residence at the Hôtel des Colonies and at number 63 of the rue de Richelieu.⁵²³ At the end of the year, he travelled back to Colombia.⁵²⁴

According to Lemus, he had met Revenge and Echeverría in August of 1821. The timing of his testimony seems much more accurate in this case. However, the circumstances of their meeting are difficult to elucidate. Lemus remained in Spain until the spring of 1822, when he obtained a passport to return to Cuba. On his passport application, he claimed to be in the Iberian Peninsula on "personal business."⁵²⁵ This expression distorts the true intentions of his journey. Nevertheless, personal motives did to some degree compel his travels, as he was a staunch revolutionary.

⁵²² Jaime E. Rodríguez O., *The Emergence*, 71. Manuel Torres to Dr. Roscio, Philadelphia, June 22, 1819, AGN, AAI, Historia, vol. 26, No. 13.

⁵²³ Daniel Gutiérrez Ardila, "La Colombie et Haïti, histoire d'un rendez-vous manqué entre 1819 et 1830," *Bulletin de l'Institut Pierre Renouvin* No. 32 (2010): 114-117; Daniel Gutiérrez Ardila, "Los primeros colombianos en París (1824-1830)," *Anuario Colombiano de Historia Social y de la Cultura* vol. 36, No. 1 (2009): 112, 121. See also Daniel Gutiérrez Ardila, *El reconocimiento de Colombia*, 199-270.

⁵²⁴ *Gaceta de Colombia* (Bogotá), No. 15, January 20, 1822.

⁵²⁵ "Expediente de José Francisco Lemus," Archivo General de Indias, Seville, Ultramar, 340, N61.

Lemus strategically claimed to be both a Colombian citizen and a colonel of the Colombian Army. He knew that the Colombian citizen *par excellence* was also a soldier. Colombian identity developed during wartime, as the patriots recruited individuals from all ethnic, cultural, and social backgrounds and offered them political belonging to the new polity. Foreigners, Indians, slaves, former slaves, whites, and *mestizos* served in the revolutionary armies. Being Colombian became a shared experience among veterans of the wars of independence.⁵²⁶

Many veterans of the wars of independence, much like Lemus, used the labels “Colombia” or “Republic” to refer to the polity and its armies before its formal establishment. Such was the case of Gerónimo Carbonó, a native of Genoa who joined the Tierra Firme revolutionaries as early as December of 1811. Decades later he claimed that the goal that had initially led him to abandon his home country was to contribute with his force and his fortune “to the independence of Colombia, and to sustain with all of his strength the holly cause of liberty.”⁵²⁷ Leocadio Acevedo, another veteran and a native of Mompós, claimed in 1826 to have joined “the Army of Colombia” in September of 1816.⁵²⁸

With South Americans from all backgrounds, in addition to about seven thousand foreigners fighting in the independence armies, abolishing all distinctions that could create tension between soldiers proved necessary. In 1822, General

⁵²⁶ Clément Thibaud, *Repúblicas*; Matthew Brown, *Adventuring Through Spanish Colonies. Simón Bolívar, Foreign Mercenaries and the Birth of New Nations* (Liverpool: Liverpool University Press, 2006).

⁵²⁷ Gerónimo Carbonó to Presidente de la República, Cartagena, September 27, 1833. Gerónimo Carbonó, military service record, AGN, HS, vol. 9, ff. 959v-960r.

⁵²⁸ Leocadio Acevedo, military service record, AGN, HS, vol. 2, f. 977v. See also Luis Murillo, “Relación de un soldado,” Alberto Montezuma Hurtado, *Antología de la batalla de Ayacucho* (Bogotá: Caja de crédito agrario, industrial y minero, 1974), 251-256.

Pedro Briceño Méndez argued that there was no difference between Colombian and foreign soldiers. A couple of years earlier, General Juan Bautista Arismendi dreamt of the day when the English, Irish, and American identities would disappear as all foreign soldiers and veterans joined a “family,” the family of “the Sons of Colombia.”⁵²⁹

The General resorted to familial imagery, widely used during the Age of Revolutions to describe political conflict and reconciliation. The General, however, may have also drawn on his experience defending his native Margarita island, where he fought against Pablo Morillo’s forces along with men and women, old and young.⁵³⁰ In 1823, Lemus implicitly claimed to be part of the Colombian kin. Arias, his partner in conspiracy, explicitly referred to Colombia as a “great family.”

Soldier and sibling

Pedro Pascasio Arias, who had printed the revolutionary proclamation authored by Lemus, became a peripatetic soldier and an aspiring citizen whose career in the Colombian Army spanned modern-day Perú, Ecuador, and Colombia. After the conspiracy of the *Rayos y Soles de Bolívar* failed in Havana, Arias made it safely to the United States. The boat he took possibly arrived in New Orleans in August or September of 1823. He remained in the U.S. until late spring or early summer of 1825. During those two years, he might have contemplated the idea of

⁵²⁹ Matthew Brown, *Adventuring*, 111, 120-121.

⁵³⁰ Rebecca Earle, “Rape and the Anxious Republic. Revolutionary Colombia, 1810-1830,” Elizabeth Dore and Maxine Molyneux, eds., *Hidden Histories of Gender and the State in Latin America* (Durham and London: Duke University Press, 2000), 130-132; H. L. V. Ducoudray Holstein, *Memoirs of Simon Bolivar, President Liberator of the Republic of Colombia; and of his Principal Generals; Comprising a Secret History of the Revolution, and the Events which Preceded it, from 1807 to the Present Time*, London, Henry Colburn and Richard Bentley, 1830, vol. II, 223-230.

returning to Cuba to help the liberation effort or joining the cause of Spanish American independence elsewhere. As he informed the General of the Army of the Coast in a letter dated in Lima, Perú, June 13, 1825, he had participated in the conspiracy of 1823 because of “my firm adherence to the cause of the liberty of America,” and on account of his “wishes of affording my country with all the benefits enjoyed by these Republics,” the independent polities of South America.⁵³¹

Arias viewed the liberation of Cuba in conjunction with the independence of the South American republics. In this sense, he was emblematic of a popular idea among revolutionaries: the liberation of Cuba was a necessary step in the consolidation of Spanish American independence. This notion may have been linked to the perception of the “continental dimension of the cause of independence.” The idea of a collective defense of Spanish America had first emerged with the invasion of Spain in 1808 and later crystallized with the plans conceived by Pedro Gual to form a pan-American alliance at the Congress of Panamá in 1826.⁵³²

Arias also thought of *Soles y Rayos de Bolívar* as a counter-conspiracy. He thought that Spanish authorities in Cuba were plotting to defeat the revolutions of Tierra Firme by sending troops from the island to the continent, thus subjugating “the liberal and independent governments which have been adopted in these united, happy countries.”⁵³³

While in exile in the United States, Arias learned of the Southern Campaign promoted by Colombia for the liberation of Quito, Perú, and Upper Perú. Many men

⁵³¹ Pedro Pascasio Arias, military service record, f. 256r.

⁵³² Daniel Gutiérrez Ardila, *El reconocimiento*, 157-198; Daniel Gutiérrez Ardila, “Los primeros colombianos,” 95-99.

⁵³³ Pedro Pascasio Arias, military service record, f. 256r.

who had served in the liberation of Venezuela and New Granada marched south with orders to liberate those territories. After learning that the Colombian Army would go to Perú, Arias wrote, "I formed the idea to come over and have a place among the ranks of its brave soldiers, and as soon as I was able to have the means to endeavor in such a long trip, I did so. I arrived in Cartagena, Colombia, where I learned official news of the triumphs of the Republican arms at Junín and Ayacucho, as well as the rumor of the final completion of the war."⁵³⁴

Arias assumed he had arrived too late. He called off his plan to travel to Perú. Instead, he decided to petition the Colombian government in Cartagena for a position in a local unit of the army as second lieutenant of artillery, the same appointment he had once held in Cuba. While completing the paperwork for this appointment, Arias heard that "there were still enemies left" in Perú. He rushed south, perhaps through Panamá, and arrived at Lima in June of 1825. Upon arriving in Lima, he petitioned General Bartolomé Salón to include him in his troops. Arias hoped to become part of what he called in his letter to the General the "great family of Colombia."⁵³⁵ The prospect of joining the armies of Colombia seemed exciting and full of personal meaning for this former conspirator and indefatigable revolutionary.

This aspiring republican soldier used an expression to denote Colombia that is reminiscent of the ideas of General Arismendi, who had dreamt of a unified Colombian family. Colombian legislators also tapped into familial imagery. As ordered by the Fundamental law of the Republic, drafted in 1819 after the battle of Boyacá, a Colombian General Congress met in Cúcuta, in New Granada, in 1821. This

⁵³⁴ Pedro Pascasio Arias, military service record, f. 256r.

⁵³⁵ Pedro Pascasio Arias, military service record, f. 256v.

Congress passed a law on September 3 that permitted the naturalization of foreigners. This legislation evoked familial imagery once again, as it invited foreigners to become part of “one single family” alongside Colombia-born citizens. José Manuel Restrepo, Félix José de Restrepo, Pedro Gual, and other legislators of the Colombian General Congress, also shared the idea of Colombia as a family.⁵³⁶

When Arias requested a place in the army, however, he might have thought less about becoming a citizen of Colombia and more about the immediate opportunity to fight Spain in the New World. He saw action at the siege of El Callao, the most important port of Perú, just a few miles from Lima, and ultimately won medal for his actions in battle. Arias remained in the Army long enough to become captain in 1834. He also served as aide-de-camp to General Antonio Varelo and worked as ad hoc commander of the squadron *Lanceros de Venezuela*.⁵³⁷

In the early 1820s, patriotism equaled a belief in liberty and the idea of liberty in turn “provided a firm basis for a collective identity that grew out of the war against Spain.”⁵³⁸ The mention of his participation in the Cuban conspiracy of 1823, might have helped Arias to join the Colombian forces. He became the “sibling” of many other soldiers of diverse backgrounds and experiences who had also participated in previous revolutionary campaigns.

Such was the case of José María Gutiérrez de Piñeres, from Mompós. He evacuated Cartagena for Haiti in December of 1815. He later returned to Tierra Firme, where he fought to retake Cartagena in 1820 and 1821. Gutiérrez de Piñeres

⁵³⁶ “Ley sobre naturalización de extranjeros,” *Gaceta de Colombia* (Villa del Rosario de Cúcuta), No. 5, September 20, 1821.

⁵³⁷ Pedro Pascasio Arias, military service record, f. 254r-v.

⁵³⁸ Matthew Brown, *Adventuring*, 122, 156-168.

later joined the Southern Campaign and fought in Perú under the orders of General Sal6n at El Callao. This man crossed paths with Arias in Perú, where they both not only fought in the same battles but fulfilled similar roles. Guti6rrez de Pi6neres, indeed, also became aide-de-campe to General Valero.⁵³⁹

The Colombian army in Perú and upper Perú was a cosmopolitan force of veteran revolutionaries. Juan Castillo, a former African born slave, fought alongside Arias and Guti6rrez de Pi6neres. He joined the revolutionary forces in Venezuela in 1811, climbed the Andes with Bol6var in 1819 and participated in the battles of Boyac6, Pichincha, and Ayacucho. It took him more than a decade to travel from Venezuela to Bolivia. In the process, he accumulated five medals and became second sergeant.⁵⁴⁰ In Perú, Arias might have also crossed paths with Cuban-born Bartolom6 Castillo, who served under the orders of Valero, or with Cipriano Borrero, a man from Cali who had only joined the revolutionaries in 1821.⁵⁴¹

The uses of citizenship

A connection with Colombia helped Pedro Pascasio Arias and Jos6 Francisco Lemus achieve their revolutionary goals. While Lemus claimed to be a Colombian citizen to get out of jail, abandon Cuba, and continue to further the cause of independence elsewhere, Arias asked for admission into the republican army as a soldier, requesting to fight the last battles of South American liberation. For Arias, this was the continuation of a longer process of which he had been part as one of the *Rayos y Soles de Bol6var* in Cuba.

⁵³⁹ Jos6 Mar6a Guti6rrez de Pi6neres, military service record, AGN, HS, vol. 20, f. 825.

⁵⁴⁰ Juan Castillo, military service record, AGN, HS, vol. 50, f. 941r-v.

⁵⁴¹ Bartolom6 Castillo, military service record, AGN, HS, vol. 52, f. 815r-v; Cipriano Borrero, military service record, AGN, HS, vol. 51, ff. 554-557.

These men used citizenship in a fashion reminiscent of claims of political belonging years before. For most people in the Atlantic world throughout the sixteenth, seventeenth and eighteenth centuries, belonging to a body politic did not imply formal legal definitions but rather “the ability to use rights or to be forced to comply with duties.”⁵⁴² Formal declarations of political belonging through letters of naturalization gained relevance in the late 1700s and early 1800s. However, Colombian citizenship as displayed by Arias and Lemus shows a dynamic process of identification rather than a state-centered process of categorization through formal documents.

Lemus’ instrumental use of Colombian citizenship was actually closer to the experiences of French outfitters and “French Negro” corsairs serving the State of Cartagena between 1813 and 1815, than to citizenship as it would be understood and used later in the nineteenth century. These citizenships were revolutionary identities embedded in practices rather than in theories. Many outfitters and privateers became naturalized citizens of the State of Cartagena under the Constitution sanctioned in 1812. In sharp contrast with the Constitution of Cádiz, drafted in the same year, the Constitution of Cartagena did not deprive free people of African descent of political rights.⁵⁴³

⁵⁴² Tamar Herzog, *Defining Nations. Immigrants and Citizens in Early Modern Spain and Spanish America* (New Haven: Yale University Press, 2003), 4. See also Peter Sahlin, *Unnaturally French. Foreign Citizens in the Old Regime and After* (Ithaca: Cornell University Press, 2004).

⁵⁴³ *Constitución política de la monarquía española, promulgada en Cádiz a 19 de marzo de 1812. Reimpresión de orden de S. M. la Reina Gobernadora* (Madrid: En la Imprenta Nacional, 1836), 8-11; “*Constitución del Estado de Cartagena de Indias (1812)*,” Manuel Antonio Pombo and José Joaquín Guerra, *Constituciones de Colombia. Recopiladas y precedidas de una breve reseña histórica* (Bogotá: Biblioteca Popular de la Cultura Colombiana, 1951).

Outfitters and sailors had flexible political cultures. They lived a significant portion of their lives on schooners armed as privateers. Born in coastal towns or even on board sailing ships manned by motley crews, most became sailors as children. No island or continent had a definitive claim on their political identity.⁵⁴⁴ When they became citizens of Cartagena, for example, they did so both to facilitate privateering transactions, but also to make a living as mobile individuals.

Frenchman Pierre Yolet, the captain of the privateer schooner *Cartagenera*, born at Aiguillon, southeast of Bordeaux, had been living in Spanish American territories for some years when the British privateer *Sappho* captured his ship in 1813. As captain of the prize, he declared himself to be a “naturalized subject of Cartagena,” in addition to the fifty-six seamen under his command.⁵⁴⁵ Yolet naturally knew well that Cartagena was a republican state. Still, he seems to have chosen the word subject, as opposed to citizen, to identify himself as a member of the State of Cartagena. Before a British court in Kingston, the word subject may have conveyed a stronger sense of political allegiance. The actual idea behind his word choice, however, corresponded more directly with republican citizenship. The corsairs of Cartagena adopted the identity of citizens to shape legal personas that matched their privateer commitments.

In the State of Cartagena, naturalization was easily achieved. Years later, however, gaining citizenship in the Republic of Colombia became much more

⁵⁴⁴ Deposition of John Syerr, 26 October 1812 to HMS Ringdove, 1814, Jamaica Archives, Spanishtown (hereinafter JA), High Court of Vice-Admiralty Records (hereafter HCVA), box 261.

⁵⁴⁵ Deposition of Pierre Yolet, *Cartagenera* formerly *Caroline* to HMS *Sappho*, 1813, JA, HCVA, box 250.

difficult. Not all foreign soldiers became naturalized citizens of Colombia. The Republic required property and an extended period of residence before granting citizenship. Many soldiers lacked both.⁵⁴⁶ But independent of formal citizenship, men like Arias practiced an informal citizenship by serving in the army and identifying as part of the revolutionary Colombian family. Some military men, mostly of European origin, obtained formal citizenship, but individuals from the New World also achieved this status. Haitian Louis Blanc, on May 7, 1824, became a citizen of Colombia “for having made important services in the armies of the Republic.”⁵⁴⁷

During the 1820s, active and veteran military individuals behaved as members of the polity and even hoped to obtain pensions and to settle down in Colombian territory while retaining other citizenships. They only formalized their Colombian citizenship when it seemed necessary or convenient. The British consul in Bogotá reported, for instance, that his compatriots who had become naturalized Colombians were merchants who wanted to avoid certain trade rules for foreigners. Though legally Colombians, these men continued to appeal to the consul’s assistance as British subjects.⁵⁴⁸

Unfulfilled prophecies

The power of the words “Republic of Colombia” helps to explain the ideas and practices of men like Lemus and Arias. The words of Colombian soldier Aníbal

⁵⁴⁶ “Ley sobre naturalización de extranjeros.”

⁵⁴⁷ *Gaceta de Colombia* (Bogotá), No. 137, May 30, 1824. For information on other naturalized citizens, see *Gaceta de Colombia* (Bogotá), No. 87, June 15, 1823; No. 114, December 21, 1823; No. 137, May 30, 1824; No. 159, October 31 1824; No. 234, April, 9 1826.

⁵⁴⁸ Matthew Brown, *Adventuring*, 162-168.

Castro, in turn, demonstrate how the name of Colombia remained associated with cross-racial unity to the end of the century among individuals with anti-Spanish ideas. A volunteer fighter among the *mambí* forces fighting for Cuban independence many years after the 1823 conspiracy, Castro attended a meeting of the anti-Spanish revolutionary clubs *Las Dos Antillas* and *Borinquen* that took place at Military Hall in New York in October of 1895. As he addressed the audience, Castro mentioned how Spain had used racist sentiments to destroy the Cuban cause of independence. In Venezuela and Colombia, on the other hand, the “black race” was “the privileged one, the one that triumphed at Carabobo and Ayacucho.”⁵⁴⁹

Most soldiers who had fought alongside Arias were indeed of African descent. Some came directly from Africa; many were from the French Caribbean. The Haitian Revolution, indeed, had unleashed some of the forces that turned out to be crucial for the revolutionary experiments on which the Republic of Colombia was built. However, the emergent state of Colombia had severed its ties to Haiti, the epicenter of the cause of slave emancipation and an early ally of the revolutionaries of Tierra Firme.

Although Colombian agents were involved in conspiratorial activity to liberate Cuba, Colombia increasingly devoted its military efforts to the liberation of Perú after a treaty signed by Bolívar and Peruvian revolutionaries on March 18, 1823. Bolívar and his allies believed they had to wipe out Spanish presence in the

⁵⁴⁹ Quoted in Jesse Hoffnung-Garskof, “The migrations of Arturo Schomburg: On being *Antillano*, Negro, and Puerto Rican in New York, 1891-1938,” *Journal of American Ethnic History*, vol. 21, No. 1 (Fall 2001): 15-16.

Andes to guarantee the independence of the new South American Republics.⁵⁵⁰ A full-scale campaign for the liberation of Cuba, therefore, could not be launched.

Nevertheless, the Republic of Colombia contributed to the destabilization of Cuba in another, indirect way. Following in the footsteps of the State of Cartagena and the Republic of the Two Floridas, Colombia too became a privateering republic. Colombian privateers preyed upon Spanish vessels off the coasts of Cuba. In 1822, the *Gran Bolívar*, a brig with a Colombian letter of marque commanded by one captain Jolly, was active in the Caribbean. The following year, the schooner *General Montilla*, its master Francisco Raimon, and the schooner *Padilla*, commanded by J. Coen, entered the port of Cartagena after their respective privateering cruises.⁵⁵¹ The “national corsair” *General Santander*, under the orders of Francisco Zimilian, as well as the *Rosalía* and the *Cazador*, their masters Domingo Toul and monsieur Picó, were also cruising under Colombian colors, along with the *Valeroso*, the *Cóndor*, and the *General Inglés*.⁵⁵²

In 1825, a new plan to invade Cuba was designed with the support of Colombia. Recruitment of troops might have taken place on the coast of Venezuela in September of that year, while orders were sent for the Colombian corsairs and warships to congregate in Cartagena in October. Meanwhile, Colombian and Mexican revolutionaries outfitted vessels in New York, England and Sweden. These

⁵⁵⁰ José Manuel Restrepo, *Historia*, vol. II, 264-266.

⁵⁵¹ *Gaceta de Cartagena de Colombia* (Cartagena), second semester, No. 36, October 19, 1822; *Gaceta de Cartagena de Colombia* (Cartagena), third semester, No. 55, February 19, 1823.

⁵⁵² *Gaceta de Cartagena de Colombia* (Cartagena), third semester, No. 61, March 12, 1823; *Gaceta de Cartagena de Colombia* (Cartagena), third semester, No. 65, March 26, 1823; third semester, No. 76, May 3, 1823; H. L. V. Ducoudray Holstein, *Memoirs*, vol. 2, 182-183.

movements led Spanish authorities to the conclusion that an attack on Cuba was imminent.⁵⁵³

Colombian vice-president Francisco de Paula Santander knew well that attacking Havana carried great risks. However, he took some steps to prepare the way for an invasion of Cuba. Bolívar, in turn, thought that the prospect of occupying the island could force Spain into recognizing Colombian independence. He did not, however, assume that such a revolutionary plan would come to fruition. As the leaders of the Republic of Colombia concentrated more and more on gaining international legitimacy, their support of the networks of revolution, of itinerant revolutionary citizens, and of privateering forces slowly came to an end.

Colombia, indeed, sought to gain access to the “concert of nations,” and had to choose between continuing an irregular war or building a regular navy and giving up privateering. In this process, the leaders of Colombia turned their backs on their connections with the motley and libertarian “masterless Caribbean.” By March of 1827, Bolívar decided that it was pointless to outfit Colombian corsairs.⁵⁵⁴

By the mid 1820s, Colombia realized that sustaining an irregular war, for which Haiti had been a crucial ally, was not only much less crucial but also counterproductive for its foreign policy. Bolívar’s 1827 decision represented a change in attitude towards irregular warfare and the legacies of the revolutionary French Caribbean. Colombian leaders, eager for the country to be recognized as a

⁵⁵³ María Elena Capriles P., “Bolívar y la actuación de Venezuela en el Caribe a través de sus corsarios: Santo Domingo, Puerto Rico, Cuba y México,” *Boletín de la Academia Nacional de Historia*, vol. LXXXIX, No. 355 (July-September 2006): 149-159.

⁵⁵⁴ María Elena Capriles P., “Bolívar,” 159-163; Luis Navarro García, *La independencia*, 103-106.

sovereign polity, distanced themselves from that world in 1825. They severed diplomatic ties with Haiti hoping to gain the recognition of countries such as the United States and France.⁵⁵⁵

As pragmatism dominated Colombia's foreign policy, the polity ceased to be a revolutionary powerhouse with strong Caribbean connections. What the State of Cartagena had started as a fruitful alliance between Tierra Firme and the Antilles became a part of the history of the Republic of Colombia that was rather ignored than recognized. Racist sentiments harbored by many Colombian leaders, who dictated public policy from Bogotá, greatly contributed to this change in attitude.

Independent from the political calculations at the highest levels of the republic, however, free people of color such as Pedro Antonio Ibargüen believed in the offers of equality of the new political system. Although Colombia had upheld slavery, those who remained in bondage, or in situations of marronage, continued to fight against the slaveholders who tried to bring them back to servitude. Some of those slaveholders publicly opposed slave emancipation. If we turn to Tierra Firme one last time, we can discern experiences of slaves, former slaves and anxious masters that illuminate the contradictions and ambiguities of the emergent political system.

⁵⁵⁵ Daniel Gutiérrez Ardila, "La Colombie;" Daniel Gutiérrez Ardila, *El reconocimiento de Colombia*, 237-270.

Chapter 7. “The colossus of aristocracy”

The old town of Santafé, renamed Bogotá by the revolutionaries, remained the political center of Tierra Firme after Independence, becoming the capital city of the Republic of Colombia. The name of the town, however, was not the only thing that changed after the end of the wars; its social landscape transformed as well. While only a few foreigners had lived in the city in the 1790s, by the 1820s Bogotá swarmed with, merchants, lawyers, spies, consuls, ambassadors, and foreign veterans of the revolutionary armies from all corners of the Atlantic world. English style horse races became common and lodging practices as well as home furniture were modernized.⁵⁵⁶

Félix José de Restrepo soon saw how things had changed in the capital city. As a student, he had lived in Santafé from 1773 to 1780. He had returned to Bogotá as a lawyer in 1821. Now, he was a justice of the Colombian Supreme Court. During the 1820s, Restrepo worked for the centralized, republican government along with men like José Manuel Restrepo, who became Minister of the Interior, Pedro Gual and

⁵⁵⁶ Daniel Gutiérrez Ardila, *El reconocimiento de Colombia: diplomacia y propaganda en la coyuntura de las restauraciones (1819-1831)* (Bogotá: Universidad Externado de Colombia, 2012), 77-78.

José Rafael Revenga, who both held the office of Minister of Foreign Affairs, and Gerónimo Torres Tenorio, who became senator.⁵⁵⁷

In spite of the Colombian liberal Constitution, some members of the Colombian government held racist sentiments and aristocratic aspirations. The egalitarian Constitution had extinguished all Spanish honorific titles, prohibited the granting of nobility or hereditary distinctions. The Constitution had also declared Colombia free from the Spanish monarchy, from any other foreign power, or from any single individual or family with monarchical aspirations.⁵⁵⁸

The anti-Spanish, liberal political climate of the 1820s was favorable for people like Pedro Antonio Ibagüen, from the Pique River in the mining districts of Popayán, to renew their quests for freedom, property and political standing. During this decade, Ibagüen resumed his legal battles and reshaped his thoughts on social justice and equality in keeping with republican principles. Ibagüen traveled to the capital of the Republic, where he crossed paths again with Félix José de Restrepo.

This brief encounter at the capital is emblematic of the diverse social forces that contributed to the consolidation of the Republic of Colombia. Revolutionary leaders like Restrepo had adopted principles from old regime legislation, European enlightenment philosophy, the American and the French Revolutions, and applied them to the concerns of their own society. Common folk like the Afro-Caribbean

⁵⁵⁷ Carlos Restrepo Canal, *José Félix de Restrepo. Jurisconsulto, humanista y hombre de Estado. 1760-1832* (Bogotá: Editorial Kelly, 1970), 72-110.

⁵⁵⁸ "Constitución de la República de Colombia," tit. I, arts. 1, 2, 3, tit. VIII, art. 181, *Cuerpo de leyes de la República de Colombia. Tomo 1º. Contiene la Constitución y leyes sancionadas por el primer congreso general en las sesiones que celebró desde el 6 de mayo hasta el 14 de octubre de 1821* (Bogotá: Por Bruno Espinosa impresor del Gobierno General, 1822), 7, 8, 41.

protagonists of the Revolution of Cartagena, the Haitian men who fought at Boyacá in the *Rifles* battalion, and plaintiffs like Pedro Antonio Ibagüen and José María Martínez, in turn, had shaped those social concerns. Their struggles had become entangled with the struggles for the independence of Tierra Firme. In pursuing their own goals they had pursued larger social transformations.

Despite pressures from below, the Colombian government sustained a timid and gradual approach to slave emancipation and did not clearly address the issue of the abolition of slavery. The aristocratic slaveholders from Popayán, in turn, tried their best to obtain repeal of the free womb law of 1821. As slaveholders fought to keep slavery alive, depicting untimely emancipation as a possible trigger for a war of “black” people against “white” people, bonded laborers and freed people continued their efforts to secure autonomy and freedom.

For the Colombian slaveholders, the specter of slave uprising and the end of the institution of slavery drew on their perceptions of a greater conflagration beyond the borders of their newly born country. They knew that slaves, maroons, freed people, adventurers, and agitators had already transformed Tierra Firme, and that slaves had participated in the Haitian Revolution, the most revolutionary storm of the hurricane that had swept across the Atlantic world. Individuals, ideas, and rumors from the revolutionary Antilles had flowed into Tierra Firme since the 1790s. As the dying slaveholders agonized about the demise of their seigneurial world, they envisioned an imminent social, moral, and economic collapse of their

country as well. Whether in sincere apprehension, or with rhetorical opportunism, they invoked Haiti as the symbol of this collapse.⁵⁵⁹

Republicanism and aristocracy

José Ignacio de Pombo, a patrician from Cartagena de Indias, had been an outspoken enemy of slavery since 1806. Nevertheless, he regarded Africans and their descendants as barbarians and as the “natural enemies” of white people.⁵⁶⁰ In 1827, the veteran revolutionary and Colombian diplomat Pedro Gual lamented that so many blacks lived in Colombia, and imagined that the country would be better off without their presence. He had himself facilitated the recruitment of hundreds of Afro-Caribbean sailors into the irregular forces of revolutionary Cartagena, but he could not envision the African descended population of Colombia except as a burden and a danger.⁵⁶¹

Across the revolutionary period, many liberal leaders from Tierra Firme held racist sentiments towards people of African descent. Félix José de Restrepo, however, spoke in generally positive terms of Africans and their descendants. He challenged the idea that all slaves had natural defects. In a speech defending the gradual emancipation at the Congress of Cúcuta in 1821, Restrepo stated that several travelers to Africa had witnessed how Africans were capable of developing

⁵⁵⁹ Gerónimo Torres, *Observaciones de G.T. sobre la ley de manumisión del soberano congreso de Colombia* (Bogotá: En la Patriótica de la capital de Bogotá por José Manuel Galagarza, 1822).

⁵⁶⁰ José Ignacio de Pombo, *Comercio y contrabando en Cartagena de Indias* (Bogotá: Nueva Biblioteca Colombiana de Cultura, 1986), 88-90.

⁵⁶¹ Daniel Gutiérrez Ardila, *El reconocimiento*, 237. See chapter four of the present work.

“the most complete civilization.” Music, arts, morality, hospitality, and compassion were just a few components of their society.⁵⁶²

Restrepo, perhaps remembering the vital role people of African descent had played in the revolutionary movements, further argued that “during the current political transformation they have provided an example of historical generosity.” Their supposed defects, he argued, stemmed from their uprooting from their homeland. In Africa they lived virtuous lives, but in the New World they emulated the wicked actions of white people. Their laziness, alleged Restrepo, was understandable. After all, they received no benefit from their work.⁵⁶³

Since his days as a member of the revolutionary government of Antioquia, Restrepo had believed that independence from Spain would be completed with slave emancipation initiatives. Spain’s ownership of parts of the New World was analogous to a master in possession of a slave. Those who argued that all slaves needed to be enlightened before being freed, said Restrepo, based the idea on the same principle that the Spaniards had invoked regarding independence. According to this principle, “Americans” lacked the wisdom to govern themselves and “would devour each other as fierce beasts” if freed from Spain at the wrong time.⁵⁶⁴

By contrast, Restrepo thought that freedom and wise legislation would remedy the wrongs of slavery. According to him, this was perfectly exemplified by the “truly philanthropic experience” of the British in Sierra Leone, where freed

⁵⁶² Félix José de Restrepo, “Discurso sobre la manumisión de esclavos, pronunciado en el Soberano Congreso de Colombia reunido en la villa del Rosario de Cúcuta en el año de 1821,” Biblioteca Nacional de Colombia, Bogotá, Fondo Antiguo, RM 223, f. 36v.

⁵⁶³ Félix José de Restrepo, “Discurso,” ff. 36v-37r.

⁵⁶⁴ Félix José de Restrepo, “Discurso,” ff. 37v-38r.

people from the British Atlantic world had settled, including many who had fought for the king of England during the American Revolution.⁵⁶⁵

Restrepo's perception of slaves, former slaves, and people of African descent set him apart from most of his peers. Unlike many of them, he thought that chattel slavery and national freedom could not coexist. The Republic of Colombia, therefore, had to accomplish the emancipation of all its slaves. Slavery, announced Restrepo at Cúcuta, was against the popular and representative principles of Colombia.

The persistence of slavery prevented the Republic from being a truly popular political system. With many slave masters, comparable to "lords of vassals" and to "little absolute sovereigns," Colombia was closer to "Aristocracy" than it was to "Democracy." Slavery prevented rule by the people and instead stimulated rule by a few powerful men. Restrepo further argued that slavery within Colombian society would transform its political system into a "feudal government."⁵⁶⁶

Restrepo thought that republicanism had changed the very principles of society, transforming a polity of corporations with different rights and privileges into a society of equal individuals before the law. This egalitarian republicanism seems to have been shared by Pedro Antonio Ibargüen. Ibargüen's vision of egalitarianism developed as he battled powerful families in his quest to live and

⁵⁶⁵ Félix José de Restrepo, "Discurso," ff. 51v-52r. For a síntesis and bibliography on The American Revolution and Sierra Leone, see Simon Schama, *Rough Crossings. Britain, the Slaves and the American Revolution* (New York: Harper Collins, 2006).

⁵⁶⁶ Félix José de Restrepo, "Discurso," f. 59v.

work peacefully as a freeman on the Pique River in the 1790s, claiming that all vassals deserved the equal protection of the King.⁵⁶⁷

Under Spanish rule, however, justice was not egalitarian. Society functioned on corporatist principles, in which different social groups were entitled to different rights and privileges. The rich and powerful held more advantageous positions when confronting poor and common folk in the courts, both through social position and through direct bribery.⁵⁶⁸

Ibargüen's political thinking was probably influenced at this stage by some of the ideas Restrepo had included in Ibargüen's first legal claim of 1791.⁵⁶⁹ During the years of struggle, Ibargüen had remained convinced that, in spite of his African ancestry and slave past, he was equally entitled to the protection of the law.

Although he had been kicked out of the mines of Pique, Ibargüen had returned to work there after 1804, as narrated later in a legal petition in 1824. He defended his rights, recovering his gold mines with his "sweat," and against the "opulence of arrogant people." As his gold mining activities obtained the approval of the *Real Audiencia* in Quito in 1804, Ibargüen invited many other freed people to work around him, becoming the leader of a thriving community of free people of color.⁵⁷⁰

⁵⁶⁷ "Pedro Antonio Ibargüen contra Manuel José Grueso por despojo de una mina de Iscuandé," Archivo Central del Cauca, Popayán (hereafter ACC), sig. 11367, (Col. JI-17mn). See also chapter three of the present work.

⁵⁶⁸ Beatriz Rojas, coord., *Cuerpo político y pluralidad de derechos. Los privilegios de las corporaciones novohispanas* (México: Cide, Instituto Mora, 2007).

⁵⁶⁹ "Pedro Antonio Ibargüen," f. 2r-v.

⁵⁷⁰ "Posesorio promovido por Pedro Antonio Ibargüen contra Guillermo Segura por despojo de un territorio en «Pique», ACC, sig. 5624 (Ind. CII-24mn), ff. 1r-3v. See also ACC, sig. 11383 (Col. JI-17mn), ff. 1r-7v.

During the Wars of Independence, Ibargüen and his opponents seem to have continued their confrontation. Perhaps because of the war, the parties seem to have spent less time in court and much of the documentation may have been lost. However, by 1818, Manuel Silvestre Balverde, lieutenant governor of Guapi, had become Ibargüen's new antagonist on the ground. Balverde allowed other people to enter Ibargüen's mines and pan for gold. He also took away a slave woman who belonged to Ibargüen. Furthermore, a priest refused to conduct Ibargüen's marriage to Feliciano Alvarado, a woman he had met in Quito. The priest argued that the lieutenant governor had not approved the union, though it was unclear why such approval was needed. Ibargüen took to the road and traveled to Santafé to file a legal claim against Balverde.⁵⁷¹

In spite of his powerful enemies, by March of 1824 Ibargüen's social influence at Pique and its vicinity had grown. His gold mines had also increased in value, reaching more than three thousand *pesos*. Juan Francisco Granja, the judge of Micay, now became his new enemy. José Ignacio de Castro, who had confronted Ibargüen since the 1790s, also continued to attack Ibargüen, as did a priest named José María, a member of the Grueso family. Guillermo Antonio Segura, a younger member of this family, also joined the battle against Ibargüen. His old rivals were back. In 1825, they once again succeeded in expelling Ibargüen from Pique.⁵⁷²

⁵⁷¹ "Pedro Antonio Ibargüen vecino del pueblo de Guapi en Micay, provincia del Chocó se queja de los procedimientos del teniente de dicho pueblo por haberle quitado de propia autoridad una negra, pide providencia para su evolución," Archivo General de la Nación, Bogotá (hereafter AGN), Colonia, Negros y Esclavos del Cauca, vol. 3, No. 395, ff. 820r-821r.

⁵⁷² "Posesorio promovido," ff. 7r-50r.

Ibargüen was now almost eighty years old. In 1825, he set out to travel to the capital of the republic to continue his legal defense. By September of 1826 he had returned from the capital to the Pacific lowlands, and in early 1827 he traveled again to Popayán. In June of that year, the Superior Court of Popayán decreed that Ibargüen had no right to property at Pique. His enemies had turned the case into litigation over property, as opposed to mining rights. Although he had been legally entitled to mine for gold, Ibargüen had never been able to produce notarial documents to prove that he had obtained ownership of the property at Pique.⁵⁷³

As Ibargüen continued his legal battle during the early republican years, his early political doctrine involving the king naturally evolved. As a citizen of the new republic, he now aspired instead to equal protection of the law of Colombia. His enemies continued to regard him with disdain because of his color and slave past. Vicente Olave, an attorney for Guillermo Antonio Segura, called him a “usurper,” and an agitator who, along with his “partners,” introduced “disorder” among those “of his color.”⁵⁷⁴

In July of 1827, unable to find a lawyer who would help him, Ibargüen hired a *papelista*, a lay legal adviser. Together, both men set out to write a claim for the nullification of the ruling of June of 1827. Without a lawyer to stifle his own voice, Ibargüen directly dictated the contents of the petition. The resulting document reveals that he now embraced the principles of the Congress of Cúcuta, enunciated by men like Restrepo, as written into the Colombian Constitution.

⁵⁷³ “Posesorio promovido,” ff. 57v-98v.

⁵⁷⁴ “Posesorio promovido,” f. 95v.

Ibargüen said he came from those of the “humiliated color of the Africans,” condemned to “horrific slavery” by “greed and monopoly.” However, the “wise Laws of Colombia,” based on the principles of nature, reason, and philanthropy, now opposed the racist, aristocratic sentiments favored by his enemies.⁵⁷⁵ Ibargüen stated that his struggle had been just and fair, even during Spanish rule, when he had first approached the justice tribunals in Popayán and Quito. Otherwise, he asked, how could a “black,” “abject” and “lay” individual dare to confront powerful lawyers? Justice was on his side. He claimed nothing but his rights, to which he had been always entitled and with better reason now that “the colossus of aristocracy has fallen, and equality is inscribed in the destiny of Colombia.”⁵⁷⁶

Ibargüen insisted that his enemies had partially triumphed against him because of their “influence” and because of the “diversity of colors.” They had been able to “drown” his rights and treat him “worse than a donkey” only because they were white and rich in a caste society where people of color were supposed to be poor and oppressed. Ibargüen stated that his enemies’ legal arguments were not sound. They drew on false information regarding the borders of their own property. To clarify the issue, Ibargüen presented a map that demonstrated that Pique was an independent mine. He further argued that even if Pique legally belonged to others, their rights had expired as they had not exploited the mines for a very long period of time.⁵⁷⁷

⁵⁷⁵ “Posesorio promovido,” f. 105r.

⁵⁷⁶ “Posesorio promovido,” ff. 105v-106r.

⁵⁷⁷ “Posesorio promovido,” ff. 105v-106r-v.

Ibargüen had enjoyed a certain level of affluence and owned some slaves. He chose not to mention this in his arguments, for he very clearly depicted his struggle as a struggle of poor against rich, of slaveholders against free people. He also asserted that the new egalitarian, republican government should be on his side. He finally provided a set of contrasts to highlight the justice of his fight. First of all, he said he felt as if he were a weak mortal “fighting against the gods.” He further described himself as a “sad African” confronted with the “descendants of the Goths,” underlining the ethnic character of the confrontation, as Goth in the parlance of the time was a derogatory term for Spaniards. Therefore, Ibargüen may have been likening his own struggle against the aristocrats to Colombia’s struggle against Spain. Finally, Ibargüen offered another analogy, stating that his struggle was like that of a Christian against a Sultan. His was a just, holy war.⁵⁷⁸

Ibargüen appealed to the Supreme Court in Bogotá. Traveling once again to the capital of Colombia, by August 14, 1827, he learned that the chief justice of the tribunal was Félix José de Restrepo. Ibargüen immediately insisted that Restrepo recuse himself. Almost four decades had passed since their first encounter. Restrepo could barely remember Ibargüen, but Ibargüen remembered well that Restrepo had recused himself from the case in 1791, as he was a friend of the Castro family. Ibargüen very likely knew that Restrepo had championed gradual emancipation and equality. However, it was still wise to request that Restrepo recuse himself, given his friendship with Ibargüen’s enemies.⁵⁷⁹

⁵⁷⁸ “Posesorio promovido,” ff. 106v-107r.

⁵⁷⁹ “Posesorio promovido,” ff. 110v-112r.

Restrepo did not participate in the appeal process. On September 26, 1827, the Supreme Court decided that Ibargüen should indeed be allowed to mine for gold at Pique. At the gold mines, however, Ibargüen was only partially allowed to recover his rights, as he was prevented from regaining access to all the resources he had once used. In 1828 and 1829, he traveled again between the Pacific districts and Popayán, as he tried to regain access to the sources of wealth that he and his enemies desired.⁵⁸⁰

From surviving notarial records, it is possible to infer that in the end Ibargüen was not successful in his quest to become the sole gold miner at Pique. Indeed, the Castro family continued to mine for gold in that river. The Grueso family slowly disappeared from the scene. Guillermo Antonio Segura, who had continued to claim what the Gruesos, his maternal family, had claimed for years, died a rich man, but with no property in the mining districts. In his last will and testament of 1866, he mentioned that in his last trip to the Pacific coast he had sold what little property the Segura family still owned in that region.⁵⁸¹

Ibargüen seems to have remained at Popayán with nothing but his embattled titles for exploiting the gold mines of Pique. Perhaps fearing his death, Ibargüen visited a public notary in 1829. But he had nothing to sell. All he could do was to

⁵⁸⁰ "Posesorio promovido," ff. 113r-137v. "Guillermo Antonio Segura y Pedro Antonio Ibargüen, sobre posesión y propiedad de los derechos de minas del río «Pique»,» and "Entre Pedro Antonio Ibargüen y Guillermo Segura sobre despojo de tierras, y minas," both in ACC, sig. 5625 (Ind. CII-24mn).

⁵⁸¹ ACC, Notaría 1ra., 1829-I, ff. 48r-49v, 49v-50r; 1866-I, f. 161v.

cede all of his potential rights at Pique to his friend Manuel Agustín Varela, at no cost. After this transaction, Iburgüen disappears from the records.⁵⁸²

Marronage and collectivism

The parallel fight of the slaves of San Juan against the Popayán aristocrats left much less documentary evidence than Iburgüen's struggles. However, it is possible to ascertain that by 1819 those slaves had been able to maintain their autonomy for almost a decade. Since the time of governor Tacón, they had openly declared their liberty. In 1816, and again in 1818, they had unsuccessfully tried to convince royalist authorities to legally recognize their freedom.⁵⁸³

As maroons on the very estate where they had been enslaved, they communally distributed the arable land and the gold sources, presumably according to the needs of each family. Around May of 1819, however, one of the masters from Popayán ventured to visit them. Gerónimo Torres Tenorio left his hometown and arrived at San Juan hoping to peacefully place these men and women under his control. Torres later retold the episodes in a letter to the governor. He stated that after arriving at San Juan he had not confronted the people, whom he still regarded as slaves. Instead, he said that he gave them new tools, allowed them to remain in

⁵⁸² ACC, Notaría 1ra., 1829-I, ff. 48r-49v, 49v-50r; 1850-II, ff. 113r-115v.

⁵⁸³ "Concurso de acreedores de los bienes de José Tenorio," ACC, sig. 11273 (Col. J III-9su), f. 46v; Juan Camilo Torres to Señor Teniente Gobernador, Guapi, August 26 1816, ACC, sig. 6598 (Ind. CIII-2g), f. 1r-v; Manuel Alonso de Velasco to Señor Gobernador, Popayán, February 14 1818, ACC, sig. 6598 (Ind. CIII-2g), ff. 6r-8r; Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g). See also chapters one and two of the present work.

possession of their collective garden plots, and would not charge them for any of the lost or destroyed property.⁵⁸⁴

Furthermore, Torres allowed them to continue to mine for their own gold. He also provided medical care for the sick and reduced women's tasks by half. Torres sold them goods imported from the interior at cost and allowed them to have free time and celebrations, even though he thought such festivities were amoral. Torres may well have embellished the story in his letter to the governor. It seems equally possible that it was Torres who received concessions from the San Juan community, who permitted him to stay on the property.⁵⁸⁵

Torres conceded that his plan to peacefully put those he claimed as slaves in their place had failed due to their reaction. He thought that his "indulgent" approach would prevent him from resorting to "the severity and rigor that have always been deemed necessary for governing the negroes." But his experience at San Juan, Torres wrote to the governor, proved him wrong. He was now sure of the "innate and irreconcilable hatred of the slaves towards their masters." This hatred, said Torres, originated in the very moment in which slaves ceased to feel the burden of their master's authority. This was the case at San Juan since the 1780s and particularly after 1811.⁵⁸⁶

The intervention of the authorities in Popayán seemed to be the only avenue toward restoring control at San Juan. Governor Tacón had once dealt with the

⁵⁸⁴ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 1r.

⁵⁸⁵ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 1r

⁵⁸⁶ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 1r-v.

slaves, and the current governor, Pedro Domínguez, had facilitated Torres' own return to the mine. Domínguez had threatened the slaves with intervention after a homicide had taken place at San Juan. It was then that the slaves faked "an apparent submission to their master's dominion," and allowed Torres to live amongst them. However, instead of subordination Torres eventually found "pride" and "insolence."⁵⁸⁷

On one occasion, affirmed Torres, the driver requested help as Torres prepared to leave the mine. After asking a man to carry Torres' luggage, the man said that he was sick and could not help. The man told Torres, moreover, that if he scolded him for this, he would "run him through with his spear." Torres, who tried to deal with this individual as though he was still a submissive slave, tried to get rid of him by sending him to Barbacoas, but this scheme did not succeed. He then offered the man the right to find a new master. Instead, however, the man remained at San Juan and "considers himself a free man."⁵⁸⁸

The autonomy of the residents of the mine of San Juan seems to have been based on the partial autarchy they had achieved. Basic supplies such as fabric, salt, tobacco, and *aguardiente* came from the outside. However, they had managed to cultivate plantains and sugar cane. They could sell or exchange the extra produce and thus gains access to goods they could not produce. Torres asserted that he himself had to buy produce from them. In Torres' eyes, this economic autonomy contributed to their insubordination. "There remains in them neither the smallest

⁵⁸⁷ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 1v.

⁵⁸⁸ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 2r.

vestige of subordination, nor respect towards their masters, whose authority could never be restored unless the Government's authority subjugates them."⁵⁸⁹

The residents of San Juan seem initially to have obeyed Torres, perhaps fearful of the threat of the governor's intervention. However, they slowly but firmly reaffirmed their autonomy, eventually refusing to perform any work for the helpless master. As they dealt with Torres, they even chanted insulting songs about him.⁵⁹⁰

The ultimate goal of Torres' letter to the governor was to obtain his intervention in San Juan. In other circumstances, Torres would have been willing to wait for things to change. However, the fact that the members of the San Juan community held the idea that they were free made this a pressing issue. Furthermore, their "insolence" had turned into armed resistance, for all of them carried spears and knives. Torres had no option but to abandon San Juan and let the government take care of his problem. It would be relatively easy for the authorities in Popayán to recover San Juan, argued Torres. One commissioner in charge of fifteen or twenty armed men would suffice to make them learn their lesson. The most important step was to push the rebel leaders and their families out of San Juan and make them pay civil damages with the jewelry Torres alleged they possessed.⁵⁹¹

The time for dialogue and verbal reprimands had passed. Since the times of Tacón, all the governors of Popayán had tried in vain to subordinate the residents of San Juan, who had ignored and disobeyed the orders they received on paper. They

⁵⁸⁹ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 2r.

⁵⁹⁰ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 2r.

⁵⁹¹ Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 2r-v.

were far from the capital and consequently thought, according to Torres, that neither their putative masters nor the governors could actually force them back to slavery. At least, begged Torres, the governor should send one commissioner and five men to arrest the leaders and bring them to Barbacoas, where they should be sold to Casimiro Cortés. Torres would even give the money obtained from this transaction to the government. This alone, along with taking their weapons away, would pacify the rest of the community.⁵⁹²

Torres had evidence to believe that if he sold some of the men and women to Cortés, this would scare the others. Cortés was a resident of Barbacoas who enjoyed influence and power in the district. He had been an infamous master for years. In 1787, he had been accused of causing the death of two slaves through severe punishment and torture. In 1798, his slaves filed a legal suit against him, accusing him of bad treatment.⁵⁹³

No reply to Torres' letter of 1820 has survived, but he seems never to have accomplished the subordination that he sought. After Torres' efforts to bring the San Juan residents back under his power, they continued to live autonomously, although once in while mine administrators from the outside challenged them. By 1840, a legal process to liquidate the assets of the Torres Tenorio family began. The mine

⁵⁹² Gerónimo Torres to Señor Gobernador, San Juan mine, June 20 1820, ACC, sig. 6596, (Ind. CIII-2g), f. 2v.

⁵⁹³ "Expediente seguido contra don Casimiro Cortés, sobre la averiguación de la muerte de dos Negros en la mina de don Maros Cortés por maltratos y azotes," Archivo Histórico Nacional del Ecuador, Quito, Popayán, box No. 284, exp. 7; "Expediente contra don Casimiro Cortés por querrela de sus esclavos, probando sevicia autuada por los tres señores jueces año de 1798," AGN, Colonia, Negros y Esclavos del Cauca, vol. 2, doc. 13; ACC, Notaría 1ra., vol 54, 1786-IV, ff. 21r-23r. Archivo Histórico de Cali, Cali, Notaría 1ra., vol. 73^a, 1807, ff. 198r-199v. Archivo General de Simancas, Simancas, Secretaría de Guerra, 7087, exp. 24.

residents seem to have struck a new deal with administrators from Popayán in 1843. However, they now more resembled a free community than a slave gang. Those who mined for gold very likely pocketed most of the product of their own work.⁵⁹⁴

Gerónimo Torres left Popayán for Bogotá soon after his failed attempt to recover power over San Juan. He was probably the last member of the Torres Tenorio family to ever set foot in the mine. At Bogotá, Torres joined the ranks of the senate and national government. He eventually visited France on diplomatic duties and served as general accountant for the public treasury.⁵⁹⁵ But the mine and the former slaves of San Juan remained in Torres' memory during his first years in Bogotá. Drawing on his experience, he wrote an influential pamphlet in which he denounced the evils of slave emancipation and opposed the manumission law of 1821.⁵⁹⁶

Seigneurial memories

The freedman Pedro Antonio Ibargüen and the lawyer Félix José de Restrepo denounced the clans to which Gerónimo Torres belonged as an “aristocracy.” Most of those aristocrats, however, were not titled nobles. Slaveholders did nonetheless have a “seigneurial” view of their social world and they aspired to aristocratic lives. Possessing slaves was not just an economic strategy for them. The *señores de cuadrilla* utilized their slaves to deploy wealth and power in their houses and during social and religious events in streets, plazas, and churches. Slaves were a status

⁵⁹⁴ ACC, Archivo Muerto, paquete 40, leg. 65, Libro copiadador intendencia, May 23 1846.

⁵⁹⁵ Victor M. Uribe-Uran, *Honorable Lives. Lawyers, Family, and Politics in Colombia, 1780-1850* (Pittsburgh: University of Pittsburgh Press, 2000), 170.

⁵⁹⁶ Gerónimo Torres, *Observaciones*.

symbol. Furthermore, slaves helped to maintain large households, which were essential to conquistadors and *hidalgos* --minor, untitled nobles-- in the Spanish tradition. In short, slavery was part of the aristocratic tinge of society that the Republic of Colombia formally repudiated.⁵⁹⁷

The Torres Tenorio family was part of this aristocratic world. Gerónimo Francisco de Torres, the founder of the family, had arrived in the city of Popayán in the mid eighteenth century. He had first migrated from Spain to Cartagena de Indias. Later he traveled to Popayán following the tales of gold and riches. Fortune smiled upon him. He joined the local minor aristocracy, owned several rural properties, and held claims on the San Juan mine. However, this man had to sell his main *hacienda* in 1785, and the mine of San Juan soon ceased to yield revenue. At the family townhouse in Popayán, his wife and daughters eventually occupied one single room. They may have rented out the rest of the space in the house.⁵⁹⁸

By the early nineteenth century, the son Gerónimo Torres Tenorio had become the patriarch of this family of now impoverished patricians. Gerónimo, however, hoped to reestablish the wealth of his family. The San Juan mine, if brought back under control and to production, could be their most stable source of

⁵⁹⁷ Germán Colmenares, *Historia económica y social de Colombia II: Popayán, una sociedad esclavista, 1680-1800* (Bogotá: Tercer Mundo, 1997); Oscar Almario García, "Etnias, regiones y Estado Nacional en Colombia: las identidades en el Gran Cauca durante el siglo XIX," Francisco Colom González, ed., *Relatos de nación. La construcción de las identidades nacionales en el mundo hispánico* (Madrid: Iberoamericana, 2005), vol. II, 801-820; Phillip D. Curtin, *The Rise and Fall of the Plantation Complex: Essays in Atlantic History* (New York: Cambridge University Press, 1998).

⁵⁹⁸ Renán Silva, *Los ilustrados de Nueva Granada, 1760-1808. Genealogía de una comunidad de interpretación* (Medellín: Banco de la República, Universidad EAFIT, 2002), 411-414; Germán Colmenares, *Historia*; "Concurso de acreedores de los bienes de José Tenorio," ACC, sig. 11273 (Col. JIII-9su).

income and social status. Gerónimo, however, was never able to control the slaves at San Juan.⁵⁹⁹

After 1821, Gerónimo knew that slavery would eventually end in Colombia. Furthermore, he knew that his own slaves at San Juan had achieved autonomy even before the coming of gradual emancipationist legislation. Whatever gold the mine produced would simply not make it into his hands. After failing to become master of San Juan, Gerónimo ventured into politics. He was senator from 1821 to 1828.⁶⁰⁰

Gerónimo represented his interests and those of other masters or aspiring slaveholders from Popayán. They opposed the free womb law of 1821, but seemed to have been aware that it would be impossible to fully repeal it. However, they hoped to modify it to better fit their interests. As early as 1822, Torres published a pamphlet with his “observations” on the law. He asserted that it was fundamentally wrong for this legislation not to consider the slaves and their unborn children as the legal property of the masters. Under the law of 1821, slave women now gave birth to free children, but nobody reimbursed the masters for the value of these children.⁶⁰¹

Torres assumed that the social and economic order of Colombia depended on the institution of slavery. He described the slaves as “wretched victims [who] are the foundations of our social structure.” He also stated that their blood had “vivified this body politic,” perhaps referring to their participation in the Wars of Independence. Furthermore, Torres asserted that individual and collective wealth, as well as all private, public, academic and religious establishments rested on the

⁵⁹⁹ Renán Silva, *Los ilustrados*, 411-414.

⁶⁰⁰ Victor M. Uribe-Uran, *Honorable*, 170.

⁶⁰¹ Gerónimo Torres, *Observaciones*.

work of slaves. Torres projected on his country his personal situation and that of his fellow aristocrats. Part of their wealth came or could potentially come from the work of slaves.⁶⁰²

According to Torres, it was not fair for masters to have to sustain the free children of slaves, which they had to do according to the law. Instead of supporting these children and enjoying their labor only until they reached eighteen years of age, masters could simply hire free laborers, whose food and shelter would not be their employers' responsibility. After losing property during the wars, these expenses now led owners of *haciendas* and mines to bankruptcy. On top of this, most slaves would focus their efforts on acquiring freedom. Revenue would disappear and slaveholders would not be able to pay interest on the *censos*, the mortgage-like credit system that covered most slave properties. This would in turn lead to a war amongst debtors and creditors.⁶⁰³

Torres calculated that ninety thousand slaves still lived in Colombia, though the real number may have been closer to fifty thousand. His figures yielded a sum of eighteen million *pesos* as the value of all Colombian slaves. With the mechanism stipulated by the 1821 law, however, it would take one hundred and forty eight years to raise revenue to manumit all slaves, and this only if tax collecting reached ideal levels. Instead of this, Torres proposed a new plan. Congress should decree the absolute freedom of all slaves. Their value would be recognized as national debt, and government would pay the former masters a three percent annual interest until

⁶⁰² Gerónimo Torres, *Observaciones*, 7-8.

⁶⁰³ Gerónimo Torres, *Observaciones*, 15-21. For a description of how *censos* worked, see Kathryn Burns, *Colonial Habits. Convents and the Spiritual Economy of Cuzco* (Durham and London: Duke University Press, 1999), 63-67.

the value of the slaves was paid in full. All freed people would also legally be considered minors.⁶⁰⁴

Torres disguised his ideas to modify the manumission law as radical abolitionism. He agreed with common abolitionist principles professed by Raynal, Montesquieu, and William Pitt, and further expressed that the slaves did not need foreign examples or internal emancipationist agitation to strive for their own freedom: “Indeed, neither the helots nor Spartacus needed these triggers to break their chains and pushed Sparta and Rome to the very border of the abyss, neither did Christophe need examples of manumission to rise up from the mire of slavery to the throne of Haiti.”⁶⁰⁵

In reality, however, Torres had little intention of allowing the slaves to simply leave their masters. By legally considering freed people as minors, he hoped that they would remain under the control of their former masters. The former slaves would continue to work, and from their earnings they would have to pay an annual tax of eight *pesos*. The collected funds would be redistributed to the masters as payment for their liberated slaves. After all, it had been customary for slaves to work for themselves one day a week. On that day, in Torres’ view, the slaves made enough money for their garments, as well as for items of “vice and pleasure.”⁶⁰⁶

Torres thought that the Colombian government should buy mines and tools and give them to slaves so they could work. In practice, then, Torres’ plan kept freed

⁶⁰⁴ Gerónimo Torres, *Observaciones*, 17-18, 23-24, 26. Jorge Andrés Tovar Mora and Hermes Tovar Pinzón, *El oscuro camino de la libertad. Los esclavos en Colombia, 1821-1851* (Bogotá: Universidad de los Andes, 2009), 74.

⁶⁰⁵ Gerónimo Torres, *Observaciones*, 6-7, 11.

⁶⁰⁶ Gerónimo Torres, *Observaciones*, 29, 33.

people working for their former masters. The final goal was to recover the full value of the liberated slaves through their own work.⁶⁰⁷

Keeping the former slaves under the supervision of the masters was also a matter of state security, argued Torres. The sudden liberation of thousands of individuals who had lived on the fringe of society would be counterproductive. Their “indolence,” and lack of education and property would lead them to cause commotion in Colombian society. Torres asserted that according to Raynal, unprepared slaves would behave improperly in society after an abrupt transition from slavery to freedom. They would succumb to indolence and crime. Unfortunately, stated Torres, the words of this wise man had been confirmed by events in Colombia. While he was likely thinking about the slaves at the San Juan mine, Torres wrote:

I have seen slave gangs that avoided the dominion of their masters, taking over all the properties, gold sources and mine tools; under their masters regime, they lived orderly, with affluence, overflowing with basic and even sumptuary food, had many garments, and all had abundant gold jewelry; but after ten years of complete freedom and a life of leisure, libertinage, and all sorts of vices, robbing, destroying and killing each other, frightened by the horrendous abyss of disorders in which they had precipitated, came out on their own volition, naked, hungry, loaded with misery, corruption, superstition and crime, to implore protection and shelter from their masters.⁶⁰⁸

Freedom was not choosing one’s own road, concluded Torres, but rather traveling the path to “public and private happiness.” Former slaves would evidently not choose this path, especially because the government could not control them after emancipation. And such control was necessary, argued Torres, for animosity among blacks and whites could not be prevented. Once again drawing on Haiti,

⁶⁰⁷ Gerónimo Torres, *Observaciones*, 36-37.

⁶⁰⁸ Gerónimo Torres, *Observaciones*, 33-34.

Torres explained that “the black man will never mix with the white man; the black man will forever be the white man’s enemy: they are as different as those two colors are: their rivalry is explained by the difference of their color: it was natural for the negro Toussaint to be opposed to the mulato Rigaud, for Christophe to be opposed to Pétion; and for all of them to be opposed to Leclerc.”⁶⁰⁹

The last hopes of the masters

With his pamphlet of 1822, Gerónimo Torres inaugurated a trend among some of his peers, the slaveholder aristocrats of Popayán. The Electoral Assembly of Popayán drew on Torres’s arguments to elaborate a petition to Congress in October of 1822. Presided by José María Mosquera, the Assembly hoped to nullify the plans of gradual emancipation. Besides Torres’ arguments, Mosquera and the Assembly argued that a war between black and white and slave and free was imminent in the Pacific mining districts.⁶¹⁰

Mosquera was the patriarch of one of the most important slaveholding families in Colombia. Highly regarded in the slave market of Popayán, Mosquera offered expert advise on slave prices. In 1814 and 1815, he had also facilitated the sale of slaves from Popayán to Guayaquil, in modern day Ecuador, as well as to Lima, in Perú. After the onset of the revolutions, Mosquera had perhaps anticipated that

⁶⁰⁹ Gerónimo Torres, *Observaciones*, 35.

⁶¹⁰ *Respuesta documentada a la imputación hecha a la Asamblea Electoral de Popayán con motivo de la petición que dio sobre la ley de manumisión* (Popayán: Imprenta del Gobierno, por Rafael Viteri, 1823).

from then on slaves would be increasingly closer to achieve freedom without compensating their masters.⁶¹¹

The aristocrats of Popayán spent time, resources, and political capital trying to debate the current plan for gradual emancipation. In April of 1824, José María Mosquera's nephew, José Rafael Mosquera, publicized a bill that he hoped would be passed to replace the law of 1821. José Rafael designed a bill resting on the principle that it was not fair for masters to have to provide food and shelter for the free children of their slaves. Therefore, those children, as well as the slaves who were manumitted by the *juntas de manumisión*, would pay a monthly sum. This sum was the equivalent of two days of work for men and one day of work for women. This bill would modify the probate taxes for manumission purposes, channeling most money into the hands of the masters as payment for the support of the free children of slaves.⁶¹²

In his bill, José Rafael touched upon the topic of *censos* as well. Masters who received credit from the government instead of cash for the support of the free children, could in turn speculate with the credit they received. They should be allowed to use it to pay for the debt encumbered on their mortgaged slaves. The bill would also guarantee that the masters could pay for the debt with the slaves

⁶¹¹ "Teresa Santacruz ofrece una suma por la libertad de Rosalía, esclava de doña María Manuela Tenorio," ACC, sig. 5986 (Ind. JII-2cv), f. 1v. ACC, Notaría 1ª, 1817 II, vol. 77, f. 42r-v; 1815 IV, vol. 76, f. 23r-v.

⁶¹² José Rafael Mosquera, *Proyecto de ley sobre manumisión de esclavos, e indemnización a los amos* (Bogotá: Imprenta de Espinoza, por V. E. Molano, 1824), 1-7.

themselves. If the creditors refused to accept slaves as payment, furthermore, the debtors would not be obliged to provide any other form of payment.⁶¹³

The slaveholders seemed to be particularly preoccupied with the issue of their *censos*. José Rafael hoped to pass legislation that would allow masters to pay their debts before the end of slavery. He knew that it was also possible to sell slaves abroad, as his family had done before. In his bill, therefore, he proposed that slaves who were restive or acted against the cause of the Republic should be taken out of the country. This would be a perfect excuse to sell slaves abroad, especially because it would be up to the regional authorities to decide whom the restive slave were.⁶¹⁴

Joaquín Mosquera, José María Mosqueras's son and José Rafael's cousin, was a lawyer who became a senator in the 1820s and held many other diplomatic and political posts. Joaquín became the second president of Colombia, elected by Congress in 1830 to replace Bolívar.⁶¹⁵ In 1825, Joaquín Mosquera contributed to the growing stock of ideas on how to bring about the end of slavery with better conditions for the masters. In his view, the law of 1821 had been ill conceived. Instead of peacefully liberating slaves while compensating the masters, the legislation compromised public security because it "undermines the foundations of society." It also took away property from citizens without due compensation and reduced state revenue.⁶¹⁶

⁶¹³ José Rafael Mosquera, *Proyecto*, 7, 10.

⁶¹⁴ José Rafael Mosquera, *Proyecto*, 11.

⁶¹⁵ Victor M. Uribe-Uran, *Honorable*, 185.

⁶¹⁶ Joaquín Mosquera, *Memoria sobre la necesidad de reformar la ley del congreso constituyente de Colombia, de 21 de julio, de 1821, que sancionó la libertad de los partos, manumisión, y abolición del tráfico de esclavos: y bases que podrían adoptarse para la reforma. Por el Senador Joaquín Mosquera* (Bogotá: Impreso por F. M. Stokes, 1825), 4.

Joaquín had read works by the British Whig abolitionist Henry Peter Brougham. Based on Brougham's ideas on the transformation of colonial societies, Joaquín judged that it would be counterproductive to suddenly grant freedom to the slaves without previously preparing them for their new social status. In order to truly civilize the slaves, it was necessary to gradually transform society before general emancipation was completed.⁶¹⁷

The plan for the gradual abolition of slavery passed by the colonial Assembly of Jamaica in 1809 stood as an example of the kind of approach Joaquín Mosquera proposed. Such was the right way to prepare slaves to become "freedmen useful to society." Mosquera recommended all "friends of the blacks and social order" to read this legislation. Moral growth before freedom, as explained by George Canning before the British parliament in 1824, argued Mosquera, was fundamental.⁶¹⁸

Mosquera had also read the Spanish José María Blanco White, an exile in London who published antislavery literature in his journal *El Español*. Joaquín agreed with White in regards to the existence of several degrees of "social freedom." People required adequate preparation before entering each stage of freedom. The law of 1821 was well intentioned, but the legislators had unfortunately based the bill on "natural philosophy," and not "social philosophy." Social reality demonstrated that it was impossible to suddenly grant freedom to the slaves without risking a major catastrophe: "let them turn their eyes to Saint-Domingue, and they shall see that mankind can do infinite evil in an brief instant."⁶¹⁹

⁶¹⁷ Joaquín Mosquera, *Memoria*, 6-8.

⁶¹⁸ Joaquín Mosquera, *Memoria*, 13, 21-22.

⁶¹⁹ Joaquín Mosquera, *Memoria*, 9.

Social reality provided further complicated matters. The children of slaves, although nominally free, in reality grew up among slaves and serving masters. Those children could only hope to become the leaders of a war of the slaves against the masters, as in later years they would try to free their parents and relatives from bondage. Recent slave uprisings in Patía, Chocó and Barbacoas proved this. Mosquera thus coincided with the arguments his father and the Assembly of Popayán had elaborated in 1822. He also argued that the freedmen, as proved by those from Chocó and the Magdalena River, would not just peacefully join the ranks of free workers. Instead, accustomed to life in idleness and savagery, they would devote themselves to robbing travelers. Freedmen, however, had civilly served the Anglo-American visitor William Duane as he traveled down the Magdalena River just two years before.⁶²⁰

Mosquera was particularly preoccupied with the thirty thousand slaves he claimed still lived in the Pacific mining districts. The social and economic balance of the Republic depended on the stability of the slave system in that region, where the richest gold mines were located. The moral and social ideas of the slave inhabitants of the Pacific rested on the fragile presence of a white man in each mining enclave and a few priests scattered throughout the area. "The authority of the masters and the mine administrators, which rest solely on the habit of obedience, is the sole damn containing savage anarchy." If obedience were taken out of this equation,

⁶²⁰ Joaquín Mosquera, *Memoria*, 7-8, 10. William Duane, *A Visit to Colombia, in the Years 1822 & 1823, by Laguayra and Caracas, Over the Cordillera to Bogota, and Thence by the Magdalena to Cartagena* (Philadelphia: Printed by Thomas H. Palmer, for the author, 1826), 606.

argued Mosquera, the southern coast of the country would become the home of dangerous barbarian tribes.⁶²¹

At the San Juan, Yurumanguí and Cajambre Rivers, argued Mosquera, slaves in rebellion had already demonstrated the consequences of their brutality. At the Yurumanguí River they had crowned their leader Pascual I. Their revolution, however, led them to hunger and misery. Self-destructed, they had to go back to the yoke of servitude and to the dominion of their masters. The path to a barbarian state through untimely freedom that Mosquera described, resonated with Torres' ideas, in turn perhaps based on the history of the San Juan slaves, as Mosquera had indeed read Torres' pamphlet.⁶²²

Finally, Mosquera was preoccupied with the decreasing revenue extracted from the gold mine operations that depended on servile labor. The Pacific mining districts, Popayán and Quito were now impoverished. Commerce and agriculture had diminished, and the mints at Bogotá and Popayán had reported deficits in 1823 and 1824. The main reason was, judged Mosquera, "the insubordination that the manumission law has created among the slaves."⁶²³

José Manuel Restrepo demonstrated years later that gold production in Popayán had in fact diminished after the onset of the revolutions. Furthermore, it dramatically plummeted after the end of slavery in the mid 1800s. Between 1801 and 1810, the Royal Mint at Popayán had forged coins for a value of a little more than 503,000 *pesos*. By contrast, during the turbulent years between 1811 and 1822

⁶²¹ Joaquín Mosquera, *Memoria*, 11-13.

⁶²² Joaquín Mosquera, *Memoria*, 10-11, 20-21.

⁶²³ Joaquín Mosquera, *Memoria*, 29-31.

it only coined a value of a little more than 126,000 *pesos*. Between 1850 and 1859, figures at the Popayán mint only reached 80,000 *pesos*.⁶²⁴

This situation not only affected the state, which now received fewer taxes, but also the clergy, schools and hospitals. For Mosquera it was also very clear that the *censos*, largely controlled by the Church, would be destroyed by the emancipation of slaves. The educational, pious and charitable Catholic institutions, whose wealth was produced by the slaves, would also disappear along with the *censos*.⁶²⁵

Before this grim horizon for the slaveholders and miners of gold, Mosquera proposed that the law of 1821 should immediately be suspended. A new supreme *junta de manumission*, not Congress, would propose a new system to educate slaves and prepare them for citizenship before emancipation. This *junta* would find a new path to emancipation with indemnities for the masters and would guarantee the manumissions of the most “honest” slave families, rather than the manumission of slaves on an individual basis.⁶²⁶

The colossus of aristocracy, supported by the caste system and slavery, had disappeared from Colombia, at least in the law as well as in Pedro Antonio Ibargüen’s aspirations. However, the aristocratic families who survived independence hoped to keep their social and economic world intact at least for another generation or two. Though they were never able to fully repeal the

⁶²⁴ José Manuel Restrepo, *Memoria sobre Amonedación de Oro i Plata en la Nueva Granada. Desde 12 de julio de 1753 hasta 31 de agosto de 1859* (Bogota: Imprenta de la Nación, 1860), 28.

⁶²⁵ Joaquín Mosquera, *Memoria*, 24.

⁶²⁶ Joaquín Mosquera, *Memoria*, 32-34.

manumission law of 1821 and lost virtually all their economic power in the long run, their efforts to modify it partially paid off.

In 1842, a law was passed mandating that the free children of slaves, who were now eighteen, remain under the supervision of their mothers' masters, or some other "respectable person" until age twenty-five. These young free individuals, neither slave nor quite free, would become apprentices of arts and crafts, remaining under the orders and supervision of white, propertied, free men. Otherwise, they would be obliged to join the standing army. That same year, new legislation modified the law of 1821 to facilitate selling slaves to foreign countries, so long as slave families were not torn apart.⁶²⁷

Though this was a triumph for the slaveholders, especially those from Popayán who sold slaves to Perú, following the example set by José María Mosquera as early as 1814, the trade was again prohibited in 1847. Furthermore, because of the legislation of 1821, around twenty thousand slaves achieved manumission in Colombia.⁶²⁸ But the contradictions of an antislavery Republic in which slaveholders still exercised influence and power would not be easily resolved. It took many years, as well as a new war, to move the polity from its gradualist approach to slave emancipation to the realm of complete abolition of slavery. That would be the task of another generation.

⁶²⁷ "Lei 8-Mayo 29 de 1842" and "Lei 14-Junio 22 de 1843," *Recopilación de leyes de la Nueva Granada. Formada i publicada en cumplimiento de la lei de 4 de Mayo de 1843 i por comisión del poder ejecutivo por Lino de Pombo, miembro del Senado* (Bogotá: Imprenta de Zoilo Salazar, por Valentín Martínez, 1845), 104-106, 108.

⁶²⁸ Jorge Andrés Tovar Mora and Hermes Tovar Pinzón, *El oscuro*, 52-60, 69-95.

Epilogue

After the Spanish reoccupation of Tierra Firme led by General Pablo Morillo in 1816, Joaquín Mosquera left Popayán for Jamaica. His father, José María Mosquera, stayed behind. José María had always supported the government of Popayán, whether revolutionary or monarchical. When Simón Bolívar triumphed at Boyacá in 1819, the Mosqueras offered their support to the cause of the Republic of Colombia. Joaquín became a close friend of President Bolívar and an important political actor in the new polity. He was deeply involved in the political storm that would lead to the demise of Colombia in 1831. After this conflict, three new sovereignties appeared in Tierra Firme: Venezuela, New Granada and Ecuador.⁶²⁹

In the mid 1840s, Manuel María Mosquera, Joaquín's brother, served as New Granada's diplomatic envoy to London. As slaveholders and statesmen in New Granada continued to debate modes for bringing an end to slavery, they consulted their diplomat in England on the question. Manuel María soon received orders from Bogotá to send to New Granada copies of legislation enacted by Great Britain and France regarding slavery and emancipation.

⁶²⁹ Joaquín Mosquera Arboleda, "Exposición sucinta del gran drama de la disolución de la República de Colombia en el año de 1830," Luis Ervin Prado Arellano and David Fernando Prado Valencia, eds., *Laureano López y Joaquín Mosquera. Recuerdos de dos payaneses sobre la guerra de independencia y la disolución de Colombia* (Bucaramanga: Universidad Industrial de Santander, 2012), 77-197.

Manuel María discussed this request with Joaquín in a private letter. He thought it ironic to request guidelines from France, where debates were still being held on whether to abolish slavery or not, and from Great Britain, which had only granted freedom to the slaves when the slaves themselves were about to take it by their own hand. In New Granada, in contrast, Manuel María believed the rich and powerful had already made substantial concessions to the slaves. And it was for these slaveholders to decide how to go about slave emancipation:

We, the children of Spaniards, who have maintain for three centuries the subordination of the slaves with a soft regime; who have granted them (for better or worse) their freedom [...] could improvise, in any place except in the halls of Congress, the best rules, if only we had two small things we are missing today -- public order and money-- without which nothing can be done to keep at bay and moralize those swarms of parasites that will soon come out to suck dry the honey of the hives called the provinces of Chocó, Buenaventura, Cauca and Popayán.⁶³⁰

Mosquera spoke of the slaves as docile subjects not active individuals. In his eyes, slave emancipation was in no sense the result of the slaves' own efforts, but rather a favor slaves would receive from their benevolent masters. The Mosqueras, however, knew better than this. Slaves and former slaves had been crucial for the consolidation of the Independence of Tierra Firme and had struggled for their own freedom. Furthermore, slaves were still participating in the political upheavals that continued to plague the country. Mosquera's denial of their agency was a willful blindness, not a matter of ignorance.

The "public order" that Mosquera ardently desired had been recently altered by a man named José María Obando. A veteran who had come of age during the

⁶³⁰ Manuel María Mosquera to Joaquín Mosquera, London, August 25, 1842, quoted by Gregorio Hernández de Alba, *Libertad de los esclavos en Colombia* (Bogotá: Editorial A.B.C., 1956), 63.

Wars of Independence, Obando led an uprising against the government of Bogotá in 1840. In exchange for military service, he promised freedom to slaves throughout the old province of Popayán. Obando came from El Ejido, the neighborhood of Popayán where slaves, Indians, and free people of color lived side by side with impoverished patricians as well as freedmen who had made little fortunes. José Hilario López, of impoverished patrician roots, became Obando's ally. He too came from El Ejido, where black and white, slave and free, had both joined the brotherhood of Our Lady of the Sorrows.⁶³¹

José Hilario López became president of New Granada on March of 1849. Elected with popular support and by the liberal forces in Congress, he espoused egalitarian, republican, and abolitionist principles. The liberals of his generation celebrated the Revolution of 1848, which had revived the sentiments of the French Revolution and transformed France, once again, into a republic. López set out to enact a plan of liberal reforms in his country. He had seen his aristocratic countrymen from Popayán legally and illegally sell slaves abroad to avoid their obtaining manumission. He came to the presidency determined to end slavery.

López introduced legislation to speed the process of manumission sponsored by the State. In 1851, however, he asked Congress to inflict the final blow on the institution of slavery, which he called a "legacy of barbarism" that clearly contradicted modern philosophy and Christian principles. Congress, now under

⁶³¹ Luis Ervin Prado Arellano and David Fernando Prado Valencia, eds., *Laureano*, 27-40. Similar social and political dynamics characterized poor and middling neighborhoods elsewhere in the country. At the Arrabal neighborhood of Panama City, for instance, popular support of the liberal party was prevalent among people of African descent. See Aims McGuinness, *Path of Empire. Panama and the California Gold Rush* (Ithaca: Cornell University Press, 2008), 87, 96, 164-176.

pressure from liberal leaders, approved his bill. Slavery was to cease to exist on January 1, 1852. López, who had early in his administration publicly praised José Félix de Restrepo's work on manumission, understood that he was building on the work of an earlier generation. It had taken republican Colombia almost forty years to achieve general slave emancipation. Most of those who had first defended this cause were already dead by mid-century.⁶³²

López's program of liberal reforms enjoyed the support of artisans and common folk throughout the country. The slaveholders of Popayán, however, rebelled against his government. López chose José María Obando to fight this new battle. After just a few weeks of fighting Obandos' forces won the war. By restoring order to the Cauca region, López, Obando, and their soldiers helped complete the complicated edifice of abolition.

This dynamic between soldiers, legislators, political leaders, and common people had finally led to the outcome sought for decades by those who, like the slaves of San Juan or José María Martínez, believed in their right to be free and enjoy a better world. The hopes, aspirations, and actions of common soldiers or runaway slaves, are forever entangled with those of the leaders whose names are part of Colombia's official national pantheon. Those whose names have been largely forgotten contributed too in the building of a new world. Most of them did so, however, as they experienced their own itineraries of freedom, finding in the turbulent events of the revolutions new ways to continue they struggles they had already fought for, as well new idioms to give them form and meaning.

⁶³² Gregorio Hernández de Alba, *Libertad*, 68-75.

Figures

Figure 1. *Tierra Firme and the Greater Caribbean*



Figure 2. Caribbean Colombia



“Carte de la République de Colombia,” G. Mollien, *Voyage dans la République de Colombia, en 1823. Ouvrage accompagné de la carte de Colombia et orné de vues et de divers costumes* (Paris: Chez Arthur Bertrand, Libraire, 1824), vol. II

Figure 3. The Mining Districts of the Province of Popayán



"Carte de la République de Colombia," G. Mollien, *Voyage dans la République de Colombia, en 1823. Ouvrage accompagné de la carte de Colombia et orné de vues et de divers costumes* (Paris: Chez Arthur Bertrand, Libraire, 1824), vol. II.

Figure 4. Approximate Location of San Bartolomé de la Honda, South of Mompós



"Carte de la République de Colombia," G. Mollien, *Voyage dans la République de Colombia, en 1823. Ouvrage accompagné de la carte de Colombia et orné de vues et de divers costumes* (Paris: Chez Arthur Bertrand, Libraire, 1824), vol. II.

Figure 5. Privateer Vessels of the State of Cartagena

No.	Vessel type	Name	Captains	Years of operation
1	Schooner	Cartagenera	Pierre Yolet	1813
2	Schooner	Cartagena	Pierre Marie/ Sisson	1813
3	-	Lady Madison	Garriscan	1813
4	-	Kingston Packet	Philips	1813
5	-	Dos Amigos	-	1813
6	-	Veloz	-	1813
7	-	Peneroz	-	1813
8	-	San Francisco de Paula	-	1813
9	-	Nuestra Señora de la Popa	-	1813
10	-	Filantrópico	Vincent	1813
11	-	Enterprise	-	1813
12	-	Législateur	Soket	1813
13	-	-	Vincent	1813
14	-	Once de Noviembre	Levi	1813
15	-	Nueva Granada	Francisco Tomás	1813-1814
16	-	Presidente	-	1813-1814
17	-	Venganza	-	1814
18	-	Merced	-	1814
19	-	-	Pedro La Maison	1814
20	Schooner	Carmen	Mitchell	1814
21	Schooner	Atrevido Patriota	-	1814
22	-	Chasseur, alias El Nariño	Jacques Cyran	1814
23	-	-	Fleuri	1814
24	Schooner	Défenseur de la Patrie / Patriota / Caballo Blanco	Jean Gara	1814-1816
25	-	Constitución	-	1815
26	-	Frederico / Frederica	Nicholas Rose	1815
27	Schooner	Colombiana	-	1815
28	Schooner	General Castillo	William Mitchell	1815
29	Schooner	Augustus	John Detruie	1815
30	Schooner	Belona	Luis Aury/ Pedro Charriol	1815-1816
31	Pailebot	Gran Sultán	-	1815-1816
32	Pailebot	Criolla	Bellegarde	1815-1816

33	-	Júpiter	-	1815-1816
34	Schooner	Commet	William Mitchell	1816
35	-	Popa de Cartagena	Pierxin	1816
36		Centinela*	-	1816
37		Republicano / Republicana *	-	1816
38	-	Estrella*	-	1816
39	-	Plancha*	-	1816
40	Schooner	-*	Luis Brión	1816
41	Schooner	Arrogante Guallanés*	-	1816

* These vessels were active in anti-Spanish privateering after the fall of the State of Cartagena but the sources suggest they had sailed under the colors of that revolutionary state before December of 1815.

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41. ANC, AP, leg. 123, No. 2.

Abbreviations:

- AA: *Argos Americano* (Cartagena)
- ACA: *American and Commercial Daily Advertiser* (Charleston)
- AGN: Archivo General de la Nación -Bogotá-
- AAI: Archivo Anexo I
- GM: Guerra y Marina
- ANC: Archivo Nacional de Cuba -La Habana-
- CCG: Correspondencia de los Capitanes Generales
- AP: Asuntos Políticos
- ANG: *Argos de la Nueva Granada* (Tunja)
- BP: *Baltimore Patriot and Evening Advertiser* (Baltimore)
- CGCA: *City Gazette and Commercial Daily Advertiser* (Charleston)
- DP: *The Democratic Press* (Philadelphia)
- FG: *Federal Gazette* (Baltimore),
- GCI: *Gaceta de Cartagena de Indias* (Cartagena)
- JA: Jamaica Archives -Spanish Town-
- HCVAR: High Court of Vice-Admiralty Records
- NLJ: National Library of Jamaica -Kingston-
- PRG: *Postscript to the Royal Gazette* (Kingston)
- SRG: *Supplement to the Royal Gazette* (Kingston)
- WCL: William L. Clements Library, The University of Michigan -Ann Arbor-
- MD: Manuscript Division

Figure 6. Petition of José María Martínez

1822 175

410
402

Señor. Señor. Señor.

José María Martínez, por este memorial, y con mi acostumbrada respeto, pido
á puntualidad á los señores que precedieron al goce de mi libertad ter-
ceral al Sr. Faustino Martínez ausente. Sea mi humilde reclamación
relacionada por el poder, y con la misma contradicción á serme á aquel Sr.
que me adquirió de la testamentaria de Basilio Naranjo en no-
venta cast., que compensé con mi fidelidad de siete años, acompa-
ñando en viajes largos á Bogotá, y Samacá, y mil diferentes
servicios, que por mí mismo omiso expresados. En esta época de años
y robos de amor a la familia de mi amo, capuse mi amo por
salvar la de su Padre el Sr. Juan Esteban Martínez en un fuerte
caso, que tuve como Mayordomo de la Señoría maternal de esta
Santa Sabanaquial Iglesia, yendo al lugar, q^e llaman de la Virgen en
el barrio de San Francisco con un Manuel Mexicano, vecino del
sitio, q^e era amado con un machete sobre el, yo de puro de Dios le di
la vida, aunque sali perdida la chancuela de la rodilla, cuyos ser-
vicios conuere á mas de publico, y de los hijos, el cruzano, q^e me dio
Pascual Quintero, y su esposa, e hijos que existían en defecto de este
Cruzano. Entonces Sr. Señoría me solo me daba toda la familia
del Sr. Juan Esteban de todas ganancias, más que por mí alifano me
esforcera la libertad, y fuesen de siervos como un poco de co-
mpensación, y al cabo no se efectuó. En fin mi propio amo, por
aconsejo del Sr. Martínez en presencia de Sr. M^o Mena, y Sr.

ATA
Archivo Histórico de Antioquia
GOBIERNO DE ANTIOQUIA

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Figure 7. The Magdalena River



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