7-2-2011

Negotiating Honor: Women and Slavery in Caracas, 1750-1854

Sue E. Taylor

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Approved by the Dissertation Committee:

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NEGOTIATING HONOR:
WOMEN AND SLAVERY IN CARACAS,
1750-1854

BY

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B. A. Education, Ball State University, 1972
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DISSERTATION

Submitted in Partial Fulfillment of the
Requirements for the Degree of

Doctor of Philosophy
History

The University of New Mexico
Albuquerque, New Mexico

May 2011
DEDICATION

For my parents who, always believed in me.
ACKNOWLEDGEMENTS

I have come to realize that it takes a village to write a dissertation and I am fortunate to have a generous and supportive village. Many people have helped me through the process of writing this dissertation and I want to express my gratitude to them for seeing it through to the end.

First, thank you to my committee, Judy Bieber, Linda Hall, Kimberly Gauderman, Kathy McKnight, and Kim Morse. My dissertation chair and advisor, Judy Bieber, provided guidance and insight throughout the entire journey. She also served as cheerleader and counselor when she thought I needed it. I could never have completed the dissertation without her wisdom and patient assistance. Through her efforts I have become a better scholar and definitely a better writer. I had classes with Linda Hall and Kimberly Gauderman my first semester at UNM and from that point on they both have been consistently supportive and encouraging. Their insights into women and Latin America have been an inspiration to me. I greatly appreciate the perspective that Kathy McKnight has given me on South American African women. Kim Morse graciously agreed to join my committee midway through. Her knowledge and insight into Venezuelan history were invaluable and I very much appreciate her enthusiastic welcome into the small but mighty group of Venezuelans.

There are many other people at the University of New Mexico who deserve thanks for the, advice, support, and friendship they have given to me. Fellow grad students have made this an enjoyable adventure, especially Dave Corcoran, Margarita Ochoa, John White, Colin Snider, and Katie McIntyre. My dissertation writing group, Leah Sneider, Jen Richter, and Ying Xu, gave me wonderful feedback and
encouragement while challenging me to be sure everything was clear and properly
contextualized. I would not have made it through all the intricacies and various deadlines
of grad school without the guidance and help of History department staff Yolanda
Martinez, Dana Logan, Helen Ferguson and Barbara Wafer. I received a lot of support
and encouragement from many History faculty members, but especially from Drs.
Elizabeth Hutchison, Charlie Steen, and Melissa Bokovoy.

The Center for Southwest Research has been my home in many ways for the past
four years. I have worked, commiserated, and celebrated with friends and colleagues
from the Center, especially Nancy Brown-Martinez, Jordan Biro, Char Peery, Brian King,
Kari Schleher, and Brian Luna Lucero. Special thanks go to Mike Kelly and Suzanne
Schadl for their advice on my job searches and willingness to listen to practice job talks.
Many folks at the Latin American and Iberian Institute have helped me through my
graduate career, including Bill Stanley, Frances Rico, Vicki Madrid Nelson, Christine
López, and Susan Tiano.

I have received financial support from a number of sources for which I am very
grateful. The Latin American and Iberian Institute and the University of New Mexico
Graduate and Professional Student Association made it possible to do preliminary
research in Caracas. Funding for ten months of research in Caracas was provided by the
Fulbright Association. The LAII also provided support for dissertation writing through a
Ph.D. fellowship. My fellowship at CSWR, funded through Dr. Tobias Duran and the
Center for Regional Studies, has made it possible to survive while working on my
dissertation.
There were many people associated with Fulbright who helped me negotiate the ins and outs of moving to and doing research in Caracas. The people at the U. S. Embassy made life in a complicated city much easier. There are many people from Universidad Simón Bolívar to whom I owe a huge debt of gratitude. Carmen Caleya and Irelis Baldirio helped me with just about everything from finding a place to live to meeting the right people. Adriana Hernandez from the Bolivarium graciously took several days to take me around to all the archives, making sure I had met the people I needed to know and making sure they knew who I was and what I was trying to accomplish. At the Academia Nacional Juan Carlos, Miriam, Marjorie, Antonieta, Lula, and Verna not only were wonderful in helping with my search for documents; they made me feel like a part of the Academia while I was there. Carol Perez at the Archivo Arquidiocesano was a pleasure to work with and is a good historian herself. All the folks at the AGN were patient and helpful as I kept sending them back for different volumes.

While in Caracas I met some wonderful people who became an important part of my life there. Ruben Zahler helped me learn what I needed to know for conducting research in Caracas. The friendship of fellow Fulbrighters Leslie Gates and Jan McTyre made Caracas more enjoyable. Gloria Buendia and her mother Carmen have become my Venezuelan family. My experience in Caracas would have been very different without their help and friendship.

My friends in Albuquerque, especially Karen Scott, have been very patient while I hibernated for months at a time. Thanks for being there when I emerged from my cave to be sociable. Finally I want to thank my “Indiana family.” No one could have a better group of friends who have supported me and believed in me from the time I first started
thinking about returning to school through the final completion of the dissertation. Sue Haycox is the sister I never had and I could not have chosen better. Jean and Owen Haycox welcomed me into their family and became my other parents. Unfortunately, like my first parents, Owen did not live to see the completion of this project. Bill and Devonee Hackett, Kathy Halbach, Ron Raml, Pat Campbell, Diane Kneller, Mary Bender, Betsy Slagle, and Jill Fisher have provided encouragement and friendship for many years.

My parents, Bill and Goldie Taylor, never even knew that I decided to get a Ph.D. but had they known they would have expressed unreserved certainty in my success. Thanks mom and dad for teaching me to love learning.
NEGOTIATING HONOR:
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ABSTRACT

This study examines three interrelated groups – female slaves, female slave owners, and free women of African heritage – living in the city and state of Caracas, Venezuela from the middle of the eighteenth through the middle of the nineteenth centuries in order to improve our historical understanding of gender and slavery. Venezuela represented the largest and longest lasting slave-owning regime in Spanish South America. Slavery, as a system of labor, was an integral part of colonial Venezuelan society and affected all segments of the populace. Understanding gender relations within slavery is crucial to understanding the dynamics of gender, power, race, and sexuality in the society as a whole. Women of Spanish, African, and mixed descent were involved in and affected by slavery.

Each group of women had a concept of what honor meant for them and each sought to preserve honor by demanding fair and humane treatment, to be treated with respect and dignity, and to protect their reputations. They also expected those people who had control over them to behave with honor. Sometimes honor, as seen in the cases and as demanded by slave and free black women, corresponded to traditional concepts of honor as birthright as defined by elite members of society and other times not. In other
examples, women of color used honor along the lines of Stewart’s concept of honor as
the entitlement of treatment as a worthwhile person. By looking beyond honor as
birthright, the women in my study also invoked honor in their expectation that they be
treated with dignity and respect and be able to preserve their reputations in society and
with their peers. Slave owners, on the other hand, were sensitive to accusations of being
overly harsh in their treatment of their human possessions. Their good reputation
required both paternalism and firm control. Slave litigants tested the boundaries of
appropriate coercion and restraint in their suits against abusive or unreasonable slave
owners. They also showed a sophisticated understanding of legal codes and institutions.
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Chapter 1

Introduction

Venezuela represented the largest and longest lasting slave-owning regime in Spanish South America. Slavery, as a system of labor, was an integral part of colonial Venezuelan society and affected all segments of the populace. Understanding gender relations within slavery is crucial to understanding the dynamics of gender, power, race, and sexuality in the society as a whole. Women of Spanish, African, and mixed descent were involved in and affected by slavery.

My study examines three interrelated groups – female slaves, female slave owners, and free women of African heritage – living in the city and state of Caracas, Venezuela from the middle of the eighteenth through the middle of the nineteenth centuries in order to improve our historical understanding of gender and slavery. This study aids in our understanding of gender and power relations within late colonial Venezuela and beyond, and will contribute to our knowledge of slavery in Latin America more broadly. The intersection of power, gender, race, and sexuality is especially important to this study. By power, I mean the socially sanctioned coercion of one category of person over another that permitted domination of masters over slaves, men over women, etc. Gender refers to socially constructed assumptions regarding behaviors, values, and societal roles assigned to men and women; it serves as a lens through which we can study the experiences and actions of historical actors. How power was mediated between masters and slaves and men and women, including female slave owners is a central concern of this study.

Caracas experienced tremendous changes in its economic, political, and social
environments between the mid-eighteenth and nineteenth centuries. My study examines both free and slave caraqueños (residents of Caracas) during the period beginning with the cacao boom of the 1750s and ending with emancipation in 1854. The thirty year period beginning at the middle of the eighteenth century represents the peak of Venezuelan slavery, with as many as seventy thousand African slaves arriving in the province during the eighteenth century in response to the cacao boom’s demand for labor. Venezuelan cacao dominated the cacao markets of Spanish America by the middle of the seventeenth century, making it possible to import African slaves on credit. Following major expansions in the first part of the eighteenth century, sixty percent of the 64,000 slaves in Venezuela were engaged in cacao production.¹ By 1780, the cacao boom was starting to decline, slowing the influx of new slaves into the region, although the economy of the province was still heavily dependent on slave labor.²

By late eighteenth century, the population of Caracas, the largest city in Venezuela, was a diverse mix dominated in number by blacks, pardos,³ and slaves, and more closely resembled a Caribbean island city such as Havana or Santo Domingo than

¹ Herbert S. Klein, American Slavery in Latin America and the Caribbean (New York: Oxford University Press, Inc., 1986), 85, 86.


³ Arlene Díaz explains that although pardos and mulattos were both of mixed African and Hispanic descent, by the late colonial period society differentiated between the two categories. Pardos had lighter skin and were considered (and considered themselves) farther away from slavery than were mulattos. However, both terms were used by mantuanos to demonstrate people of color’s lack of honor. Arlene Díaz, Female Citizens, Patriarchs, and the Law in Venezuela, 1786-1904 (Lincoln: University of Nebraska Press, 2004), 28.
most of the other major cities of mainland South America. Four institutional changes in the late eighteenth century raised Venezuela to the level of a major province within the Spanish Empire by the time of the independence movement. The first of these was the creation of a *consulado*, which was an institution that functioned as a merchant/agriculturalist chamber of commerce. Second was the creation of an intendancy in Venezuela in 1776, which placed all six provinces under one fiscal administrator resident in Caracas and marked the beginning of some sort of unity in the region. Also the establishment of the Captaincy General “brought the political and military authority of Venezuela together in a central office in Caracas.” The final step giving Caracas centralized control over the fiscal, administrative, political and legal affairs came with the establishment of the *audiencia* or royal court in 1786.

The period between 1810 and 1854 brought dramatic political and social changes to Venezuela. The revolutionary process began in 1810, with the local land-owning elite, the *mantuanos*, seizing control of the provincial government in Caracas and holding it in trust for Ferdinand VII. From that time until Venezuela achieved political independence from Spain in 1823, the creole revolutionaries struggled to establish a viable and stable government while fighting to maintain control over Venezuela. During the Wars for Independence, both the Spanish and the Revolutionary forces recruited slaves, enabling

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some to earn their freedom as a result of their military service. Free people of color also seized the opportunity in the independence movement to improve their situation by joining the armies of both sides. Laws governing slaves and the circumstances under which they might gain freedom were shifting, often contradictory, and complex.\(^7\)

The first of a series of new governments, the Congress of Angostura (1819), rejected independence leader Simón Bolívar’s call for abolition, instead instituting laws that would gradually prepare slaves for liberty. The declaration, largely ineffectual because it failed to establish means for implementation, also promised freedom for those slaves who had served in the armed forces, maintained the ban on slave importation, and supported hacendados’ demands for compensation for confiscated slaves. The 1821 Cúcuta Slave Law, the first major slave legislation of the new republic, granted to all slave children born after the law went into effect freedom upon reaching eighteen years of age. During these eighteen years, slave owners were to educate slave children so that they would be prepared to accept the responsibilities of citizenship. The law, which served as the foundation for successive slave legislation, also allowed for the emancipation of adult slaves through a system of manumission. A local committee, the Junta de Manumisión, funded by a variety of inheritance taxes, chose slaves deserving freedom and compensated their owners for the freed slaves.\(^8\)

The Cúcuta program failed and was replaced by a new plan under the government of General José Antonio Páez in 1830. The new law required each freeborn child of a


slave to serve the mother’s master until the child reached twenty-one and mandated the freedom of at least twenty adult slaves annually in Venezuela. General Páez also issued an edict requiring that each manumiso (freeborn child) contract with his mother’s master to perform the same job for five years after his twenty-first birthday or find another person to purchase his services. The unfortunate reality of these laws was that the oldest, least productive slaves were freed and the freeborn youth became serfs. In 1854, President José Gregorio Monagas passed the Monagas Abolition Decree, ending the institution of slavery in Venezuela.

Venezuela, although on the margins of the Spanish empire during most of the colonial period, was typical of Iberian hierarchical society in Latin America. Within the province creole elites (people of Spanish descent born in the Americas) held social, economic, and political authority. By the eighteenth century this group was known as mantuanos, a name taken from the veil or manto that covered the faces and bodies of women in public, which pointed to the importance of control over women’s bodies for honor and status. According to Arlene Díaz honor was a malleable concept in Caracas society, with meanings and practices that varied according to time, place and context. As in the rest of Latin America, padres de familia or male heads of family were responsible for the defense of the family honor which, for elites, was defined by wealth, social status, the legitimate birth and marriage of family members, the sexual purity of women, and the personal courage and keeping one’s word on the part of males.9

During the eighteenth century legal changes allowed lower classes to threaten the basis of elite masculine power, requiring male mantuanos to constantly assert their

manhood and defend their power. The 1795 *Cédula de Gracias al Sacar* allowed *pardos* (people of mixed race) to purchase the title of don and change their racial category.¹⁰

This legal opening was especially upsetting to the elite because it removed their ability to control who could or could not belong to their class. Elites considered those of darker races – *pardos*, *mulattos*, and *blacks* – as inferior and lacking in honor, and representing “immorality, barbarism, laziness, and ignorance.”¹¹

Slaves in Caracas, like slaves in other urban areas in Latin America, had more opportunities to interact with other people, both free and enslaved, than their rural counterparts. This freedom of movement cast doubts on the sexual virtue of poor or enslaved women of color. But markets, public wells and fountains, and churches all provided opportunities to meet and talk with other slave and free black women. Domestic

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¹⁰ Although the timing of this decree was concurrent with the revolution in Haiti and the growing revolutionary sentiment in Venezuela, Estelle Lau argues that the incentive for the promulgation for the Royal Decree of 1795 was fiscal. The crown, in need of money to pay for military expenses and economic losses incurred by the war with France, utilized the long established practice of selling writs, titles, and exemptions during periods of economic difficulty. She also explains that pardo petitioners endeavored to exempt themselves from their status, to be able to enter a university or the priesthood, join a professional association, marry a person from a higher social class, or to just be free of the stigma of a “non-white” heritage. Estelle T. Lau, “Can Money Whiten? Exploring Race Practice in Colonial Venezuela and its Implications for Contemporary Race Discourse,” in *Michigan Journal of Race & Law*, Vol. 3:417, Spring 1998, 431, 432, 435. Ann Twinam disagrees with the idea that the motivation was revenue, arguing that this explanation underestimates local tensions because of caste mobility, inter-racial marriages, and the threat created by the pardo militias. Ann Twinam, “Purchasing Whiteness: Conversations on the Essence of Pardo-ness and Mulato-ness at the End of the Empire,” in *Imperial subjects: race and identity in colonial Latin America*, Andrew B. Fisher and Matthew D. O’Hara, eds.; foreword by Irene Silverblatt (Durham: Duke University Press, 2009), 161, fn. 2.

slaves also had more frequent and personal contact with their owners and other elites and thus had exposure to the values of the upper classes. The urban setting undoubtedly affected slave women’s access to information, legal advice, and support in their use of legal means to improve how owners and others treated them, so it is useful to understand the city in which they lived.

By the turn of the century Caracas was a racially diverse city of somewhere between 27,000 and 30,000 residents, a substantial increase from its population of 6,000 at the beginning of the eighteenth century. During that century, both the province of Venezuela and its largest city, Caracas, had increased in economic and administrative importance as well as size. Cacao exports increased to the degree that the province achieved economic independence from the viceroyalty of New Spain and juridical autonomy from the jurisdiction of Bogotá when, in 1777, it became the Captaincy-General of Venezuela. Caracas was “a complex, socially differentiated urban center divided into distinct residential areas and administrative units,” with five parishes, eight official barrios, and many smaller neighborhoods.

Free pardos, who were considered lighter and further from slavery than mulattos or blacks, were the largest racial group, representing 38 percent of the population. Slaves made up twenty-one percent and in 1792 there were approximately 18,000 slaves, free blacks, and pardos in Caracas, twice the number of white residents. Within the pardo

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12 Diaz reports 27,000 in Diaz, Female Citizens, 29, while Kathleen Waldron claims 30,000 in Kathleen Waldron, A Social History of a Primate City: The Case of Caracas, 1750-1810, Ph.D. dissertation, Indiana University, 1977, 58.

13 Waldron, A Social History of a Primate City, 3-5.

14 Waldron, A Social History of a Primate City, 58.
group were degrees of internal differentiation, but most were manual laborers employed in various occupations, and were prohibited from serving in public office or entering the clergy or university.15

**Honor, women, and slavery**

In this study, I see slaves as active agents despite the constraints that limited their freedom. Slaves often took the initiative to improve their lives, working conditions, or family situations by petitioning the court for freedom, permission to find a different owner, and remedies for mistreatment. In other cases slaves were defendants as owners sought to preserve their property rights and control over their human chattel. Free women of African descent petitioned for better conditions for family members or for protection of their own rights. Female slave owners also sought to protect their honor in their dealings with slaves and free Afro-descendant women. Concerned about their reputations as slave owners they were sensitive to slander or suggestions that they mistreated their human chattel. In all these cases a common thread was the question of honor: what honor meant to these women, and how they could ensure their honor would be upheld.

The concept of honor in colonial society referred to social and moral respectability and was closely associated with gender, race, and wealth. Lyman Johnson and Sonya Lipsett-Rivera explain that there were two complementary notions of honor in colonial Latin America. Status honor was conveyed by birth and excluded the majority of the population. Virtue honor could be earned or lost through the actions of an individual or family as well as through factors such as physical courage, honesty, wealth

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and occupational skill. Spanish American society was a highly structured hierarchical society that reflected many of the norms and customs brought by the Spanish and adapted to accommodate the life and peoples of the Americas. The behavior of elite women had a profound effect on themselves and their families’ honor, but society assumed that women of color possessed less honor than upper class women. While women’s honor was linked to race, it came primarily from sexual morality and respectability. Men’s honor, also linked to race, depended on their ability to provide for their families and to protect the sexual virtue of their female kin.

From the perspective of the elites, the idea of honor for the lower classes was unimaginable since such people were contaminated by racial impurity, illegitimacy, and bad behavior. However the historical record makes clear that all groups in colonial society founds ways of expressing anger and concern when their honor was threatened. This includes women, who should not be relegated to the role of passive participants. Finally, through the intercession of the monarch or good fortune, even race, the most inflexible of the characteristics affecting honor, sometimes proved changeable.  

**Historiography**

The literature on slavery in Venezuela by North American scholars has emphasized the themes of labor and slave resistance and rebellion. My work expands our understanding of slavery in Venezuela by examining the basic concerns of women as they negotiated various aspects of their quotidian experiences. John Lombardi, the

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leading United States historian of slavery in Venezuela, has focused on the period between the Wars for Independence and emancipation. In *The Decline and Abolition of Negro Slavery in Venezuela 1820-1854* Lombardi’s goal was to provide a case study of slavery in a region of Spanish America where slavery did not dominate the society or economy. He hoped his work would contribute to the debate on how slavery in Latin America differed from the United States and to determine whether or not one could generalize about a typical slave experience in Latin America.\(^{17}\)

Venezuelan historians have produced a larger body of work concerning slavery in their country; however, very few focus directly on women. Miguel Acosta Saignes began publishing on the lives and treatment of Venezuelan slaves in the 1960s.\(^{18}\) His social history uses archival sources to describe the life of slaves in Venezuela after 1800, focusing on the slave trade, slave treatment, work, and rebellions. Although he states in his introduction that his purpose is to reconstruct the lives of slaves, not slave owners, the presence of slave women in this work is limited primarily to the chapters on *cofradías* and slave marriages.\(^{19}\) Angelina Pollak-Eltz, author of several works on Afro-Venezuelan culture, published in 2000 a small monograph that she intended to serve as a guide for students of the history of slavery and the development of African American culture in Venezuela. She facilitated future historical and anthropological studies by outlining briefly the history of slavery, the secondary works published on the subject, and


\(^{19}\) Acosta Saignes, 9.
archival sources available.\textsuperscript{20}

**Literature on gender and slave women**

My study reconstructs slave women’s lives and experiences by examining their work, opportunities for manumission, legal rights, family organization and kinship networks, religious activities, sexual relations and forms of exploitation particular to women. Because of the general scarcity of work on slaves in general and female slaves specifically in Venezuela, it is necessary to consider comparable works about other regions. Arlene Díaz, whose work focuses on elite women, is relevant to my examination of the legal rights of slaves. She argues that the strategies employed by female litigants can aid in understanding how other subordinate groups act in response to domination.\textsuperscript{21} Outside of Díaz’s work, much of the theoretical literature about women and slavery has focused on the Caribbean or Brazil.

Marietta Morrisey, who analyzed slave women in the British, Spanish, and French West Indies in the late 1980s, offers a valuable perspective on the subject when she questions whether our general understanding of slavery can be accurate because female slaves have been largely ignored. Through primarily secondary sources Morrisey examines a variety of themes, including plantation work, household economies, the slave family, slave women’s ability and willingness to reproduce, sex, punishment, and protest, all from a gender perspective, and concludes that slave women suffered


\textsuperscript{21} Arlene Díaz, *Female Citizens*, 8, 9.
disproportionately as a result of the spread and intensification of commodity crops in the Caribbean.²²

The private domestic life of female slaves in the Caribbean, including resistance and reproduction, is considered by Barbara Bush in her study. Bush, using mainly secondary sources, has examined the complex relationship between race, class, and gender in the British West Indies, focusing on the woman slave within the wider context of slavery and the slave community. Her goal is to reveal the “invisible” woman and demonstrate her contributions to slave society, the strength and independence the slave woman exhibited in her work and domestic life, and the ways she struggled to survive, maintain her dignity, and retain her integrity and culture.²³

Especially significant is Bush’s treatment of female slave resistance and reproduction. She argues that acts of resistance derived from the African cultural heritage of the slave woman manifested in a rebellious spirit and conflicts with the laws and values of the slave-owning elite. Women, according to Bush, engaged in every day forms of resistance such as African-influenced religious practices, specifically obeah and myalism (African based spiritual practices common in the Caribbean) and refusal to reproduce. Overt forms of resistance such as rebellion or flight were less common. Bush argues that a closer examination of the relationship between cultural resistance and the material conditions of life that affected slave women’s attitudes toward childbirth is needed. The crucial questions for Bush are how much control slave women had over

²² Marietta Morrissey, *Slave Women in the New World*, 158.

their bodies and how their attitudes toward childbearing impacted the fertility rates in slave communities.\textsuperscript{24}

Gender identities and slave reproduction are the focus of Hilary Beckles’ works on slave women’s labor in Barbados. He examines how different categories of women interacted, how they challenged gender norms and how women sought to negotiate in their lives. According to Beckles, the Caribbean became the site of a clash between two established and contradictory gender orders – European and West African – regarding labor and reproduction. Also, the slave system constructed new gender identities for both male and female Africans arriving in the Caribbean. According to Beckles, women were positioned at the center of the slave system due to matrilineal reproduction of slave status established by the mid seventeenth century. Children of slave women henceforth would be slaves. Black women were also at the center of the slave structure because the natural reproduction of slaves was an important strategy for ensuring adequate labor supplies.\textsuperscript{25}

Alida Metcalf addresses slave family formation and marriage in \textit{Family and Frontier in Colonial Brazil: Santana de Parnaíba, 1580-1822}. Metcalf examines three main groups of people – the elite land and slave owners, the peasants, and the slaves – and how they sought to adapt to the special challenges of frontier life. She also highlights the constraints that inhibited the long-term survival of slave families. Metcalf considers the strategies devised by families to cope with frontier living are critical to understanding the colonization process of this region and how each of the three groups

\textsuperscript{24} Bush, \textit{Slave women in Caribbean society}, 52-58, 62, 63, 74, 75, 120, 121.

\textsuperscript{25} Hilary Beckles, \textit{Centering woman: gender discourses in Caribbean slave society} (Kingston, Jamaica : Ian Randle Publishers, 1999), 2,3, 6-8, 9-10.
utilized the resources of the frontier.

Sandra Lauderdale Graham’s work, *Caetana Says No*, addresses both slave women and slave owning women by exploring the lives of a young female slave and an older woman from a prominent and wealthy slave-owning family. In so doing, she draws in information about their families, communities, and the society in which they lived. Lauderdale Graham makes a number of important observations about the Brazilian slave system, slave families, and relationships between slaves and free people. For example, eighteenth and nineteenth century census records for towns in São Paulo and estate inventories reveal that significant portions of slaves were married. She challenges authors who claim that slave owners coerced their slaves to marry, instead suggesting that marriage and family were considered by Brazilians to be a useful way of ordering society, and that included slaves as well as other segments of the population.26

The dynamics of manumission and behavioral differences between male and female owners, issues that are important in my own work, are studied by Kathleen Higgins in her work on slavery and gender in the eighteenth century mining region of Minas Gerais, Brazil. Higgins found that gender was an important determining factor of a slave’s access to income, free time, the personal patronage of their owners, and, ultimately, manumission opportunities. Female slaves, although more vulnerable to sexual exploitation, experienced greater opportunities for autonomy and resistance. Higgins also discovered that, as women in the latter part of the eighteenth century came to represent a significant proportion of the slave owners, their control over men and

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women slaves and their manumission choices differed from their male counterparts.  

Christine Hünefeldt’s monograph on slavery in Peru offers important parallels to the Venezuelan case and to my study. She places her analysis of urban slaves in Lima and their role in the development of abolition within a comprehensive body of work on slavery and slave systems, addressing the disintegration of slavery over the course of the nineteenth century. In Peru, like Venezuela, abolition did not happen immediately upon independence. Slaveholders promised freedom to slaves in return for their participation in the wars for independence, a strategy designed to achieve victory, but avoided making good on those promises until 1854.  

A central aspect of my study is the inclusion of multiple groups of women within slave society. Important to this analysis are elite women. I consider how female slave owners interacted with their slaves in regard to discipline, the dynamics of human possession, and the granting of freedom. An important work on Venezuela with which my study engages regarding women more broadly is Arlene Díaz’s work on women and patriarchy in the late colonial and national period. Díaz uses secular and ecclesiastical court cases to examine how women on an individual basis responded to legal and political exclusion and domination in a patriarchal society.  

P. Michael McKinley’s and Robert Ferry’s studies of elite sectors of colonial  

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29 Arlene Díaz, Female Citizens, 8.9.
Caracas contribute to an understanding of mantuanos, both male and female. Ferry’s study of the elite sectors of colonial Caracas assumes that the success of the caraqueño elite depended on the expanding demand for cacao and the regular supply of African slaves to Caracas. These two factors along with the availability of land enabled a finite number of families in the seventeenth and eighteenth centuries to achieve wealth and status. In an examination of late-colonial Caracas, McKinley describes a well-balanced and harmonious developing society and a city of rising importance in the Spanish empire.

Winthrop Wright’s monograph on race and class in Venezuela studies the changes in racial attitudes from the colonial period through the first half of the twentieth-century. Wright argues that the cash crop economy and resultant labor arrangements determined the nature of Venezuela’s colonial two-tiered society. The nature of colonial society in Venezuela – relatively under-populated, rural, at the fringe of the empire, with a majority of the population of African descent – mandated racial mixing, according to Wright. However, because miscegenation did not break down the barriers between the elite and the lower classes, race became a “systemic factor in the division of colonial society into distinct castes.” This colonial order persisted until black and mixed race troops were


included in the independence movement.\textsuperscript{33}

A useful gender study that transcends race and class boundaries is Verena Stolcke’s (Martinez-Alier) 1974 monograph, \textit{Marriage, Class and Colour in Nineteenth-Century Cuba}. She uses marriage, specifically deviations from the norm, as a lens to assess nineteenth-century Cuban society. Stolcke examines cases of parents opposed to their child’s marriage, cases of elopement, and instances of interracial marriage, arguing that these deviations not only highlight conflicts within the system, but more importantly, make the norms even more apparent. This book deals specifically with interracial marriage within a slave-owning society. The fact that a large portion of the Cuban population were slaves, ex-slaves, or descendants of slaves is crucial to her argument. Her work raises important issues to colonial Cuban society and gender that are applicable to my case. \textsuperscript{34}

Finally, my study examines free African and mixed-race women living during the era of slavery to discover how their lives, occupations, opportunities, religious practices, and family relationships may have differed from those of their enslaved counterparts. Because slavery continued to expand in Venezuela through the end of the eighteenth century, the free population of color was sizeable, numbering nearly 200,000 free people of color, or forty-six percent of the population, by the end of the century.\textsuperscript{35}

Although existing studies of free women of African descent are few, one

\textsuperscript{33} Wright, \textit{Café con leche}, 17-27.


\textsuperscript{35} Herbert Klein, \textit{African Slavery in Latin America}, 88.
important study is Sandra Lauderdale Graham’s *House and Street*, which examines gender, class, race, and concepts of honor for both free and enslaved women in her study of nineteenth century Rio de Janeiro. Lauderdale Graham analyzes the experiences of servant women as they carried out the activities of their private and working lives and also examines the perceptions and reactions of their owners or employers.\(^{36}\) She provides a rare glimpse into the lives of the women, slave and free, who negotiated the contradictory and complementary spaces between the homes of their employers or owners and the more public spaces where they interacted with other working women and men. She reveals the ways by which servants attempted to build their own lives, rented rooms away from their employers, and maintained family and romantic relationships. She also demonstrates the contradictions inherent in a society that assumed the home to be safe and orderly and the street disorganized and dangerous; for servant women vulnerable to sexual exploitation such generalizations were inaccurate.\(^{37}\)

**Literature on Honor**

Like many other scholars, I challenge the interpretation posed by Orlando Patterson, a sociologist who studied Jamaican slavery, who characterizes slavery as a system that maintained itself by means of physical force, dishonoring, and “social death” of slaves. He uses the term social death to describe the alienation of slaves from their kin groups in Africa, an act, which, according to their traditions, stripped them of their


personal identity. Patterson sees slaves as lacking honor because they had no claims to power; rather, their masters had complete domination over them. Subsequent literature questions Patterson’s interpretation, emphasizing the ability of slaves to form strong and enduring kinship networks thereby possibly undermining complete domination by owners. Slave resistance also calls into question the construct of the socially dead slave. For example, Christine Hünefeldt, in her book on slavery in Peru, argues that “In Lima the slave system fell apart because the slaves caused its downfall and the owners permitted it to collapse” and that slaves purchased their freedom with the fruits of their own labor. Hünefeldt further asserts that replacing the image of the “socially dead” slave with a socially active slave challenges long-standing assumptions about the differences between North American and Latin American slave systems, as well as aiding our understanding of slave life within the family and the larger community.


40 Hünefeldt, 2-6.
Anthropologists initiated studies of honor in Mediterranean societies and their colonies. With the goal of defining a notion of honor that could be applicable cross-culturally, Frank Henderson Stewart brings a different perspective to the concept of honor that is useful to our examination of women in colonial Caracas. In an analysis and comparison of Western ideas of honor and the Bedouin notion of *ird*, a term usually defined as honor, Stewart suggests that we should consider honor as a right, specifically “the right to be treated as having a certain worth.” He admits that he cannot generalize; he often refers it as the right to respect. According to Stewart, it is important to recognize honor as a right. He observes that in any given society honor is allocated according to certain rules, i.e. a code of honor. This means that not only is honor something someone can possess but also something that can be lost. The code of honor is a set of standards that have particular importance within an honor group – a set of people who recognize and follow the same code. An honor code measures an individual’s worth and if a member does not meet the standards set out in the honor code then he or she is deemed inferior, even despicable. On the topic of women and honor, he tends to agree with the views of theorists such as Pitt-Rivers. Where honor is important, it tends to be applicable primarily for men, women’s honor is limited or secondary and mostly a reflection of the honor of her male relatives. Female personal honor, when it exists, is often centered on chastity. According to Stewart the idea that women’s chastity or reputation for chastity affected men’s reputation was not unique to Spain, although it may be accentuated more

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Anthropologists such as Julian Pitt-Rivers and J. G. Peristiany pioneered studies of honor in Mediterranean societies. Early analyses concluded that honor and shame were central to the values of Mediterranean peoples, who used these two opposing concepts “in order to assess their own conduct and that of their fellows.” Anthropologist Julian Pitt-Rivers defined honor as “the value of a person in his own eyes, but also in the eyes of his society. It is his estimation of his own worth, his claim to pride, but it is also the acknowledgement of that claim, his excellence recognized by society, his right to pride.” There is, according to Pitt-River, a link between status and honor. Society designates status, at least in the hierarchical Mediterranean societies in his study, but honor comes both from individual reputation, perceptions by peers, and by birth. There is, however, Pitt-River observed, rarely consensus throughout a community about an individual’s worth. The qualities deemed necessary for worth vary with circumstances. Status is fluid and each person, except perhaps the monarch and the pope, has someone superior to him and someone inferior. Status and honor are constantly contested. Honor and challenges to a person’s honor are public. Finally, in hierarchical societies, male honor is different than female honor and implies different expectations of conduct. A man is obliged to defend through action his own honor and that of his family members.

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A woman protects the honor of her family by guarding her purity or sexual virtue.  

**Honor in Latin America**

Over the past two decades both anthropologists and historians delved deeper into the concept of an honor code and notions of honor beyond the Mediterranean region. Anthropologist Michael Herzfeld argues that the centrality of honor and shame and the emphasis on sexual purity is too restrictive and, therefore, excludes other facets of honor, such as moral and economic components. Among the historians who have begun to examine the concept of honor beyond sexuality are the contributors to the volume *Faces of Honor: Sex, Shame and Violence in Colonial Latin America*. In this collection of essays editors Lyman Johnson and Sonya Lipsett-Rivera and others assess concepts of honor in colonial Spanish and Portuguese America. The editors argue that the Iberian colonies in the Americas inherited customs and law and established hierarchical societies that closely resembled the societies they left behind in Europe. Latin America differed in the incorporation of indigenous peoples and the pervasive reliance on slavery, with a resultant influx of large numbers of African men and women. Although slaves were at the lowest rung of the social ladder, they “constituted one distinct and not entirely fixed ranking in a finely ranked society.” Slaves took their place in the hierarchy and adopted

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45 Pitt-Rivers, 23-77.


the same concerns and goals as the other groups in their society, and therefore, according to the authors, such notions of honor can be applied to societies in Latin America.

In her study of Arequipa, Peru, Sarah Chambers observed that honor was an intrinsic part of colonial society that carried into the republican period and that the popular classes as well as elites played a role in the transformation from colony to republic. She argues that “A sense of honor was key to colonial governance in Spanish America,” that the outward manifestations of an honor system – dress, titles, rituals, etc. – were “designed to affirm both the legitimacy of Spanish rule and a social hierarchy based upon race and class.” Like Pitt-Rivers, Chambers argues that honor did not just reflect internal virtue; rather it was “a social attribute that increased in value as it was recognized publicly by others.” When Spaniards tried to deal with a society in the Americas that had multiple additional groups resulting from racial mixing, they created a caste system that positioned each group in the hierarchy and designated each one certain legal rights and restrictions. The attributes that defined each level formed the core by which honor was assessed.

Chambers expanded on the public aspect of honor. She posits that a person’s


49 Chambers, From Subjects to Citizens, 4.

50 Chambers, From Subjects to Citizens, 4.

51 Chambers, From Subjects to Citizens, 46, 47.
integrity or self-esteem did not become honor until these traits were recognized as such by others. Reputation was central to societies that were governed by a code of honor. It had to be defended in public and it became an important asset. Outward manifestations of honor, e.g. titles, emblems, and clothing, were as important as internal traits. Honor could be collective, so that families, professions and even nations could share a sense of honor.

The concept of honor in colonial Spanish American society referred to social and moral respectability, and was closely associated with gender, race, and wealth. Johnson and Lipsett-Rivera argue for two complementary notions of honor in colonial Latin America, as observed by Pitt-Rivers and others. Status honor was conveyed by birth and excluded the majority of the population. Virtue honor could be earned or lost through the actions of an individual or family as well as through factors such as physical courage, honesty, wealth, and occupational skill. The behavior of white women had a profound effect on personal and family honor. The elite presumed that women of color, slave or free, possessed less honor than white women. Female slaves were vulnerable to the unwanted sexual advances forced on them by their owners and other males, an obvious threat rarely faced by their male counterparts, although slave men faced other threats derived from the power imbalance in the slave society. Abuse of enslaved women at the hands of their white male oppressors arose to a large degree from the belief that black women were naturally promiscuous.  

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the “ultimate oppression” for slave women.\textsuperscript{53}

Richard Boyer argues that Spaniards assumed divisions between themselves and the African and Indian \textit{castas} to be fixed and unchanging. The Spanish elite overlooked the intricate configuration of social relationships among the lower classes as well as the belief held by members of the lower classes that phenotype was not the sole determinant of worth. Advocating for the importance of the public aspect of honor and worth, Boyer defines worth “as the public recognition of reputation and character” and asserts that worth “was the axis on which an honor complex played out.”\textsuperscript{54} He reiterates Lyman Johnson’s argument that the lower classes did indeed believe they possessed honor and adds that they thought, as did elites, that honor related to reputation and character, both of which required social validation. Lower classes added to honor an association with legal rights, which involved “the treatment or recognition that corresponded to, and therefore validated, worth.”\textsuperscript{55} This point is obviously significant when examining colonial Latin America, where the lower classes, even slaves, had some legal protections that provided them some avenues of recourse when their rights were attacked.

Sandra Lauderdale Graham argues that the standard model of Mediterranean honor often used to discuss Latin American elites can be extended to include slaves and


\textsuperscript{55} Boyer, “Honor Among Plebeians,” 156.
freed persons, with their peers deciding who had honor and who did not. Using the case of a freed African woman who sued her free African husband for legal separation and the division of their property, Lauderdale Graham demonstrates how a free African woman could possess honor by virtue of honest work, payment of her debts, and her purchase of freedom for both herself and her husband – honor confirmed by the court’s decision in her favor. On the other hand, her husband had lost his claim to pride and honor through an inconsistent work record, failure to pay his debts, and rejection by his wife.⁵⁶ Lauderdale Graham also proposes the idea that slaves and free people of color possessed honor and respectability through work, the fact that they worked as well as the type of occupation they held, in *House and Street*. She maintains that “[t]he fact of working accorded an identifiable and respectable place in society, however lowly.”⁵⁷

Although writing about a later period, Eileen Suárez-Findlay offers useful observations in her study of race and honor in late nineteenth- and early twentieth-century Puerto Rico. Findlay found that the lower classes believed they possessed honor in nineteenth-century Puerto Rico, where she found two separate class-based honor codes. Elites defined the dominant ideology of honor, which was grounded in the twin principals of exclusion of the poor, free people of color, and slaves and the sexual control of women. Generally, whiter and wealthier meant more honorable. In contrast plebian codes of honor were defined heterogeneously and had both racial and gender aspects. Being male gave even plebeian men, as long as they were free, a claim to some honor,


subject to their subservient position vis-à-vis more powerful men. This was not necessarily the case for non-elite women, whose supposed moral degeneracy supplied the necessary counterpoint to the respectability of “decent” women.\(^{58}\)

Findlay argues that although honor was often considered to be “natural” – therefore it was accepted that whites had superiority over Afro-Puerto Ricans just as men had control over women and parents over children – it was socially contested. Honor, according to Suárez Findlay, was exemplified in the tangible practices of everyday life and the honor codes that were apparent at the end of the century had been consolidated during the sugar boom of the first half of the century. Similar to other parts of Latin America, the honor system seen in Puerto Rico relied on the sexual control of women and the exclusion from respectability of the poor, those of African heritage, and slaves. Suárez Findley also argues that the honor of elite white women depended on the dishonor of poor and Afro-Puerto Rican women. Whereas elite women were assumed to be respectable until it was demonstrated to be untrue, working class white women and women of African descent were believed to be inherently disreputable.\(^{59}\)

A number of Venezuelan historians have produced important contributions to our understanding of honor in colonial Venezuela. In his study of disputed marriage contracts under the Real Pragmática of 1776 that disallowed inter-racial marriages, Luis Felipe Pellicer outlines what was deemed as the important attributes that determined honor in late eighteenth-century Venezuela. He sees honor as originating primarily from quality


(calidad) and religion, but also behavior of both men and women. Calidad encompassed race and status, free or slave, position in society, and wealth. Although he acknowledge that castas and pardos could possess honor, it was more difficult for them to achieve and maintain than for the elite class.

Venezuelan historian Elías Pino Iturrieta reinforces the notion that lower classes believed they had honor and they were willing to act in order to protect that honor and that this belief was an accepted attitude of colonial Venezuelan society. Pino Iturrieta uses a case of a young mulata who complained to the archdiocese court that her honor had been damaged by the mulatto who had taken her virginity and then reneged on his promise to marry her to demonstrate that a person from any social level could enforce her rights without disrupting society.

Pino Iturrieta has written and edited several other works that address honor in Venezuela at the end of the colonial period. One particularly useful example is Quimeras de amor, honor y pecado en el siglo XVIII venezolano. Two chapters directly address honor as it applied to slave and free black women. Pino Iturrieta demonstrates that women of color believed they possessed virtuous reputations that could be protected

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60 He defines pardos as a person of mixed European and African ancestry but considers them lighter and higher on the social hierarchy than castas, which are persons of African heritage mixed with either European or Indian. He also suggests that castas would be considered of inferior quality and closer to slavery than pardos. Luis Felipe Pellicer, Entre el Honor y la Pasión (Caracas: Fondo Editorial de Humanidades, Universidad Central de Venezuela, 2005) 64, 65.

61 Pellicer, Entre el Honor y la Pasión, 107-109.

62 Elías Pino Iturrieta, “‘La mulata recatada, o el honor femenino entre las castas y los colores,’” in Eliás Pino Iturrieta, Quimeras de amor, honor y pecado en el siglo XVIII venezolano (Caracas: Editorial Planeta Venezolana, 1994) 191-217.
and/or repaired. In the same volume Inés Quintero also argues that black and mixed race men and women believed that they had honor that they were obliged to protect.

Characterizations of African women as highly sexual and wanton grew, at least in part, out of the practice of concubinage and assumptions that slaves did not or could not form stable unions. Evidence from Caracas archives indicates that slaves did indeed form family units and instituted legal proceedings on behalf of family members. Slaves, therefore, may have created and sustained their own definitions of personal honor, perhaps diverging from Spanish elite norms and, in so doing, challenged persistent assumptions regarding slaves. European women as slave owners also sought to protect their honor in their interactions with slaves and others.

This dissertation joins the work of scholars challenging traditional notions of honor as being related to status, race and gender. The cases in this study highlight the importance of honor not as it was derived from status or birth but rather as something earned by actions and respectability. Fair and human treatment was something deserved by all people by virtue of their humanity and despite their enslaved or racially inferior status. Reputation was a primary concern seen across the various groups and classes of women and was something for which they were willing to fight in court. Investigating

63 Elías Pino Iturrieta, “La mulata recatada, o el honor femenino entre las castas y los colores,” in Elías Pino Iturrieta, Quimeras de amor, honor y pecado en el siglo XVIII venezolano (Caracas: Editorial Planeta Venezolana, 1994) 187, 191-197. Other works of interest by Pino Iturrieta include Ventaneras y castas, diabólicas y honestas (Caracas, Planeta, 1993) and Ideas y Mentalidades de Venezuela (Caracas, Academia Nacional de la Historia, 1998).

these ideas broadens our understanding of women’s participation in the system of slavery, the ways in which they interacted with other members of the slave society, and their role in shaping the larger society in which they lived. It also illustrates how women of all classes and groups sought to earn and protect their honor and self-respect. Finally, it contributes to our historical understanding of slavery in Venezuela, a literature that remains underdeveloped compared to the historiography of other regions of Latin America, most notably Cuba and Brazil.

Methodology and Sources

This study uses court cases from the Academia Nacional de la Historia and the Archivo General de la Nación in Caracas and San Pablo parish records from the Archivo Histórico Arquidiocesano de Caracas. Slaves, slave owners, and free women of color were involved as plaintiffs or defendants in court proceedings concerning a wide range on complaints. Slaves most frequently petitioned for freedom or asked to be sold to a different owner. These requests were based primarily on the enforcement of promises made by owners, allegations of mistreatment, claims that their freedom had been paid for already, or appeals to live with spouses and children. Free women sought assistance from the courts to gain freedom or better treatment for family members or to avoid unwarranted enslavement or re-enslavement. Female slave owners sought to protect their ownership rights against the claims of slaves and other owners.

Court cases from the colonial period are found in the Academia Nacional de la Historia in two different collections. Sección Civiles includes cases presented to the civil and religious courts throughout the colonial period. Also housed at the Academia is a
collection of cases dealing entirely with slaves. This collection, assembled and indexed by Marianela Ponce and Carmen Torres Pantin between 1984 and 1992, includes cases from 1700 through emancipation in 1854. Legal cases after 1810 are housed in the Archivo General de la Nación.

The Archivo Arquidiocesano de Caracas has important information for the reconstruction of slave families. A number of collections contain records useful for this project including matrículas (household registries), baptisms, marriages, and burials. A complete series of the documents, except matriculas, for San Pablo parish in Caracas is available from 1750 through 1850, thereby permitting long term demographic analysis for one community. I examined the complete records every ten years beginning with 1752. The records for baptisms and marriages indicate race as well as status (free or slave), which allowed me to easily focus on the slave population. Matrimonial records indicated the race of the marrying couple (e.g. pardo or negro), birthplace, their parents’ names and racial identities, whether they were legitimate or natural children, and the status (free or slave) for the couple and their parents. Baptism records include similar information: the name of the child being baptized, the parents’ names, and whether the parent(s) were free or slave. Other church records include matriculas and wills.

The Sección Matrículas Parroquiales contains both qualitative and quantitative information about the parish populations. The matrículas, prepared annually, list the inhabitants by household, specifying gender, age, marriage relationships if applicable, race, slave or free, and status in the Church and identify both slave and free families. I analyzed available matriculas from 1761, 1770, and 1778 in order to obtain a more complete picture of the families living in the parish of San Pablo. Wills outlined the
disposition of possessions, including slaves. Often slaves were awarded their freedom upon the death of their owners; in other instances, slaves were passed on to heirs. In any case, wills provide a window into what slave owners thought about their slaves as they considered the distribution of their property. Death of the masters was the moment of greatest vulnerability for the slave in regard to possible separation from kin. Slaves could be divided among multiple heirs, partible inheritance being the rule under Spanish American law.65

Organization of Chapters

This dissertation is divided into three parts, each examining different aspects of the role of honor in the lives of women in late colonial and early republican Venezuela. The first part redefines honor for slave and free women, building on existing literature and applying these concepts to interactions between slaves and their owners. Chapter Two examines cases of mistreatment and how the treatment of slaves by their owners and the interaction between them becomes indicators of honor. Through the complaints of slaves and the responses of their owners we can see how both groups defined and used honor. The cases reveal how the various parties viewed the norms of appropriate

65 Spanish law required that at least part of a testator’s estate be divided between all necessary heirs – that is, legitimate children or grandchildren, or parents if there were no surviving children. Spanish inheritance laws were much more complex than is suggested here. For a good explanation see Martí Lamar, “‘Choosing’ Partible Inheritance: Chilean Merchant Families, 1795-1825,” Journal of Social History, 28:1 (Autumn, 1994), 127, 128, or Eugene Korth and Della Flusche, “Dowry and Inheritance in Colonial Spanish America: Peninsular Law and Chilean Practice,” The Americas, 43-4 (April 1987) 398, 399. The relevant concept for my study is that because slave owners were required to divide their estates among their legitimate heirs, slave families were often split up with family members bequeathed to different heirs.
treatment of enslaved persons. Slave and free African women used the courts to demand that they be treated with the respect and dignity they felt they deserved. Slave owners were concerned with their reputations and threats to their character through the allegations of their slaves. The third chapter examines sexual honor, redefining it terms of a slave-based understanding of honor and how both slaves and their owners seemed more concerned about appearance than overt sexual behavior. In this chapter I consider cases arising from broken promises made to exact sexual compliance. In these cases the violation of an agreement emerges as an inherently dishonorable act rather than the sexual behavior of the slave women. This does not mean that all slave women were unconcerned with sexual honor. Cases in which slave domestic servants demanded more honorable or respectable work demonstrate an awareness of the sexual and dishonorable connotations associated with certain occupations.

The second part of this dissertation addresses the slave family. In Chapter Four I use baptism, marriage, and burial records and matrículas for the parish of San Pablo to better understand the families who lived in the parish. The chapter seeks to determine the extent to which slaves and free blacks were able to form families and the types of families they were able to maintain. This includes their ability to legally contract marriage, a right afforded slaves by law although not always granted in practice. If they did marry, were they able to live in the same household with their spouse? How often did slaves marry when they were held by different owners? Were slaves more likely to marry other slaves or free men or women of color? How many free blacks established and maintained homes in the parish and how did their families compare to white households. How common were households headed by single individuals of either gender and race?
Chapter Five looks at how slaves and free blacks used the courts to preserve their families. Slave families were fragmented for several reasons. Often slaves contracted marriage with a spouse owned by different person. Sometimes one or more of the parents had successively achieved freedom and then sought to reunite their family by gaining freedom for their children. When owners died they disposed of their assets, including human property, often with no regard to keeping families intact. Slaves and free blacks demonstrated through the cases studied here that they were concerned with keeping their families united and used the rights afforded them by law to do so. They also revealed an appreciation of the honor associated with the creation of an accepted family through marriage contracts, the baptism of their children, and the ability to live together as a family.

The third section considers the questions of slavery, freedom, and emancipation in the independence liberal state. This period was one of chaos and upheaval for all segments of the Venezuelan population, but especially for slaves and free blacks. Throughout the wars for independence both the revolutionaries and royalists made offers of freedom to slaves who fought in their armies. Liberation leader Simón Bolívar issued several decrees granting freedoms to certain slaves – either those who served in the army or those who were present in certain areas of Venezuela at certain times. The Spanish leader Pablo Morillo attempted to finance military operations by confiscating real and chattel property of known or suspected rebels or émigrés seeking to avoid choosing sides. With independence the new government of Gran Colombia considered the question of slavery and decided on a plan of gradual emancipation. The successor nation of Venezuela preserved the laws of manumission but made changes to delay the time when
there would be no slaves in Venezuela. The events, contradictory edicts, confusion, and changing legal environment of this period created opportunities and constraints for both slaves and their owners that brought them to the courts for resolution.

I conclude with a discussion of how this dissertation demonstrates how the interactions between slaves, free blacks, and slave owners shaped the limits to power and authority of Venezuelan slavery. Honor is an overarching theme of the cases examined here. Slaves, free blacks, and slave owners all had notions of how they should be treated and their vulnerability to dishonor through bad treatment, slander, dishonorable occupations and broken promises. By demanding respectful treatment women helped to shape their place within the slave system of Caracas.
Chapter 2
Mistreatment as an indicator of dishonor

Law six: what authority masters have over their slaves. To dispose of him as he pleases. However he should not kill or wound him except by order of the judge, even if she has given him cause. Neither should he strike him in any way contrary to natural reason or put him to death by starvation, except if he found the slave with his wife or daughter or committed some similar offense. When a man is so cruel to his slaves as to kill them by starvation or to wound or injury them so seriously that they cannot endure it and slaves can complain to the judge, and the judge should investigate and ascertain whether the charge is true or false. If he finds the charge to be true he should sell the slaves and give the proceeds to their master and he should ensure the slaves will never again be under the power or authority of their former owner.¹

— *Las Siete Partidas*, Partida IV, Title XXI:
Concerning Slaves

On 22 February 1805, Damiana Fuentes, slave of Don Pablo Hernández Romero, requested the protection of the court of the Captaincy General of Venezuela. She explained that on the previous Monday she had been doing the laundry for her owner’s

¹ The original Spanish reads: “Ley VI. Qué poderío han los señores sobre sus siervos. Llenero poder ha el señor su siervo para hacer de él lo que quisiere. Per con todo eso no le debe matar ni lastimar, aunque le hiciese porque, a menos de mandamiento del juez del lugar, ni lo debe herir, de manera que sea contra razón de natura, ni matarlo de hambre, salvo si lo hallase con su mujer o con su hija, o hiciese otro yerro semejante de éstos, pues entonces bien lo podría matar. Otrosí decimos que si algún hombre fuese tan cruel a sus siervos que los matase de hambre, o les hiriese mal, o los diese tan gran lacerío que no lo pudiese sufrir, que entonces se pueden quejar los siervos al juez. E el su oficio debe pesquisir en verdad si es así, e si lo hallare por verdad, débéllos vender e dar el precio a su señor. E esto debe hacer, de manera que nunca puedan ser ornados en poder ni en señorío de aquella cuya culpa fueron vendidos. José Sánchez-Arcilla Bernal, ed. *Las Siete Partidas* (El libre del fuero de las leyes) (Madrid: Editorial Reus, S.A., 2004), 669.
wife, Doña Ana Josefa Fuentes, but that she had not been given enough soap for the two
baskets of clothes. As a result Doña Ana gave her fifty-lashes. The same thing happened
the following Monday, so she sought protection and asked that the court deposit her
somewhere else and have her value assessed. To have the slave deposited with a
responsible third party was a common request in the initial petitions in such cases. The
presence of a neutral and responsible trustee helped to even the playing field by
positioning a person of public standing and respect between owner and former slave and
thus provided protection to the slave against retaliation. The surgeon who examined
Damiana, Josef María Gallegos, found scars that indicated she had been whipped. Her
owner, Don Pablo, had received a copy of the surgeon’s report and he had given her a
document permitting her to seek another owner. Although there is no record of the actual
sale of the slave woman the magistrate, Juan Josef Tirado, signed the documentation on
the first of March 1805.²

This relatively simple case is an example of the vulnerability of slaves to physical
punishment at the hands of their owners and how they at times sought to exert their own
power to counter abuse and bad treatment (maltrato). It is also illustrative of how slaves
utilized the legal rights provided to them to demand the respect and fair treatment they
felt they deserved. Additionally it demonstrates there were customary norms about the
kinds and degrees of punishment appropriate vis-à-vis slaves and the vulnerability of
slave owners to the expectations that they conform to these norms.

² Academia Nacional de la Historia, Sección Civiles, 15-6094-2, 1805, fs. 1r, 1v, 2r.
As discussed in the previous chapter, anthropologists and historians have addressed the idea that the lower echelons of colonial Spanish American society acted as though they possessed honor and that they were willing to act in defense of their honor. Some scholars, such as Richard Boyer and Lyman Johnson, argue that honor related to reputation and character, even for the lower classes. Many of the studies of honor in Latin America subscribe to the dual concept of honor that ascribes honor as emanating from both status or birth and virtue or actions. In this interpretation status honor was monopolized by the upper classes and excluded much of the population. Consequently much of the literature has focused on behavior, especially sexual behavior for women. If we consider honor, as Frank Henderson Stewart suggested, as an entitlement of treatment as a worthwhile person, then we can see that slave expectations of proper treatment by their owners was seen as a form of honor. Cases in which slaves complained to the courts of mistreatment demonstrate that they expected to be treated with respect and dignity and that their owners’ honorable reputations were vulnerable to perceptions and allegations of improper treatment toward their bondsmen. These cases demonstrate the limits of what constituted honorable treatment of one’s slaves. In examples of egregious mistreatment slaves’ petitions were granted while accusations based on insufficient evidence typically failed.

The laws governing slavery in colonial Spanish America provided slaves with mechanisms to support their expectations of fair treatment. These legal codes, while

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recognizing the existence of slavery, described the institution as contrary to natural reason, as human beings in a state of nature were born free. Slavery was an artificial human invention. Consequently the writers of the twelfth-century Iberian legal codes set forth certain expectations for owners and slaves as well as free blacks and former slaves, including clauses that delineated the rights of slaves and the restrictions and responsibilities of slave owners.\textsuperscript{4} The \textit{Partidas} granted an owner the authority to buy and sell his slaves as he pleased. However, he should not kill or wound the enslaved persons under his control, nor beat them or starve them to death. The only exception was if a slave committed a crime against the owner’s wife or daughters. The law further dictated that if a slave owner treated any of his slaves cruelly, the injured slaves had the right to complain to the court and the judge was obligated to investigate the charge.\textsuperscript{5}

Unfortunately the unequal status of slaves and their owners, the imbalance of power inherent in the master/slave relationships, and the conflicting goals of slaves and masters meant that both groups at times stretched or ignored the laws. The reality was, as Alejandro de la Fuente argued, that it was up to slaves “to bridge the gap between the law as an abstract declaration of rights and slaves as social actors with their own strategies and goals.”\textsuperscript{6} Slaves’ legal claims gave social meaning to abstract rights outlined in the laws.\textsuperscript{7} Court cases and other extant records from the late colonial period provide insight

\textsuperscript{4} \textit{Las Siete Partidas}, Partida IV, Title XXI Concerning Slaves, Law 1.

\textsuperscript{5} \textit{Las Siete Partidas}, Partida IV, Title XXI Concerning Slaves, Law 6.


into the events, thoughts, concerns, and goals of slaves, owners, and free blacks as they negotiated for their own interests. It is unclear whether or not slaves actually thought in terms of honor as did their elite counterparts but they did seek to improve their treatment at the hands of the powerful, asking to be treated with some degree of humanity and using their rights within the legal system, as they understood them, to protect themselves and their families, behavior which demonstrated a concern with honor even if they did not refer to it as such. Although they may not have actually used the term honor, when they petitioned the courts for wrongs done to them they were seeking to protect their reputations, their rights, their quality of life, arguably, their honor. Although honor was defined by the elite members of colonial society, slaves, free people of color, and other members of the lower classes defined honor according to their own criteria. As an alternative they constructed their own honor system, one that was predicated more on respect for self-worth and humanity rather than one defined by sexual purity or reputation.

**Protecting honor through the court**

Female slaves were vulnerable to physical abuse and sexual exploitation; however, these were not the only assaults on their honor. In some cases, female owners, while presumed to have less status than their male counterparts, were as likely as their husbands, fathers, or brothers, to take advantage of those with still less honor and status. This was the situation with María Bacilia Hernández and her owner Doña María Eusebia Hernández. The slave María Bacilia claimed that her owner had abused her and asked the court to intercede on her behalf. María Bacilia explained that, being unhappy with her
circumstances, she had requested a document so she could find a new owner.\textsuperscript{8} Her owner’s response was to request that the lieutenant governor incarcerate the slave in the royal prison. María Bacilia was later returned to her owner where she lived in what she described as misery. She explained that every day Doña María Eusebia invented new forms of punishment, such as making her wear rough clothing, cutting her hair, and whipping her, taking away her natural rights.\textsuperscript{9} Although she did not expound on the idea of natural rights for slaves, she did talk at great length about how she had suffered from the treatment of her owner and the living conditions she was subjected to in prison. She asked several times to be placed in a home where she could work for her maintenance and where she would be protected from mistreatment.\textsuperscript{10}

María Bacilia’s reference to natural rights could offer an insight into the slave woman’s views on her essential worth regardless of her status as a slave. Unfortunately we have no way of knowing whether or not these were in fact her words or words supplied by the notary recording her testimony. The lack of further narrative on the

\textsuperscript{8} The documentary record often contains written permission by owners for slaves to seek other owners. These documents would typically give, for a certain time period, consent for the slave to seek another owner, essentially giving the slave authorization to move about freely in this pursuit as well as relieving the owner of the necessity of finding someone to purchase their slave. The document could also indicate the asking price as well as other stipulations such as children that could be sold along with their mother and the price for the children. For example, see “\textit{El Síndico Procurador con Policarpo Espejo sobre el ejercicio de la libertad de la esclava María Gregoria},” ANH Esclavos, 1823 ACHEL-8, f. 1r and “\textit{El Síndico Procurador de este cantón reclamando la libertad de la sierva Petrona y sus hijas},” AGN 1849 E 36, 1r.

\textsuperscript{9} “la ama de la suplicante quiere sacar de juicio todo el derecho natural,” “\textit{María Bacilia Hernández, esclava de Doña María Eusebia Hernández, por maltrato, solicita se venda},” Academia Nacional de la Historia, sección civiles, 1793 10-3961-1 (hereafter ANH 10-3961-1), 1v.

\textsuperscript{10} ANH 10-3961-1, 6r, 10r, 19r
matter suggests the latter. However, historian María Eugenia Chaves argues that slaves and *castas*, which she uses to mean women with African ancestry, understood the codes of honor as they applied to the elites and conformed to them in order to gain social recognition and respectability. Using a late eighteenth-century case from Guayaquil in which a slave woman and others claimed that she possessed honor, Chaves argues by the end of the colonial period use of the courts had become a viable method for slave women to alter their social status and identity.  

Concerned that she would be punished even more after filing her petition, María Bacilia asked that she be removed from the home of her owner and deposited with someone else acceptable to the court, and that her owner be ordered to provide a document of sale at a reasonable price. The judge sent a representative to the house of Doña María Eusebia Hernández, María Bacilia’s owner, to investigate the charges of mistreatment. After the representative found evidence of physical punishment, the judge removed the slave from the home. However, rather than placing the slave in another home the magistrate put her in the royal prison as a *deposita*, signifying she was not a prisoner but rather had been placed there for other unspecified reasons. The choice to place her in the prison was significant. Except in cases of criminal activity, rarely were female slaves placed there. Typically the first action taken by the court in a dispute between a slave and her owner was to place the slave in another home. There she would serve that household as if she were their slave while awaiting the gathering of evidence.

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and decision by the judge. Still enslaved, she at least lived in similar or better conditions than those from which she was removed. The distinction made in this case, designating María Bacilia as a deposita rather than a prisoner, may have mitigated to some degree the dishonor she experienced. However, the living conditions were harsh, being placed in prison was less honorable than in a home, and the self-respect that María Bacilia claimed she derived through work was denied her.

While in prison María Bacilia was examined by a doctor, Don Juan Deconte, who found sores on her face and tongue, scars, and evidence of whippings. Although her attorney asked that she be removed from the prison to the Casa de Misericordia or “House of Mercy” until she could be sold, the regent told them it was impossible. The Casa de Misericordia was an institution established in Caracas in the last years of the eighteenth century, as both a refuge and workhouse for blacks and pardos. It also functioned at times as a prison to control the unruly lower classes. María Bacilia must have assumed that the conditions in the Casa de Misericordia would have been less harsh than the conditions in the royal prison, about which she complained several times. The constant dampness, she explained, was harmful to her health. This argument must have been persuasive since she was removed and taken to the home of Doña Ana Antonio de Miranda, a widow and resident of Caracas.

In the meantime her owner was not happy about what had transpired. Doña María Eusebia made a statement to the court in which she claimed total poverty, as barely able


13 ANH 10-3961-1, 1r, 1v.
to feed her other slave, and characterizing herself as an honorable woman and, interestingly, an orphan as well as a resident of the city. She also complained about the placement of her slave María Bacilia with her neighbor Doña Ana, claiming that María Bacilia would stand at the windows and doors, loudly insulting her owner. Doña María Eusebia’s complaints carried more weight than those of her slave; the court removed María Bacilia from Doña Ana’s house and returned her to the prison, where she again complained of physical suffering. Unfortunately there was no decision by the court included in this document, so we can only guess whether or not María Bacilia was successful in her attempt to find a new owner. However, we can see evidence in the documents that both the slave, María Bacilia, and her owner, Doña María Eusebia, were concerned about not only the obvious issues of where the slave would be held and whether or not she would be sold, but also matters relating to honor and status. Drawing on her position as an elite, though poor, woman Doña María Eusebia described herself as an honorable woman and as a person who had been insulted by her slave. Evidently neither María Eusebia or the notary felt that it was incongruous to ascribe the honorific “Doña” to a woman who described herself as poor as it was used throughout the documents for María Eusebia. María Bacilia's public insults challenged Doña María Eusebia’s honor. Had the slave María made similar accusations and insults within the privacy of her home without the involvement of both court officials and neighbors there would have been no shaming and Doña María Eusebia could have responded privately. Her reputation as a slave owner who had little if any control over her slave would not have been called into question. Also, Doña María Eusebia’s admission of poverty may
have been a formulaic statement designed to gain the court’s sympathy; if it was true it was probably made reluctantly as wealth and status were important components of honor.

This whole affair certainly constituted a risk to Doña María Eusebia’s honor and status. Richard Boyer suggests that generally the opinions and judgments of one’s peers—what he calls “horizontal exchanges”—carried more weight than the assessments by people of a higher or lower rank or “vertical exchanges.” The exception to this generalization was when slaves did not conform to their assigned subordinate status. The role of subordinate was part of the identity of slaves, one that was clearly and absolutely defined. However, masters were nearly wholly dependent on that subordination; if slaves did not adhere to the expected order “the identity ‘master’ crumbled.”

In addition to taking her petition and accusations of mistreatment to the public form of the court, María Bacilia verbally insulted her owner in front of their neighbors. By bringing her case to court she placed Doña María Eusebia in the position of having to claim poverty as well as defending her own honor. María Bacilia clearly defied her subordinate role of slave and in so doing, damaged Doña María Eusebia’s identity and authority as master and woman with honor.

Alejandro de la Fuente observes that the right to request permission to seek a new owner was one of the most important rights available to slaves in colonial Spanish

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14 As a single woman, Doña María Eusebia was in probably the smallest group of heads of households in the city. In San Pablo parish in 1778 single female heads of households represented just under fourteen percent of the total white households. Doña Ana, as a widow, had a larger peer group at thirty-six percent of the total. See Chapter 4 for more information on households.

America and one that became a customary right largely through the actions of slaves and the courts. Understanding that slave owners were legally forbidden to exact excessively harsh punishment and ill treatment, slaves began as early as the sixteenth century to appeal to the courts for the right to seek another owner when they were mistreated.\(^{16}\) The codes, however, provided only a vague foundation for appeals such as the one Maria Bacilia made. Owners repeatedly rejected the validity of such claims, thereby forcing judges to define what rights slaves could claim. Although certainly the judges’ decisions varied, the frequency of petitions and the prevailing opinions supporting slaves’ requests meant the practice had become a customary right by the time the Spanish crown reviewed the legal status of slaves in the Bourbon attempts at legal codification.\(^{17}\) María Bacilia’s was arguably a case where a slave’s demands for fair treatment and respect could have brought about improvements to her living and legal situation.

In 1793 Juana Paula García, slave of Doña Rita García, appealed to the court of the Governor and Captaincy General for help in finding a new owner.\(^{18}\) Juana Paula, a young slave of approximately fifteen years claimed cruel and undeserved punishment and asked that the court give her protection until a more humane owner purchased her. The public attorney asked that the court order an examination of the slave’s physical condition and in the meantime deposit her in another home. Doña Rita asked that Juana

\(^{16}\) Las Siete Partidas, Partida Four, Title XXI, Law Six


\(^{18}\) “Expediente formado por Juana Paula García, y el sindico procurador general contra su ama Doña Rita García sobre maltratamiento que esta le dio a su esclava,” Academia Nacional de la Historia, Sección Esclavos, Exp. FGD-5, 1793, f. 1r.
Paula be placed in the royal prison in Caracas until the authorities ascertained the truth. As requested by the public attorney city surgeon Don Josef Justo de Aranda examined Juana. His report stated that he found her to be quite healthy except for seasonal breathlessness. No mention was made of scars or other signs of abuse that the slave had referenced in her original petition.\textsuperscript{19}

The clerk of the court went to Doña García’s home to collect the slave and deliver her to the prison, as directed by the judge. However, Francisco Delgado first appeared before the magistrate saying that his wife wanted to buy the slave, so Juana Paula was deposited with her instead. This arrangement was short-lived. The following day the court dispatched clerk, Ignacio Jaramillo to collect the slave, this time to put her in prison. The prospective purchaser had reported that she did not want the slave in her home because she was useless.\textsuperscript{20}

At this point the public attorney interceded again, reporting that another party was interested in purchasing Juana Paula. Don Juan Antonio Croquer, chaplain of the Convent of the Immaculate Conception, informed the court that he had been trying to purchase the slave Juana Paula for 300 pesos. He provided a guarantor for the purchase amount. Ultimately the judge received the necessary payment from Don Croquer and advised Doña Rita García that she had to give up her rights to the slave.\textsuperscript{21}

Much about this case is unclear. Although the complaint clearly stated that the slave Juana Paula, asserted mistreatment at the hands of her owner, the examination of

\textsuperscript{19} ANH Esclavos 1793 FGD-5, f. 1r, 1v, 2r, 2v, 8r.

\textsuperscript{20} ANH Esclavos 1793 FGD-5, f. 3v, 4r.

\textsuperscript{21} ANH Esclavos 1793 FGD-5, f. 9r-10r.
the surgeon did not confirm or refute abuse. Doña Rita García, Juana Paula’s owner, while she never directly denied abuse, implied that the girl was lying and perhaps prone to flight by asking that the girl be kept in the city prison until they could learn the truth. Doña Rita did not oppose the sale, which is another puzzle. If she did not want the girl she could have sold her, which is of course what ultimately happened. Perhaps her refusal was simply an issue of Doña Rita attempting to maintain the status afforded to her as a slave owner. She could have interpreted giving in to Juana Paula’s request for a new owner as a confirmation of the suggestion that she was overly harsh in her treatment of her young slave. In contrast to the case of María Bacilia, Juana Paula was successful in her request for different owner. Was the slave free? No, but she did have the right to ask for, and ultimately receive, a different owner and a different living situation. It is impossible to know whether life for Juana Paula would be better in a convent than in the service of Doña Rita García; however, Juana Paula defended her right to good treatment and demonstrated that she possessed honor.

These two cases exemplify many of the petitions presented to the courts by slaves claiming they had been mistreated. In order to be successful the slave had to prove that his or her owner had exceeded the acceptable boundaries of discipline allowed to slave owners. The limits were not always clear cut; at times, however, the treatment reported by a slave was so egregious that the petitioner was assured of success. This was the case in 1779 when the audiencia of Caracas ordered Don José Mario Mora to prepare a document of sale for his young slave Merced because of mistreatment. In January of that year Don Pedro Carbonell, president of the royal audiencia of the province of Caracas reported that Merced, ten or eleven years old, had been brought to him because she had
been fiercely and cruelly whipped by her owner. He immediately requested more information and ordered the city surgeons to examine the girl.\textsuperscript{22}

In *La Casa Hospital de Caridad* (The House of Charity Hospital) Merced was examined by Don Josef de Luñiga and Don Josef Justo Aranda. The doctors reported that their examination revealed three scars behind her right ear, twenty-seven scars between her shoulder blades that appeared to be from the point of a whip, some fifty other scars on her buttocks, some other various scars with dried scabs, and superficial ulcers over the sacrum bone that, nonetheless, when put together were the size of an open palm. There were no signs of fever or inflammation and they did not feel she was in danger of her life.\textsuperscript{23}

When Gabriel Joseph Arambuau, the general counsel (*asesor general*), went to visit the girl in the hospital she told him her story. She was the slave of Licenciado Don José Mario Mora and his wife Doña Ana María Esculpi. Although both owners were abusive, the beatings frequently came at the hands of Doña Ana María, who tended to punish her slaves while her husband was sleeping. According to Merced Doña Ana María took the slaves into a room next to the kitchen where she whipped them. On other occasions she would force the slave girl to eat feces causing her to spray the excrement from her nose and mouth all over her owner, which resulted in more punishment. The girl

\textsuperscript{22} “*Contra Don José Mario Mora que haber castiga con exceso a una esclava*,” Academia Nacional de la Historia, Sección Historia, Exp. 13-4974-4, 1799, f. 1r. The reason for taking the slave girl to the president of the audiencia rather than to a trustee or public defender was not explained. One possible explanation was that whoever had removed the girl from her owner’s home had felt the mistreatment had been so flagrant to warrant bringing it to the attention of a person of high authority.

\textsuperscript{23} ANH 13-4974-4, f. 1v, 2r.
told the attorney that there were others in the house who knew about this treatment, including the wet nurse Juana Bautista, a free cook named Rosa, and another man in the household called Josef “el llanero” (from the llanos or plains).  

On his first visit to the home of Don José Mario Mora, on the seventeenth of January, the attorney was told that the cook was out and that there might not be a man in his house called Josef el llanero. Arambuau was told to return the next day at four in the afternoon and that all the appropriate people would be gathered there to give their statements. However when the attorney returned the following day he was greeted by an Indian woman who told him that she was the only one at home; Don Josef and his wife had gone out and all the doors were to remain closed. The magistrate then forced the issue and dispatched two soldiers from the guard to the house of Don José and had them bring the wet nurse and cook to the *quinta* (a house with gardens) of the acting deputy governor general.

That afternoon Juana Bautista, wet nurse for Doña Ana María and a twenty-one year old free *samba* (mixed race, usually of Indian and African heritage), testified that Doña Ana María severely punished her slave Merced. This was supported by the testimony of the free morena cook, Rosa, who stated that on Friday, the twenty-third of the previous month at four in the afternoon Doña Ana María Escluspi, legitimate wife of Joseph Hilario Mora, cruelly punished her slave Merced by tying her hands and feet and beating her with a whip of two twisted strands of leather. This punishment had gone on for more than a half hour when the slave girl was in so much pain that she fled in tears to

24 ANH 13-4974-4, f. 2r – 3r.

25 ANH 13-4974-4, f. 4r
the nursery where the two-year-old daughter of Doña Ana María was with José Miguel, called *el llanero*, a free man who also worked at the house. Although Merced pleaded with Doña Ana María to end the whipping she continued with the punishment, causing the girl to bleed severely. This evidently was a recurring scenario because Rosa reported that the slave girl would periodically escape for short periods, returning one day and leaving the next. Doña Ana María reportedly had little patience with the girl, torturing Merced by hitting her with a stick or covering her with mud and excrement, forcing them into her mouth. Also her owner, Don José, crouched on the floor and rubbed her mouth and face with the feces of the children. Evidently having heard enough, the magistrate ordered Don José Mario Mora to present a document of sale within three days. The judge later confirmed that the owner had complied.

Although the outcome of this case presents no surprises, there are procedural issues in the case itself relating to the slave owners. It is very possible that additional documents related to the investigation became separated, lost or misfiled. There was no testimony from either of the owners, although it was common for owners to either deny the allegations of abuse, present justifications by explaining the various misbehaviors of the slave, and/or express the deficiencies and negative qualities of slaves and people of color. Because there was no response from the owners we cannot know how they would have defended their honor in the face of behavior that presumably exceeded the norms of

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26 The document used the word *corral* which I have translated as nursery per the Real Academia Española definition #7. m. Cuba y Ven. parque (pequeño recinto para niños que aún no andan).

27 ANH 13-4974-4, f. 5r-7r.
acceptable punishment. There was also no mention of the disposition of the girl following her release from the hospital. The suit took four months to complete. It is puzzling that, other than being ordered to prepare the document of sale, there were no consequences for the owners for such blatant mistreatment of an eleven-year-old child. The law provided that if an owner severely mistreated his or her slaves beyond the tolerances allowed by the codes the slave would be permanently removed from his or her control. We do not know, however, if the abuse extended to all of their slaves or just Merced. Although the other witnesses worked in the household, they were free so they did not risk the same severity of punishment for testifying that another slave in their household would have.

In a similar case in 1792 there was a very different outcome. Acting on behalf of Teresa, slave of Doña Josefa Escandon, the public attorney opened a case of mistreatment for a slave girl named Trinidad, a twelve year old mulata owned by the minor children and heirs of Don Josef Acensio.28 Don Tomás Hernández Martínez, guardian and representative of the minor heirs of Don Josef Acensio, reported to the court on 20 April 1792 that Trinidad left her owners’ house two days earlier and Trinidad’s mother Teresa had appeared in court alleging punishment and mistreatment of her daughter and requested a transfer of ownership for her daughter. A physical examination revealed no abuse, leading Don Hernández to assert that the mother had unjustly and capriciously

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28 “El sindico procurador a nombre de Trinidad, esclava de los heredares de Don Josef Asencio sobre mal tratamiento,” Academia Nacional de la Historia, Sección Historia, Exp. 10-3841-5, 1792, f. 1r.
invented bad treatment. He further reminded the authorities that it was fairly common for slaves to bring unfounded complaints to the courts; such proceedings simply deprived owners of the services of their slaves and reinforced their lazy tendencies. Hernández asked the court to put Trinidad in the prison and that the warden take care to prevent contact with Teresa or others who might “seduce” her into making false claims. Finally he asked that Teresa be required to pay incurred court costs from her wages.

The public attorney identified witnesses to testify about the nature of Trinidad’s treatment by her owners. These included Doña Cecilia Hernández, Don Juan de la Cruz Acensio, Victoria, a thirty-six year old free morena, and Victoria’s daughter María, all inhabitants of the same house of Doña María Josepha Ascencio, as well as Cipriana, slave of Doña Barbara Pozo, and María from the shop next door. Each was asked three questions: had the slave been mistreated, resulting in a scar on her cheek made by a knife and a fracture of her head; was Trinidad forced to stay up all night caring for an infant; and finally had she not been taught to pray. He saw that she was deposited in a secure house rather than the prison and asked that she be examined by the city surgeon.

Unfortunately for Trinidad neither the witnesses nor the surgeon corroborated her allegations of mistreatment. All but two witnesses testified; Doña Barbara Poso claimed to be too busy to provide a statement, and the owner of the slave María Mendes asked that her declaration be excused. The two slaves, María and Cipriana, belonged to the

29 “por fines particulares y caprichosos de los de su color y nación,” ANH 10-3841-5, f. 1r. This argument also addresses the perceived lack of honor of slaves and free people of color held by the elites. This topic is examined in Chapter 1.

30 ANH 10-3841-5, 1r, 1v.

31 ANH 10-3841-5, f. 2r, 2v.
same owners as Trinidad. María, who was about twenty years old, declared that their owners took good care of their slaves and administered only mild punishments. She had not witnessed Trinidad’s acquisition of her facial scar because she had been washing at the river at the time. María also stated that Trinidad typically went to sleep early and that she, her mother Victoria, and Trinidad had all been taught by their owners to pray. This latter was confirmed by Victoria; however she could not address the first two questions since she was never in the house. The other slave, Cipriana, only said that she did know that her owners abused Trinidad.  

The most damaging testimony for Trinidad came from Doña Cecilia Hernández and Don Juan de la Cruz Ascencio, both of whom lived in the same house as the slave and her owners. Doña Cecilia stated that all three accusations were false, that although the Trinidad may have been punished from time to time the scar on her face came from an accident when she was washing the knife she had used in preparing dinner. It was true that Trinidad had to care for the infant but that entailed being awake only for occasional short periods during the night. Don Juan’s testimony was similar. He also asserted that the scar was the result of a mishap while she was washing a knife, that while she was charged with caring for the child he had seen her sleeping, and that he observed the other slave coming to the house to pray with Trinidad.  

The conclusions of the city surgeon, Don Joseph Justo de Aranda, were also detrimental to Trinidad’s case. His examination revealed no inflammation, bleeding, or

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32 ANH 10-3.841-5, f. 4r – 7r.

33 ANH 10-3.841-5. f. 3r-5r.
contusions of any sort.\textsuperscript{34} He suggested that her complaints of pain were false. On the third of May, slightly more than a week following the surgeon’s report, the public defender, Licenciado Joseph María Munoz, issued a statement that Trinidad’s and Teresa’s accusations were groundless. The only apparent concession to the slave was the extraction of an assurance by Don Tomas Martinez, husband of Doña María Josepha, that he would not punish or harm her because of this suit.\textsuperscript{35}

References to honor are apparent in the case. Don Hernández, representative of the owners, made sure to remind the court of the lack of honor held by slaves. Slaves, according to Hernández, were lazy, but worse than that they sought to deprive owners of labor owed to them by their slaves. Slaves were also dishonest, as evidenced by the “unjust and capricious” claim of mistreatment brought by Teresa on behalf of her daughter. Hernández claimed slaves routinely raised unfounded complaints and cautioned not to allow Teresa or others to have contact with Trinidad lest they corrupt her into lying. Presumably a child of twelve might not have yet acquired the negative traits of adult slaves. The petitioners attempted to appeal to upper class societal values in their complaint. In addition to physical mistreatment were allegations that the girl was not allowed to sleep because she was expected to care for an infant and that she had not been taught to pray. In a society with a deep Catholic tradition not providing one’s dependents, including slaves, the knowledge and opportunity to pray would have been a significant breach of proper conduct.

\textsuperscript{34} Don Josef Justo Aranda is the same surgeon who examined Merced in the prior case.

\textsuperscript{35} ANH 10-3841-5, f. 8v – 10r.
This case raises more questions than it answers about the control owners held over their human chattel, the degree of impunity accorded to them in regards to violence and punishment meted out to slaves, and the possible actions available to slaves when they felt they were unfairly treated. The only witnesses who provided testimony either lived in the same home as the owner or were fellow slaves of the petitioner, Trinidad. The two witnesses who declined to testify might have been more impartial. Presumably Trinidad and her attorney would not have provided the names of witnesses who they knew would not verify her claims. Unfortunately for Trinidad, two of these witnesses were slaves who may have been afraid to speak against their owner, or may have even been coerced to deny her claims. There is no evidence either way. The other two witnesses lived in the owner’s home, but we have no information about their relationship to the owners. We do know that Don Juan was twenty-two years old and Doña Cecilia was forty-five, but nothing about the roles in the household or whether or not they were dependent on the owners for their welfare.\footnote{ANH 10-3841-5, f. 4r, 5v.} This appears to be a case in which the mother of a young slave believed her daughter was being mistreated. As she did not live in the same house she probably depended on information from her daughter and other persons living in the house. She asked that her daughter be sold to a different owner; possibly she hoped that this would result in being united with her under one roof. She might truly have feared for Trinidad’s safety. She and the public defender based their arguments on Trinidad’s face and head injuries. Trinidad’s owners did not dispute the injuries; rather, they provided an improbable explanation that the court accepted. However unlikely it was that Trinidad managed to cut her face while washing a knife, the
court either chose to believe the owners’ explanation or determined that such injuries fell within the acceptable range of punishments for slaves.

Ownership of slaves involved responsibility, a kind of limited trusteeship and when this trust was violated slaves turned to the courts for assistance. In such cases slaves typically asked the court to find a new owner for themselves and for their children, as physical abuse would most likely not have provided grounds sufficient for freedom. This is what Eusebia Tovar requested for her young daughter in 1798. Eusebia was the slave of Francisco Sarmiento; her daughter, Cipriana, was the slave of Doña María Vicenta Martinez. According to the mother Doña María Vicenta treated Cipriana “with no expression of love or closeness, nor as a young child, she is not more than eight years old, [but rather] as a stranger, irrational, and hostile.”

Furthermore, Doña María Vicenta, according to the girl’s mother, deprived her of food, lashed and beat her, forced her to stay in the street carrying water until 10:00 pm, and forbade the child to see her mother. This mistreatment, Eusebia claimed, was publically known and certainly deserving of consequences, although it may not have exceeded the parameters delineated in las Leyes de las Siete Partidas. Instead, she asked the court to order Doña María Vicenta to sell Cipriana to an owner who would treat her “with the love and equity” to which slaves were entitled.

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37 “Eusebia Tovar con Doña María Vicenta Martinez sobre que venda a su esclava Cipriana, hija de la primera,” ANH 12-4804-1, 1798. The original Spanish reads “sin ninguna caridad trata a la expresada no como cosa propia,[sic] no como próxima, ni como que es de la tierna edad, pues no tiene mas que ocho años, sino como cosa totalmente extraña, irracional, y enemiga,” 1r, 1v.

38 ANH 12-4804-1, “con amor y equidad,” 1v.
Doña María Vicenta denied the accusations of cruelty, calling them malicious lies. In return, she described Eusebia as a cheat and liar who had undermined and corrupted the girl, who was disrespectful, and who had a tendency toward levying similar unfounded accusations. Doña María Vicenta claimed that Eusebia was like other slaves who simply wanted to live beyond the control of their owners. Doña María Vicenta added that if owners exercised even moderate discipline, as was permitted by law, mothers and grandmothers raised cries of protest to denounce owners publicly with their false charges.

Both Eusebia and Doña María Vicenta recognized the importance of public knowledge and opinion in such matters because in their testimonies they both referred to the public statements made by the other and claimed those statements were not only false, but malicious. The claim of “public and notorious” (público y notorio), expressed in this case, was common in court cases in Spanish America, suggesting that words carried the same degree of influence by becoming part of the common knowledge of the community. Such words could bolster or demean the reputations of either party in such conflicts, as seen by the claims of both slave and owner in this case. Both Eusebia and Doña María Vicenta knew that making claims publicly was the most effective way to call into question the honor of the other person. As Julian Pitt-Rivers, Sarah Chambers and others observed, there was a public aspect to honor. Honor was both challenged and defended in public.\(^{39}\) When Doña María Vicenta complained about the tendency of slave parents

and grandparents to protest publicly when their offspring were abused she acknowledged that owners’ reputations were vulnerable to suggestions that they treated their slaves with excessive harshness. There were customary norms about the appropriate treatment of slaves. Doña María Vicenta also pointed to the perceived lack of honor for slaves who were unwilling to carry out their assigned roles of serving and deferring to the authority of their owners.

Eusebia recognized that it would be difficult for her to prevail so she tried to facilitate the process by finding a purchaser for her daughter. Two different physicians examined the girl; one said he was certain she had been abused because on the day he examined her he had found bruises. The second examiner was not so sure – he found her to be healthy, with no signs of illness and no lesions on her skin indicating whippings, except for a few marks on her back that might have been scabies or chickenpox rather than scars from whippings. Eusebia not only asked that her daughter be sold to a different owner but she also found a prospective buyer, Andres Tovar. Nevertheless, the judge ultimately decided in favor of the owner, expressing the opinion that the charges of mistreatment were false; Eusebia failed in her attempts to use the law to remove her daughter from the home of Doña Martinez.40

Eusebia’s lost cause raises a number of significant points about slave families’ care for their children. From Doña María’s statement we can infer that relatives were not afraid to speak out to protect the children, at least in her experience. She had a view of

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40 ANH 12-4804-1, 5v-5r, 11r, 15r.
slaves that may have been fairly typical: slaves resented authority and discipline, at least of the abusive sort attributed to her, and perhaps particularly regarding their children. Eusebia’s allegation that Doña María Vicenta did not perceive Cipriana as a child, and that she did not treat her as the cherished possession that children were, clearly tapped social attitudes and implied legal obligations to care for people of young ages, slave or free. Eusebia was sufficiently concerned as a mother, even if she lived in a home separate from her daughter, to frame a lawsuit against Doña María Vicenta in terms of social responsibilities for children that appeared to trump even the rights of owners over their human property.

Also, Eusebia must have felt she had a greater chance of success by locating an interested buyer who would compensate the owner for the loss of her property. Frequently in cases where slaves desired to be sold rather than their owner wanting to effect a sale, the slave was given permission to find a new owner. Significantly, Eusebia presented Andres Tovar rather than her owner, Francisco Sarmiento, as the prospective buyer. She did not address why her owner was not put forward as a prospective purchaser. Perhaps he was uninterested, unable to purchase another slave, or abusive himself and Eusebia thought her daughter would be better off taking her chances with a different owner.

Slave women were also vulnerable to domestic abuse by their spouses or lovers. In 1755 Juana Francisca Carrascal filed a criminal complaint on behalf of her slave, Juana Petronila against José Félix Principal, her free pardo husband, for punishment and
injuries that he inflicted on his wife. Describing his actions as impudent, insufferable, and barbaric Doña María Francisca explained that Joseph Félix mistreated his wife outside of her house but also in her home and in her presence. She claimed that months earlier Joseph Félix had struck his wife on the head with a stick, with such force that Juana Petronila was unable to work for a month. In January 1755, when she and her son, Don Francisco Atilano Moreno, a cleric, had attempted to defend Juana from her abusive husband, Joseph Félix began hitting Doña Juana’s son in the face and head.

She proposed witnesses who knew the parties involved and could testify to Joseph Félix’s repeated abuse of his wife, including wounding her with a knife. Three witnesses responded to the five questions. Two of them, Carlos Belasco and Joaquin Fernandez, were associated with the battalion of Caracas and knew the petitioner and her son and slave. They had either witnessed the violent episodes or had heard about them. The third witness was a neighbor of Doña Juana Francisca, Andres Rodríguez y Espinoza, who knew the four people involved, had seen the injuries, and claimed that the situation was public knowledge.

On 6 October 1755 Juan Francisco Arias, the alcalde ordinario (elected official) of Caracas, went to the prison to take the statement, labeled confession, of Joseph Félix.

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41 “Causa criminal seguida por Juana Francisca Carrascal, contra José Félix Principal por injurias graves que le ha erogado y por el castigo que le dio a Juana Petronila, su esclava,” Academia Nacional de la Historia, Sección Historia, Exp. 3-821-1. 1755.

42 ANH 3-821-4, 2r, 2v.

43 ANH 3-821-1, f. 2v, 3r.

44 ANH 3-821-1, f. 3v - 5v.
After confirming that he knew and understood the charges against him, he asked the prisoner to tell his story. Joseph Félix, a free pardo, approximately twenty-six years old, acknowledged that he knew it was a crime to enter someone else’s home and attempt to punish a slave, even his own wife. He denied the charge of abuse, explaining that while he and his wife had some quarrels he had never punished or mistreated her. He also conceded that there had been times he had entered his wife’s owners’ house, but not to punish her.45

Arias asked him about the charges of excessive wife beating and hitting Doña Juana’s son when he tried to defend the slave Juana. Joseph Félix claimed the incident was an accident. He and his wife had been quarreling and when Don Francisco attempted to intervene, a struggle ensued and he did not know who actually stuck the blows. There were also some soldiers there.46 Regarding the knife, Joseph Félix explained that he did indeed have a knife that he obtained at the butcher’s shop to cut some meat.47

Doña Juana Francisca recommended that Joseph Félix be fined and assessed the costs of the trial. This punishment, she argued, was not only fair, but would serve as a warning to others who might behave similarly in the future. She suggested that the court seize any property Félix might own for payment of the fines.48 Upon receiving a copy of

45 ANH 3-821-1, f. 6v, 7v.

46 Both José Félix and Doña Juana mentioned that there were soldiers present at the altercation, though neither explained why. It is likely that the soldiers were the two witnesses, Carlos Belasco and Joaquin Fernandez, who were with the battalion of Caracas and acquaintances of Doña Juana. ANH 3-821-1, f. 2v, 8v.

47 ANH 3-821-1, f. 7v – 8v.

48 ANH 3-821-1, f. 10r – 11r.
Doña Juana Francisca’s request to the court Joseph Félix replied that he was poor, he could not even pay for a lawyer much less the fines, and that he had confessed under coercion and asked to recant his statement. Nevertheless, the court felt that the case against him had been proven; they fined him and sentenced him to work in a royal factory (fábrica del rey).

This case demonstrates power relations between a husband and wife and between a slave owner and a third party. The person with the least power in this situation was the slave, Juana Petronila. It is unclear what recourse she would have had against her abusive husband without her owner’s intervention. Arlene Díaz provides examples of free caraqueña women who initiated lawsuits against their husbands for abuse. Kimberly Gauderman also documents that domestic violence was considered a criminal activity by the civil authorities in seventeenth century Quito. Neither of these scholars considered slave women. Juana Petronila had an owner willing to challenge José Félix’s patriarchal authority as a husband, although her possible incentives involved more than the welfare of her slave. She was also protecting her asset, the sanctity of her home against a violent outsider, and her son’s welfare. Doña Juana’s initiation of the lawsuit and demand that Joseph Félix pay the fines and court costs was an act to preserve her power over a mixed race, albeit free, man. This case also demonstrates another view of how honor operated in colonial Caracas and in many ways reinforces the stereotypical assumption of honor

49 ANH 3-821-1, f. 12r, 14r, 15v, 16r.


among the upper and lower classes. In contrast to the cases in which slaves attempted to demonstrate the lack of honor exhibited by their owners’ behavior, in this case the slave owner was called upon to act honorably for her slave. Juana Petronila, the most vulnerable of the parties involved, depended on the good will and protection of her owner and her son and their sense of honor as decent slave owners to protect her from her abusive husband. José Félix, as an abusive husband demonstrated the dishonorable traits commonly attributed to lower class mixed-race persons. Doña Juana sought to protect her family, her honor and safety within her own home.

From these cases we can see that part of the definition of honor for slave owners included expectations of how owners treated the enslaved persons under their control. Although the limits may not seem obvious or consistent, there were norms, upheld by law and custom, that were not to be violated. Owners’ reputations were at stake and it appears from the cases that owners were concerned about whether or not they would be perceived as “good” slaveholders. The circumstances under which mistreatment was so obvious that success was assured may be less clear. The case of Merced’s owner beating her with a whip of twisted leather and forcing feces in her mouth is clearly one in which the abuse was flagrant and shocking and it is not surprising that the slave girl was transferred to a different owner. On the other hand, Trinidad also displayed evidence of abuse and her petition was unsuccessful. Her owners offered a questionable explanation for her injuries. One difference in the cases was the amount of evidence and the strength of the corroborating witnesses, which supports the idea that the defense of honor was a public matter. If slaves could not publicly prove their owners behaved dishonorably, their petitions might not have succeeded. The same holds true for Eusebia’s attempt to
transfer her daughter Cipriana to another home. Eusebia clearly understood the need to make her claims public, but she still did not have sufficient evidence to persuade the court to rule in her favor.

**Conclusion**

There are general conclusions to be drawn concerning honor in colonial Caracas as related to slaves, free African and mixed race persons, and slave owners. A code or system of honor existed in Venezuela that both reinforced societal hierarchies and penetrated class and racial boundaries. The honor code of late eighteenth- and early nineteenth-century Caracas was influenced by the attitudes of honor in Mediterranean societies, most obviously Spain, but had adapted to new population groups important to the New World, the indigenous and African inhabitants. Various scholars have proposed different definitions and structures for the meaning of honor and its role in colonial society, but there are some common threads. Personal or individual honor was both individual and collective, coming from birth or deeds. What constituted honorable behavior and who possessed honor was determined externally according to an honor code defined by an honor group. This group could be comprised of peers or persons with greater status or authority. Honor above all was mediated publically. Insults or threats to honor became consequential when they were made and defended in a public forum. Definitions of honor differed for elite women, lower class, and women considered racially inferior.

In the cases examined here all parties expressed concerns over their honor and sought to defend it with whatever resources they had available, usually the law. The
success they achieved and the difficulties they faced differed according to race, gender, and social status. Women demonstrated through their discourse that they were concerned with maintaining an honorable or decent reputation. Slaves were well aware of the rights they possessed and sought to use the courts as effectively as possible. By the mid to late eighteenth century the courts largely supported the claims slaves made in the areas of marriage and fair treatment. However, in cases involving mixed race plaintiffs and elite defendants, gender and status could bolster honor-based claims. Nevertheless, slaves and persons of African descent demonstrated that they believed they possessed honor and they were willing to fight to defend it.
Chapter 3
Redefining Sexual Honor: Broken Promises and Respectable Work

In 1776 a slave, María Luisa, appealed to the Caracas court to enforce promises by her owner, Nicolas de las Rosas, that if she submitted to his seduction he would reward her with freedom for herself and her children, at least one of whom was his own child. María Luisa stated that she had submitted only because of this promise, and he had reneged. De las Rosas responded that her testimony was untrue and characterized her as a vicious, evil woman who had had several owners and several children, none of whom were his.¹

Although honor encompassed more than the sexual behavior of women of colonial Latin American society, how a woman behaved, or was perceived, in terms of her sexual behavior was an important component of virtue honor for all classes of women. However, elites assumed that women of color, slave or free, were less honorable, in part because they were seen as naturally promiscuous. Both slave and free black women were vulnerable to sexual advances by their owners and other males. Also contributing to these perceptions was the dishonor associated with low marriage rates and the resulting high levels of illegitimacy. Slave and free black women occupied public spaces to a much greater degree than elite women, often because of the type of work they did, also contributing to perceptions of dishonor for these women. Slave women sought to protect their sexual honor in at least two different ways. One was to exercise their legal right to marry, which will be discussed in Chapter 5. Another was to attempt to

¹ “Demanda puesta por María Luisa contra Don Nicolás de las Rosas,” Academia Nacional de la Historia, Sección Esclavos, Exp. 1776 GRPT 2, 1776.
engage in more respectable types of work to make clear the distinction between their labors and the dishonorable women who engaged in less respectable professions such as menial labor and even prostitution. Slave women were willing to ask the courts’ assistance to compel their owners to preserve their reputations earned through their work. There were times, however, when slave women engaged in sexual relationships with their owners or other men. Although undoubtedly some of these liaisons were nothing more than a man exerting his power over a vulnerable female, others resembled sexual contracts between slave women and their lovers with an expectation that freedom would be granted in return for sexual compliance. When the agreement was not upheld, slave women utilized the courts to compel compliance by their male partners, characterizing the breaking of one’s word as a dishonorable act.

**Broken Promises**

Slave women were vulnerable to sexual violence and exploitation simply because they were women. As in other slave societies, there are many examples in the Caracas archives of slave women who were promised freedom in exchange for a sexual relationship and of white men who forced slaves into concubinage without any promises whatsoever. The case of María Luisa is a good example. The documents described María Luisa as *de nación holandesa*, or Dutch. This sort of affiliation, which counted heavily in a society still structured in terms of “blood” descent, probably meant that she had been imported to Venezuela illegally through the Dutch island of Curaçao, as had many other
slaves. Curaçao was the principal source for contraband slaves coming into the province.\(^2\)

Although the surviving documents do not include the court’s decision, we can see two possible strategies that María Luisa might have employed. According to her statement, she agreed to a sexual relationship with her owner because she believed that in return she would receive freedom. However, it is unlikely that a slave woman could refuse a determined owner’s sexual advances under any circumstances. What is equally likely, as de las Rosas implied, is that she attempted to take advantage of a situation over which she had little control, as she possibly had done with previous owners as well. As male slave owners frequently freed their own children, if not always the mothers of those children, her strategy would appear to have had some merit. Owners promised freedom for their slaves and/or their slave children for various reasons. Much has been written about higher manumission rates granted by fathers who were also owners of their slave children although paternal feelings of responsibility or affection were not universal, as we can see by the experience of the slave María Luisa.\(^3\) Gaining freedom was also a way of garnering honor since free was inherently more honorable than slave.

According to Christine Hünefeldt, for many female domestic slaves sexual relations with owners was the norm – it was “all they knew of marriage and family life.”\(^4\)


In the case of promises of freedom in return for a sexual relationship Hünefeldt found that the courts generally enforced cases in which owners disregarded their pledges. The arguments used by the slave women in Lima were that these were matters of honor and integrity and when owners, who claimed to be honorable people, broke their work then they were not behaving honorable. Hünefeldt compares freedom cases resulting from broken promise to rape cases in which the offender would either have to marry the woman, provide compensation or go to jail. She asserts that a woman who petitioned for freedom under these circumstances “was asking for a kind of monetary compensation and was demanding what society conceded to all women.” I would argue that this assertion contradicts the concept that petitions regarding breach of promise rested on matters of honor. In the cases examined here honor appears to be the most important motivation for pursuing legal remedies apart from the obvious desire for freedom.

Elías Pino Iturrieta’s example of the young mulata who protested the damage to her reputation when the young man who had taken her virginity did not keep his promise reinforces the connection between honor and keeping one’s word. The mulatta, María Teresa Churion, did not ask that the young man be punished but rather that he confirm that she had only granted him sexual access because he had promised to marry her. Pino Iturrieta emphasizes that this case exemplifies two fundamental concepts that guided the conduct of both Spaniards and Hispanics until the 18th century: a person’s honor and the

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The association between marriage promises and honor is also consistent with broader norms in Latin America regarding the sanctity of the promise to marry, indicating that black and mixed race women understood and concurred.

In a case similar to that of María Luisa, María de la Paz, parda slave of Gaspar Martín Cun, initiated a suit in 1757 in which she claimed that from the time she was fourteen years old her owner had engaged in a sexual relationship with her and in return had promised to give her freedom. A child had been born of this relationship. After the death of that child, María brought her case before the civil court of the Captaincy General of Venezuela where she testified that her owner had abandoned his former pretense (pretensión) and instead forced her to marry Martín Modesto, pardo slave of Guillermo Suáres. At the same time her owner reiterated his promise that she would eventually become free. By the time María filed her complaint some time had passed and although she remained hopeful that she would eventually achieve the freedom promised her she solicited the help of the court. Concerned that her owner would somehow stop her efforts to pursue justice, she requested that she be placed in a safe home, explaining that

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7 Elías Pino Iturrieta, ““La mulata recatada, o el honor femenino entre las castas y los colores,” in Eliás Pino Iturrieta, Quimeras de amor, honor y pecado en el siglo XVIII venezolano (Caracas: Editorial Planeta Venezolana, 1994) 187-189.

8 “María de la Paz contra su amo Gaspar Martín Cun sobre su libertad que le ofreció a cambio de seducirla,” Academia Nacional de la Historia, Sección Esclavos, exp. CGLRW-1, 1757

9 She did not say how long, simply that such a long time had passed (“sin embargo de hacer pasado tan largo tiempo) ANH Esclavos, CGLRW-1, 1r.
she was a “miserable person in a servile condition,” thereby emphasizing her vulnerable position vis-à-vis Cun.¹⁰

María presented ten witnesses, including neighbors and other people who presumably knew both the slave and her owner, who testified about their knowledge of the alleged sexual relationship between owner and slave, the child born to María, and promises of freedom made by Cun. Two witnesses lived in María’s neighborhood of Santa Rosalia. One of these men testified that he heard many people say that Gaspar Martín Cun had an illicit relationship with his slave, María de la Paz, and that she had a son with Gaspar Cun. He also reported hearing that Cun had promised María her freedom. The other also remembered that María had had an “illicit friendship” (amistad ilícita) with her owner since she was thirteen or fourteen and that from this relationship she had a son. In addition he reported hearing that Doña Juana de la Madriz had wanted to buy María but that her owner said he could not sell her because she was free.¹¹ Confirmation of this statement by Doña Juana would make María’s case much easier, but she did not testify. However, another witness testified that while he was living in the home of Doña Juana, his wife had told him that María’s owner had confirmed she was to be freed and would not sell her. This witness’s statement was supported by another, who confirmed that María had fled to the home of Doña Juana, who had in turn asked Gaspar Martín Cun how much he was asking for his slave. Cun’s message in reply said that he

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¹⁰ ANH Esclavos, CGLRW-1, 1757, 2r. The original Spanish reads “a ser persona miserable y de condición servil”

¹¹ ANH Esclavos, CGLRW-1, 3r, 3v.
did not want to sell the slave woman at any price but that he planned on giving her freedom “after his death” (“después de sus días”).\textsuperscript{12}

One of the other witnesses testified that he had heard María had had a child with her owner and that after María married the mulato Martín Modesto, Cun had sold her. María’s husband, slave of a different owner, also gave evidence on María’s behalf. Martín reported that Cun had promised to free both Martín and María when they married and confirmed that María had a son by her owner. Modesto also reported that after he and María were married he had occasion to spend time in her owner’s house and described the ill treatment that she had received. Following this testimony María asserted to the court that these witnesses proved the veracity of her statements and that therefore it was incumbent on her owner to give her freedom as he had promised.

The large \textit{pardo} or mixed race population in Caracas by the mid eighteenth century attested to the large degree of miscegenation in that society between female slaves and their masters made María’s allegations at least credible.\textsuperscript{13} This was also a society which placed a high enough value on family and marriage to protect the legal ability of slaves to marry. Also, although the law did not explicitly allow slaves the right

\footnotesize{\textsuperscript{12} ANH Esclavos, 1757 CGLRW-1, 6r, 6v, 7v.}

\footnotesize{\textsuperscript{13} At the end of the eighteenth Century the population of Caracas was 27,000 – 30,000. Pardos represented 38% and slaves 21%. Arlene J. Díaz, \textit{Female Citizens, Patriarchs, and the Law in Venezuela, 1786-1904} (Lincoln: University of Nebraska Press, 2004), 29; Kathleen Waldron, \textit{A Social History of a Primate City: The Case of Caracas, 1750-1810}, Ph.D. dissertation, Indiana University, 1977, 58. Although this has not been addressed for Venezuela, studies of other regions have addressed the frequency of master/slave relations. See for example Kathleen J. Higgins, \textit{“Licentious Liberty”} and Hilary McD. Beckles, \textit{Natural Rebels: A Social History of Enslaved Black Women in Barbados} (New Brunswick: Rutgers University Press, 1994).}
to initiate litigation, the documentary record illustrates that they commonly did just that.\textsuperscript{14} Undoubtedly a greater number of these cases occurred in Caracas and other cities than the rural areas. Knowledge of such actions and advice on how to proceed were important components for women seeking justice. Networks of other slave and free women as well as the public defenders enabled them to gain knowledge of the legal system and an understanding of the types of complaints that could be made to the court.

María’s owner, Gaspar Martín Cun, as could be expected, maintained that Maria unjustly demanded freedom from him and characterized her allegations as malicious, slanderous and false. He denied the allegations, denigrating María’s character and integrity while at the same time representing himself as an honorable man. Asking the court to rule against María, he also reminded the parties involved that as the owner of the slave he had “sufficient power and authority to transfer her according to his own judgment.”\textsuperscript{15}

Cun’s defense painted a picture of María as a scheming, dishonorable woman. He attacked the validity of María’s witnesses and presented himself as a religious man and faithful husband. María, he claimed, lied to demand her freedom by citing an often used but false argument “that owners commonly raped their slaves and convinced them to

\textsuperscript{14} According to Arlene Díaz, slaves did not have juridical personality although she noted there were exceptions. Arlene Díaz, 61. Also Las Siete Partidas said that when an owner was so cruel to a slave that they could not endure it, they could complain to the judge who should investigate it and if the allegations were true the slave should be removed from the control of that owner. Partida IV, Title XXI, Law Six.

\textsuperscript{15} ANH Esclavos 1757 CGLRW-1, 10r, 10v. The Spanish reads “declárándome libre de tan injusta , y maliciosas demandas y que en mí, como propio [sic] dueño de dicha mulata, residó [sic] poder, y facultad bastante para disponer de ella, y enagenarla [sic] en el modo, y forma, que fuere de mí arbitrio”
commit lascivious sins with promises of freedom.” According to Cun, she was a natural malingerer and imposter who sought the freedom to do as she pleased, especially frequenting the streets. Furthermore, according to her owner, María had tried this same tactic with a different owner from whom she had also demanded freedom, arguing that he had robbed her of her integrity (presumably her virginity), though he presented no evidence to support this allegation. This particular claim does not seem reasonable if, as María claimed in her petition, their relationship had begun when she was fourteen years old. He further alleged that María’s attack against him was motivated by revenge because he had notified the bishop of Cartagena and current governor, that she had lived “in a sinful state” with a married man from the Canary Islands. By his allegations Cun presented María as a woman completely without sexual honor or morals.

Cun then attempted to discredit each of María’s witnesses in turn, claiming that none had direct knowledge of him or the case. He maligned the integrity of some witnesses, for example claiming one was a criminal who had been exiled for his crimes. He characterized Martín Modesto, María’s husband, as a disreputable “vicious mulatto slave” (*un mulato esclavo vicioso*), deserving of scorn. Cun reinforced his claims to status and honor by explaining to the court that for the sixty-five years of his life, he had obeyed the sacraments, went to confession regularly, received communion at least once each month, had been married for forty-seven years, and had never given his wife a

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16 ANH Esclavos 1757 CGLRW-1, 11r. “que sus amos la violentan al pecado de la lascivia con promesa de libertad”

17 ANH Esclavos 1757 CGLRW-1, 11v.

18 ANH Esclavos 1757 CGLRW-1, 12r-14v.
reason to doubt his actions or intentions regarding his slave María. His reputation, asserted Cun, should be taken into consideration by the court in their decision.¹⁹

What followed then in this somewhat lengthy case were a series of statements back and forth between the two parties, although the extant documents do not include the final decision by the court. Cun stated that he would allow María to search for a new owner. Since he had never “punished, molested, or offended María de la Paz” he felt she should not be deposited in another home in the meantime.²⁰ Cun agreed to produce a document of sale so María could find an owner she liked, but he requested some kind of assurance that she “give up and set aside the unjust, malicious, and rash demands”²¹ against him or his heirs. María replied that her owner was trying to prevent her and her husband (Martín Modesto) from continuing with the case and that Cun was concerned about his reputation and also about losing control over her. In allowing her sale instead of granting her freedom he retained personal control over her.²²

In bringing this case before the court María appealed to respected social values. She portrayed herself a Christian by having a church scribe testify that she had brought her child to be baptized. By having her husband Martín Modesto testify for her and by invoking him as the party who would continue the case on her behalf she also portrayed herself as a legitimate wife, another marker of honor and respectability. By taking her

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¹⁹ ANH Esclavos 1757 CGLRW-1, 14v.

²⁰ ANH Esclavos 1757 CGLRW-1, 17r. The original Spanish reads “no castigar e no molestar ni offender a María de la Paz su esclava

²¹ ANH Esclavos 1757 CGLRW-1, 19 v. The original Spanish reads “desistiendo; y apartandose de su injusta, maliciosa, y temeraria demandas”

²² ANH Esclavos 1757 CGLRW-1, 21r, 21v.
case to a public forum she recognized the importance of public knowledge and opinion in such matters. Laura Edwards observed that in the post-revolutionary Carolinas the repetition of words spoken by slaves could confer power to the speaker, a phenomenon that slaves often used to their advantage. That might carry weight independent of the outcome of the case. María repeated her allegations against her owner several times in the documents. She also presented witness after witness who testified that they had heard about the illicit relationship between slave and owner, the child born of this relationship, and the promises of freedom used to ensure her compliance. Although her owner repeatedly denied her claims, he agreed, without being ordered by the court, to provide a document of sale so she could find a new owner. Clearly Cun preferred a private resolution to this conflict rather than a public one imposed by the court. Perhaps he wanted to curb further repetition of the allegations, thereby risking damage to his reputation. It is also likely that he wanted to remove a disruptive element from his household. As Christine Hünefeldt suggests, continuing to maintain the slave within the household would fuel continuous domestic disputes, obliging the owner to face recurring


24 Keila Grinberg, in her discussion of the case of Liberata, a slave in Rio de Janeiro who brought a similar suit against her owner in 1790, notes that it appeared to be relatively common for a case that begun with legal action to be concluded by an agreement between slave and owner. Keila Grinberg, “Manumission, Gender, and the Law in Nineteenth-Century Brazil,” in Rosemary Brana-Schute and Randy J. Sparks, ed., Paths to Freedom: manumission in the Atlantic World (Columbia SC: University of South Carolina Press, 2009), 220.
recriminations from his spouse and other slaves.\textsuperscript{25} Equally important to Cun and his family would have been the desire to conclude the lawsuit before his death. He expressed his concern that his heirs would be obligated to address María’s accusations, thereby forcing his wife and children to assume the effort to protect his reputation and their property. Although he did not point this out, Cun’s widow would also be forced to suffer the indignity of having to hear about her husband’s infidelity in a public forum.

Cases like the one María de la Paz filed against her owner were not uncommon. As Keila Grinberg notes in her article about Liberata lawsuits resulting from broken promises of freedom in return for seduction reveal “an essentially feminine story.”\textsuperscript{26} Barbara Bush notes that in the West Indies sexual relationships between black and mixed race women and white men were common, even pervasive. Using Michel Foucault’s observation Bush argued that there were opportunities for “temporary inversions of power relations” between white men and black women in which the black women could “manipulate white men to their own advantage.”\textsuperscript{27} This argument, which assumes that women had some choice in such situations, is based on the idea that sexuality was a “particularly dense transfer point for relations of power” that permitted various strategies for power relations.\textsuperscript{28} Christine Hünefeldt also observed that in households with fewer slaves, as was the rule in urban situations, there was a more familiar relationship between slaves and other household members which “promoted inverted relations of dependence,”

\textsuperscript{25} Christine Hünefeldt, \textit{Paying the Price of Freedom}, 131, 132

\textsuperscript{26} Grinberg, “Manumission, Gender, and the Law,” 228.

\textsuperscript{27} Bush, 110-111.

\textsuperscript{28} Ibid.
including male owner-female slave cohabitation as concubinage. She noted that it was rare for owners to resort to violence to gain sexual favors from female slaves; rather they provided various concessions, such as freedom, which female slaves then learned to use to their advantage. At least they attempted to use them to their own advantage. It did not quite work that way for María de la Paz. She asserted she had been promised freedom; what she received was an escape from the owner who she claimed exploited her sexually, but not freedom from slavery.

It was not always the owner who took advantage of the vulnerability of a slave woman, promising her freedom or other special considerations in return for a sexual relationship. In September of 1753 María Ignacia de Rojas, slave of Don José de Rojas, filed a complaint with the court of the Governor and Captaincy General of Caracas against Pablo Cruz for having reneged on his promise of freedom in return for sexual relations. According to her testimony she had been living with her owner, Don Rojas, when Pablo Cruz, a Canary Islander, approached her with his proposal. Cruz was a resident of Guaira, the port of Venezuela, and a sailor. When the slave woman became pregnant he refused to obtain her freedom. She was determined to get what she felt she deserved, so she went to Guaira in search of Cruz. She found him there along with her owner. When the men tried to take control of her – she said she found herself imprisoned

29 Hünefeldt, 130. Also, see Chapter 4 for information on average household slave holdings in Caracas

30 Ibid.

31 “Demanda puesta por María Ignacia esclava de Don José de Rojas contra Pablo Cruz por haberlo fecundado bajo la palabra de darle su libertad,” Academia Nacional de la Historia, Sección Historia, Exp. 3-767-5, 1754, f. 1r.
– she fled to Caracas where she felt safer, where she knew people who would help her, and where she could bring her case before the court. Her petition conveyed a sense of urgency. Pablo Cruz was, according to María Ignacia, a man without roots or property who was preparing to board a ship for the Canaries, which would make it impossible to force him to fulfill his agreement. She asked the court to contact the captain of the ship on which Cruz planned to embark and to deposit her where she could be secure.32

The court did indeed attempt to take action to prevent Cruz from leaving Venezuela until this matter was cleared up. They sent the magistrate (*justicia mayor*) of the Port of Guaira to notify Pablo Cruz he needed to report to the authorities in Caracas and that he owed a fine of 200 pesos to reimburse the hospital of San Lazaro, where María Ignacia had been deposited. When the magistrate was unable to locate Cruz he went to the ship and attempted to serve notice to the captain, Don Francisco Castellanos or the owner, Don Ignacio Joseph Fernandes, both of whom were actually in Caracas at the time. María Ignacia again stressed the urgency of acting before Pablo Cruz left the country, fearing he would return to his wife in the Canary Islands, possibly never to return to Venezuela. She urged the authorities to confiscate any property he had on board the ship, even if they could not locate the man. The court made several attempts to find Pablo Cruz. Eventually the court’s representative located the ship’s captain who testified that he knew nothing about this case, that Pablo Cruz had no money or belongings on the ship, and that he did not know where Cruz was.33

32 ANH 3-767-5, f. 1r, 1v, 4r, 4r. 5r.

33 ANH 3-767-5, f. 6r-9v.
María Ignacia presented four witnesses to support her petition. Four parda women testified that they knew Pablo Cruz, knew that he had taken her away from her owner to be with him, that the child María Ignacia had was his, and that he had promised to give her 300 pesos for her freedom, but had not kept that promise. One of the witnesses, Francisca Josepha Mexias, said that Pablo Cruz had treated María Ignacia poorly when she was pregnant and had sold the infant while he was still in the crib. The court tried unsuccessfully to locate Pablo Cruz. They interviewed a number of people who knew him but did not know his whereabouts. They all agreed, however, that he had no money or property. The last extant document is a report dated 13 February 1754 from the magistrate of Guaira.  

Ultimately this case ended because Pablo Cruz could not be found. Presumably María Ignacia’s owner was willing to sell her for 300 pesos, although we never heard what he thought about the situation. It is strange that Pablo Cruz reportedly sold the infant, though it is possible he had made some kind of arrangement with Don José de Rojas concerning the disposition of any offspring. This case is an example of the vulnerability of slave mothers; their children could be and often were sold to different owners, even at a very young age. If the allegations that he was already married were true Pablo Cruz could not consider any type of relationship with María Ignacia other than concubinage, even if she carried out the role of a wife.  

Nor was Cruz a man who subscribed to the concept that manumission was a fair reward for child-bearing, a

34 ANH 3-767-5, f. 12r-19v.

35 Being identified as a Canary Islander meant Cruz was white, though lower class. Marriages between white men and free parda women, while rare, did happen. See Chapter 4 for information on mixed race marriages in Caracas.
hypothesis other authors have observed. 36 He was not her owner, which makes this case different than those recorded in other cases, although conceivably he could have purchased her freedom.

Christine Hünefeldt argues that fulfillment of promises of freedom hinged in part on a code of honor and integrity that required that an owner who had given assurance of freedom in exchange for sexual intimacy would keep his pledge. Societal values also contributed, according to Hünefeldt, to the tendency to grant freedom to owners’ children and their slave mothers. 37 María Ingacia did not frame her request in terms of honor or the values of society. 38 Perhaps she was not as sophisticated or knowledgeable about using such arguments. Perhaps it was because she was not dealing with her owner, but rather a man who, while white and free, was not of the upper class of caraqueño society. Honor in colonial Latin America was closely related to gender, race, status, and wealth; Pablo Cruz fell short on the third and fourth criteria. 39 Consequently he may not have felt the same obligation to fulfill a promise probably made solely to secure sexual relations; not all upper class men of wealth felt that obligation either. He also, as a transient, did not have a reputation to defend among his neighbors. Local respectability would not have mattered much in his case.

36 See for example Kathleen J. Higgins, “Licentious Liberty.”

37 Hünefeldt, 131, 140.

38 For a discussion of cases in which honor was directly or indirectly invoked, see Chapter X.

Respectable Work and Honor

Christine Hünefeldt observes that an urban slave woman in Lima, in her daily activities, occupied one of three spheres. She either served in her owner’s home as a domestic servant, she worked as a day laborer in the street but still within her owner’s household, or she functioned as a day laborer outside the home of her owner.⁴⁰ We can see from cases brought by slaves regarding their work that regardless of which of these three spheres was relevant, slaves perceived the type of labor performed could support or undermine claims of honor and respectability.

In 1809, María de la Luz appealed to the provincial court for permission to seek another owner. Her complaint, which she filed with “the greatest humility” (con la mayor humillación) alleged that because of the mistreatment she had suffered at the hands of her owner, Estefanía Burgos, she had no choice but to leave the home of her owner and present herself to the court trustee, seeking refuge, preferably in the home of her former owner, Doña Eugenia Guevaro. María explained that when she served Doña Guevaro and others her duties had primarily been cleaning, sewing, and ironing. Her current owner directed her to fill trays of sauces (adobos) and other provisions and sell them in the plaza. Further, when María expressed her repugnance for this task, which she felt was embarrassing, her owner did not show pity, responding instead by forcing her to work “day and night” at other “demeaning” tasks.⁴¹

⁴⁰ Christine Hünefeldt, Paying the Price of Freedom, 129.

⁴¹ “María de la Luz, esclava de Estefanía Burgos, quejándose contra esta de maltratos y solicita licencia para buscar otro señor,” Academia Nacional de la Historia, sección civiles, 17-6746-3, 1809.
In her petition María de la Luz claimed possession of honor even though she was the lowest group on the social hierarchy of colonial Spanish America. Using a public forum, the court, she demanded that her owner accord her respect by allowing her to perform tasks that she considered more dignified than selling sauces on the plaza, alternative tasks that she believed were more appropriate to her training and status as a domestic slave. By characterizing the public activity of selling products on the plaza as more demeaning and embarrassing than activities performed within the privacy of her owner’s home María echoed the attitude that the house represented safety and respectability while the street denoted danger and indecency.\textsuperscript{42}

For slaves and even freed slaves, working as a domestic servant provided more self-respect and honor than occupations such as prostitution that reinforced the negative stereotypes of black women as morally inferior. As Sandra Lauderdale Graham observed, work was basic to any representation of the poor as respectable. Having employment distinguished free or enslaved blacks as disciplined, responsible, and reliable and separated them from beggars, vagrants, or prostitutes. Unlike the elite, the lower classes were not born with such a reputation, they had to earn it through their actions. In addition, a person’s occupation, even for a slave, defined one’s social standing within one’s neighborhood and society.\textsuperscript{43}

\begin{footnotesize}
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\item[\textsuperscript{42}] Sandra Lauderdale Graham has demonstrated the importance of the delineation between the house and the street in late colonial Rio de Janeiro. She explains that these two categories were “[f]undamental to the order and meaning of daily, domestic life” and became reference points by which people identified, realized, and reacted to daily experiences. Sandra Lauderdale Graham, House and Street: the Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro (Austin: University of Texas Press, 1988) 15.
\item[\textsuperscript{43}] Lauderdale Graham, “Honor among Slaves,” 217, 219.
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Other slaves also seemed to place a value on legitimate, honest work as a means of achieving honor and respectability even though they had little choice in their occupation. Being engaged in respectable work and performing those duties well afforded them some status or esteem, at least within their community. Much has been written about how slaves engaged in work slow downs as a form of rebellion, but few scholars have dealt with the reverse. Caraqueño documentary records reveal that there were slaves who derived pride from performing their duties.

Protecting one’s honor required protecting one’s rights within society. In the urban setting of Caracas, it was common for slaves to work at a job outside of their owner’s constant control. They were required to pay to their owner the jornales or day wages that they earned. Generally they paid their owners an agreed upon amount and anything they earned in excess they could keep, giving them a means to accumulate the money needed to purchase their freedom.

In 1793 María Bernalda Colina entered a complaint to the provincial court in which she explained that her owner, Doña María Ponte de Miranda, treated her unfairly. Doña María Ponte rented out María Bernalda’s services, but the slave felt “tyrannized” by excessive salary demands and mistreatment. María Bernalda, according to her statement, understood that the going rate for wages that a slave was required to pay her owner was a real and a half; Doña María Ponte was demanding three and a half reales.

44 See for example Barbara Bush, *Slave Women in Caribbean Society.)*

45 Christine Hünefeldt describes this process as common in Lima as well. Christine Hünefeldt, *Paying the Price of Freedom*, 16. María Eugenia Chaves notes that in Guayaquil a large number of slaves were involved in the practice of jornal. “Slave Women’s Strategies,” 112.
María Bernalda reported that when she told her owner that she was only going to pay her one and a half reales Doña María not only refused to accept that amount, she insulted and hit Maria Bernalda, forcing her to turn over three and a half reales. The slave woman added that she lacked opportunities for “Christian employment” and was subject to constant cruelty. The attorney appointed to represent slaves requested that the slave woman be deposited so someone could investigate the complaint. The court consented and ordered Maria Bernalda deposited in the royal prison rather than a private home, and had a surgeon examine her.46

The issue of honor appeared in the testimony of both slave and owner. Doña María went to great lengths to characterize her slave, María Bernalda, as totally dishonorable in her traits or actions. According to her subsequent statements, Doña María defined honor for slave women as obedience and chastity, at least in part. María Bernalda was, according to her owner, an evil woman who fled her home on four previous occasions with no justification other than her desire to live beyond the control of a master. Furthermore, as the owner explained, María Bernalda was in the habit of walking about in the streets exhibiting licentious behavior, she was accustomed to living outside the bounds of authority, and she was unwilling to change her wicked ways. Doña María testified that her slave was only interested in domestic jobs even though she had never asked more of any of her slaves than to perform honest, legitimate work. Illustrating her point she describe a time when she had asked María Bernalda to grind “a little bit of cacao” to which the slave disrespectfully replied haughtily that she did not

46 María Bernalda Colina, esclava de Doña María Ponte, por maltrato, Academia Nacional de la Historia, Sección Civiles, exp. 10-3931-2, 1793, 1r, 1v
want to grind cacao, nor would she. Although María Bernalda did not explain the problem with grinding cacao, perhaps because she felt it would be obvious to the person reading her statement in eighteenth century Caracas, one possible explanation is that the task carried with it the taint of a rural activity. Another reason could be that María Bernalda believed, like María de la Luz, that she was capable of more skilled tasks. Nor do we know what Doña María meant by a little bit of cacao.

Doña Maria denied ever having asked María Bernalda for wages of three and a half reales. Moreover, as the surgeon found no evidence of bruises, contusions, or punishment in his examination of the slave, Doña María concluded that the petition was blatantly fraudulent, a deliberate attempt by a dishonorable woman to take advantage of her owner, a single woman who had difficulty controlling her. In short, María Bernalda was an embodiment of the dishonorable traits associated with the lower classes, especially slaves and others of African descent: dishonest, lazy, insubordinate, and disrespectful.

For her part, María Bernalda Colina described her owner as physically abusive and overly demanding, while she presented herself as a woman who wanted to engage in an honest and respectable “Christian” occupation, and to turn over fair wages. In so doing, she attempted to create a link between her worth or honor and her being entitled to a fair wage for decent work. Scott Taylor argues that economics was an important component of honor, endorsing Herzfeld’s assertion that honor studies have focused too much on the “sexual nature of honor to the exclusion of other aspects, such as morality

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47 Original Spanish reads “moler algun [sic] poco de cacao” ANH 10-3931-2, 2v.
and economics.” In his study of criminal cases from Castile Taylor found that seventeenth-century Castilians became involved in disputes over credit in which they invoked honor to justify their actions. Taylor concluded that creditworthiness was an critical component factor of honor for both men and women and that understanding the association between credit, debt, and honor will lead to a new understanding of how early modern Castilians viewed public reputations and identity. Taylor’s concepts and conclusions can be applied to eighteenth-century slave women in Caracas. For caraqueño slaves work was crucial to the attainment of freedom and the nature of one’s work was one of only a few components that distinguished a slave from his or her peers.

Taylor examined cases of free persons who responded to perceived insults to their honor through accusations that they did not fulfill their financial obligations, responses that led to violent confrontations and/or legal action. The reliance on credit led to a tangle of credit and debt relationships that were rarely written and therefore often resulted in interpersonal crises that were by their nature resolved publically. Slaves did not participate in the market economy to the same degree as did the peasants and artisans of Castile. In an urban environment slaves like María Bernalda were often rented to employers and earned a salary. The slave could keep the difference between the salary paid for her services and what she had to pay her owner. This source of income could be saved toward self-purchased freedom. Credit per se was generally not a privilege extended to slaves in colonial Venezuela, except in the case of coartación or gradual self-

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49 Taylor, 8-10, 12, 18.
purchase. Even if the slave and owner did not actually enter into a *coartación* contract, self purchase was a common form of manumission. Given the correlation of free status and honor, the possibility of self-manumission made maximization of slave savings vitally important. In this context, if the ability to maximize one’s earnings does not signify honor as such, then it potentially leads to greater claims to honor through free status.

We can see from the cases of María de la Luz and María Bernalda that work held definite connections to respectability, either through the kind of work or the act of performing work María de la Luz and María Bernalda made it clear that the type of work mattered. Both asked to be allowed to work in occupations they felt would bring them respect and preserve their honor. By the very nature of their condition, slaves suffered many constraints on their lives. They could not choose whether or not to serve their owners, but at times the tried to control their occupation, turning to the courts for assistance when necessary.

**Conclusion**

In the cases examined here we get a different perspective of sexual honor than the traditional view of honor as sexual virtue. For the slave women appearing in these legal

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50 *Coartación* was the practice of allowing slaves to negotiate with their owners the purchase of their own freedom by negotiating a firm price that when delivered at a future date to the owner would result in liberty for the slave. According to Herbert Klein, crown recognition of *coartación* occurred in the early eighteenth century in Spanish America and by the nineteenth century it was “recognized as a legitimate right with customary arrangements in all the courts.” Associated with the practice was the recognition of slaves’ rights to personal property and the ability to execute contracts. Herbert S. Klein, *African Slavery in Latin America and the Caribbean* (Oxford: Oxford University Press, 1986), 194.
actions this was not the point they attempted to prove. I do not mean to suggest that they did not recognize the attitudes of colonial caraqueño society that held sexual purity for women as an indicator of superior honor. Their owners certainly invoked this definition of honor in their characterizations of their defiant slaves. Gaspar Martín Cun portrayed María de la Paz as scheming, deceitful, and immoral and himself as religious and a good husband. These representations reinforced the dominant view that slave women were dishonorable while elite men had honor.

However, the cases examined here were not about whether or not the slave women had honor through sexual purity. These cases were about the lack of honor of the owners and/or lovers because of their failure to fulfill their commitments. By insisting through the public forum of court that the men uphold their promises slave women not only portrayed their owners as dishonorable, they positioned themselves as having honor in contrast. By presenting witnesses and revealing the presence of children born of the liaisons they implied that they had complied with the demands of their owners and therefore the men should be ordered give them freedom.

The cases concerning work address the other side of the honor question, especially if one considers the women in the freedom cases as having provided uncompensated sexual services for their owners. If, as Christine Hünefeldt suggests, when slave women sued for freedom in return for sexual compliance they were seeking monetary compensation, then unless they received liberty they received no compensation for their services. Some female slaves who worked as domestic servants, however, demonstrated concerns about their honor that were more consistent with elite definitions. In petitions regarding work filed by female domestic slaves, they rejected tasks that were
menial and/or public. They expressed concern about their reputations of respectability. They resisted work that they perceived as “public” and therefore tainted with sexual association. They understood that such activities would be considered dishonorable. Slaves who worked independently also insisted on a fair share of their wages, both as confirmation of value of their work and as a possible avenue towards free status.
Chapter 4

Slave and free black families as seen through Church documentation

The question of whether or not slaves could and did establish stable marriages and families is one that has been examined over time as researchers have sought a wider variety of primary sources. In 1988 Robert Slenes questioned then established conceptions that slave marriage was uncommon.¹ He noted the emergence of new research, mostly unavailable in English, that suggested the burdens of slavery, unequal gender ratios that resulted from an emphasis on the importation of male slaves, and the polygynous heritage of African culture did not destroy the institution of the Brazilian black family; rather he concluded “these studies strongly suggest that a stable marital union was a cultural norm among slaves.”² In the intervening years a number of studies


² Slenes, “Black Homes,” 130.
on Brazil, Spanish America and the Caribbean have emerged that shed light on the ability of slaves to form connections, marry, and live as families.³

This chapter examines the extent to which slaves in late colonial and early republican Caracas were able to form families and what types of family structures they were able to maintain. Baptism and marriage records and *matriculas*, household censuses by parish, from San Pablo Parish in Caracas indicate the ability and success slaves had in contracting legal marriages.

**The Parish of San Pablo**

Although the records of the other parishes in Caracas are no longer available, the records of San Pablo Parish remain virtually intact and available to researchers for the years between 1750 and 1854. By the end of the eighteenth century Caracas was the largest city in Venezuela with approximately 30,000 people who lived in five parishes, eight official barrios, and many smaller neighborhoods. The church of San Pablo was constructed in 1580 four blocks south of the central plaza, joining the *Catedral* as the

second church to serve the inhabitants of Caracas. The parish was afflicted periodically by epidemics and the church served as shelter and a hospital for victims throughout the colonial period.\(^4\) In addition to the parish’s association with disease, location made it unappealing to the elite. San Pablo was at the bottom of the valley incline making it vulnerable to flooding from mountain run-off. Less desirable than the eastern parishes because of its proximity to the often disruptive area of the downtown public market, the parish “housed a majority of the city’s poor and only a handful of elite.”\(^5\) During most of the years between 1750 and independence San Pablo was the second largest parish in the city after Catedral, with an average population of 6,046 and yearly totals ranging between 4,579 and 8,215.\(^6\)

**Marriage**

The parish of San Pablo, like parishes throughout Spanish America, maintained a record of all marriages, baptisms, and burials performed by the priests for the members of their parish. During the colonial period clergy kept separate books for the white and non-white populations of the city. Although individual entries varied in completeness, records generally noted whether or not each member of the couple was enslaved or free, their race, and legitimacy as well as the race and slave or free status of their parents. In the case of slaves, clergy recorded the owners’ names for the couple as well as for their parents. From 1752-1782, all *pardos* and *negros*, both slave and free, were listed in the


\(^5\) Waldron, 52

\(^6\) Waldron, 7, 8, 23-5, 37, 52-62, Appendix 1, 303, 304.
same book, by year. For 1792 – 1812 free blacks were in a book separate from slaves. Beginning with independence when racial markers were abandoned, it was only possible to differentiate between slaves, *manumisos*, and free people. The Law of Manumission of 1821 accorded the children born of slave women after that year a kind of indentured status. *Manumisos* were nominally free but owed labor to their mothers’ owners until they reached their majority at eighteen, later increased to twenty-one.\(^7\)

I examined the marriage records for slaves and free persons of African descent performed in San Pablo Parish, Caracas, in ten-year intervals beginning with 1752 and ending with 1852, two years before emancipation, as shown in Table 1. As other scholars have noted, nuclear slave families consisting of two parents who had been married by the Church were not the norm for Spanish, Portuguese, or British slave societies.\(^8\) Even when a slave couple managed to live in the same household with their children, regardless of whether or not they were married, they were vulnerable to separation at the whim of their owners. Slaves in Spanish America were given the right to marry and the law expected owners to honor that right.\(^9\) However, the marriage registries do not tell us how


\(^9\) *Las Siete Partidas*, Partida IV, Title V, Law 1 says that slaves could marry one another or free persons. They did not need the permission of their owners in order to marry, but marriage did not change their obligation to serve their masters as before. When slave couples were owned by different owners, a way for them to live together should be found and in no circumstances should a married slave be sold in a different country than his or her spouse. Reinforcing this right, Bishop Mariano Martí issued a mandate that slave owners could not prevent the marriage of their slaves, whether or not the couple belonged to the same owner or lived in the same household. Arlene Díaz,
<table>
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</tr>
<tr>
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</tr>
<tr>
<td>Total</td>
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<td>59</td>
<td>11.4%</td>
</tr>
</tbody>
</table>

Average per year: 52, 7

*Source: Archivo Histórico Arquidiocesano de Caracas, Sección Libros, Serie Parroquiales, San Pablo, Matrimonios, 1L, 2L, 3L, 4L, 5L, 7L, 8L*

frequently enslaved persons lived together as a family without entering into a church sanctioned marriage.

Table 1 shows fairly uniform numbers until independence in 1821, except for 1812. There is no obvious explanation why the number of marriages in the parish increased by almost 370 percent in a single year. It is possible that slave owners were more willing to allow their slaves to marry following the closure of the slave trade in 1810. With no new imports, natural increase of the existing slave population may have

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become a more urgent priority. Another possible explanation is that the two large earthquakes in the spring of 1812 prompted an increased interest in marriage.\textsuperscript{10}

However, if we look at the data from the other years some trends emerge. For the ten-year intervals prior to 1812, there were a total of 206 marriages, of which 45 had at least one partner who was a slave. The average for these six years was 34 per year total and 8 per year for slaves. Slave marriages represented an average of 21.8 percent of the total marriages. For the first twenty years of my study, slave marriages were a smaller percentage of the total, but increased in the 1770s and peaked at 33 percent at the beginning of the nineteenth century. During the period after independence, from 1822 to 1852, there was a marked decline in slave marriages while the average number of marriages remained fairly constant at 38 per year.\textsuperscript{11} Because the slave trade had ended in 1810 and no new slaves were born after 1821, the number of slaves, especially those of marriageable age, dwindled significantly from independence until emancipation.\textsuperscript{12} The Laws of Manumission required that all public documents identify \textit{manumisos} as “libre

\begin{footnotesize}
\begin{enumerate}
\item An earthquake struck Venezuela on Holy Thursday, 26 March 1812. The churches were filled and many thousand were killed and large parts of Caracas and surrounding areas were leveled. Another larger earthquake struck on 4 April. Stoa, \textit{Pablo Morillo and Venezuela, 1815-1820}, 37. Knowing whether or not the increase of marriages occurred before or after the earthquakes would perhaps shed some light into the motivations of the marriage partners; however, I did not gather those details and this will have to wait for a future research trip.

\item Angelina Pollak-Eltz asserts that the percentage of legal and stable marriages between people of color and slaves during the colonial period was higher than after abolition, although she does not offer an explanation for this..Angelina Pollak-Eltz, \textit{La esclavitud en Venezuela: un estudio histórico-cultural}. (Caracas: Universidad Católica Andrés Bello, 2000), 105.

\item John Lombardi, \textit{The Decline and Abolition of Negro Slavery in Venezuela}, 122-127.
\end{enumerate}
\end{footnotesize}
por la ley” (free by law); therefore, one would expect to see one or both of the partners indentified as manumiso. This was not the case for the marriage registries of San Pablo parish; however, if registries were available for other parishes we might indeed see manumisos married in the church.  

The San Pablo marriage registries reveal several other noteworthy aspects of slave families. In the colonial period over half (57.5 percent) of the slave marriages were contracted between two slaves. Of the rest, three quarters were between a free woman and a slave man. This pattern may be due to the fact that manumission rates were higher for slave women than slave men, either because it was easier for slave women to earn the money to purchase their freedom or because male slave owners often granted freedom to their children born of slave women along with the mothers. Also, slave status was determined by the condition of the mother, not the father. Therefore, a child born to a slave woman would be a slave, regardless of the status of the father. In the same way, a child born of a free woman would be free even if her husband were a slave. It is possible that free black men may have hesitated to enter into a marriage with a slave woman knowing their children would be slaves and therefore could easily, and quite likely, be

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13 Venezuelan historian María Eugenia Perfetti also examined at slave marriages in late eighteenth-century Caracas. For the five year period between March 1769 and March 1774 she found there were 192 marriages in the parish of San Pablo, of which 24 were between slaves. Her average of 12.5 percent per year is lower than my average for the final sixty years of the colonial period, but consistent with the numbers I found for the first two decades of my sample. María Eugenia Perfetti, “Confesados y casados: El matrimonio entre esclavos en la Venezuela colonial,” Anales de la Universidad Metropolitana, 3, No. 2 (2003): 190.

14 For example Christine Hünefeldt, Paying the Price of Freedom, 79, 120; Kathleen J. Higgins “Licentious Liberty” in a Brazilian Gold-Mining Region, 80, 81, 152, 157; Angelina Polla-Eltz, La Esclavitud en Venezuela, 120.
taken from them. These numbers agree with what David Stark found in his study of parish records for Arecibo, Puerto Rico. Slightly more than half of the slave marriages in Arecibo between 1708 and 1764 were between male and female slaves, while the majority of the other marriages were between slave men and free women. Although that the most important factor for male slaves who married free women was that their children would be free, marriage to free women provided male slaves “a means of social mobility and economic opportunity for their children.” Stark also suggests that the motivation for a free man to marry a slave woman was complicated but argues that poverty was an important consideration. In Arecibo, as in many rural areas, married slaves received provisioning grounds, something that may have been attractive to itinerant free black men. This, however, would not have been an important factor in the urban setting of Caracas. Although the city was close to the cacao haciendas of the Tuy Valley and a number of hacendados owned residences in the city it is unlikely that access to provisioning grounds was a significant incentive for marriage to a slave woman. Economic motivations may have been important nevertheless. Perhaps marriage to a slave woman may have provided a free man a place to live or possibly even employment. Also likely was the consideration that if one spouse were free the ability to earn the money needed to purchase freedom for the rest of the family would be greater. Christine Hünefeldt identified a pattern in Peru in which slave women purchased their freedom, then found work in Lima to earn the money needed to buy freedom for their


16 Stark, “Parish Registers,” 20, 22.
husbands and children. Hünefeldt argues that this pattern of female initiative was the most common because it was easier for women of color to find work in Lima than their male counterparts, in part because urban household demand for female domestics, cooks and bakers, and wet-nurses remained constant despite fluctuations in the commercial economy. This pattern also makes the most sense strategically for any future children the couple might have.

<table>
<thead>
<tr>
<th>Table 2. Slave Marriages</th>
<th>1752-1812</th>
<th>1822-1852</th>
<th>Combined</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total slave marriages</td>
<td>52</td>
<td>7</td>
<td>59</td>
</tr>
<tr>
<td>Both partners slaves</td>
<td>30 (57.7%)</td>
<td>2 (28.6%)</td>
<td>32 (54.2%)</td>
</tr>
<tr>
<td>Slave husband/free wife</td>
<td>17 (32.7%)</td>
<td>2 (28.6%)</td>
<td>19 (32.2%)</td>
</tr>
<tr>
<td>Slave wife/free husband</td>
<td>5 (9.6%)</td>
<td>3 (42.9%)</td>
<td>8 (13.6%)</td>
</tr>
<tr>
<td>Birth status</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Both legitimate</td>
<td>11 (21.2%)</td>
<td>1 (14.3%)</td>
<td>12 (20.3%)</td>
</tr>
<tr>
<td>Husband legitimate</td>
<td>9 (17.3%)</td>
<td>4 (57.1%)</td>
<td>13 (22.0%)</td>
</tr>
<tr>
<td>Wife legitimate</td>
<td>9 (17.3%)</td>
<td>0 (0.0%)</td>
<td>9 (15.3%)</td>
</tr>
<tr>
<td>Both “natural”</td>
<td>13 (25.0%)</td>
<td>2 (28.6%)</td>
<td>15 (26.4%)</td>
</tr>
<tr>
<td>Not indicated</td>
<td>10 (19.2%)</td>
<td>0 (0.0%)</td>
<td>10 (16.9%)</td>
</tr>
<tr>
<td>Total</td>
<td>52 (100.0%)</td>
<td>7 (100.0%)</td>
<td>59 (100.0%)</td>
</tr>
</tbody>
</table>

African born

<table>
<thead>
<tr>
<th></th>
<th>1752-1812</th>
<th>1822-1852</th>
<th>Combined</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wife</td>
<td>3</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Husband</td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Both</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

Same owners | 8 (15.4%) | 0 (0.0%)  | 8 (13.6%) |
Different owners | 9 (17.3%) | 0 (0.0%)  | 9 (15.3%) |
Unspecified | 16 (30.8%)| 0 (0.0%)  | 16 (0.0%) |
Total* | 33 (63.5%)| 0 (0.0%)  | 33 (27.1%)|

* This column does not add up to 100% because of the marriages in which one partner was free and the issue of same or different owners was not applicable.

Source: Archivo Histórico Arquidiocesano de Caracas, Sección Libros, Serie Parroquiales, San Pablo, Matrimonios, 1L, 2L, 3L, 4L, 5L, 7L, 8L

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17 Hünefeldt, Paying the Price of Freedom, 79, 120.
While the issue of permission was a valid obstacle, a greater vulnerability arose when the couple had two different owners. In at least 17.3 percent of the cases in my study couples had to obtain permission from two different owners in order to marry as well as resolve the issue of whether or not they would be allowed to live together as a family. Compliance was neither guaranteed nor consistent.

We cannot know if slaves internalized church views on marriage. However, there appeared to be a correlation between slaves born to legally married parents and those who chose to marry in the church. As shown in Table 2, in 57.6 percent of the slave marriages in this study at least one of the partners were classified as *legítimo* or legitimate as opposed to *natural*, the child of an unmarried woman; in 20 percent of marriages, both partners were born to legally married parents. Only slightly more than one-quarter of the marriages were between two *natural* offspring while approximately 17 percent were not classified either way.

We cannot know how many slave families lived together without actually marrying, nor can we know why slaves chose to marry in the church or live together outside of legal marriage. We can see, however, that a certain portion of the slave population of Caracas did choose to marry within the church.

**Baptisms**

Another rich source of information about slave families in Caracas are baptism registries. As with the marriage registries, there was a shift from recording all blacks together, free and slave, to listing them in separate volumes, and, after independence, to recording baptisms for the entire population in the same book. The information recorded
in each baptism entry included the name, gender, race, legitimacy, and slave or free status. The entry also included the mother’s name, race, and slave or free status, and in the cases of children of legitimate marriages, the same information for the father. In the case of slaves, clergy also provided the owners’ name. Finally, the clergy recorded the names of the godparents.

| Year | Total Baptisms | Slave/manumiso Baptisms | %  
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1752</td>
<td>126</td>
<td>39</td>
<td>31.0%</td>
</tr>
<tr>
<td>1762</td>
<td>208</td>
<td>55</td>
<td>26.4%</td>
</tr>
<tr>
<td>1772</td>
<td>173</td>
<td>47</td>
<td>27.2%</td>
</tr>
<tr>
<td>1792</td>
<td>307</td>
<td>113</td>
<td>36.8%</td>
</tr>
<tr>
<td>1802</td>
<td>186</td>
<td>67</td>
<td>36.0%</td>
</tr>
<tr>
<td>1812</td>
<td>192</td>
<td>51</td>
<td>26.6%</td>
</tr>
<tr>
<td>1822</td>
<td>213</td>
<td>34</td>
<td>16.0%</td>
</tr>
<tr>
<td>1832</td>
<td>370</td>
<td>55</td>
<td>14.9%</td>
</tr>
<tr>
<td>1842</td>
<td>176</td>
<td>38</td>
<td>21.6%</td>
</tr>
<tr>
<td>1852</td>
<td>195</td>
<td>8</td>
<td>4.1%</td>
</tr>
<tr>
<td>Total</td>
<td>2,146</td>
<td>507</td>
<td>23.6%</td>
</tr>
</tbody>
</table>

Average per year 215 51

Source: Archivo Histórico Arquidiocesano de Caracas, Sección Libros, Serie Parroquiales, San Pablo, Bautismos

From Table 3 we can see that through the colonial period slave baptisms remained fairly constant, except for 1792. There was clearly a spike in the number of baptisms that year, but the increase in slave baptisms was proportionate to the increase in total baptisms. In looking at the detail for that year, it appears that the increase came primarily from adult baptisms. In 1792 there were 51 baptisms of adult slaves, 45 of whom had
been born in Africa. Clergy identified several of the newly baptized as being twelve years old and therefore considered adults; the others were presumably older than twelve.

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18 African-born persons, slave or free, were identified as either bozal or de nación. Occasionally the name of their birthplace would also be indicated – for example, de nación de Congo.
There is no obvious explanation for this surge of adult baptisms, especially for African-born adults. It is possible that there was an increase in the number of slaves imported into the province during that period, although there was nothing to indicate an increased need in Venezuela for slaves at that time. Angelina Pollak-Eltz explains that in the latter part of the eighteenth century several changes facilitated the importation of slaves into Venezuela as well as other parts of Spanish America. In 1765 the number of import licenses for the slave trade and traffic between the Spanish colonies increased. Moreover, a 1789 Royal Cédula decreed that foreign ships were allowed to traffic in slaves without a license and the obligation to pay a tax. Payment could be made in products instead of or in addition to cash. However, while changes in the regulation of the slave trade made it easier to import slaves, demand was weak because the cacao boom was waning and hacendados turned instead to the cultivation of tobacco and coffee, which used less African labor.  

David Stark reports that in Puerto Rico, the record of baptism of a slave also served as proof of ownership since the owner’s name was recorded in an official registry. Stark explains that this was important in Puerto Rico since most slaves were acquired illegally through contraband trade, therefore owners had no official paperwork to establish ownership. This could well have been the case in Venezuela as well. Pollak-Eltz argues that the illegal importation of slaves, primarily through Curacao, was an

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important activity throughout the Colonial period.\textsuperscript{21} This activity points to the importance of baptizing slaves brought illegally into Venezuela but does not address the increased numbers.

<table>
<thead>
<tr>
<th></th>
<th>#</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legitimate female slaves</td>
<td>42</td>
<td>8.3%</td>
</tr>
<tr>
<td>Legitimate female manumisos</td>
<td>8</td>
<td>1.6%</td>
</tr>
<tr>
<td>Natural female slaves</td>
<td>114</td>
<td>22.5%</td>
</tr>
<tr>
<td>Natural female manumisos</td>
<td>53</td>
<td>10.5%</td>
</tr>
<tr>
<td>Unclassified female manumisos</td>
<td>2</td>
<td>0.4%</td>
</tr>
<tr>
<td>Unclassified female adults</td>
<td>32</td>
<td>6.3%</td>
</tr>
<tr>
<td><strong>Total Females</strong></td>
<td>251</td>
<td>49.5%</td>
</tr>
<tr>
<td>Legitimate male slaves</td>
<td>37</td>
<td>7.3%</td>
</tr>
<tr>
<td>Legitimate male manumisos</td>
<td>11</td>
<td>2.2%</td>
</tr>
<tr>
<td>Natural male slaves</td>
<td>114</td>
<td>22.5%</td>
</tr>
<tr>
<td>Natural male manumisos</td>
<td>60</td>
<td>11.8%</td>
</tr>
<tr>
<td>Unclassified male manumisos</td>
<td>1</td>
<td>0.2%</td>
</tr>
<tr>
<td>Unclassified male adults</td>
<td>33</td>
<td>6.5%</td>
</tr>
<tr>
<td><strong>Total Males</strong></td>
<td>256</td>
<td>50.5%</td>
</tr>
</tbody>
</table>

Source: Archivo Histórico Arquidicesano de Caracas, Sección Libros, Serie Parroquiales, San Pablo, Bautismos

Baptism registries reveal additional information about the slave population of Caracas during this period. First, slave baptisms represented a higher proportion of the total baptisms for the free black and slave population of Caracas for the same period than did marriages, suggesting that either more importance was placed on baptizing their children or the impediments such as cost to arranging a baptism for a child were not as great as contracting a marriage. The expectation of the Church that all Africans would be

\textsuperscript{21} Pollak-Eltz, \textit{La Esclavitud en Venezuela}, 39, 50.
baptized shortly after their arrival in the Americas and that all children would be baptized certainly influenced these numbers. Twenty-one percent of recorded baptisms involved formally married slave couples during the colonial period, while “natural” children of unmarried mothers, or matrifocal families, represented 61.6 percent. This figure suggests that single mothers valued baptism or, perhaps, their owners insisted on the rite. It also supports what was suggested by the marriage records that more slave families were matrifocal (i.e. an unmarried mother and her children) than a family in which the parents had married within the Church. Unfortunately we cannot know how many families consisted of two parents residing in the same household with their children in an informal union. In the sampling from the baptism registries there was only one family with a free mother and slave father and six families with an enslaved mother and free father. This suggests that there may have been some advantage for a free man to be married to a slave woman or perhaps the obvious, the couple had married for love. It could also be statistically unimportant because the numbers were very low over a long period of time. We have no way of knowing whether or not the husband was already free at the time of their marriage or if he achieved liberty after creating his family. Owners may have initiated or required baptism as a way to document ownership over the slave children.

In the majority of families both parents were slaves. Seventy-six percent of the nuclear families were comprised of a slave mother and father. In sixty-seven percent of those same families, the same person owned the parents. This is similar to what Alida Metcalf found in her study of slave families in the town of Santana de Parnaíba, Brazil, for the decades of the 1770s, 1790s, and 1810s. Using census data, and baptism, death, 

and marriage records for three parishes as well as inventories of wills she determined that many slaves married, though at a lower rate than their free counterparts. Of the slaves who married, most married other slaves (eighty-nine percent); it was more common for slave men to marry free women than for slave women to marry free men. Metcalf found that most slave couples were owned by the same master. The subjects of her study, however, were rural slaves and she found that the nuclear families were more common on large fazendas or estates where the same master owned large numbers of slaves. This may explain why Metcalf found more nuclear families than what we see in Caracas. The percent of families with unmarried and with legally married were nearly equal.  

<table>
<thead>
<tr>
<th>Padrinos</th>
<th>Madrinas</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>#</td>
<td>% of total baptisms</td>
<td>#</td>
</tr>
<tr>
<td>Elite</td>
<td>2</td>
<td>0.4%</td>
</tr>
<tr>
<td>Free blacks slaves</td>
<td>2</td>
<td>0.4%</td>
</tr>
<tr>
<td>6</td>
<td>1.2%</td>
<td>14</td>
</tr>
<tr>
<td>10</td>
<td>2.0%</td>
<td>48</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Godfathers</th>
<th>Godmothers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elite Slave Free black</td>
<td>Elite Slave</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Natural child</td>
<td>2</td>
</tr>
<tr>
<td>African-born adult</td>
<td>3</td>
</tr>
<tr>
<td>Female</td>
<td>2</td>
</tr>
<tr>
<td>Male</td>
<td>Same owner as parents</td>
</tr>
</tbody>
</table>

Source: Archivo Histórico Arquidicesano de Caracas, Sección Libros, Serie Parroquiales, San Pablo, Bautismos

Metcalf also looked closely at the ties slaves sought to create through their choice of godparents for their children. She argues that slaves sought to create linkages that could benefit their children and families. Vertical linkage came from choosing free godparents who could possibly provide access to more influential individuals in the larger community. Horizontal linkage was the result of selecting fellow slaves to serve as godparents, and strengthened the ties within the slave community. In most of the entries from the Caracas baptism registries, clergy had not recorded information beyond the name of the godparent; therefore, it was not possible to determine whether that person was a free black, European, or mixed race. When recording from the baptism registries I made a notation where the *padrino* or *madrina* (godfather or godmother) was clearly an elite person, signified by Don or Doña, or if the godparent was another slave. In her study Metcalf found that slaves represented 32 percent of the godfathers and 34 percent of the godmothers were slaves. This is a much larger percentage than was seen in Caracas. Presumably if a godparent were a slave that would be clearly marked with his or her owner’s name indicated in the registry. As can be seen in Table 6, only slightly more than 11 percent of the godparents were labeled beyond their names. Of these, only approximately 4 percent were slaves, 7 percent were labeled as Don or Doña, and two were indicated as free mixed-race individuals. The rest, approximately 89 percent were simply recorded by their name and no other labels. They could have been from any racial and economic sector of the population. We can see, however, that of the elite persons
willing to serve as godparents, the vast majority were women – two men as compared to thirty-four women.  

Matriculas

Matriculas are household-level censuses of a particular parish. They were prepared annually by the parish priest who went to each house in his parish listing the head of household and all persons living in that house. The head of household was generally identified as either casado (married man) and his wife (su mujer), soltero (single man), soltera (single woman), viudo (widower), or viuda (widow). The priest also identified other persons living in the house, which included outsiders residing in the home, such as people who rented rooms; other adults, such as brothers and sisters; any children in the household; servants; free blacks (libres); and slaves. Slaves were most often simply listed by name, although occasionally a couple was identified as married. Also, although the children of homeowners, agregados, and other families were clearly marked, including adult children and, in some cases, their spouses, this was not the case for slaves. Therefore, it is possible to identify as slave children only those less than seven years old, marked as párvulo. It is generally not possible to link adult slaves with their children. Another problem with the matriculas is that racial markers usually are not included, although they are certainly implied for esclavos and libres. It is reasonable to assume that some heads of households were free people of color. However, even without ___

the honorifics of don and doña we cannot assume racial identity. It was also possible the priest simply didn’t record the title. Consequently, we have no way of identifying the heads of households who were non-white, although occasionally there were homes occupied only by slaves.25

Of the matrículas collected from the archdiocese archive for San Pablo parish, only the one from 1778 provided enough detail of the surveyed households for meaningful analysis. The matrícula listed 639 households, two hospitals and a house connected to one of the hospitals and supported Waldron’s characterization of a parish populated primarily by the poor. Of the households, 374 or 58.5% had a white male, or

<table>
<thead>
<tr>
<th>Head of Household</th>
<th># of homes</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>married white male</td>
<td>206</td>
<td>32.24%</td>
</tr>
<tr>
<td>married pardo male</td>
<td>150</td>
<td>23.47%</td>
</tr>
<tr>
<td>married white female *</td>
<td>2</td>
<td>0.31%</td>
</tr>
<tr>
<td>married parda female *</td>
<td>4</td>
<td>0.63%</td>
</tr>
<tr>
<td>single white male</td>
<td>82</td>
<td>12.83%</td>
</tr>
<tr>
<td>single pardo male</td>
<td>29</td>
<td>4.54%</td>
</tr>
<tr>
<td>single white female</td>
<td>84</td>
<td>13.15%</td>
</tr>
<tr>
<td>single pardo female</td>
<td>77</td>
<td>12.05%</td>
</tr>
<tr>
<td>slaves</td>
<td>5</td>
<td>0.78%</td>
</tr>
<tr>
<td>Total</td>
<td>639</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

* Husbands were listed as absent

Source: Archivo Histórico Arquidicesano de Caracas, Sección Matrículas Parroquiales, San Pablo, Legajo No. 45 MP

females identified as head of household. (See Table 7) Pardo heads of households represented 260 homes or 40.7 percent. There were five homes that had slaves as the primary or only residents, although they were not listed as the home owners. Of the white heads of household, 206 (55.1 percent) were married couples with the husband identified as white, 82 (21.9 percent) were unmarried white males, either solteros or viudos, 84 (22.5) were single white females, either solteras or viudas, and 2 (0.5 percent) households were headed by a married white woman whose husband was listed as absent. The breakdown of pardos was slightly different. Of the 260 pardo-headed households, 150 (57.7 percent) were married couples, 29 (11.1 percent) were single males, 77 (29.6 percent) single females, and 4 (1.5 percent) married females. Single pardo females represented a larger share of the pardo households than did single white women. Concurrently, single white males represented a larger percentage than did single pardo males.

If we look deeper into those numbers (Table 8) we can see that single pardo men (solteros) represented a significantly smaller percentage of the total than did their white counterparts while single pardo females (solteras) comprised a larger portion of the total than did single white females. The largest groups were widows, both white and parda, and the group with the largest number of children and the largest average child per

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26 I am using the term pardo here to encompass all persons identified as non-white. It is unclear whether the racial designations in the matrículas were self-assigned or merely the reflection of the priest’s perceptions but regardless of the exact term the large group of people were either African or Afro-descendants.

27 Children here represent the children labeled as his or her children and do not include other children such as the children of other couples or other single persons living in the home.
household (nearly three children per household) was white widows (viudas). However, many of these so-called children were probably adults who had not yet married or were married but had not established a home of their own. The next highest group in terms of children was parda widows with slightly fewer than two children per household. One reason that there were so few children in the homes headed by single men of either race was because of the seventy-five households headed by single men twenty of them multiple single men living there and no other household members. This was the case with only eight of the homes headed by single women.

Looking at the families which were headed by married individuals (Table 9), which represented the majority of the households, we can see that the majority of these families were same-race couples, with white couples heading 169 homes and pardo couples 139 households. Mixed race couples were rare with eighteen white men being married to parda women and only seven white women married to pardo men. Most of the children lived in homes headed by married individuals. The average number of children per household was fairly constant at about two or two and a half except for the homes where a spouse was absent. The homes in which one of the spouses was listed as absent represented a very small number of the total. In a few cases the missing spouse was

Table 8: Single heads of household

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th></th>
<th>Pardo/a</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>#</td>
<td>%</td>
<td>Children</td>
<td>#</td>
</tr>
<tr>
<td>Single male</td>
<td>56</td>
<td>33.7%</td>
<td>6</td>
<td>19</td>
</tr>
<tr>
<td>Single female</td>
<td>23</td>
<td>13.9%</td>
<td>5</td>
<td>25</td>
</tr>
<tr>
<td>Widower</td>
<td>26</td>
<td>15.7%</td>
<td>42</td>
<td>10</td>
</tr>
<tr>
<td>Widow</td>
<td>61</td>
<td>36.7%</td>
<td>157</td>
<td>52</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>166</strong></td>
<td><strong>100.0%</strong></td>
<td><strong>210</strong></td>
<td><strong>106</strong></td>
</tr>
</tbody>
</table>

*Source: Archivo Histórico Arquidicesano de Caracas, Sección Matrículas Parroquiales, San Pablo, Legajo No. 45 MP*
indicated to be either in the military or “en las islas,” presumably the Canary Islands since many Canary Islanders immigrated to Venezuela in this period. For most of the homes with a spouse absent, no explanation was provided.

There were a total of 736 slaves living in the parish of San Pablo in 1778. These slaves lived in 189 homes with an average of 3.4 slaves per home. Of these there were thirty-eight homes headed by pardos with ninety-nine slaves in those homes, an average of just under three slaves per household. The average number of slaves per home is misleading however. The vast majority of homes (70 percent) had no slaves at all. Of the total slave owning households, nearly a third of them had only one slave. Seventy-five percent of the slaves lived in homes with five or less slaves.

From this matricula we are able to learn something about the slaves who lived in the parish. There were twenty-one slave couples identified as living together in the same

<table>
<thead>
<tr>
<th>Table 9: Slave Ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homes with slaves</td>
</tr>
<tr>
<td>total # of slaves</td>
</tr>
<tr>
<td>average slave per home</td>
</tr>
<tr>
<td>Pardo/a homes with slaves</td>
</tr>
<tr>
<td>slaves owned by pardo/as</td>
</tr>
<tr>
<td>average slave per pardo/a home</td>
</tr>
</tbody>
</table>

Source: Archivo Histórico Arquidicesano de Caracas, Sección Matrículas Parroquiales, San Pablo, Legajo No. 45 MP

<table>
<thead>
<tr>
<th>Table 10: Slave Distribution</th>
</tr>
</thead>
<tbody>
<tr>
<td># of slaves</td>
</tr>
<tr>
<td>&gt; 10</td>
</tr>
<tr>
<td>6-10</td>
</tr>
<tr>
<td>5</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>1</td>
</tr>
</tbody>
</table>

0 450 70.4%
639 100.0%

Source: Archivo Histórico Arquidicesano de Caracas, Sección Matrículas Parroquiales, San Pablo, Legajo No. 45 MP
household with twenty-seven children. An additional eleven slaves were listed as married but no spouse was listed. Presumably the spouse lived in another household but we have no way of knowing whether he or she was free or enslaved. Finally there were four slave women and six slave men who had free spouses living in the same home. Therefore, sixty-three of the 507 adult slaves were married, or 12.4 percent. Of those adult slaves slightly over a quarter (27.6 percent) were single men and sixty percent were single women. Slave children, for purposes of the matrícula, were those individuals under seven years of age, i.e. the ones labeled párvulo as that was the only indicator that a child was not an adult. With the free portion of the households children were identified, even if they were adults, but not so with slaves. There were 229 slave children under the age of seven. Of those, twenty-seven were legitimate children of married parents. There were slave children identified as living with their mothers, but they would have been classified as “natural” children. Most of the young slaves did not have a mother identified, but we

<table>
<thead>
<tr>
<th>Table 11: Slave statistics</th>
<th>#</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Married slaves living</td>
<td></td>
<td></td>
</tr>
<tr>
<td>together</td>
<td>42</td>
<td>5.71%</td>
</tr>
<tr>
<td>Their children living with</td>
<td></td>
<td></td>
</tr>
<tr>
<td>them</td>
<td>27</td>
<td>3.67%</td>
</tr>
<tr>
<td>single male slaves</td>
<td>140</td>
<td>19.02%</td>
</tr>
<tr>
<td>single female slaves</td>
<td>304</td>
<td>41.30%</td>
</tr>
<tr>
<td>slave children</td>
<td>202</td>
<td>27.45%</td>
</tr>
<tr>
<td>married female slaves not</td>
<td></td>
<td></td>
</tr>
<tr>
<td>with husband</td>
<td>7</td>
<td>0.95%</td>
</tr>
<tr>
<td>married male slaves not</td>
<td></td>
<td></td>
</tr>
<tr>
<td>with wife</td>
<td>4</td>
<td>0.54%</td>
</tr>
<tr>
<td>slave women married to</td>
<td></td>
<td></td>
</tr>
<tr>
<td>free men within household</td>
<td>4</td>
<td>0.54%</td>
</tr>
<tr>
<td>slave men married to free</td>
<td></td>
<td></td>
</tr>
<tr>
<td>women within household</td>
<td>6</td>
<td>0.82%</td>
</tr>
<tr>
<td></td>
<td>736</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Source: Archivo Histórico Arquidicesano de Caracas, Sección Matrículas Parroquiales, San Pablo, Legajo No. 45 MP
cannot assume that meant their mothers lived in different households. It is equally likely that the person talking with the priest simply did not identify slave families as such or the priest did not make the effort to record that information.

The matrícula provides more detail than the marriage and baptism records about how often slaves were able to live with their spouses and children but unfortunately one year is only a snapshot. We do not have the long-term information that would be needed to form an accurate picture. It is also difficult to relate the findings from the marriage and baptism records to what we see in the matrículas. While the marriage and baptism information may give us a better picture of slave family formation – how many of the total chose to marry or to baptize their children for example – the matrículas provide a picture of where slaves may have fit within the larger society. Of the 4,511 people living in San Pablo parish in 1778, 736 were slaves. About one-third of the slaves were children under the age of seven. Slaves represented sixteen percent of the total population. Free pardo adults represent a quarter of the population, only slightly more than white adults. A small percentage of the homes actually owned slaves and the majority of those held only five or less slaves.

<table>
<thead>
<tr>
<th>Table 12: Overview of San Pablo Parish</th>
<th>#</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Free white adults</td>
<td>989</td>
<td>21.9%</td>
</tr>
<tr>
<td>Free pardo adults</td>
<td>1,129</td>
<td>25.0%</td>
</tr>
<tr>
<td>Free children</td>
<td>1,657</td>
<td>36.7%</td>
</tr>
<tr>
<td>Adult slaves</td>
<td>507</td>
<td>11.2%</td>
</tr>
<tr>
<td>Slave children</td>
<td>229</td>
<td>5.1%</td>
</tr>
<tr>
<td></td>
<td>4,511</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Source: Archivo Histórico Arquidicesano de Caracas, Sección Matrículas Parroquiales, San Pablo, Legajo No. 45 MP
It appears that slaves were indeed knowledgeable about the right to marry and live with a spouse. Even so, a small percentage of the slave population exercised that right to form a nuclear family sanctioned by the Church. This could have been because of obstacles such as the cost of marriage, bureaucratic requirements, or the difficulty of obtaining permission from their owners. It could also have been because of personal choice. Of those slaves who did marry, the majority married other slaves owned by the same masters. Offspring of married slaves were more likely to marry than their counterparts from single-mother families. Slaves were more likely to baptize their children than to enter into a legal marriage. The activities of slaves in Caracas regarding marriage and baptism and the information gathered from these activities appear to be similar to what was found in Brazil and Puerto in studies by Alida Metcalf and David Stark. Available documentation, however, provides only tantalizing glimpses into the family lives created by Caraqueño slaves.
Chapter 5
Preserving the Family

A characteristic shared by elite women, free women of color, and slave women represented in this study was concern for their families, their children, and their children’s welfare, although the specific concerns, avenues of action, and probability of success undoubtedly varied for each group. As Ondina González observes, colonial Latin American and early modern Iberian women were no different than mothers anywhere: they wanted the best for their children and they were willing to seek help when it came to the welfare of their offspring. According to González although there was no consensus regarding definitions of children or childhood, an examination of children and what constituted childhood provides insight into the social norms of the past.1 Unfortunately, the voices of children from Colonial Latin America can be heard only indirectly through the echoes of their parents, authorities, or, in the case of slave children, their owners. For slave families preserving the family had special challenges and they had goals such as achieving freedom that were unique from free families.

The women and men who appeared in the courts in both the late colonial and independence periods revealed the depth of family attachments among all segments of the population. Individuals requested freedom or relief from mistreatment for themselves, their parents, and their children; they acted as custodians for their minor children; they sought to utilize societal views of children and childhood for the maximum benefit of

1 Ondina E. González, “Introduction: Children of the Empire” in González, Ondina E. and Bianca Premo, eds. Raising an Empire: Children in Early Modern Iberia and Colonial Latin America (Albuquerque, University of New Mexico Press, 2007), 1-6
their children; and they sought to preserve their families from the ruptures often suffered by families of enslaved persons. Parents developed strategies to minimize the vulnerability of their children to excessive punishments and separation through sale or dispersal of estates upon the deaths of their owners, while owners endeavored to defend their ability to handle and dispose of their human property according to their own interests. Although slaves and parents of enslaved children who went to court were not always successful, the records of their efforts illuminate how parents fought tenaciously to preserve their family and to secure the rights of their children against owners who considered the children primarily in terms of possessions and labor power.

Children and Childhood

There has been little written on children and childhood in colonial Latin America. Scholars generally agree that although children had been included in works examining women, gender, and family, studies of children and childhood per se have emerged only recently, beginning in the 1990s. Work in Latin America followed European and North American historiography on childhood, which is generally traced to the 1960s beginning with French historian Philippe Ariès’ work to pinpoint the “invention” of the “modern” idea of childhood.² Bianca Premo expands on this thesis by pointing to “large-scale

industrialization, massive urbanization, and the growth of an influential middle class,” developments that occurred later in Latin America, as important phenomena for the evolution of modern ideas of childhood. She also argues that Latin America has an “uneasy relationship” with modernity and a status of straddling the “West” and the “rest.” Latin American historians tended to focus on explaining economic development instead of the introduction of modernity. This situation, according to Premo, is an important factor in the late emergence of Latin American histories focusing on childhood.

According to Elizabeth Kuznesof, children (under the age of twenty) have represented a large share of the population of Latin America since the colonial period. However, the literature includes little concerning children and childhood. Kuznesof suggests that a possible explanation for the dearth of works on these subjects stems from the fact that colonial Spanish and Portuguese law codes defined the care of children as falling within the private sphere of the family; consequently the children most likely to appear in historical documents were those of the popular classes rather than members of “legitimate” families. Orphaned and abandoned children, according to Kuznesof, were also cared for by extended kin during the colonial period. By the early nineteenth century governments had begun to provide institutionalized aid for abandoned children through orphanages and poor houses. In her examination of the family in Latin America from the colonial era to the present Kuznesof suggests that the definition of childhood evolved

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3 Premo, “How Latin America’s History of Childhood Came of Age,” 64, 65.

4 Premo, “How Latin America’s History of Childhood Came of Age,” 64, 65.

over time and involved a “continuous dialogue concerning the duties and responsibilities of parents and children toward each other, and the responsibilities of the State toward children.” In the colonial period a child was considered to have reached the age of reason by seven and therefore was morally responsible for his or her own actions and were expected to study and follow the rules of the Catholic Church. Before that age parents were charged with primary responsibility for their children. During the first four years of a child’s life mothers had primary responsibility for raising the child. Even though children were assumed to have “reason” after the age of seven, they were not held legally responsible for any criminal activity until they reached the age of ten. Under colonial law, girls could marry at twelve and boys at fourteen, although the children were still subject to parental authority.

Fathers were charged with providing maintenance and guidance for their offspring. Fathers were granted the legal right of patria potestad (paternal authority), which included responsibilities as fathers as well as their authority over their family. Until adulthood at age twenty-five, children (hijos de familia) remained subject to their fathers’ authority unless they became emancipated by marriage, court order, or voluntary release by the father. After reaching the age of seven children were held morally responsible for their actions.

6 Elizabeth A. Kuznesof, “The House, the Street,” 862.


8 Kuznesof, “The House, the Street,” 862, 863. Ann Twinam and Ondina González expanded on increased state involvement re: children as seen in Havana in their Chapters in Raising an Empire: Children in Early Modern Iberia and Colonial Latin America, Ondina E. González and Bianca Premo, eds.
According to Kuznesof state involvement in the family increased in the latter
eighteenth and early nineteenth centuries, in large part due to increased child
abandonment, though she did not explain why this happened. Throughout Latin
America, governments began to provide support to abandoned children through
orphanages and poor houses. A code of protection of children developed, emphasizing
their fragility and assumed innocence and the importance of education. Both governments
and the Church began to provide more assistance to forsaken children. With
modernization grounded in the social and economic changes of the latter part of the
nineteenth century Latin American societies began to consider youths between twelve
and nineteen as adolescents. In this period, jobs were increasingly dependent on
schooling and in urban areas service occupations came to represent employment avenues
for women and children.\footnote{Kuznesof, “The House, the Street,” 863.}

Gwyn Campbell and co-editors Suzanne Miers and Joseph Miller agree that it was
unclear what “child” meant, especially when considering slave children. For children in
bondage the criteria for defining childhood and adulthood included appearance, height,
and, for girls, onset of menarche. Campbell notes that statutes, advertisements, and other
written documents reflected diverse definitions that differentiated children from adults,
men from boys, and girls from women. He stressed, however, that the definitions were
important in western traditions in which a child was not expected to assume adult
responsibilities. When applied to slaves, this meant that white slave-owners had a
responsibility toward their slaves to teach them Christian values and to see to the welfare of their souls.\textsuperscript{10}

What “child” and “childhood” meant to the various actors differed by perspective and goal. These differences are important to keep in mind, as is the notion that caraqueño society, as in other parts of Latin America, understood, although not clearly, that there were responsibilities and duties toward the children in their midst, even those enslaved. In this chapter I look at children within the context of their families. For slave children that meant children who were young enough to require the protection or intercession of a parent or other adult. For free families, the designation of a child could at times extend to the age of legal majority, twenty-five.

The majority of the slaves in Caracas were the women who worked as domestics, cooks, street vendors, laundresses, and seamstresses. In a city that trans-shipped newly imported adult slaves to the cash-producing cacao regions in the rural interior of the colony, their children were important in maintaining the urban population of slaves. According to Venezuelan historian Angelina Pollak-El tz, less than one-third of the slaves imported into Venezuela were women, and infant mortality was high for all social classes, making natural reproduction difficult for all. Further reducing the available number of Venezuelan born slaves was the tendency of white fathers of slave children to manumit their mixed-race progeny. By the last quarter of the eighteenth century importation of slaves into the province had slowed significantly, until it was finally halted

in 1810.\textsuperscript{11} These demographic losses all point to an increased importance of surviving slave children to both their parents and their owners.

**Enslaved Children: Achieving Freedom**

Slave parents’ primary concerns were protection from mistreatment, freedom for their children, and uniting or maintaining the family. Among the ways the enslaved could gain freedom under Spanish colonial law was the right of self-purchase by paying a fee to their owner, through *cartas de libertad* or letters of freedom issued by the owner, or through testamentary provisions left by the owners upon their deaths. Wills could grant freedom outright, provide for freedom at some future date, or authorize freedom upon payment of a specified sum to the heirs. Wills also created exposure to division of slave families as owners dispersed their assets among multiple heirs. All of these scenarios, however, provided opportunities for promises to be broken and plans to go awry. In these instances, slaves appealed for help to the courts.

In a study of slave legislation in eighteenth-century New Granada Norman Meiklejohn explained that traditional Iberian legislation, primarily the thirteenth-century Iberian code, *Las Siete Partidas*, governed slavery in Spanish America and that slaves used the law to claim rights in court, often successfully.\textsuperscript{12} More recent authors have


confirmed these findings and this dissertation also demonstrates some of the ways that slaves utilized the courts in Venezuela.\textsuperscript{13}

Slaves also appear to have formulated, and carried out, several strategies to obtain freedom for themselves and for their children. Slaves in eighteenth-century Caracas employed similar strategies as to that observed by Christine Hünefeldt in Lima, as can be seen in the case of Francisca Paula Blanco. In 1792 a former slave, Francisca Paula Blanco, petitioned to the court of the Captaincy General of Venezuela to deposit her fourteen-year-old daughter, a slave, with a responsible person other than her owner, and also to order the determination of a fair value for the girl so that she could purchase her freedom. Sra. Blanco paid 300 pesos for the freedom of her daughter, the price set by the owner’s representative.\textsuperscript{14} This enslaved woman in Venezuela exercised the right of manumission through purchase that Spanish colonial law afforded all slaves.

Francisca was a free morena (woman of mixed race) who achieved freedom for her daughter, María Gregoria, fourteen or fifteen years of age. At the time of the girl’s birth Francisca had been a slave but had become free sometime in the interim. Francisca did not clarify how that had occurred, but she stated that she had used her freedom to earn and save money to purchase María Gregoria’s freedom as well. She explained that her daughter had fled the home of her owner and had taken up residence with Francisca. Knowing that she could not keep her daughter legally, Francisca asked the court to


\textsuperscript{14} “Francisca Paula Blanco, libre, madre de María Gregoria, esclava de Don Juan Feliz Blanco sobre su libertad,” Academia Nacional de la Historia, Sección Civiles, [hereafter ANH] Exp. 10-3824-2, 1792, 1r-1v, 18r.
deposit María with a third party while the courts deliberated the matter and determined a fair price.

The court immediately ordered the placement of the girl and an assessment of her value; however, María Gregoria’s owner, Don Josef Félix Blanco, did not respond with the promptness and attentiveness Francisca felt appropriate. Therefore she returned to court to complain that Don Josef was at his hacienda in the Tuy Valley and ignored the order of the court. Finally, after further court orders and the involvement of the local magistrate, Bartolomé del Castillo, as the court’s appointee, determined the girl’s value at 300 pesos. Although Don Josef protested that the amount specified was too low and asked for compensation for other expenses, the court ordered that the owner should provide the requested \textit{carta de libertad} for María Gregoria whenever Francisca deposited the full amount with a third party.\footnote{Tuy Valley is the area immediately south of Caracas and was the area with the majority of cacao fields.} The ability of the mother, Francisca, to earn the 300 pesos needed to purchase freedom for her daughter, although undoubtedly a difficult task, demonstrated that free women of color had the ability to accumulate money of their own. Since Francisca made no mention of a husband, we can reasonably assume that Francisca had earned this money through some sort of domestic work or other work available to women in urban settings.

Two years after Francisca successfully purchased María’s freedom, Rita Monasterios, another freed slave, attempted to purchase liberty for her daughter, María Leandra, still enslaved. Rita explained to the court that although it had been difficult for

\footnote{ANH 10-3824-2, 8r-11v.}
her, she had managed “through sweat, determination, and misery” to save 200 pesos, the amount Juana Moreno, her daughter’s previous owner, dictated in her will as necessary to free María.\textsuperscript{17} She earned the money for this purpose because “the natural feelings of a mother have inspired me always as the most ardent desires to redeem my daughter from servitude.”\textsuperscript{18} She explained to the court that Captain Manuel Moreno, heir to María Leandra’s previous owner, was interested only in receiving his money, with no inconvenience to him, but had not confirmed when or where he would free the girl. To force his hand to honor the provision in the will from which he would thus benefit in monetary terms, she appealed “desperately” to the court, asking that the judge order a letter of freedom upon payment and that María be deposited, as was customary, with an impartial trustee appointed by the court. It was certainly easier to have the court remove the child from her owner’s home than for a free black woman to appear and demand that he relinquish her.

María Leandra’s owner strenuously protested her removal, challenging the court’s authority, and further complained that Rita Monasterios did not provide evidence of her husband’s permission for her to appear in this lawsuit. Moreno also expressed doubts that the couple had resources sufficient to pay him the 200 pesos promised and so asked for a guarantor of the commitment.\textsuperscript{19} Although married women were proscribed by law from

\textsuperscript{17} “Rita Monasterios, solicita la libertad de su hija María Leandra, esclava de don Manuel Moreno,” ANH, 10-4071-1, 1794, f.1. The original Spanish reads “A costa de sudores, de arbitrios, y de miserias sufridas por mi,” 1r.

\textsuperscript{18} “que los sentimientos naturales de madre me han inspirado siempre los mas ardientes deseos de redimir de la servidumbre a una hija mía,” ANH 10-4071-1, 1r.

\textsuperscript{19} ANH 10-4071-1, 4r-4v.
representing themselves, in most cases they appeared on their own, unchallenged, a fact documented also by Arlene Díaz in a study of 578 female-initiated suits in Venezuelan state and ecclesiastical courts between 1786 and 1880. Díaz estimates that women who went to court were accompanied by a man in only approximately three percent of the cases in her study.\textsuperscript{20} This legal autonomy may have been because women were rarely challenged or because the majority of women appearing in court were unmarried or widows. The unusually high numbers of female-headed households in Caracas also contributed to this trend.\textsuperscript{21} In this case the court heeded Sr. Moreno’s attempt to deflect the case on to technical grounds and asked that her husband appear. Rita Monasterios’ husband, Miguel de Castro, explained that he had been ill and that it had been inconvenient to travel to Caracas from the Valley of Santa Lucia where they lived. This explanation could also have been a ruse to avoid appearing in court. Miguel attempted to turn the case back in favor of his wife by confirming also that he and Rita were María Leandra’s legitimate parents and supported Rita’s request that the court require Sr. Moreno to accept 200 pesos in exchange for the girl’s perpetual and absolute freedom.\textsuperscript{22}

The fact that Rita attempted to appear on her own, even though the law dictated that a married woman needed her husband’s consent and participation, may provide some clues about her strategy as well as to the family dynamics. She may have fit the pattern that Christine Hünefeldt identified in Lima of being the spouse who earned the money

\begin{flushright}
\textsuperscript{20} Arlene Díaz, \textit{Female Citizens, Patriarchs, and the Law in Venezuela}, 16, 17, 72, 73.
\end{flushright}

\begin{flushright}
\textsuperscript{21} See Chapter 4.
\end{flushright}

\begin{flushright}
\textsuperscript{22} ANH 10-4071-1, 11r-12v.
\end{flushright}
that could be used to purchase the freedom for other members of her family and most likely would continue to be the primary breadwinner, given the reported poor health of her husband. Consequently she may have felt she had the right to exert personal control over the process.

Rita Monasterios and Miguel de Castro were willing to fight to achieve their goal of freedom for their daughter, which had been promised to them by the girl’s owner before her death. Although Rita was free at the time of her petition, she had obviously been a slave when she had given birth to María Leandra. Since the documentation they submitted to the court did not include a copy of the pertinent clauses of the will we do not know the exact circumstances of the bequest or if Rita was given her freedom through the same testament. However, we do know that, as allowed by law and encouraged by ecclesiastical authorities, Rita and Miguel had been married in the Catholic Church prior to the birth of their daughter, a fact that may have added credibility to their arguments. The sacrament of marriage provided some legal protection, in theory at least, to maintain slave family integrity and stability. Having married in the Church was also a source of respectability and honor for Rita as was being a legitimate daughter conferred honor on their daughter María Leandra. As Kimberly Morse noted in Aragua Venezuela marriage and legitimacy were signifiers that distinguished elite women from poor women; and honorable women from those without honor.  

Pointing to the importance of marriage for slaves’ strategies for their families, Angelina Pollak-Eltz notes that the percentage of legal and stable marriages between

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people of color and slaves during the colonial period had been higher than after abolition. However much protection the law may have provided for married slaves and their families, it did not extend to free parents of enslaved children. Las Siete Partidas sought to protect the owners’ rights over their property and remained silent on the rights of free parents vis-à-vis their enslaved children. With independence and the promulgation of the laws of manumission the proscription against slave owners separating children from their parents was addressed in article five: “No slaves can be sold outside of the province in which they reside if it would separate children from their parents, as long as the children have not reached puberty.”

It is also worth noting that Manuel Moreno, by his demands that Rita both acknowledge her married status and produce her husband before the court to confirm his support of the petition, invoked family values and patriarchal authority characteristic of the respected families in the colony. He may have also wanted to draw attention to the differences between slave families and those of his own class, perhaps implying a lack of honor or respectability of slaves. He based his challenge on both the law and his patriarchal idea of family authority. Colonial and post-independence laws supported the idea of a hierarchical society in which male heads of household had substantial control

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24 The complentense of the records with respect to racial classifications could have affected the numbers as well. Pollak-Eltz, *La esclavitud en Venezuela: un estudio histórico-cultural*, 105.

25 Dr. German Carrera Damas, *Materiales para el studio de la cuestion agararia en Venezuela (1800-1830)*, Vol. I. (Caracas: Universidad Central de Venezuela, Consejo de desarrollo científico y humanístico: 1964), 290. The original Spanish reads “Ningunos esclavos podrán venderse para fuera de la provincia en que se hallen, separándose los hijos de los padres; esta prohibición solo subsistirá hasta que los hijos lleguen á los años de la pubertad.”
over their wives and children, slaves, and other subordinates. Moreno referred to the fact that under Spanish secular law free women were under the protection of men, just as men were subordinate to the king. The reality was that although this “ideal” family may have been more common among the upper than the lower classes, and certainly uncommon among slave families, male-headed households were not necessarily the norm in Caracas. As mentioned above, Díaz found that 37 percent of caraqueño households in 1792 were headed by women, and an even larger number – a significant majority – of cases in her study were brought by women unaccompanied by husbands or fathers. In the parish of San Pablo in Caracas nearly half of the households were headed by women. Nevertheless, Sr. Moreno’s use of the legal codes evidently prevailed, since the court supported his request and denied freedom to María Leandra. We cannot assess the weight given the ideal of proper male and female roles within the patriarchal family, but we can see how the laws reflected the values invoked by Sr. Moreno to his advantage.

The death of an owner

The death of an owner was a time of increased vulnerability for all slaves because the Spanish law of partible inheritance called for all the heirs of a deceased person to inherit equally. Wills provide insights about the thoughts of the testators but also

26 Díaz, Female Citizens, Patriarchs, and the Law in Venezuela, 4, 5, 72. The percent of female headed households was taken from Kathleen Waldron, “A Social History of a Primate City,” table 14, page 137.

27 As discussed in Chapter 4, forty-eight percent of the households in San Pablo Parish in 1768 were headed by women.

28 The inheritance system defined by Castilian law required that all legal heirs receive a portion of the deceased’s estate, although they had some flexibility to endow
information regarding how slave families were to be treated through the disposition of the will. The resulting need to divide estates made slave families vulnerable to separation, particularly if they were the primary assets. In wills, slave parents and children were often arbitrarily split up among the heirs, given to creditors in payment of debts, assigned to the Church to guarantee masses in honor of the deceased, or even pledged for payment for construction of a chapel. When Doña María Agustina Delgado dictated her will in 1821, she owned a ten-year-old slave Fabián, who had been sickly from a young age. He could have been the son of one of her other slaves, either María Celestina, a 42-year-old morena, or María del Carmen, a 40-year-old mulata, or some other slave she no longer had in her possession. She wrote that “desiring his recovery, she offered him to the Virgen del Carmen,” presumably to save him from the harsh work that otherwise would have awaited him. She added 150 pesos in cash to his own value so that the interest on the money could be used to celebrate an annual mass for her deceased husband.29 The child was not destined to remain within the relatively safe environment of the Church, however. Evidently Sra. Delgado did not intent to actually transfer ownership to the one heir with a greater portion of the estate. Heirs also received bequests separately from their mothers and fathers since women could inherit, own, and bequeath property of their own. Spanish inheritance laws were based on several laws: Fuerzo juzgo, Fuero real, Las siete partidas, and Leyes de Toro. Marti Lamar “‘Choosing’ Partible Inheritance: Chilean Merchant Families, 1795-1825,” Journey of Social History, 28:1 (Autumn 1994), 126-128, 141, fn. 6; Eugene Korth and Della Flusche, “Dowry and Inheritance in Colonial Spanish America: Peninsular Law and Chilean Practice,” The Americas, 43:4 (April 1987), 398, 399.

29 Testamento de Doña María Agustina Delgado, Archivo Histórico Arquidicesano de Caracas, Sección Testamentos, Carpeta 145, No. 6, 1821. The original Spanish reads “deseando su restablecimiento, le ofrecí a la Virgen del Carmen”
Church, as would be normal, since she directed that the child be delivered upon her death to her son Pablo unless he had died of natural causes.\textsuperscript{30}

When the widow Doña María Eusebia Xerdel prepared her will in 1850, she listed the assets she had brought into her marriage and her property at the time she dictated the will, which included a house in Caracas, a cacao hacienda and \textit{trapiche} (mill) in the Tuy Valley, and slaves; her debts; the values she assigned to her assets; and how she wanted to distribute her belongings to her surviving children and other heirs. Slaves were distributed among the heirs in order to allocate assets equitably, with no regard for keeping their families intact. She named her daughter heir to two slaves: Josef Sabino, valued at 300 pesos, and a son of Antonio, a one-year-old infant, valued at 80 pesos. Her grandson, Juan de la Madres, received two slaves named Lorenzo and Leandra, both six years old, and to his sister María a maid of fourteen years whom she valued at 290 pesos. The will contained other bequests of human property as well, and in none of them did Doña Xerdel make any effort at preserving families. The only slaves to whom she made a gift of freedom were Encarnación and her daughter María de los Santos, because María was her goddaughter.\textsuperscript{31}

Owners often granted some form of freedom for their slaves in their wills, either as acts of piety or as rewards for long and faithful service. However, it frequently fell to the slaves themselves to ensure that the instructions of the deceased were implemented. In June of 1829, José Vicente Mercader, acting as a trustee, filed a suit on behalf of

\textsuperscript{30} AHAC, Testamentos, 145, No. 6.

\textsuperscript{31} \textit{Testamento de Doña María Eusebia Xerdel}, Archivo Histórico Arquidicesano de Caracas, Sección Testamentos, Carpeta 139T, No. 6, 1805.
Rosalía Luna, a slave, and her daughter Rafaela. The trustee explained that Rosalía’s and Rafaela’s previous owner made a verbal promise to free them prior to his death, although he had never issued a letter of manumission or other written statement to that effect. The two women claimed that their continued enslavement was illegal and appealed to the court for their freedom. They produced witnesses who answered a total of eleven questions regarding Rosalía and her daughter. They confirmed that one Miguel Luna had been the owner of Agustina Luna, mother of Rosalía and grandmother of Rafaela, and that he had promised freedom for her and her daughters but had died without putting that intention in his will. The witnesses also confirmed that Agustina had been promised freedom for herself and her children, and also that two of Rosalía’s sisters had subsequently received their freedom.

The witnesses added that Miguel Luna’s widow and heir, Candelaria de Luna, had married Rosalía to Santiago, a slave belonging to Candelaria’s father, and that Rafaela had been born of this union of the two slaves, though her birth date was not specified and no birth certificate was provided. To further complicate the matter, Candelaria de Luna and her father had both died intestate in the earthquake of 1812. Rosalía's husband Santiago had also died 18 months prior to the suit. Rosalía then lived as a free person with her daughter for a year and a half in the home of Antonio Ortíz and his wife Altagracia Ramos, where she worked as a domestic servant. However, she and Rafaela had been subsequently re-enslaved by the heirs of Sra. Luna and were living in the home of

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32 Venezuela suffered a massive earthquake on 26 March 1812, followed by another on 4 April. Although the earthquake extended from Mérida to the coast, the area around Caracas was the hardest hit with reports of nine tenths of the city destroyed. The death toll was estimated at more than twenty thousand. John Lynch, *Simón Bolívar A Life* (New Haven and London: Yale University Press, 2006) 1, 2, 59.
of José María Rodríguez. Assuring the court that their witnesses would verify these claims to liberty as fact, Rosalía’s attorney asked that she and her daughter be granted letters of freedom. Basing its decision on the strength of the testimony of the witnesses produced by Rosalía as well as statements by the representative of Miguel Luna, who confirmed that it had been Luna’s intention to free the grandmother and her daughters, the court finally granted Rosalía’s petition in March of 1832. We do not know much about the witnesses other than their names. All were from the same parish, two were male and three female. Sr. Miguel Rodríguez and Sr. José María Rodríguez both signed their own declarations, suggesting some command of literacy. Neither Sra. Damiana Rojas nor Sra. Valeria Rojas signed their testimony because they did not know how to write. Sra. María Manuela Rodríguez did sign her statement. Because racial descriptors were not included in post-independence documents and the honorifics Don and Doña were no longer used we cannot say for sure if these witnesses were elites or lower class, white or mixed race. We can be sure they were not slaves, since that would have been indicated. Literacy rates were so low that we cannot draw firm conclusions regarding illiteracy and racial identity or social status.

This protracted freedom suit was undoubtedly made more difficult by the untimely death of Rosalía’s owner and the absence of a will disposing of her assets. Ultimately, an attorney for the original owner of the grandmother, Agustina, and a representative of the deceased Candelaria de Luna, had to issue formal agreements to Rosalía’s petition before the judge was willing to declare the slave mother and daughter

33 “Expediente promovido por el Licenciado José Vicente Mercader como defensor nombrado de Rosalía Luna, y su hija Rafaela, reclamando la libertad de ambos,” AGN, exp. 1832 M 37, 1837.
Only the diligence of a court-appointed defender brought Rosalía’s case to its favorable conclusion. Obviously a woman of color, free or enslaved, working as a domestic, would not have had the resources to engage in a three-year legal battle, nor would she likely have been knowledgeable about the technical aspects of the law relevant to her case. However, Rosalía would have needed enough knowledge to command the services of a court-appointed representative in the first place, and she had to produce appropriate witnesses for the case to have been heard by the court at all. Clearly she knew enough about her rights and the legal system to be able to secure freedom for herself and her daughter through a three-year battle over the purported words of a long deceased owner, without witnesses to corroborate her own word.

The death of an owner, male or female since each spouse owned assets individually and bequeathed them separately, meant also that children of slave owners inherited slaves, often while still children. In these cases, the surviving parent or another responsible person would serve as guardian to administer these assets. Arlene Diaz explains that only women who did not remarry could serve as guardians of their children or grandchildren. This allowed them to serve as tutora, to “be primarily in charge of educating and raising the children, not administering the children’s property.”

The situation changed slightly with the Cédula de Gracias al Sacar in 1795, which permitted women to purchase a dispensation that authorized them to also handle the

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34 AGN 1832 M 37.

35 The Spanish terms for these duties were tutora and curadora. Tutora referred to actions associated with the education and physical welfare of the child; curadora implies a person who has charge over the assets of a minor.

36 Díaz, Female Citizens, 74.
administration of their children’s property, that is, to serve as curadora. This, however, only benefitted women of means who could purchase a dispensation. Without this dispensation, women were forced to petition the courts if they wanted to transact a sale, purchase, or other administrative function involving one of the assets inherited by their children. The legal situation changed again with the code of 1873, which allowed widows to act as guardians for their own children.

Because of the limitation placed on women who wanted to or were forced by necessity to serve as guardian of their children, it was fairly common to see petitions by widows requesting permission to dispose of some of their children’s assets, such as in the case of Luisa Magdalena Torrealva. Such petitions typically presented several witnesses who would attest to the fact that the widow of the deceased was acting as guardian for the children in question, that the slave (or slaves) was part of the partible property bequeathed to the heirs, and that the transaction served a pressing need for the family. In Luisa Magdalena Torrealva’s successful suit she submitted three witnesses who affirmed she was the widow of Lucas Carlos de Arroyo, that the slave was part of the assets divisible between her and her minor sons, and that the sale was necessary in order to provide Luisa and her children with food and clothing, as they were poor. It is not clear how much discretion widows had in these matters. Perhaps the petition of the

37 Díaz, Female Citizens, 74. See Chapter 6 for further discussion of the Cédula de Gracias al Sacar.

38 Díaz, Female Citizens, 196.

39 “Luisa Magdalen Torrealva solicita apruebe la venta que hizo del esclavo Juan Eugenio perteneciente a ella y a sus hijos menores,” ANH, sección Esclavos, exp. CPLLRT 5, 1768.
court was a formality and as long as she had valid reasons for her planned disposition of her children’s assets a mother’s request would be granted. It is also possible that the claim of poverty was to some degree formulaic, an assertion that commonly brought acquiescence from the legal authorities.

Providing for family necessities was not the only justification proposed in such petitions. Doña Petronila de Salas y Mendivil and Doña Juana García Montes both appealed for and won permission from the courts to dispose of slaves inherited by their children. In 1759 Juana García Montes asked the Alcalde Ordinario of Caracas for permission to sell a morena slave named Inés María who belonged to her daughter, Theresa, in order to purchase another slave in her place.\footnote{Juana García Montes, como tutora y curadora de sus hijas menores, justifica la venta de una criada llamada Inés María,” Academia Nacional de la Historia, Sección Esclavos, exp. AHP 3, 1753.} The witnesses who appeared on Doña Juana’s behalf attested that the slave, Inés María, belonged to Theresa; that the slave was unhappy with her situation and had sought a different owner both in Caracas and the port city of La Guaira to where she had fled; and therefore she was of no use to Doña Theresa except to sell and replace with another slave. Doña Juana maintained that she was acting on behalf of and for the benefit of her daughter. Fourteen years later Doña Petronila de Salas y Mendivil, acting as guardian and executor of her niece and nephew, petitioned the Captaincy General of Caracas for permission to sell a slave, Matea, and her children in order to purchase other slaves who would be more productive than the children who were too young to work. The costs of food and clothes for unproductive young slaves as well as the high infant mortality rates were factors that made owning infant slaves less attractive. Also, the productivity of the mother may have been an issue.
She was thirty two years old and her children’s ages ranged from five months to seven years.\textsuperscript{41} Doña Petronila explained that her duties as guardian of her niece and nephew required her to provide for them and this would best be accomplished by selling Matea and her four young children. As did other women she presented witnesses who corroborated her assertions. The witnesses confirmed they were aware of the deaths of Doña Petronila’s parents and that among the property inherited by the two minor children was a negra slave Matea and her four children. As the slave children were too young to serve it was best if they were sold and replaced with other slaves. In addition to the testimony of the witnesses and Doña Petronila, her niece and nephew appeared in support of the petition. Explaining that they were minors under the age of twenty-five but older than fourteen they recognized they could not personally participate in the legal proceedings but asked that court grant the petition of their guardian. The final step Doña Petronila took was to request that the slaves be valued so they could be sold. Although we do not know if she actually went through with the sale or if she purchased replacement slaves, the documents reveal that the four slaves were valued at eight hundred pesos and that the court approved the request.\textsuperscript{42}

\textbf{Marriage and Honor}

\textsuperscript{41} “Doña Petronila de Salas y Mendivil, como curadora de los hijos de Doña Flora Antonia Ruiz, pide licencia para vender la esclava Matea y su descendencia,” Academia Nacional de la Historia, Sección Esclavos, exp. ALS 5, 1773. ANH Esclavos ALS5, 4r.

\textsuperscript{42} ANH Esclavos ALS 5, 8r-9r
Another right explicitly protected by law and encouraged by the Church that slaves sought to defend was the right to marry and to live together as a couple. Las Siete Partidas said that slaves had the right to marry free persons as well as other slaves and that they could do so without the permission of their owners, although this in no way exempted their service obligations. These rights were affirmed by the _Leyes de las Indias_ which obligated owners to facilitate marriage between slaves and the _Código Negro_ of 1784 which reiterated slaves’ right to marry freely. If two slaves owned by different masters married, then the Siete Partidas stipulated that one or both be sold so that they could live together.\(^{43}\) Although only a small percentage of slaves married in the Church, marriage became a symbol of respectability and honor.\(^{44}\) Ann Twinam explains that elite women in colonial Spanish America were considered honorable by virtue of their birth into an honorable family. However, it was through controlling their sexuality, entering into marriage, and bearing legitimate children that they maintained honor and good reputations that they could pass to their children.\(^{45}\)

Slaves were cognizant of the fact that church membership and marriage were one of the rights afforded to them and that it was more respectable to be a Christian and to be

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\(^{43}\) _Las Siete Partidas_, Partida IV, Title V, Law 1; Angelina Pollak-Eltz, _La esclavitud en Venezuela: un estudio histórico-cultural_ (Caracas: Universidad Católica Andrés Bello, 2000), 103.

\(^{44}\) A sampling of marriage records for the parish of San Pablo between 1752 and 1852 reveals that approximately 11% of the marriages performed for non-white couples involved at least one slave. Of the non-white children baptized during the same period approximately 19% were “legitimate,” i.e. the children of a married couple. See Chapter 3 for more detailed information.

part of a church sanctioned relationship than not. As Alejandro de la Fuente observes, laws, even when challenged or ignored, provide clear characterization of a society’s values.\textsuperscript{46} However, the legal right did not guarantee that slaves could marry at will with no interference by their owners. Often owners had their own ideas of who they wanted their slaves to marry. Slaves who wanted to marry a spouse owned by a different owner had to rely on the cooperation of one or both owners; if they desired to live in the same household, at least one of them had to be sold, requiring a higher level of cooperation on the part of owners. It was around these types of conflicts that slave couples chose to appeal to the courts.

The motivation for slaves who married other slaves is elusive and would include affection, cohabitation and legal protections. There were also obstacles; we can see that a small percentage of slaves opted to legally contract marriage. The barriers to marriage included the cost and the bureaucratic hurdles to be overcome before the marriage could take place. Given that there was at least a legal expectation that slave couples could live in the same household, perhaps slaves felt marriage afforded them a greater degree of control over their lives and living arrangements than if had they not married. Legal codes protected the rights of slave to marry and mandated slave owners to find ways to allow married slave couples to live together. This could be accomplished through sale of one or both. A potential obstacle for slaves who wished to marry was securing permission from their owners. Perfetti explains that this requirement made slaves vulnerable to the owner who could bar their right to marry.\textsuperscript{47} When owners denied permission for slaves to


\textsuperscript{47} Perfetti, “Confesados y casados,” 191.
marry, prospective couples often relied on the assistance of the court, as María Francisca Meza did in 1790. María Francisca, parda libre, wanted to marry Ilario Ruiz, slave of the heirs of Don Cristobal Ruiz. When permission was not forthcoming she turned to the court, which granted the couple a license to marry.  

In another case a female guardian was requested to sell the slave owned by her minor sons in order to reunite a slave family that had been separated upon inheritance. In 1776 Valentín Rosalio Cabrises, pardo slave of Don Josef de Reyes, filed a petition with the court of the Captaincy General of Venezuela asking for the right to cohabit with his wife, María Feliciana Nieves, and their two children. At one time both Valentín and María Feliciana had been slaves of Don Luis Josef Nieves. As frequently happened to slave families, upon the death of their owner the family was split up; Valentín passed into the control of Don Josef Reyes and María Feliciana went to the minor children of Josefa Casilda de Ponte, a parda. To remedy this situation Valentín appealed to his owner who indicated he would be willing to buy María Feliciana from her owner so the couple could be together; however, Josefa, acting as guardian for her sons, was unwilling to part with her slave. 

By the time Valentín brought his request to the court his wife had fled to his owner’s house. She did this because when she told Josefa Casilda that she wanted to be sold to her husband’s owner, Josefa, acting out of revenge, responded by whipping her.

48 “María Francisca Meza sobre pretender casarse con Ylario Ruis esclavo de los Herederos de Don Christobal Ruis,” Academia Nacional de la Historia, Sección Civiles, Exp. 9-3659-8, 1r, 4v, 5r.

49 “Esclavo Valentín Rosalio Cabrises, pide que se permite a su mujer ir a su lado a vivir en la casa del amo a quien sirve,” Academia Nacional de la Historia, sección esclavos, 1776 ACEF-4 (hereafter ANH 1776 ACEF-4), 1r.
and breaking two of her fingers. Valentín explained that as long as María Feliciana was in service to Josefa Casilda, she was in effect no longer his wife. In a subsequent statement he added that his owner was also willing to take their two children, one of whom was ill, who were living with their mother. He advised the court as well that the son for whom Josefa Casilda was acting as guardian, Josef Joaquin de Nieves, was older than eighteen and therefore the court could order him to appear and execute the document of sale for María Feliciana and their two young children.  

As might be expected, María Feliciana’s owner, Josefa Casilda, asserted that Valentín’s statements were false and arrogant. She blamed Valentín for removing her slave from her control and, calling María Feliciana a fugitive, demanded her return and asked that the court protect her property rights. Unfortunately for Josefa, the court agreed with Valentín that he, his wife, and their children should live together as a family and therefore ordered that the sale take place.

As a *parda*, that is a mixed race woman, Josefa Casilda had a more tenuous claim to honor than did Valentín’s owner, Don Josef de Reyes, an elite and presumably white male. It must have been important for Josefa Casilda to defend her identity of “slave owner” in the eyes of all parties concerned. The fact that María Feliciana had fled from

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50 ANH 1776 ACEF-4, 1v-4v.

51 ANH 1776 ACDF-4, 2r-5r.

52 His race was not indicated and it is possible he was of mixed African or indigenous heritage. But he at least lay claim to the honorific “don” and so must be at least accepted by the higher classes. It is also possible he purchased the title through the “gracias al sacar” although this case took place prior to the *Cédula* of 1795. According to Ann Twinam, whitening had been purchased prior to 1795 even though it was not formally listed on the price list. Ann Twinam, “Purchasing Whiteness,” 142.
Josefa Casilda’s jurisdiction suggested that the owner was unable to control her slave. Her inability to dominate her slave would have been a threat to Josefa’s status as a slave owner, a threat that would be exacerbated if she were forced to sell her. We do not know how far removed from slavery Josefa was. The documents revealed that Josefa’s sons gained possession of the slave through a bequest. Although we have no way of knowing, it was not unheard for an owner to grant a loyal slave freedom in his will while at the same time giving the newly-freed person a slave or slaves of their own.\(^\text{53}\) It is possible Josefa gained freedom through the same will that separated María Feliciana and Valentín, making her status all the more precarious. It is also possible that her sons were Reyes’ sons as well. Unfortunately a copy of the will was not included in the lawsuit. Even had she been born free, Josefa would have been considered less honorable because she was parda and female. For her the reinforcement of social status and hierarchy that would permit her to be dispossessed of her property was a threat to her honor. Also, if the slave was a bequest from the father of her children, such a gift would have been proof of that association. Colonial Caracas was a society ordered by status where elite held the inherent traits that bestowed honor. The case, as it has survived, did not provide much information about Josefa. She was not identified a legitimate wife (mujer legitima) or widow in any of the documents and her son, for whom she was acting as guardian (tutora) was not identified as her “legitimate son” (hijo legitimo), rather simply her son.

Since documents and records from the colonial period generally indicated legitimate

\(^\text{53}\) For example, Ynes Piedra instructed in her will that upon her death her slave Encarnación would be free and that Regina Domingues, Ana María Piedra, and María Manuela Bello should be given to Encarnación as well. Testamento de Doña Ynes Piedra Eusebia Xerdel, Archivo Histórico Arquidiocesano de Caracas, Sección Testamentos, Legajo 146T, No. 24, 1845.
status, it is likely he was not legitimate. All this hints at the fact she was not married, a less than honorable status. Josefa’s position vis-à-vis Don Josef de Reyes was subordinate in terms of social status, race, honor and respectability. She needed to actively protect the little honor she possessed while his was assumed.

Nearly twenty years earlier a mulatto slave named Cayetano Machado also appealed to the court to cohabit with his wife, Victoria Margarita, and their children. Cayetano was the slave of Doña María Josefa Peres, a widow, and Victoria was the slave of Doña Isabel de Ascanio and her husband, Don Joseph Antonio Martinez de Meza. In the first of two cases dealing with this matter Cayetano asked the court to remove Victoria from the control of her owners and place her in an acceptable home so she could be evaluated and sold.\(^\text{54}\) At the conclusion of the first case the magistrate ordered Doña Isabel to prepare the document of sale for Victoria. When she ignored that directive, Cayetano and his owner appealed a second time to the authorities, asking that the court enforce its previous instructions.\(^\text{55}\)

Although Victoria’s owner, Doña Isabel, acknowledged she had received the court’s order, she did not seem willing to cooperate. After her initial statement, in which she outlined Victoria’s defects – the slave suffered from fevers, lack of teeth, and chronic rheumatic pain – she apparently left the city for her estancia in la Tipe (an area close to

\(^{54}\) “Cayetano Machado, esclavo de Doña María Josefa Pérez, con Isabel Ascanio para que venda a la esclava Victoria, su esposa” Academia Nacional de la Historia, sección esclavos, 1759 AHP-4 (hereafter ANH AHP-4), 1r.

\(^{55}\) ANH AHP-r, 8r, “María Josefa Perez contra Antonio Martinez, esposo de Isabel Ascanio, sobre la venta de su esclava Victoria, esposa de Cayetano Machado” Academia Nacional de la Historia, sección esclavos, 1769 AHP-5 (hereafter ANH AHP-5), 1r.
taking the slave woman with her. Statements by Cayetano, his owner, Doña Maria, and Don Joseph Antonio Fortique y Lopes, who appeared several times for Doña María, described the obstructive attitudes of both Doña Isabel and her husband Don Joseph. Cayetano spoke of Don Joseph Antonio’s anger and vengeful nature, which he vented on his slave. Doña María, focusing on the moral and spiritual consequences of keeping the couple separated, complained that Doña Isabel ignored the court’s orders first to deposit the slave with a third party and later to prepare the document of sale. Even the assessor appointed to determine Victoria’s value described Doña Isabel’s representation as frivolous, saying she was untrustworthy.

Despite the entreaties of the petitioner and her associates to effect the sale, it was Doña Isabel and her husband who more deliberately invoked the language of honor in their testimonies. Both Doña Isabel and her husband expressed the opinion that they were satisfied with her service and they should not be forced to sell her. They implied that their status rendered them exempt from requirements to facilitate slave marriages. Don Antonio Joseph Martinez stated candidly that he did not want to buy Cayetano nor did he want to sell Victoria; and no person should be compelled to buy or sell a slave as was requested in the lawsuit. Doña Isabel, presenting herself as a “woman of quality” ("señora de calidad") felt she should not be obligated to sell her slave. However, as a gesture of good will toward Doña María Josefa and to assist the slave couple in their goal of living as a family, Doña Isabel indicated a willingness to purchase Cayetano at a fair price.

Cayetano sought to reunite his family, appealing to the values of the Church, the law, and society. In his petition he explained that he wanted to legitimize his children so
they would not be children of adultery.\textsuperscript{56} He spoke of the loyalty and marital obligations he felt for his wife and children, accused Doña Isabel of not respecting the faith of the Church and the institution of matrimony. Cayetano was acutely aware of the values of carequeño society and he knew church sanctioned marriage and family were part of the honor code. Reuniting his family would bring honor and respectability to Cayetano, his wife Victoria, and their children. Although the court granted his petition in the first case, the second case, brought to enforce that decision, did not indicate if the sale ever took place.

\textbf{Families and use of the law}

The cases examined here highlight the concerns of parents toward their children, their vulnerabilities, especially in the case of slave parents, and the legal strategies they devised to achieve their aspirations for their children and families. Legal cases from late colonial and early national Venezuela provide useful tools to understand the thoughts and desires of free and slave families, although filtered through the formalities of the law, as recorded by court scribes. In Caracas, as in other parts of Spanish America, mothers of enslaved children were unwilling to accept the threats posed to their families by owners. In the same way, mothers serving as guardians of their minor slave-holding children sought to protect their family and living situations. For some of these mothers the issue

\footnotesize{\textsuperscript{56} It is possible that he used incorrect terminology. He stated that Victoria was his legitimate wife ("esclava que es mi lexîtima muger [sic]") but he referred to the children as \textit{hijos adulterinos}, which would suggest that either he or Victoria had been previously married to someone else. ANH AHP 4, f. 1r. 3v.}
was providing the basic necessities for their family; for others it was preserving their privileged status as members of the slave-holding class.

Family dissolution seemed to be the primary fear of the parents of enslaved children, followed by the very basic desire to protect their children from harm, and to ensure better lives for their offspring. Parents developed methods for purchasing or otherwise obtaining liberty for their offspring, argued to enforce what they understood to be the intentions of deceased owners to free children, and sought different owners when their children were at risk of physical harm. Undoubtedly the rights and protections outlined in the legal codes created openings for slaves to take action in the courts; however, protecting children meant that parents needed to understand how to utilize resources such as legal defenders and manipulate common knowledge to parent’s advantage. The sense of shared responsibility for those segments of society needing protection applied especially to children and was an attitude adopted by both slave parents and church and civil authorities. Parents of enslaved children learned to utilize this social obligation as a means of protecting their families as well as achieving goals that reached beyond the limits of the legal codes.
In 1816 Doña Cándida Véliz filed a complaint with the regent attempting to reclaim her slave Juana Rita who had been confiscated by the Junta de Secuestros (Board of Confiscations) under the belief that the slave woman actually belonged to Doña Cándida’s son who had emigrated during the turmoil of the wars for independence. More than twenty years later, in 1837, another case involving slave ownership during those tumultuous years was filed with the court, this one initiated by a captive. María Josefa Blanco petitioned the court that she had been unlawfully re-enslaved by the heirs of her former owner Belén Blanco. María Josefa’s owner also had emigrated during the independence struggles, taking her slave with her. However, by 1817, they had returned from Trinidad to Venezuela and were in the city of Angostura where Simón Bolívar made a declaration freeing the slaves. This declaration, along with the fact that it was not legal to bring slaves to the island of Trinidad, was the basis for María Josefa’s claim of freedom. These two cases illustrate some of the issues that faced both slaves and slave owners as a result of the turmoil and transformations of the period between 1810 when the fight for independence began and 1854 when President José Gregorio Monagas ended the institution of slavery in Venezuela.

1 “El procurador Domingo Pérez por Doña Cándida Véliz, reclama una esclava de su propiedad llamada Juana Rita que le embargó la extinguida Junta de Secuestros,” Academia Nacional de la Historia, Sección Esclavos, 1816 OP4, 1816. Hereafter ANH Esclavos 1816 OP4

2 “El sindico procurador municipal en representación de María Josefa Blanco reclamando su libertad de los herederos de Belén Blanco,” Archivo General de la Nación, 1837 E41, 1837. Hereafter AGN 1837 E41
The period beginning with the struggle for independence through final emancipation was a time of chaos and upheaval for all segments of the Venezuelan population; however, the years leading up to the onset of the fighting did much to shape the uniqueness of the Venezuelan experience. Actions by both the royalists and revolutionaries affected slaves and slave owners alike, and new laws following independence changed the nature of slavery in Venezuela. The confusion and, the shifting legal situation created both opportunities and constraints for slaves and their owners that were often presented to the courts for resolution.

**Venezuela moves toward revolution**

On the eve of the independence movement in Venezuela the province had enjoyed administrative autonomy for only a few decades. During the mid to late eighteenth century Venezuela experienced a number of changes that brought about a degree of centralization in the province as well as a shift in the status of the province in the Spanish colonial system. During the eighteenth century Venezuela became the most profitable non-mining economy in Spanish America as a result of the growth of cacao. Consequently the province became increasingly reliant on mono-crop agriculture that was progressively concentrated in the Caracas region and gradually more incorporated into Atlantic trade networks. The rising importance of cacao also meant that there was a growing need for labor, resulting in the importation of large numbers of African slaves
through the middle part of the century. After about 1800 both the cacao boom and the slave trade dropped off significantly.³

There were four institutional changes in the late eighteenth century that elevated Venezuela to the level of a major province within the Spanish empire by the time of the independence movement. The first of these was the creation of a *consulado*, which was an institution that functioned as a merchant/agriculturalist chamber of commerce, and which significantly impacted Venezuela’s economic development. Second was the establishment of an intendancy in Venezuela in 1776. This change placed all six Venezuelan provinces under one fiscal administrator resident in Caracas and marked the beginning of some unity in the region, although the intendant was still subject to the superintendent in Bogotá. According to John Lombardi, “the intendant’s purview, while theoretically restricted to fiscal matters, actually affected just about all government activity because the intendant’s acquiescence became necessary for an project of significance that required expenditures of royal funds or involved the production of government revenues.”⁴

The following year the governor of Caracas was made captain general of all the Venezuelan provinces, thereby strengthening the consolidation of Venezuela. An important step in the political integration of Venezuela, the establishment of the


Captaincy General “brought the political and military authority of Venezuela together in a central office in Caracas.”\(^5\) The final step giving Caracas centralized control over the fiscal, administrative, political and legal affairs of Venezuela came with the establishment of the audiencia or royal court in 1786. This development meant that Venezuela was no longer dependent on Santo Domingo or Bogotá for judicial matters. However, although these changes brought the institutions of a major province within the Spanish empire to Caracas, the fact that these processes did not begin until the late eighteenth century meant that the consolidation was incomplete before the crisis resulting from Napoleon’s 1808 invasion of Spain set in motion the independence movement in Spanish America.\(^6\)

The ultimate impetus for the independence movement was external, emerging from events in Spain and France; however, the local events and attitudes are what are important to consider here because that is where we can see the direct impact of the revolution on slaves and free blacks. Together with the political changes that helped elevate the position of Caracas within the Spanish Empire, the Spanish crown had attempted to initiate several changes with respect to slavery and the racial situation in the province. In 1789 the royal \(cédula\)\(^7\) Código Negro (Black Code) was published in America, formalizing various aspects of slave/owner interactions. When the \(cédula\) reached Caracas, slave owners predicted that implementation of the new codes would

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\(^5\) Lombardi, *Venezuela: The Search for Order, the Dream of Progress*, 105.


\(^7\) A decree issued by the Spanish crown
bring about dire consequences. They outlined issues as they saw them in an opinion of the *Consejo de las Indias* (Council of the Indies) dated 17 March 1794. The principal points were that they were already seeing “crimes, murders, and insurrections arising from the insolence and insubordination of slaves to their masters;” implementation of the cédula would probably cause slaves to become “arrogant and excited,” as they did anytime any attention was paid to them. Furthermore, slave owners implied the cédula was unnecessary because it was actually a “repetition and amplification of existing Spanish laws” and that Spanish owners already treated their slaves better than slave owners in other American colonies. In the end the slave code was never promulgated in Venezuela.

Even more distressing to the Venezuelan elite was the royal cédula of 1795, the *Gracias al Sacar*. The cédula included a new price list or *arancel* for the gracias al sacar petitions in the Americas, and for the first time, the option for the purchase of whiteness was included. The cédula offered to free pardos a mechanism to move into the white sector, to become legally equal to whites, in exchange for a payment to the royal treasury and documentation that they and their family had been free and legitimate for four generations. If successful the newly whitened pardos, family members, and offspring

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10 The gracias al sacar was a royal decree that gave permission to remove some undesirable trait, in this case the condition of color. Other condition related to such things as illegitimacy or inferior birth. See, for example, Ann Twinam, *Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America.* (Stanford: Stanford University Press, 1999).
could engage in hitherto prohibited professions such as law, surgery, or public notary; become priests; and attend the university. The reality was that most pardos lived on the verge of poverty and for those few whose petitions were granted, Venezuelan elites impeded their social mobility. Gracias al sacar petitions were not new to the Americas, though this was the first time whitening was an option. Appeals for whitening were filed prior to 1795. The fact that the option and relevant prices were published in the cédula so threatened the Venezuelan establishment that they issued an *obedesco pero no cumplo* (I obey but I won’t comply) response.

Unfortunately, imperial policies only served to harden the attitudes of the Caracas elite against people of color. These attitudes did not seem to change until such revised opinions became expedient during the wars for independence. In the meantime the assumption of illegitimacy and heritage of slavery ascribed to most pardos were used to justify biased legislation designed to restrain their freedom that characterized Venezuela on the threshold of the revolutionary wars. One great concern of the elites was the possibility of a slave uprising, fears that were further fueled in Venezuela by the rebellion in Coro in 1795 and the uprising in Maracaibo in 1799. Certainly elites were aware of the possibility of a revolution in Venezuela on the order and scale of the Haitian Revolution,

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13 Waldron, “A Social History of a Primate City,” 78.
although it is difficult to ascertain how that revolution affected other slave-owning areas in the Americas. News of the events in Haiti between 1791 and 1803 spread quickly and captured the attention of the international community. David Geggus argues that although there was what he refers to as a Haitian influence that inspired many of the rebellions of the period, the effect was often less than claimed.\(^\text{14}\) He suggests that reactions to the 1795 *Gracias al Sacar Law* and the discussions of the *Cortes* of Cadiz were as significant as the events of Haiti.\(^\text{15}\) However, the Coro Rebellion, led by sharecropper Joaquín Chirino, did have some connection with Haiti. Chirino, who claimed falsely that the leader of the 1791 Haitian insurrection was preparing a revolt in Venezuela, had visited Haiti with his owner.\(^\text{16}\) Also, evidence suggests that Haitians participated in a 1799

\(^{14}\) Geggus argues that there was in reality little Haiti could do to help spread slave rebellions because they could not risk a maritime blockade that would cut off their supply of arms. He also explains that of the Haitians who helped promote slave freedom most were free men of color from the south part of the island rather than the ex-slave rulers who had control of the north. David Geggus, “The Influence of the Haitian Revolution on Blacks in Latin America and the Caribbean” in *Blacks, Coloureds and National Identity in Nineteenth-Century Latin America*, Nancy Priscilla Naro, ed. (London: University of London, Institute of Latin American Studies, 2003), 46.

\(^{15}\) The *Cortes* was a governmental body that was medieval in origin and had not met in generations when the Council of Regency, that claimed to act in the name of Fernando VIII, called a meeting of the Cortes and invited both Spanish and Spanish American representatives to participate. An outcome of the Cortes was the Constitution of 1812 that created a liberal constitutional monarchy. Bushnell, *Bolívar: Liberation and Disappointment*, 21, 22, 41.

\(^{16}\) Geggus, “The Influence of the Haitian Revolution on Blacks in Latin America and the Caribbean,” 44, The reactions of the authorities to the 1795 uprising of some slaves and free people of color reflect the fears that Venezuela could become another Haiti. After harshly punishing the rebels and hanging Chirino Venezuelan authorities cut off his head and hands, setting them up in various places as warnings to other potential rebels. Bushnell, *Bolívar: Liberation and Disappointment*, 7. For more on the Coro rebellion see Pedro A. Gil Rivas, Luis Dovale Prado, and Lidia Lusmila Bello, *La insurrección de los negros de la serranía coriana: 10 de mayo de 1795: notas para la discusión*, (Caracas: Dirección de Cultura, Universidad Central de Venezuela, 1996)
revolutionary plot in Maracaibo. Although neither of these incidents was even remotely close to the Haitian revolution in scale and significance, they brought the Haitian example closer to home for the Venezuelan elite, heightening fears of what came to be referred to as pardocracia or an overthrow by pardos, who represented a majority of the population.

The possibility of slave and pardo uprisings or a race war that would develop into another cataclysm like Haiti that would challenge the existing social and economic system contributed to reluctance on the part of the elites to initiate a rebellion, regardless of how unhappy they were with the events in Europe and America. The stimulus for the independence movement came from events in Europe with Napoleon’s 1808 invasion of Spain and the forced abdication and exile of Charles and Ferdinand. In 1810 the elite creoles in Caracas, the mantuanos, decided to take control of the government of the province of Caracas and hold it in trust for Ferdinand VII, who they considered their legitimate king. To do this they needed the support of the other provinces in the Captaincy-General, all of which refused, reaffirming their loyalty to Spain. A series of revolutions and counterrevolutions during this period progressively increased the involvement of the masses, who also believed their interests would be best served by the


18 David Geggus, “The Influence of the Haitian Revolution” 39-45, 48, 49. Although slaves represented only about seven percent of the total population of Venezuela, in the north-central region they were approximately fifteen percent and in Caracas represented closer to twenty percent. Free pardos were almost half of the Venezuelan population. Bushnell, Bolívar: Liberation and Disappointment, 5, 7. At the end of the eighteenth century the population of Caracas was approximately 30,000, of which about 9,000, or thirty percent, were whites. Waldron, “A Social History of a Primate City,” 62, 66.
reinstatement of the Spanish monarch. These movements culminated in 1814 with a popular uprising in the name of Ferdinand in which some 150,000 people were either killed or fled the province; this included as much as half the white population. Venezuela appeared to be poised as the next Haiti.  

**The Junta de Secuestros**

When reinstated King Ferdinand sent Pablo Morillo to Venezuela in August 1814 to restore Spanish control one of the first problems Morillo needed to address was finances. The government had incurred substantial debt and at the same time it had an army that it had to supply and pay. Although the crown had authorized sale of property sequestered from persons believed to be rebels or who had fled the country, little had been recouped for the government coffers. Morillo recognized that the property needed to be sold as soon as possible in order to realize the revenue to necessary to meet their obligations. Also, the confiscated land had to be put back into production to revive the economy and stimulate trade. In order to accomplish these goals Morillo established the *Junta de Secuestros*.  


[^20]: Stoan, *Pablo Morillo and Venezuela*, 68, 81, 82; Brian R. Hammett, “The Counter Revolution of Morillo and the Insurgent Clerics of New Granada, 181501830,” *The Americas* 32:4, (April 1976), 602, 603. According to Ildefonso Leal, the idea actually started with José Tomás Boves, who was the first to confiscate property from the elite sectors of the Venezuelan populace. Morillo, in an attempt to curb the ambition and corruption of the revolutionaries and to stimulate development of agriculture and trade organized the Junta de Secuestros, which operated until mid 1816 when it was re-established as the tribunal of the Royal Audiencia. Ildefonso Leal, “Plan de Gobierno de la Junta Superior y Tribunal Especial de Secuestros de Caracas, promulgado en 1815,” *Revista de Historia*, vol. 16, (1963), 75. 76.
The plan drawn up for the Junta defined the classes of people from whom the government would confiscate property and then sell it for the benefit of the state. These included revolutionary leaders, followers of the rebels, and people who had fled the country. The leaders of the rebellion would not be tried; they were automatically classified as traitors, and their property was classified as “permanently alienated.” If they demonstrated renewed loyalty to Spain, followers of the revolutionaries and émigrés might have their property reinstated or they could be indemnified. Until such determinations were made, seized and abandoned estates could be auctioned off, rented, or administered by private citizens. The property that fell under the provisions of the junta included real and chattel property. In addition to having the power to sell confiscated property, the junta would act as “a court of final appeal in hearing treason cases . . . and in passing and executing sentences.”

It is not surprising that for years after the installation of the Junta de Secuestros Venezuelans were appearing in court trying to sort out their property. The tribunal had only one lawyer; the remaining members were army officers, clergy, businessmen and planters. Morillo instructed the tribunal members to use abbreviated procedures in their hearings and to not grant trials to men deemed to be revolutionary leaders. Further ambiguity resulted from the fact that although the crown had issued a general amnesty, allowing exiles to return to Venezuela through 26 May 1815, this information was not circulated widely enough for them to take advantage of this opportunity.

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In many cases the junta had seized property inappropriately, either because the owner had been misidentified or had been incorrectly named as a revolutionary. When property had been confiscated improperly it was probably not a difficult task to have it returned. The following cases allow us to see how the actions of the junta and the ensuing chaos impacted both slaves and their owners and how they interacted with the junta to preserve or gain rights. Such was the case with Doña Cándida Véliz who successfully petitioned to have her slave Juana Rita returned to her after she had been seized as part of the property of Doña Cándida’s son. As Doña Cándida explained, she was “of advanced age and known to be poor” and the slave woman Juana Rita was her primary asset.\(^{23}\) In less than two weeks after the petition was filed it was passed to the Junta de Secuestros with the instruction that they proceed according to the royal decree and within two months the regent instructed that the slave be returned to Doña Cándida.\(^{24}\)

Owners were not the only ones to appeal what they believed to be an unjustified confiscation of chattel property by the junta. In 1816 the attorney Narciso Ochoa, representing Juan del Rosario López, appealed to the court to grant freedom for Juan’s wife María Gracia Pérez, who had been confiscated by the junta when the heirs of her deceased owner, Don José Revenga, emigrated.\(^{25}\) The plea presented to the court said that María Gracia was part of the estate of Don José Revenga and that the property of the

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\(^{23}\) The Spanish reads “de edad abanzada [sic] y pobre notoriamente” ANH Esclavos 1816 OP4, 1r.

\(^{24}\) ANH Esclavos 1816 OP4, 2r – 3r.

estate had been confiscated because two of his heirs, his two sons, had emigrated. The petition also argued that María Gracia should never have been included in the property that was appropriated by the junta because she had purchased her freedom through a provision in Revenga’s will.²⁶

The widow of Don José Revenga, Margarita Hernandes, testified that her husband had died in the city of Caracas and left three children, a daughter and two sons. The two sons had emigrated during the war, leaving their mother and sister in Venezuela. José and Margarita’s daughter Merced Revenga also appeared and affirmed that her father had intended for the slave woman to be free and had made this known to his wife. In fact, the letter granting María Gracia her freedom had been signed by both of her parents. Merced also added that her father agreed to grant freedom to María Gracia because she was actually his natural daughter (hija natural).²⁷

In this case Juan del Rosario Lopez and his attorney Narciso Ochoa needed not only to prove that José Revenga had promised María Gracia freedom but also that she should not have been confiscated by the Junta de Secuestros and should therefore be excluded from the seized estate. Both conditions were necessary for María Gracia to be free. Even if a judge agreed that her owner indeed intended for her to be liberated, she

²⁶ ANH Esclavos 1816 OP3, 1r, 1v.

²⁷ ANH Esclavos OP3, 9r, 9v, 10r. Natural was the designation for an illegitimate child, i.e., one born to an unmarried woman whether or not the father acknowledged his offspring, as opposed to legitimo or legitimate for those children born to a married couple. See for example Linda Lewin, “Natural and Spurious Children in Brazilian Inheritance Law From Colony to Empire: A Methodological Essay,” The Americas, Vol.48, No. 3 (Jan. 1992), 351-396.
was still under the control of the Junta de Secuestros and vulnerable to sale to another person.

María Gracia’s owner had indicated that once she had married she could purchase her liberty; however Revenga’s will was not included in the documents for this case.\textsuperscript{28} There were several references to that stipulation and the lawsuit was initiated shortly after their marriage. The parish priest from the village of Calabozo supplied a copy of their marriage certificate from 1 February 1816.\textsuperscript{29}

The royal prosecutor seemed satisfied that José Revenga had intended to free his slave María Gracía Perez upon her marriage. According to his statement, this intent was substantiated by the witnesses and was entirely plausible given that she was his daughter. The fact that she had been seized as part of the property belonging to the emigrant sons of José Revenga could have posed an even greater problem except that their property had not yet been sold. He had asked that the court formalize its decision (with a summary indictment or \textit{sumario}) regarding the disposition of the property and acknowledged that there were a number of issues to be taken under consideration. These included the “political conduct” of the émigrés, the reasons for emigration, the need to avoid persecution of faithful subjects, concessions that had been made to insurgents during the last days of Bolívar’s rule, and the general chaos of rebellion. On 28 February 1818 he declared María Gracia Peres “free and exempt from slavery” (\textit{libra y exempta de})

\textsuperscript{28} It might have been included in the original since there were several pages missing in the pagination of the extant documents.

\textsuperscript{29} ANH Esclavos OP3, 11v-15r.
as a result of the testimony presented in this case and affirmed that this statement would serve as a letter of freedom.\textsuperscript{30}

Clearly the events of the period added complications for the slave María Gracia and her husband Juan as they attempted to gain her freedom, just as they made the issues more complex for the heirs of José Revenga. The slave woman and her husband had to meet two challenges, positioning their claims against those of the heirs of her former owner as well as against the assertions of the junta. Had they not prevailed in their contention that Revenga had promised María Gracia her freedom she would have remained enslaved, under the control of either one of Revenga’s heirs or a new owner. The judge considered Revenga’s intention was indeed to free María Gracia upon her marriage but that the seizure and the validity of the seizure by the Junta de Secuestros as two separate questions. It is unclear what would have happened if he had arrived at different conclusions for each part. Did the rights of the junta supersede those of either the slave or owner? Would María Gracia have been forced to remain enslaved unless she could have worked out an agreement with her new owner? Could the former owners have been forced to reimburse the junta for the purchase price they would have received for María Gracia?

Another possible outcome of this case was that the magistrate might have found María Gracia’s claim to freedom invalid. In one scenario María Gracia would have been returned to the control of José Revenga’s heirs. In the other, she would have been sold to some one willing to pay the junta for the slave woman. This part of the decision rested completely on the court’s determination of the validity of the seizure and the perceived

\textsuperscript{30} ANH Esclavos OP 3, 11v, 12r, 16r.
loyalty of José Revenga and his family. In the plan Morillo put together for the Junta de Secuestros persons who had fled Venezuela out of fear would have their property restored if possible. Otherwise they would be reimbursed for the seized property.\textsuperscript{31} There were no allegations that Revenga or his sons had taken up arms against the Spanish crown. In his statement the judge acknowledged that the disposition of property belonging to the emigrants had not yet been carried out because the prosecutor knew the law and acted cautiously, considering all possible issues. Evidently Revenga’s widow and sons were confident that if they could prevail on the issue of María Gracia’s freedom they would not subsequently lose control of her to the junta. They focused all their efforts on disputing her freedom claim and remained silent on the validity of the seizure.

In the end the judge, in compliance with his decision that María Gracia was free, ordered a certificate be prepared that would serve as a letter of freedom and safety for her \textit{(carta de libertad y ahorrio [sic])}. This was prepared along with an assessment of the charges for this case, though it is not clear who actually paid the costs. The schedule of costs totaled 376 reales (47 pesos). This was certainly not the equivalent of the value of a healthy slave woman, but did amount to nominal compensation for the government’s loss.\textsuperscript{32}

The judge based his decision in part on his interpretation of Revenga’s intention to give María Gracia the opportunity to purchase freedom upon her marriage,

\textsuperscript{31} Stoan, \textit{Pablo Morillo and Venezuela}, 83.

\textsuperscript{32} We were not told María Gracia’s age and a standardized table of slave prices was not established until 1821. However, according to that table a 40 year slave had a price of 290 pesos. Santos Rodulfo Cortes, \textit{Antologia Documental de Venezuela, 1491-1900}
substantiated by the witnesses’ statements. He also suggested the need for caution and deliberation in the disposal of the assets seized by the Junta. It was important, he said, to take care not to persecute faithful subjects; authorities must consider the reasons for emigration and other circumstances that could influence decisions in these matters.33

**Revolution, slaves, and free blacks**

The issues of race and revolution were linked in various ways. Revolutionaries in Spanish America often used slavery as a metaphor for the colonial state. They accused Spain of enslaving her American colonies and advocated rebellion as the way to overthrow the bonds imposed on them by an exploitative abusive master that prevented them from achieving their potential. These arguments resonated with every strata of society, but especially with slaves themselves. Whereas the largely elite revolutionary leaders thought in terms of political enslavement and liberation slaves went to the next level, applying these concepts to their personal circumstances and the possibility of individual freedom. Accordingly some slaves offered to serve the cause, a step that made their “revolutionary” owners uncomfortable.34

Elites were reluctant to arm slaves, especially in light of the prevalent fears of a Haitian-like rebellion. However, although slaves had long been excluded from armies and militias in the Americas, free blacks and mulattos were commonly recruited. The lack of sympathy of Venezuelan revolutionaries toward slaves’ desires for freedom contrasted

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33 ANH Esclavos 1816 OP 3, 11v, 12r.

perceptibly with gestures by the crown or groups claiming to represent the crown aimed at gaining support of the slave population. As early as 1806 when the English invaded the Viceroyalty of Rio de la Plata the crown had showed a willingness to recruit slaves into its military forces. When fighting broke out in 1810 the majority of blacks remained resolutely loyal to the crown. This loyalty was reinforced by recognition of free blacks as “Spaniards” by the Cortes of Cádiz and promises of freedom to slaves in return for serving in the armies of Spain. Enslaved men overwhelmingly joined the royalist forces and helped defeat the first and second Venezuelan republics.\textsuperscript{35}

Although the revolutionaries made some efforts to recruit slaves into patriot armies, such as Francisco Miranda’s offers of freedom after ten years of military service, they faced a definite risk of alienating slave owners in the pursuit of uncertain support from the slave population. It was not until 1816 that Simón Bolívar finally realized victory over Spanish forces was impossible without recruiting slaves or at least convincing them not to join the royalists.\textsuperscript{36} Bolívar spoke out against slavery and issued a number of decrees granting freedom to slaves under various circumstances. He proclaimed that no person needed to be enslaved unless he wanted to be. This statement was most likely an overstatement for dramatic effect since he defined the path to freedom as service in the army of the revolutionaries with no accommodation for women and children. In another proclamation he decreed that slaves in the provinces of Guayana and Apure, regions controlled by the revolutionaries, were unconditionally free even though


\textsuperscript{36} Blanchard, “Language of Liberation,” 514.
slave owners were reluctant to accept the freedom of their slaves under these proclamations.37

Bolívar’s proclamation freeing slaves in two provinces opened opportunities for slaves other than those who had served in the military to claim freedom based on events during the wars for independence, such as the claims of Claudia Mendez. In 1835 municipal attorney Luis Blanco filed a lawsuit with the municipal court of Caracas on behalf of Claudia Mendez and her two daughters, Soledad and Concepción. The compliant requested freedom for Claudia and her daughters who had been “illegally and unjustly” subjected to slavery.38 The incidents, as Blanco outlined them, described a slave woman whose personal trajectory during the wars for independence provided a basis for a claim to freedom. Claudia was born in the town of Aragua in the province of Barcelona in the home of her owner Sr. Javier Rojas. She worked as the servant of Sra. Rita Méndez, wife of Rojas. In 1814 Claudia accompanied her owners from the province of Barcelona to Guyana, where they stayed for a number of years.39

According to the slave woman and her attorney Claudia was in the city of Angostura in the province of Guayana from 1814 until 1817 or 1818, concurrent with the time in 1816 when Bolívar decreed that all slaves in the provinces of Apure and Guyana were “forever and irrevocably free of servitude, without exception to sex, age, or


38 “El Señor Procurador municipal sobre la libertad de Claudia Méndez y sus dos hijas Soledad y Concepción,” Archivo General de la Nación 1835 E8, 1835, hereafter AGN 1835 E8, 1r.

39 AGN 1835 E8, 1r, 3v.
anything else.” To strengthen their argument that Claudia was indeed free under the law, Blanco also referred to the resolutions passed in 1820 by the sovereign congress of Venezuela. The constitution recognized “the sacred principle that man cannot be owned by another man,” the law had abolished slavery, and the General Congress would address implementation at their next meeting.

By 1820 Claudia had returned to Barcelona and three years later she was, in her words, captured by Rojas and sold as a slave to Sr. José Manuel Morales for 180 pesos. She remained in the control of Morales until she filed her lawsuit in 1835. Attorney Blanco also explained after petitioning for freedom Claudia left the home of Sr. Morales and was afraid to return. Consequently Morales requested she be deposited in a “responsible” home while he put the legal case together and gathered the necessary documents and witnesses. To prove her claims Claudia presented five witnesses who

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40 “Desde aquel momento, para siempre e irrevocablemente están libres de toda servidumbre los esclavos que allí se encontraban, sin excepción de sexo, edad, ni alguna otra que pudiere en tiempo alguno reclamarse.” AGN 1835 E8, 4r. This was just one of a number of decrees by Bolívar concerning freedom for slaves in Venezuela. According to John Lombardi the decree issued on Margarita, May 23, 1816, is the one most often mentioned in connection with the slaves in Guayana and Apure although Bolívar issued numerous other decrees abolishing slavery in part or all of Venezuela. Lombardi, 72, fn. 6. Also, see “1816 Proclama de Bolívar sobre libertad de los esclavos,” in which he declares “that unfortunate part of our brothers who have groaned under the miseries of slavery now is free. Nature, justice and politics demand the emancipation of the slaves. From now on there will be in Venezuela only one class of men, all will be citizens.” (“Esa porción desgraciada de nuestros hermanos que ha gemido bajo las miserias de la esclavitud ya es libre. La naturaleza, la justicia y la política piden la emancipación de los esclavos; de aquí en adelante sólo habrá en Venezuela una clasé [sic] de hombres, todos serán ciudadanos.”) Available at http://www.anhvenezuela.org/.

41 “como lo ha hecho en la Constitución, el principio sagrado de que el hombre no puede ser la propiedad de otro hombre,” Decreto sobre la libertad de los esclavos (22 de enero de 1820, obtained at http://www.anhvenezuela.org/.
would attest to her presence in Angostura during the crucial years as well as testify to her employment in that city in various positions as a free person.\textsuperscript{42}

The witnesses were all male, military men or other men with some authority, most likely chosen for their credibility. In the period following the eleven years of fighting for independence men who had served with the revolutionary armies would have been highly respected. General José Manuel Olivares testified that all slaves in the province of Guayana had been confiscated except those considered free, which included Claudia, who had not been seized. As further proof of her freedom he described how she had moved freely around the province, even in the presence of General Bermudez, the commanding general of the department of Orinoco, and that she had helped attend to wounded patriot forces following a failed campaign against the Spanish forces in January of 1817. José Miguel Machado, a coronel in the army of the Republic, affirmed that Claudia had served in several different homes in the city, always as and with the reputation of a free person by virtue of Bolívar’s decree.\textsuperscript{43}

Dr. Juan Martinez, a minister in the Supreme Court in Barcelona, certified that he had employed Claudia in his home in the city of Angostura. For eight months Claudia cared for Martinez’s daughter, for which he paid her three pesos each month. Captain Miguel Arias also provided testimony that he had met Claudia in the village of Aragua where she had been a slave of Sra. Rita Mendes but had come to enjoy the rights of a free person as a result of the pronouncements made while Bolívar and his army occupied the region. According to Arias Claudia then relocated to the province of Guayana in the

\textsuperscript{42} AGN 1835 E 8, f. 1r-4v.

\textsuperscript{43} AGN 1835 E 8, f. 6v-7r.
company of her former owner though, in his opinion the move did not in any way change her status as a free woman. The final personal reference, Manuel Landa, on the other hand, had no memory of having actually met Claudia, even though he was instructed to testify as to his tenure as employer of Claudia for two years during which he treated her as free. Instead he confirmed that Bolívar had indeed proclaimed all slaves in the province to be free.\footnote{AGN 1835 E 8, f. 4v, 123, 12v.}

Sr. José Manuel Morales, purchaser of the slave woman, offered a number of statements regarding his involvement in this case. He explained that it was actually his wife Sra. María Dolores Alguindegui who purchased Claudia in good faith from Sr. Rojas in Barcelona. Morales and his wife, who were obviously interested in protecting their rights in these proceedings, posed the question as to why after serving them for twelve years was Claudia now initiating a claim that she was unjustly re-introduced to slavery.\footnote{There was no explanation given as to why Claudia chose to pursue her petition at this time rather than earlier, so this remains an unanswered question.} Instead, Morales claimed that Claudia was, to his knowledge, the only slave who made the claim of having achieved freedom by being present in the provinces of Guyana and Apure in 1817 and subsequently re-enslaved.\footnote{Although Morales may have indeed not been aware of other slaves claiming to be unjustly subjected to slavery when they deserved freedom by virtue of a Bolivarian decree, historians have recorded other instances. See, for example, John Lombardi, \textit{The decline and abolition of Negro slavery in Venezuela, 18210-1854}, 64. Lombardi discusses a case in which the government intervened when a Guayana court ordered the enslavement of a slave freed under Bolívar’s decree. The government supported its intervention because re-enslavement would have been in violation of official slave policy that freed slaves could not be re-enslaved and to do so would have endangered internal security.} Nevertheless, Morales
focused less on whether or not Claudia was free and more on the idea that if she were indeed free then her sale to them was fraudulent and they deserved compensation. Therefore, responsibility lay with the seller, Javier Rojas, who was asked to come to the Caracas court to address these issues.⁴⁷

As the suit dragged on, Morales complained that he and his wife were not adequately informed of its progress. He explained that he was ordered in May of 1835 to deposit their slave Claudia with a third party while the slave’s claim of freedom was resolved, depriving him of her service. In the meantime he had not been paid for his slave or her time and the person with whom she had been deposited allowed her to live as she pleased. Morales requested that either he get his slave back or that the seller, Javier Rojas, reimburse him for Claudia’s cost. Months had gone by since his first request and Rojas still had not responded in court. His complaints were only partially successful. Claudia was moved from the home she was living in the parish of San Pablo to Santa Rosalia, Morales’ parish. In fact Rojas never did travel to Caracas to make a statement. Instead he sent a representative, Sr. Rafael Acevedo, to appear for him in the matter of his ownership of the slave and his right to sell her.⁴⁸

That did not mean that Rojas was silent. Not surprisingly, he objected to the Claudia’s allegations and Morales’ requests for compensation. He wrote two letters to Morales and his wife, and presented seven witnesses of his own. Although Claudia and

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⁴⁷ AGN 1835 E 8, 5v, 6r-7r. There was no explanation why the case was held in Caracas rather than Barcelona. Mara Dolores Alguindegui and her husband José Manuel Morales, who purchased Claudia from Rojas, lived in Caracas and presumably when Claudia initiated her petition she was in Caracas.

⁴⁸ AGN 1835 E 8, 40r-43r
her attorney obviously tried to enlist witnesses that would impress the court, Sr. Rojas managed to find even more influential persons to testify on his behalf, including two future presidents of Venezuela.\footnote{José Tadeo Monagas, president from 1847-1851 and 1855-1858, and José Gregorio Monagas, president from 1851-1855 and the president who signed the emancipation decree 24 March 1854. A third witness was Geraldo Monagas.} He asked the men testifying on his behalf nine questions regarding their familiarity of the issue in question. They were questioned as to their knowledge of the ownership of Claudia, the events during the war leading up to Claudia’s escape, whether or not Claudia had ever served the forces of the Republic in a manner that would have earned her freedom, and the circumstances of Rojas’ reclaiming of the slave woman and subsequent sale to Sra. Dolores Alguindequi.\footnote{AGN 1835 E 8, 25r-26v}

All the witnesses were men who served in the wars for independence with Javier Rojas and because of that claimed they had first-hand knowledge of the events. They all agreed with Rojas’ allegations in their testimonies. While Colonel Rojas was fighting for the republic his wife Rita Mendes was forced to flee from the invading enemy Spanish forces in 1820. When this happened Claudia took advantage of the situation and fled to the pueblo of Santa Clara where she disappeared not to be seen again until 1823 in the town of Angostura. There she claimed that Rojas and his wife had delivered her to Sr. Lorenzo Gago, now deceased. Disputing this claim, the witnesses all declared that Claudia had never been transferred to another owner before 1824 when Rojas sold her to Sra. Dolores Alguindequi. The men also agreed that Claudia had not engaged in any service to the republic that would have enabled her to earn freedom and that the only
reason for her separation from her rightful owners was because she had fled their control.\(^{51}\)

After the witness statements were submitted in late May 1835, Juan José García y Oliva, a priest and synodal examiner of the bishopric of Guayana\(^{52}\) presented a follow-up statement on 17 June about the events of 1820 to 1824, presumably to clarify certain aspects of the testimony by Rojas’ witnesses. García y Oliva stated that that he had occasion to visit Sra. Rita Mendes in her home in Santa Clara. She had a number of slaves, one of whom was Claudia. Sra. Mendes told him that amidst the disturbances of the revolution her slaves had faithfully accompanied her there. In that same year Claudia escaped at the town of Merey and after having asked everyone she knew, Sra. Mendes finally located her in Angostura in 1823, with Sr. Lorenzo Gago who had claimed control over her. That was when Claudia was returned to her owner.\(^{53}\)

This case was protracted with the court of appeals in Caracas issuing their final decision in 1837. The arbitration court of the parish of Santa Rosalia had decided in early August 1837 in favor of Claudia, referring to the decree of 1816 and stating that Claudia was included among the slaves who gained freedom at that time, and as a result her daughters would also be free. The court also declared that as seller Rojas was responsible for the purchase price paid by José Manuel Morales. Later that month the Caracas municipal court disagreed with that decision, determining that the timing was wrong;

\(^{51}\) AGN 1835 E 8, 27r-35r.

\(^{52}\) For more information on García y Olíva, Lorenzo Gago, and the Monagas brothers see Kimberly J. Morse, “Aun en la muerte separados,” 45-102.

\(^{53}\) AGN 1835 E 8, 37r.
Claudia had fled the control of Rojas’ wife in 1820, prior to the law being ratified, and had therefore been a fugitive and remained so until 1823 when her owner re-established control over her.\textsuperscript{54}

It is possible that the facts of this case are ambiguous enough that the various courts and magistrates let other considerations such as patriotism or lack thereof sway their decisions, though there is no direct evidence supporting that. Unlike the case of María Gracia, whose case was heard by a Spanish court, by 1835 Venezuela was an independent nation and this case was presented to the municipal court.\textsuperscript{55} Claudia’s owners did not flee Venezuela during the independence wars. Instead Javier Rojas was a colonel in the army of the republic and the slave managed to escape while her owner was fleeing from Spanish troops. Javier Rojas was probably typical of prominent citizens of the new republic – a man who fought for the establishment of a nation free of subjugation by a colonial power while at the same time his wife had to avoid the army of that same oppressor. The slave woman Claudia took advantage of the situation to evade the control of her owners.

In the case of María Gracia, her claims were easier to prove, in part because she did not have to defend her actions. She needed to prove her owner had indeed promised her freedom at the time of her marriage and to convince the court she should never have been included as part of the confiscated property. Although we are not told why María Gracia’s owners fled there were thousands of Venezuelans who fled to avoid choosing

\textsuperscript{54} AGN 1835 E 8, 51r, 51v.

\textsuperscript{55} Originally part of Gran Colombia, Venezuela separated from the confederation in 1829 under the leadership of José Antonio Paéz. Lombardi, Venezuela: The Search for Order, the Dream of Progress, 151-155.
between the royalists or the revolutionaries or taking up arms for either side. María Gracia presented her appeal under far different circumstances to a Spanish court that, while it was no more anti-slavery than the Venezuelan court nearly twenty years later, perhaps recognized that it would be advantageous to Spanish interests to cultivate the support of the free black population.

**Slavery in the republic of Venezuela**

The legal and social environment of early republic Venezuela was far different than what existed before or during the wars for independence. Following independence the new republic faced the question of slavery and its place in the nation. The liberal premise that all men were created equal conflicted with the belief in the sanctity of property ownership that would require compensation to slave owners if slaves were to be emancipated, an unlikely prospect given the government’s lack of funds. Also, many Venezuelans, especially those engaged in agriculture, believed that full emancipation would result in a labor shortfall that would ruin the economy.\(^{56}\)

The resulting compromise, enacted in Cúcuta in 1821, was a law of gradual emancipation through a provision for the free birth of all children of slave mothers. Owners of female slave were required to raise and care for the newborn children, designated as *manumisos/as*, and to prepare them to become citizens. In return, the children would serve their mothers’ owners, known as their patrons, until they reached the age of eighteen. Other provisions of the law included a committee, a *Junta de*

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Manumisión, which would also select other deserving slaves to be freed with compensation paid to their owners through the collection of taxes on inheritances. The 1821 law, which remained the basis of all subsequent slave codes until the abolition of slavery with only a few amendments, was generally ineffective except for the free birth provision. Subsequent changes raised the age at which the freeborn child would no longer owe service to the patron from eighteen to twenty-one and later added a five year apprenticeship. By the mid-1830s slavery was moribund although it continued until 1854. 57

Independence highlighted the contradiction of the liberal premise of equality espoused by the revolutionary leaders and their belief also in the sanctity of property, a paradox that led to the compromise of gradual emancipation. 58 This, then, was the environment in which Claudia presented her appeal for freedom in 1835. Two years later María Josefa Blanco presented a similar plea, but with a different outcome. In March of 1837 María Josefa, a resident of the parish of Hatillo in the canton of Petare (Caracas), reported to the court of the parish of Santa Rosalía that on February 28 she was forcibly removed from her home and taken to the home of Sra. Vicenta Blanco where the heirs of Belén Blanco, her former owner, expected her to serve them as their slave. She expressed

57 Lombardi, The decline and abolition of Negro slavery in Venezuela, 48-52, 111.

surprise that they had acted in such an overt manner against her, saying “I do not think, sir, that the heirs of the deceased Sra. Belén Blanco doubt for a minute that I am a free person.” Consequently she removed herself from Sra. Blanco’s home several days later, relocating to the home of Sr. Nicolas Lama, who she knew from her time in Trinidad, to prepare a claim for her legal rights.

She explained that the heirs of her former owner understood that she was free because they knew she had emigrated in 1814 with the family to the island of Trinidad, where slaves were not allowed, and that she was in the city of Angostura in 1817 where Bolívar issued a general decree of freedom for slaves that was later ratified by congress. All of the heirs were aware of these facts, but Rafaela, one of the heirs, should have been especially cognizant since for the year that it took for the family to finally arrive in Trinidad María Josefa had carried the girl throughout the immigration. There was also some urgency in getting this matter resolved since María Josefa had been “torn” from her home and forced to leave behind her clothes, animals, money and other possessions.

María Josefa had some difficulty getting the lawsuit to proceed. She reported that the heirs were refusing to accept the documents notifying them of her claim and resulting legal proceedings. There was a problem locating them according to the alguacil (bailiff) who attempted to deliver notification of the lawsuit. Presumably they were out of the city.

59 “No creo que Señor Alcalde que los herederos de la difunta Señora Belén Blanco duden un momento sea yo una persona libre.” AGN 1837 E 41, 1r.

60 AGN 1837 E 41, 1r.

61 AGN 1837 E 41, 1r, 1v.
The heirs in question were two minors and other unnamed persons. The two minors, the girl Rafaela Molinar who was born “a little after the earthquake of 1812, and her brother Francisco who had been born on Trinidad in either 1815 or 1816, were, according to the public attorney, old enough to stand trial according to the legal codes. He requested that the magistrate order the heirs of Belén Blanco to accept a copy of the lawsuit so they could prepare a timely response. Several other attempts were made until finally Vicenta Blanco accepted the papers, saying she would find legal representation for the minors who would draft their reply.

In order to prove her claims María Josefa’s public defender provided copies of numerous speeches and decrees by Simón Bolívar regarding slavery, the nature of slavery, and freedom for slaves. He also supplied a number of witnesses who testified about the legality of slavery on the island of Trinidad. Tomás Merced Lanz and Manuel Landa agreed that slavery was illegal in Trinidad and slaves who had been brought to the island were free servants. On the other side Vicenta Blanco, another of the heirs, stated that she had not freed María Josefa in San Tomás (Trinidad), that all the slaves who came to San Tomás remained enslaved while there and were still slaves when they left. Further, María Josefa’s two daughters were born as slaves prior to 1821. Although María Josefa

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62 i.e. under the age of twenty-five. It was noted later in the lawsuit that Rafaela was over the age of twenty-five but gave power of attorney to Nicolas Milano to represent her and protect her rights. AGN 1837 E 41, 6r.

63 AGN 1837 E 41, 2r-4r.

64 AGN 1837 E 41, 14v, 15v.
and her attorney tried to recruit the girl Rafaela to support their claims, she maintained that she knew nothing about whether or not María Josefa deserved her freedom.\footnote{AGN 1837 E 41, 15r, 15v}

María Josefa was more successful than Claudia. After considering the evidence and testimony Miguel M. de las Casas declared “on behalf of the Republic” that María Josefa Blanco was free and that the heirs were responsible for the legal expenses incurred in the case. The evidence he pointed to in support of his decision was the fact that she had adequately proven by her witnesses’ testimony that she was in Angostura when Bolívar decreed freedom for the slaves in Guayana and Apure.\footnote{AGN 1837 E 41, 28r, 28v}

Both Claudia and María Josefa claimed they were free because they had been present in the territory covered by the declaration when Simón Bolívar declared all slaves in the provinces of Apure and Guayana unconditionally free. However, María Josefa was successful while Claudia was not. María Josefa also argued that she became free when she migrated with her owners to the island of Trinidad where slavery had been abolished, although the judge neither validated nor dismissed this line of reasoning in his decision. The important point in both cases was the verifiable presence of the slave women in the affected regions of Venezuela when Bolívar issued his decree.

In the case of Claudia, the patriotism of her owner, a soldier in the army of the republic, and his wife who had been forced to flee from the enemy Spanish, may have been decisive. Witnesses for the owner suggested that while her owner and his wife were engaged in supporting the cause of the patriots Claudia had taken advantage of the situation to grasp at undeserved freedom. The final decision in both cases seemed to
hinge on the testimony presented. Apparently in Claudia’s case her owner’s higher-status witnesses were more credible than hers. In the case of María Josefa those persons testifying on her behalf were sufficiently credible to persuade the judge that the slave woman had been where she claimed at the crucial time.

In both of these cases the slave women had children who would have been impacted by the courts’ decisions. María Josefa’s owner testified that her children were born slaves in San Tomás, which, according to the facts presented by María Josefa, would have been between 1814 and 1817. Since this was prior to the 1821 Law of Manumission, her daughters would indeed have remained slaves until their death unless they were able to find another path to freedom. Claudia’s children, on the other hand, were baptized as manumisas and would become free women at some future time even if their mother were unsuccessful in her petition.

**Freedom in the post-independence state**

Although the new laws foreshadowed the end of slavery at some future point, slaves and families of enslaved persons were still very much concerned with obtaining freedom for themselves and their families. Enslaved women exploited the resulting legal ambiguity in the law in cases such as that of María del Carmen, who in 1829 attempted to enforce promises of manumission made by her owner but ultimately gained her freedom on the grounds that slavery should not exist at all. In this case, the court attorney, Francisco Rodrigues Josta, appointed to defend the freedom of María and her two children, attested that María had been the slave of José Francisco Reyes. He had left her to his illicit lover, Sra. Margarita Sandoval, in his will. Sra. Sandoval promised freedom
to María in return for her good services. However, Sra. Sandoval died before she could write a letter of freedom or include in her will plans for the slave’s manumission. Sr. Reyes’ legitimate heirs, by his legal widow, subsequently claimed ownership of María and her two children. The municipal attorney provided witnesses who answered a number of questions to support his petition for María’s freedom, including confirmation of the birthdates of María del Carmen’s children with respect to earning her freedom.67

Consistent with Spanish legal norms, the status of the mother determined those of her children.

The legitimate heirs of José Francisco Reyes, daughters Juana Rosa and María del Carmen Reyes, aggressively claimed ownership of the slave María and her children. Although, in the absence of a will they could not prove that they had inherited her, their husbands called witnesses to attest to the legitimacy of their wives’ ownership of the slave and her children. They also introduced baptism records for the slave woman, María del Carmen, and her two children as proof of their status as slaves. Francisca had been born 22 September 1814 and José Ramón del Carmen on 15 July 1816, both before the independence law of 1821; therefore neither were manumisos. Both records listed the mother as a slave.

In his decision awarding María her freedom, the judge created a convenient legal fiction that neither side had adequately proven their claims. In the declared absence of positive evidence, i.e. a will, and a reflection of the new mores of the time the judge turned to natural law supported by the principle included in las Siete Partidas that slavery

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67 “El Dr. Francisco Rodrigues Josta defendiendo la libertad de María del Carmen Reyes y sus dos hijos Francisca y José Ramón.” AGN, Exp. 1829 R 18, 1r-7v.
was against nature and reinforced by the liberal ideology that all men were created equal.\textsuperscript{68} Slavery was unnatural. María had demonstrated personal integrity worthy of the responsibilities of liberty through the good services she had provided. Finally, because of the promise made by Sra. Sandoval, whatever the informality of her standing relative to the legitimate heirs, María and her children would be free. The judge’s decision reflected that segment of the Venezuelan population who desired to present themselves as liberal and humanitarian by proclaiming that they would end slavery within a fixed period.\textsuperscript{69} Slave mothers evidently exploited these political currents to their own advantage and that of their children.

The provisions of the Law of Manumission that created a new legal category for children of slave women brought into question what the legal designation of \textit{manumiso/a} actually meant for the children so categorized, their mothers, and their mothers’ owners. Technically “free”, \textit{manumisos/as} owed service to their mothers’ owners, any wages that they earned belonged to the \textit{patron/a}, just as if they had been slaves, and their mothers’ owners could sell the remaining periods of younger \textit{manumisos/as’} indentures. Owners were directed to prepare the children for eventual citizenship during the years of their indenture, as well as provide the basic necessities of life, thereby adding responsibilities for owners to insure the successful transition toward a free society.\textsuperscript{70} To emphasize that

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\item \textsuperscript{68} Alejandro de la Fuente, “Slave Law and Claims-Making in Cuba,” 356; Zahler, “Honor, Corruption, and Legitimacy,” 216.
\item \textsuperscript{69} Lombardi, \textit{Abolition of Negro Slavery} 38-47. For more on how different groups used nascent liberalism in different ways see also Sarah Chambers, \textit{From Subjects to Citizens} and Christine Hunefeldt, \textit{Paying the Price of Freedom}.
\item \textsuperscript{70} According to John Lombardi, regardless of what the lawmakers may have envisioned, manumisos lived like slaves, except they could not be sold though their labor
\end{itemize}
manumisos/as were not slaves in the colonial sense of permanent servitude the law required that all public documents identify the children as “manumiso, libre por la ley” (free according to the law).71 These national laws of freedom with service provided no new grounds for parents to claim freedom for their children, but the new status of children as “free according to the law” of indentured status led to an interesting reversal in parents’ petitions for freedom. Under the old colonial law mothers had often tried to argue for their children’s freedom by proving their own freedom at the time of the child’s birth. Under the national law, mothers argued that their own free status was proven by the fact that their children had not been designated as manumisos in public records, such as in the baptism certificates Miguel Blanco and his wife María Luisa del Carmen cited in their successful petition to win their children’s freedom. In 1831 Miguel Blanco approached the municipal court in Caracas in by-then-independent Venezuela claiming that his wife and three daughters had been seized as slaves unfairly when they were actually free persons. He asked the court to return his family to their rightful freedom. Miguel and his wife, María Luisa del Carmen, presented witnesses to attest to the fact that five years earlier he had paid his wife’s owner her fair value, as determined by the tariff schedule. As further proof of their claim, which was successful, they also provided various documents including copies of the baptism records of their three daughters born in 1826, 1828, and 1831. In all, the girls were verified as the “legitimate daughters of

could be. He also asserts that few of the patrons took seriously their responsibilities of preparing the manumisos for citizenship, as evidenced by warnings by the Department of the Interior. Lombardi, Abolition of Negro Slavery, 80, 91, fn. 27.

71 This phrase was recorded in all baptismal and other church and public records for manumisos. See Archivo Histórico Arquidicesano de Caracas, 3.14 Sección Libros, Serie Libros Parroquiales.
Miguel Blanco and María Luisa del Carmen Blanco, free *moreno* residents of this parish.”

Two issues were at stake in the case of María Luisa del Carmen Blanco. One was María Luisa’s own status, and the other was that of her children. That María had been a slave was not in question. She and her husband asserted, however, that he had purchased her freedom, as provided under both colonial and post-independence law. In the absence of a confirming certificate of manumission, the couple presented witnesses to attest that five years earlier Miguel had paid Sra. Blanco for his wife’s fair value. They also provided various documents including copies of the baptism records for their daughters born in 1826, 1828, and 1831, which indicated that a church scribe had accepted the parents’ claim that they were free. The parish priest did not label the mother *esclava*, nor did he record the name of an owner. Equally important, the daughter was not labeled as “manumisa, free according to the law” as mandated.

Sra. Blanco provided a copy of the marriage certificate indicating that both Miguel and María Luisa had been her slaves when the couple married in 1810. Sometime between 1810 and 1822, Miguel became free by paying 200 pesos to Sra. Blanco, a fact that she acknowledged. Between the years of 1822 and 1825 he worked as a shop assistant selling yucca and sugar cane to earn the money that he saved to purchase freedom for his wife. For the next six years they had both lived as free people until Sra. Blanco seized María del Carmen and their daughters. Under Sra. Blanco’s presumption that she had the authority of ownership, she sold María and her children to José María

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72 “*Expediente promovido por Miguel Blanco contra la Señora Blanca,*” 1831, Archivo General de la Nación, Sección Cíviles, [hereafter AGN] Exp. 1831 B 17, 2r-8r.
Torres, prompting the father and husband, Miguel, to file his lawsuit. Sra. Blanco denied that Miguel had purchased his wife’s freedom, although she did admit that he had been paying her 25 pesos per year, which she considered payment for services provided him by her slave, María. She argued that Miguel had been renting the services of his wife María Luisa, her slave, for which he made annual payments for four years. In this case there was no discussion regarding the fairness of the amount paid; in contrast to cases from the colonial period, the new law specified a table of slave values based on age, except in cases of extremely poor health. The two parties to this petition advanced two different interpretations of Miguel’s annual payments to Sra. Blanco, payments which they agreed had been made. Miguel and María Luisa saw the payments as installments toward the purchase of her freedom. Sra. Blanco, on the other hand, perceived the income she received annually as her compensation for allowing María to work for Miguel with no acknowledgement of the couple’s stated goal of living together as a family.

Children born of a slave mother before 1821 remained slaves for life unless they were somehow able to achieve freedom through purchase, self-purchase, or the charity of their owners. Children born after 1821 were officially designated manumiso/as and would remain under the control of their mothers’ owners – their patrones – until they reached the advancing ages stated by the law. The law allowed a relative to purchase the child manumiso/a from the mother’s owner, with compensation for the owner’s expenses in feeding, clothing, and educating the child up to the age of purchase.

The three daughters mentioned in this lawsuit were born between 1825, the year that the family reunited, and the filing of the petition in 1831 as a result of Sra. Blanco’s attempt to separate its members. The couple also had two other children born prior to the
date of their mother's alleged freedom, José María and Angela, thus both enslaved. Miguel asked the court to deliver them as well – one was living on Sr. Blanco’s hacienda and the other at the house of Sr. Torres – and indicated that he would also compensate their owner by paying the equivalent of wages they might earn while they were in his control. Because of the new laws, their parents were forced to adopt different strategies to achieve their goal of living together as a family, some free and others slave.

If Miguel and María Luisa Blanco could prove that María, as a mother, had become free prior to the birth of their three youngest daughters, then the children would not be manumisas but rather fully free. The status of the other two depended on whether they were born before or after 1821. Sra. Blanco made several appeals to the court arguing the sanctity of ownership (autoridad domínica), asserting that Miguel understood that the personal autonomy enjoyed by María Luisa had come only by virtue of her being rented to him, as property of another. Ultimately, however, the court determined that María Luisa deserved her freedom. The judge noted that she had lived for six years as if free, a personal freedom tolerated by the woman claiming to be her owner. This de facto acknowledgement, according to the verdict of the magistrate, who seemed to be relying more on the tacit agreement by Sra. Blanco than on any statute, was sufficient to legitimize María’s claim to continue to live as a free person as recognized in law. The implications for the children were that the three younger daughters were immediately free and the two older children could now join their family, with free parents who were in a better position to negotiate for their freedom.⁷³

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⁷³ “AGN 1831, B-17, 66r-71v.”
Conclusion

Many aspects of the cases presented here are similar to others that occurred prior to the wars for independence. Freedom was the ultimate goal for slaves and they were willing to use any available argument in order to achieve that goal, often presenting multiple justifications for their claims. Similarly, owners who appeared in the legal cases were interested in preventing their slaves from gaining freedom through the courts.

The political and social environment of Venezuela changed radically from the end of the colonial period through the period of fighting for independence and the early years of the new republic. As we can see from the examples here, as late as 1837 the courts were still sorting out the ramifications of the events during the wars. Throughout the wars control of Caracas and other parts of Venezuela shifted between the Spanish and the revolutionary forces. The Spanish, in order to provide needed funds as well as to impose penalties on those creoles, who had failed to actively support the royalist cause, confiscated property. It fell to disenfranchised Venezuelans to defend their ownership rights, but it also fell to slaves to protest their confiscation and possible sale.

During the fighting both the Spanish and revolutionaries wanted the support of the free and enslaved blacks, or at the least they wanted to prevent them from supporting the other side. Therefore although neither side was interested in ending slavery they recognized the need to provide some path toward freedom and citizenship for enslaved persons. Simón Bolívar issued various proclamations and decrees that provided opportunities for slaves to claim freedom. With independence these proclamations gained validity, becoming a basis on which slaves could claim the right to be free, although the burden of proof lay with the slaves. The population of Venezuela was in
turmoil and many citizens chose to migrate to places outside the Spanish Empire, such as Trinidad or other Caribbean islands. The act of taking slaves to non-slave holding nations also served as justification for demanding freedom for those slaves taken to such areas, although in the cases considered here it was inadequate justification in the eyes of the court.
Chapter 7
Conclusion

In 1766, Don Domingo Joseph Moscos, filed a complaint with the court of the governor and captain general against his slave Barbara for leaving his house to live with her lover, a soldier named Agustín Ruiz. He asked for the court’s help in getting information about their whereabouts. He also requested that Ruiz’s captain withhold his salary to pay court costs should the case be decided in Moscos’s favor. Moscos explained that when he first purchased Barbara she was young and had served his wife and children well. Subsequently she lived occasionally with Agustín Ruiz, a soldier with the compañía volante or flying squadron. When Barbara started spending more time with Ruiz her owner became dissatisfied, so he decided to sell her to a different owner. Not only did the relationship cause the slave to spend a lot of time outside of her owners’ house, causing him to lose money, but her coming and going at odd times caused scandal and loss of reputation for his family. He had also heard of threats on his life by the slave and her lover. Ruiz lived in the port city of Guaira while Moscos’ home was in Caracas; Barbara spent a lot of time in transit and her owner expended time and money keeping track of her and was deprived of her service. Eventually Barbara, according to one witness, hid at a house on the beach with Ruiz and other members of his company.¹

When Don Moscos decided to sell his slave he gave her and Ruiz the opportunity to purchase her freedom, thinking that Ruiz had valid means to come up with the purchase price and sufficient interest in seeing Barbara free. He also expressed that this

¹ “Don Domingo Joseph Moscos contra su esclava Bárbara, por haberse fugado de la ciudad con el soldado Agustín Ruiz,” Academia Nacional de la Historia, Sección Historia, Exp. 4-1503-1, 1766, f. 1r, 1v, 3r.
arrangement would soothe his conscience because it would make his slave happy. However, the two men were unable to work out an agreement by the time that Barbara fled and hid in Guaira. Moscos offered several witnesses who testified about the living arrangements of Barbara and Ruiz. One confirmed that her clothes were in Ruiz’s house. Another seemed to think that Ruiz had actually purchased the slave woman; they all agreed that she had fled numerous times from Moscos and now lived with the soldier.²

Following the initial petition and subsequent statements by Don Domingo Joseph Moscos and the other witnesses Agustín Ruiz was imprisoned in Caracas and his statement was taken by the court magistrate. He was a native of Seville, Spain, single, about forty years old, more or less, and did not know why he was in prison. When asked if he knew it was a crime against God as well as the law to live in sin with the negra Barbara, slave of Domingo Joseph Moscos, he replied that he had not behaved badly (estar en mal estado) with Barbara, that only occasionally had he solicited her “as a man” and those times had not resulted in a scandal. He denied having hidden her and claimed that she stayed with other people in the port city, and that her owner knew where she was. In fact, according to Ruiz, this last time that he traveled to the city (Caracas), which was when he was arrested, Barbara was not even in Guaria, but instead in the pueblo of Maiquetía.³ After a number of statements from both men, while Ruiz was left in the prison for nearly six additional months, his sentence of imprisonment and a fine of 100 reales was commuted on 27 February 1767 and he was released from prison.⁴

² ANH 4-1503-1, f. 2r-4v.
³ ANH 4-1503-1, f. 6r-7v.
⁴ ANH 4-1503-1, f. 15r.
The slave owner reported that he could not prevent Barbara’s uncontrolled comings and goings. He responded by trying to coerce the party he held responsible for the events to compensate him for his lost income and the disgrace she and his family suffered. However, Agustin Ruiz suggested that he did not have control over Barbara either, that when she escaped her owner it was not always to be with him. This is a situation that Barbara Bush observed in her study of slave women in the Caribbean, where “what Europeans saw as negative traits may have been forms of subtle resistance,” although the actions in this case are not particularly subtle. From the descriptions of the two men, Barbara kept pushing the limits; leaving for longer and longer periods until eventually she stayed away completely. She did not ask the court to help her achieve freedom, she simply took it.

When faced with abusive situations slaves had choices of how they would react, either utilizing the law or by simply acting as they pleased. Of course not all slaves who walked away as Barbara did managed to stay away. Many were found and punished. Others joined with other runaway slaves for protection. According to Venezuelan historian Angelina Pollak-Eltz in Venezuela runaway communities were in the more rural areas close to haciendas or distant from population centers such as Caracas. Perhaps the port of Guaira and the neighboring village of Maiquietia were locations where runaway slaves could find refuge.

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5 Bush, Slave Women, 53.

Although Barbara’s case is different in many ways from the other cases examined in this dissertation she demonstrates how interactions between slaves and their owners demonstrate the limits to the power and authority of slavery in Venezuela. She did not petition the court asking to force the hand of either her owner or lover nor did she claim that either man had promised her freedom. If she felt had been mistreated she did not request redress through legal means nor did she request a transfer to a different owner. Instead she simply took what she wanted, in this case to live as if she were free.

Honor was an important consideration in interactions between slaves and their owners and other people who had power over them. In some instances slave and free black women adopted the dominant view of honor and in others they redefined honor to accommodate their place in society. As early studies of honor in Latin America have demonstrated, there are parallels between the honor codes of the Iberian cultures that were transported to the new worlds and molded to the new society. More recent scholars have expanded notions of honor to include the various peoples and classes of Latin America, demonstrating how honor was claimed by non-elite portions of society. The legal complaints and the arguments presented by the actors in the cases examined here reveal that honor and abuses to honor came from a myriad of sources and remedies could be sought for each. Some offenses warranted remedies and others were dismissed as insufficient. By considering both types of cases we can begin to understand not only what was important to slaves, free blacks, and slave owners, but also where the boundaries were drawn.

Mistreatment such as that endured by the eleven year old child Merced was so obviously deplorable that her mother’s petition for Merced’s transfer to a new owner was
likely to succeed. However, women also appealed to the courts describing less obvious affronts, describing the mistreatment in terms of insults to their honor and asking to be treated with the dignity and respect an honorable person deserved. Successful petitioners had to demonstrate through physical examinations and witness statements that a certain level of abuse had occurred before a new owner was mandated. Even in the unsuccessful cases the rhetoric reveals much about the petitioners and respondents. Eusebia Tovar complained that her daughter’s owner did not treat the child with affection, tapping into societal norms regarding the treatment of children. Doña María Eusebia revealed her sensitivity to slander or negative suggestion when she complained that her slave María Bacilia stood at the windows of the house where she had been deposited and voiced loud insults toward her owner. When Juana Francisca Carrascal and her son acted to protect Juana Petronila from her abusive husband they demonstrated not only the responsibility of slave owners to protect and care for their slaves but also the importance of protecting family and honor against the disreputable and unruly behavior of dishonorable persons.

Gender and sexuality have traditionally been identified as important components of honor in Mediterranean societies and their new world colonies. The dishonorable actions of women reflected on the honor of their families. Further, black women were considered less honorable because of illegitimacy and licentious behavior. From the court cases studied here we can see that slave women in Caracas were indeed concerned with their honor as it related to sexual matters, but not in a way that directly reproduced elite norms. Slave women, particularly domestic workers, recognized the association of public activities and honor. When their owners expected the women to engage in labor that they perceived as too public or demeaning, such as selling sauces in the street, they
would classify these demands as mistreatment and looked to the legal system for remedies. Slave women had little control over their relative social status but one way they could distinguish themselves from other women was through the type of labor they performed. A domestic servant possessed more honor than a woman selling foodstuffs on the street, who in turn had more honor than a prostitute.

In some situations, slave women provided sexual services for their owners or other men. Certainly there were slave women who acted as prostitutes, perhaps at the behest of their owners, perhaps not. But there were also women who engaged in sexual liaisons with owners or other men because they had been promised freedom in return. When the promised freedom was not provided the women often took the matter to court. But they did not ask for compensation because their virtue had been compromised. Instead they appealed to the notion that breaking one’s word or violating an agreement was an inherently dishonorable act.

One of the reasons black women were considered less honorable was because of low marriage rates and correspondingly high illegitimacy rates. Slaves and free blacks recognized that there was honor to be derived through marrying in the Church and baptizing their legitimate children. While the church records reveal how few slaves were actually able to form and sustain a united family, the court cases demonstrate that slaves valued their ability to do so. Although the laws presumably protected slaves’ rights to marry and expected that slave owners would make accommodations so that husbands and wives could live together, it was often up to the slaves to ensure compliance. Slave families were vulnerable to division through the death of an owner or simply because of
competing priorities on the part of their owners and it was often necessary for slaves to act to protect their families.

The period beginning with the wars for independence through emancipation in 1854 was one of great change for slaves in Venezuela. The independence wars and shifting social and political landscape of the new republican period brought changes to the place in society occupied by slaves and free blacks. Slaves and free blacks saw opportunities to secure freedom through the chaos of this period. By 1821 Venezuelans knew that slavery would end in their nation at some point in the future. Nevertheless, freedom, and the honor associated with being a person in control of one’s own life, remained a goal for Venezuela’s slaves and one for which they continued to fight through the courts.

The period studied in this dissertation, from the mid eighteenth century through emancipation in 1854, was one of great change in Venezuela. The regions went from a province rising in importance in the late colonial Spanish Empire to a central point in the wars for independence and eventually an independent republic. At the middle of the eighteenth century slavery had been a crucial part of the growing economy. By 1854 the system was essentially defunct. But throughout the period the concerns of the enslaved people and their owners remained constant. This dissertation has attempted to demonstrate the ways in which women, slave and free, sought to negotiate honor and autonomy in their daily lives.
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