

FREEDOM'S CAPTIVES

SLAVERY AND GRADUAL EMANCIPATION
ON THE COLOMBIAN BLACK PACIFIC

PROVINCIA DEL CHOCÓ



YESENIA BARRAGAN

Freedom's Captives

Freedom's Captives is a compelling exploration of the gradual abolition of slavery in the majority-black Pacific coast of Colombia, the largest area in the Americas inhabited primarily by people of African descent. From the autonomous rainforests and gold mines of the Colombian Black Pacific, Yesenia Barragan rethinks the nineteenth-century project of emancipation by arguing that the liberal freedom generated through gradual emancipation constituted a modern mode of racial governance that birthed new forms of social domination, while temporarily instituting de facto slavery. Although gradual emancipation was ostensibly designed to destroy slavery, she argues that slaveholders in Colombia came to have an even greater stake in it. Using narrative and storytelling to map the worlds of Free Womb children, enslaved women miners, free black boatmen, and white abolitionists in the Andean highlands, *Freedom's Captives* insightfully reveals how the Atlantic World processes of gradual emancipation and post-slavery rule unfolded in Colombia.

Yesenia Barragan is Assistant Professor of Latin American History at Rutgers University in New Brunswick, New Jersey. She is the author of *Selling Our Death Masks: Cash-for-Gold in the Age of Austerity* (2014) and principal investigator of the bilingual digital database "The Free Womb Project."

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Freedom's Captives

*Slavery and Gradual Emancipation on the
Colombian Black Pacific*

YESENIA BARRAGAN

Rutgers University



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For Xavi and Mark
For the sunflowers

How are new forms of bonded labor engendered by
the vocabulary of freedom?

Saidiya Hartman, *Scenes of Subjection: Terror,
Slavery, and Self-Making in Nineteenth-Century America*

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“At any given time,” Walter Benjamin writes in *The Arcades Project*, “the living seem themselves in the midday of history. They are obliged to prepare a banquet for the past. The historian is the herald who invites the dead to the table.” The dead – and almost dead – seated at the table of this book have always guided this project. Its roots span back more than a decade to when I organized a solidarity event for an Afro-indigenous Colombian activist named Eustaquio Poló Rivera, formerly vice president of the Major Leadership Council of the Curvaradó River Basin in Chocó, Colombia. In 1997, paramilitaries arrived in his community, threatened and murdered his family members and friends, and violently displaced them from the Curvaradó River Basin as part of a horrifying paramilitary action that would become known as Operation Genesis. Palm oil plantations were erected on their collectively titled lands, which, I was informed, came into being during the abolition of slavery. I wanted to follow that elusive thread of time, hoping it might offer some answers. In the end, other questions emerged. As the herald of this table, I must first acknowledge Eustaquio, his ancestors, and my own enslaved *antepasados* for their courage and spirit in the continuing face of terror.

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Introduction

“Reborn for Freedom”

Her name was Magdalena.

We don’t know how old she was when it happened.

But we know that she was young – “una joven” – and that her master deemed it a “moderate punishment,” a corrective measure for an alleged infraction. And so her master dragged her to the patio, tied up “her feet and hands,” and placed “an iron bar between her thighs,” a torture technique universally employed and perfected by the horrifying perpetrators of Atlantic slavery.¹ After repeated floggings, Magdalena was left alone overnight in the mildewed stocks, accompanied only by the steady rain, constellations of stars, and animals that roamed the village of Noanamá, a remote indigenous settlement tucked away in the secluded rainforest of Colombia’s tropical Pacific lowlands in the late 1840s. Perhaps one or more of the five witnesses who later testified to Magdalena’s torture that evening tried to comfort her. Perhaps she was tended to by the indigenous woman whom the judge eventually dismissed because she did not know her own age.² It is this endless “perhaps” and “perhaps” and “perhaps” that collapse into my failure to tell what Saidiya Hartman calls “an impossible story,” “to jeopardize the status

¹ Dating from Atlantic slavery, this torture technique is known by various names, including “bucking” in English, *passer à la broche* (hanging from the spit) in French, and *pau de arara* (the parrot’s perch) in Portuguese. See Darius Rejali, *Torture and Democracy* (Princeton, NJ: Princeton University Press, 2007), 184, 306–307.

² Archivo General de la Nación (hereinafter AGN), 1853, Sección República (SR), Fondo Gobernaciones Varias (FGV), l. 185, fols. 560r–563r.

of the event, to displace the received or authorized account, and to imagine what might have happened or might have been said or might have been done.”³

By the morning, the damage was plainly visible. The young girl emerged from the stocks “with her left hand permanently disabled . . . dislocated and atrophied,” bearing “large scars.”⁴ For many historians, Magdalena’s story is a profoundly familiar one of brutal unfreedom, replete with musty stocks, iron bars, broken bones, and other unspoken punishments that elude the archival hold. Such scenes of torturous subjection form the bedrock of the archives of Atlantic world slavery. Yet, perhaps surprisingly for some readers, Magdalena’s story is also one of violent freedom. Strictly speaking, Magdalena was not a slave. She was a child of the Free Womb, a new social subject established with the gradual emancipation law adopted in 1821 by slaveholding officials in the newly founded republic of Gran Colombia (present-day Colombia, Venezuela, Ecuador, and Panama).⁵ This law, inspired by earlier gradual abolition laws in the late eighteenth- and early-nineteenth century Atlantic world, stipulated that all children born from enslaved women after the law’s promulgation in 1821 were legally free but bonded to their mother’s masters until the age of eighteen. The statesmen who crafted this policy thought themselves at the forefront of a revolutionary era in human history: “Neither Rome, nor Sparta, nor Athens, nor any of the recent republics could be prouder than Colombia,” declared one official, for this country’s “representatives were not satisfied with only loving justice theoretically . . . but had the pleasure of fulfilling its good orders.” With the law’s enactment, the official imagined that “a thousand unfortunate beings would suddenly be reborn for freedom and society.”⁶ But Magdalena’s torture tells a different story, one that somberly departs from the official redemptive narrative of freedom. Although Magdalena was ostensibly free, her peculiar condition as a captive within an evolving

³ Saidiya Hartman, “Venus in Two Acts,” *Small Axe* 12, no. 2 (2008): 11.

⁴ AGN, 1853, SR, FGV, l. 185, fol. 562v.

⁵ During the colonial period, the territory encompassing present-day Colombia was part of the Viceroyalty of New Granada. From 1819 to 1821, the republic of Gran Colombia was declared. In 1830 and 1831, respectively, Venezuela and Ecuador split from Gran Colombia. From 1831 to 1858, the territory encompassing Colombia and Panama formed the Republic of New Granada. In this book, however, I will refer to both Gran Colombia (when discussing the period of the 1820s) and the modern-day name Colombia instead of New Granada for simplicity.

⁶ Congreso de Cúcuta, *Libro de Actas* (Bogotá: Imprenta Nacional, 1923), Act 103, Session of June 28.

debt-bondage economy in nineteenth-century Colombia allowed her tormentor to believe that he could tear her apart without consequence.

For thousands of young individuals like Magdalena, freedom under gradual emancipation produced disastrous consequences. Magdalena's life-negating experience captures the paradox that has defined the making of the modern world in the greater Americas: how the rhetoric and politics of liberal freedom have supported and extended policies of unfreedom. Though theoretically undergirded by values of autonomy, citizenship, and liberty, in practice this politics produced a regime of unfreedom characterized by subjection, captivity, and individual and collective tyranny for many. At times these liberal politics could afford opportunities for meaningful participation and claims-making in the body politic for some; nevertheless, it is undeniable that they also promoted regimes of forced labor and deepened inequality.⁷ *Freedom's Captives* explores competing struggles over disparate modes of freedom, unfreedom, and bondage in Colombia – the country with the largest population of Spanish-speaking people of African descent in the Americas – and the Colombian Pacific during the age of gradual emancipation. I call the thirty-one years from the law's enactment in 1821 to the final abolition of slavery in 1852 the time of "gradual emancipation rule" in the northern Andes in order to see this period as a distinct moment in the history of liberal racial governance rather than an inconsequential and benign prelude to the final abolition of slavery.

⁷ On liberalism's paradoxical histories in early national Latin America, see Elizabeth Dore, "One Step Forward, Two Steps Back: Gender and the State in the Long Nineteenth Century," in *Hidden Histories of Gender and the State in Latin America*, Elizabeth Dore and Maxine Molyneux, eds. (Durham, NC: Duke University Press, 2000), 3–32; Nara Milanich, *Children of Fate: Childhood, Class, and the State in Chile, 1850–1930* (Durham, NC: Duke University Press, 2009); Christine Hünefeldt, *Liberalism in the Bedroom: Quarreling Spouses in Nineteenth-Century Lima* (University Park: Pennsylvania State University Press, 2000); Sarah Chambers, *From Subjects to Citizens: Honor, Gender, and Politics in Arequipa, Peru, 1780–1854* (University Park: Pennsylvania State University Press, 2004); Brooke Larson, *Trials of Nation-Making: Liberalism, Race, and Ethnicity in the Andes, 1810–1910* (Cambridge: Cambridge University Press, 2004). For more on slavery and gradations of unfreedom, see Jared Hardesty, *Unfreedom: Slavery and Dependence in Eighteenth-Century Boston* (New York: New York University Press, 2016); Hendrik Hartog, *The Trouble with Mimma: A Case of Slavery and Emancipation in the Antebellum North* (Chapel Hill: University of North Carolina Press, 2018); Kristin O'Brasill-Kulfan, *Vagrants and Vagabonds: Poverty and Mobility in the Early American Republic* (New York: New York University Press, 2019).

Across Spanish America, the Wars of Independence against Spain in the early nineteenth century opened an explosive debate over the many meanings of liberty and freedom fiercely contested by indigenous, enslaved, free black, and other historically marginal peoples.⁸ As the dust of war settled and independence from Spain emerged, creole (American-born Spaniard) rulers in Gran Colombia scrambled to define the newly acquired “liberties” in the young republic’s economic, social, and political life – from the abolition of certain economic monopolies to the adoption of a limited free press. In other words, early republican officials in Colombia sought to *govern through the language and politics of freedom*.⁹ This was true elsewhere in the revolutionary Atlantic world, as Lisa Lowe notes in relation to the rise of indentured labor in the British

⁸ The literature on the racial and social struggles over liberty and freedom in Spanish America during the Wars of Independence is vast. See Eric Van Young, *The Other Rebellion: Popular Violence, Ideology, and Struggle for Independence* (Stanford, CA: Stanford University Press, 2001); Peter F. Guardino, *Peasants, Politics, and the Formation of Mexico’s National State: Guerrero, 1800–1857* (Stanford, CA: Stanford University Press, 1996); Peter F. Guardino, *The Time of Liberty: Popular Political Culture in Oaxaca, 1750–1850* (Durham, NC: Duke University Press, 2005); Marixa Lasso, *Myths of Harmony: Race and Republicanism during the Age of Revolution, Colombia, 1795–1831* (Pittsburgh, PA: University of Pittsburgh Press, 2007); Marcela Echeverri, *Indian and Slave Royalists in the Age of Revolution: Reform, Revolution, and Royalism in the Northern Andes, 1780–1825* (Cambridge: Cambridge University Press, 2016); Peter Blanchard, *Under the Flags of Freedom: Slave Soldiers and the Wars of Independence in Spanish South America* (Pittsburgh: University of Pittsburgh Press, 2008); María Eugenia Chaves, “Nos, los esclavos de Medellín: la polisemia de la libertad y las voces subalternas en la primera república antioqueña,” *Nómadas* 33 (octubre de 2010): 43–56; María Eugenia Chaves, “Esclavos, libertades y república. Tesis sobre la polisemia de la libertad en la primera república antioqueña,” *Estudios Interdisciplinarios de América Latina y el Caribe* 22, no. 1 (2011): 81–104; Gabriel di Meglio, *¡Viva el bajo pueblo!: La plebe urbana de Buenos Aires y la política entre la Revolución de Mayo y el Rosismo* (Buenos Aires: Prometeo Libros, 2007); Alfonso Múnera, *El fracaso de la nación: Región, clase y raza en el Caribe colombiano (1717–1821)* (Bogotá: Banco de la República, El Ancora Editores, 1998); Roger Pita Pico, *El reclutamiento de negros durante las guerras de independencia de Colombia, 1810–1825* (Bogotá: Academia Colombiana de Historia, 2012); Charles Walker, *Smoldering Ashes: Cuzco and the Creation of Republican Peru, 1780–1840* (Durham, NC: Duke University Press, 1999); Aline Helg, *Liberty and Equality in Caribbean Colombia, 1770–1835* (Chapel Hill: University of North Carolina Press, 2004).

⁹ Frank Safford and Marco Palacios, *Colombia: Fragmented Land, Divided Society* (Oxford: Oxford University Press, 2002), 108–110. For more on slavery and freedom as modes of governance, see Sherwin Bryant, *Rivers of Gold, Lives of Bondage: Governing through Slavery in Colonial Quito* (Chapel Hill: University of North Carolina Press, 2014), 4; Patrick Joyce, *The Rule of Freedom: Liberalism and the Modern City* (New York: Verso, 2003), 1; Natasha Lightfoot, *Troubling Freedom: Antigua and the Aftermath of British Emancipation* (Durham, NC: Duke University Press, 2015); Thomas C. Holt,

Empire after the slave trade’s abolition in 1807: “the category of ‘freedom’ was central to the development of what we could call a modern racial governmentality in which a political, economic, and social hierarchy ranging from ‘free’ to ‘unfree’ was deployed in the management of the diverse labors of metropolitan and colonized peoples.”¹⁰ Certainly, notions of freedom in early national Colombia and Spanish America were historically rooted in monarchical Hispanic traditions, as they were products of colonial slavery and fugitivity. Especially critical to a burgeoning politics of freedom prior to independence was the emergence in the Atlantic world of liberalism and its revolutionary values of equality and liberty, perhaps best exemplified in the Spanish empire by the Bourbon economic and political policies of the late eighteenth century and the liberal Cádiz Constitution of 1812.¹¹

But the nature and governing logics of freedom shifted in Colombia with the advent of the republic and Spanish America’s codification of liberalism’s revolutionary principles, which abolished hierarchical racial categories and replaced subjecthood with individual citizenship – at least for those deemed capable of responsibly exercising the rights and responsibilities that came with citizenship, criteria that excluded women, the enslaved, and what I term Free Womb captives.¹² The promissory

The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832–1938 (Baltimore: Johns Hopkins University Press, 1992); Stephanie Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven, CT: Yale University Press, 2019), xviii; María Eugenia Chaves Maldonado, “El oximoron de la libertad. La esclavitud de los vientres libres y la crítica a la esclavización africana en tres discursos revolucionarios,” *Fronteras de la historia: revista de historia colonial latinoamericana* 19, no. 1 (2014): 174–200; Mimi Thi Nguyen, *The Gift of Freedom: War, Debt, and Other Refugee Passages* (Durham, NC: Duke University Press, 2012).

¹⁰ Lisa Lowe, *The Intimacies of Four Continents* (Durham, NC: Duke University Press, 2015), 24.

¹¹ Orlando Patterson, *Freedom: Freedom in the Making of Western Culture*, vol. 1 (New York: Basic Books, 1996); Echeverri, *Indian and Slave Royalists*, 13, 172; Bryant, *Rivers of Gold*, 3, 119; Jaime E. O. Rodríguez, *Political Culture in Spanish America, 1500–1830* (Lincoln: University of Nebraska Press, 2018), 1–30, 150–151; François-Xavier Guerra, *Modernidad e independencias: Ensayos sobre las revoluciones hispánicas* (México, DF: Editorial MAPFRE-Fondo de Cultura Económica, 1992); Arlene J. Díaz, *Female Citizens, Patriarchs, and the Law in Venezuela, 1786–1904* (Lincoln: University of Nebraska Press, 2004); Frank T. Proctor III, *“Damned Notions of Liberty”: Slavery, Culture, and Power in Colonial Mexico, 1640–1769* (Albuquerque: University of New Mexico Press, 2010); Neil Roberts, *Freedom as Marronage* (Chicago: University of Chicago Press, 2015).

¹² In this book, I use the terms Free Womb child(ren) and Free Womb captive(s) interchangeably. The latter usage seeks to emphasize Free Womb children’s particular social

freedom granted to the children of the Free Womb during gradual emancipation rule came to embody the quintessential paradox of liberal freedom in Colombia: These children were free yet captive, raceless yet black. By “liberal freedom,” I am referring to the discourse and political culture of individual legal freedom, grounded in explicit and implicit criteria of agency and responsibility, that developed out of Latin American liberalism in the national era. Following Karen Caplan, I understand liberal freedom as “less a proactive motivating ideology than . . . a set of ideas and institutions that governed quotidian contact with the state.”¹³ As this book contends, the liberal freedom generated through gradual emancipation rule came to constitute a modern mode of racial governance that birthed new forms of social domination while temporarily instituting de facto slavery.¹⁴ I argue that although gradual emancipation rule was ostensibly designed to destroy slavery, paradoxically, speculating slaveholders in Colombia came to have an even greater stake in slavery. *Freedom's Captives* explores how gradual emancipation rule expanded opportunities for diverse stakeholders to partake in the owning and exploitation of young black people at cheaper prices and established new political rituals that reinforced the disciplining logic of the slaveholding order.

and laboring conditions as unfree captives. It is similar to James Gigantino II's usage of the phrase “slaves for a term” to describe Free Birth children born after New Jersey's gradual abolition law in 1804 or Joanne Pope Melish's usage of the phrase “statutory slaves” to describe such children born after the adoption of gradual abolition laws in New England. See James Gigantino II, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775–1865* (Philadelphia: University of Pennsylvania Press, 2015), 7; Joanne Pope Melish, *Disowning Slavery: Gradual Emancipation and “Race” in New England, 1780–1860* (Ithaca, NY: Cornell University Press, 1998), 88.

¹³ Karen Caplan, *Indigenous Citizens: Local Liberalism in Early National Oaxaca and Yucatán* (Stanford, CA: Stanford University Press, 2009), 12. Also see Roberto Breña, *El primer liberalismo español y los procesos de emancipación de América, 1808–1824* (Mexico: Colegio de México, 2006); Reuben Zahler, *Ambitious Rebels: Remaking Honor, Law, and Liberalism in Venezuela, 1780–1850* (Tucson: University of Arizona Press, 2013); Milanich, *Children of Fate*; Timo H. Schaefer, *Liberalism as Utopia: The Rise and Fall of Legal Rule in Post-Colonial Mexico, 1820–1900* (Cambridge: Cambridge University Press, 2017); James E. Sanders, *Contentious Republicans: Popular Politics, Race, and Class in Nineteenth-Century Colombia* (Durham, NC: Duke University Press, 2004).

¹⁴ On slavery and liberal freedom, see Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (Oxford: Oxford University Press, 1997), 115–124; Holt, *The Problem of Freedom*.

Yet, the rule of individualizing liberal freedom contended with the vernacular practice of freedom rooted in place and collectivity.¹⁵ As the late historian Stephanie M. H. Camp wrote, “Space mattered: places, boundaries, and movement were central to how slavery was organized and to how it was resisted.”¹⁶ Likewise, place shaped how liberal and vernacular freedoms were constantly managed and contested, from the portside urban markets of Cartagena on the Caribbean coast to the “White City” of Popayán in the southwestern Cauca Valley, where generations of the country’s wealthiest slaveholders resided inside the city’s infamous whitewashed walls. This book examines the frontiers of freedom in the Colombian Pacific – a center of the Black Pacific world that constantly escaped white governability. By the Black Pacific, I am referring to the construction and rise of African-descended communities and relations along and across the Pacific Rim and expansive Pacific Ocean. A product of the Black Atlantic, the Colombian Black Pacific was and is one the main nodes in the racial cartography of the Black Pacific world, offering its own distinct history of black dispossession and possibility.¹⁷

¹⁵ On vernacular freedom, see Rebecca Scott, *Degrees of Freedom: Louisiana and Cuba after Slavery* (Cambridge, MA: Harvard University Press, 2009), 269; Rebecca Scott, “Public Rights and Private Commerce: Nineteenth-Century Atlantic Creole Itinerary,” *Current Anthropology* 48, no. 2 (April 2007): 237–256. On place, see Yi-Fu Tuan, *Space and Place: The Perspective of Experience* (Minneapolis: University of Minnesota Press, 1977).

¹⁶ Stephanie M. H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004), 6.

¹⁷ On the Black Pacific in Latin America, see Nina S. de Friedemann, *Criele, criele son. Del Pacífico negro: arte, religión y cultura en el litoral Pacífico* (Bogotá: Planeta, 1989); Heidi Feldman, *Black Rhythms of Peru: Reviving African Musical Heritage in the Black Pacific* (Middletown, CT: Wesleyan University, 2006); Michael Quintero Birenbaum, *Rites, Rights & Rhythms: A Genealogy of Musical Meaning in Colombia’s Black Pacific* (Oxford: Oxford University Press, 2019); Rachel Sarah O’Toole, *Bound Lives: Africans, Indians, and the Making of Race in Colonial Peru* (Pittsburgh: University of Pittsburgh Press, 2012); Bryant, *Rivers of Gold*. On the Black Pacific in the African diaspora and Asian Ocean World, see Robbie Shilliam, *The Black Pacific: Anti-Colonial Struggles and Oceanic Connections* (London: Bloomsbury, 2015); Gerald Horne, *The White Pacific: U.S. Imperialism and Black Slavery in the South Seas after the Civil War* (Honolulu: University of Hawai‘i Press, 2007); Quito Swan, *Pauulu’s Diaspora: Black Internationalism and Environmental Justice* (Gainesville: University Press of Florida, 2020); Guy Emerson Mount, “The Last Reconstruction: Slavery, Emancipation, and Empire in the Black Pacific” (PhD Dissertation, University of Chicago, 2018); Etsuko Taketani, *The Black Pacific Narrative: Geographic Imaginings of Race and Empire between the World Wars* (Lebanon, NH: Dartmouth College Press, 2014); Vince Schleifwiler, *Strange Fruit of the Black Pacific: Imperialism’s Racial Justice and Its*

The rivers, jungles, and gold mines of this extraordinary, little-known place of the Colombian Black Pacific presented a formidable challenge to the governing logics of liberal freedom as they enabled enslaved and Free Womb captives to carve out diverse forms of vernacular freedom grounded in powerful networks of affective bonds. *Freedom's Captives* focuses especially on the riverine province of Chocó, which comprised the northern Pacific lowlands of Colombia, a rural region that is larger than Jamaica or Puerto Rico and famed for its vast rainforest, hundreds of rivers and tributaries, endless downpours, and rich gold mines worked by kidnapped African captives beginning in the late seventeenth century. Officially one of the rainiest places in the world, the Colombian Pacific lowlands (a region encompassing the modern-day departments of Chocó and parts of Valle del Cauca, Cauca, and Nariño), with its remote, physical geography and gold-mining economy, at once facilitated terror and afforded unusual opportunities for black autonomy, the most notable feature of vernacular freedom in the region. Chocó was described as both a “demon’s paradise,”¹⁸ where slaveholders from elsewhere in Colombia would threaten to send their slaves, and a world of autonomy, where free black boatmen and black female gold miners commanded the rivers through family and kinship networks and where fugitives of all classes could easily commit disappearing acts amid the immense expanse of the lowland jungle.

The aquatic environment of the gold-rich Colombian Pacific gave birth to a paradoxical culture marked by both relentless captivity and extraordinary independence, distinct from the more familiar regimes of plantation slavery that form the basis of our understanding of slavery in the Atlantic world. This history suggests why today the Pacific lowlands are home to Colombia’s famous autonomous black collective territories – territories that in the late twentieth century witnessed some of the most horrific violence of the civil war and that, despite the record peace accords, continue to be plagued by paramilitary violence against Afro-Colombian land rights activists, the descendants of the people whose

Fugitives (New York: New York University Press, 2016). For a theoretical and historiographical analysis of the Black Pacific, see my paper “Toward a Black Pacific” (paper delivered at the American Historical Association Conference, New York, January 6, 2020).

¹⁸ Orián Jiménez Meneses, *El Chocó, un paraíso del demonio: Nóvita, Citará, y el Baudó, siglo VIII* (Medellín, Colombia: Universidad de Antioquia, 2004), 25.

stories make this book possible.¹⁹ It is here in the Colombian Black Pacific, a place with an extraordinary history of black collectivity, autonomy, and captivity, where we can fully witness the political horizons of liberal freedom under gradual emancipation rule.

GRADUAL EMANCIPATION RULE IN COLOMBIA
AND THE ATLANTIC WORLD

Two years after declaring the republic of Gran Colombia in 1819, representatives of the new nation in the northern Andes passed a gradual emancipation law. Known as *La ley de 21 de julio sobre la libertad de partos, manumisión y abolición del tráfico de esclavos* (The law of July 21 on the free womb, manumission, and abolition of the slave trade), the law would alter the destinies of the more than 100,000 enslaved people (half of whom were living in the present-day nation of Colombia), their future progeny, and those who sought to govern them.²⁰ The 1821 law banned the importation of new slaves into the territory of Gran Colombia; established *juntas de manumisión* (manumission juntas), or local councils that were responsible for manumitting "the most honest and industrious" slaves on behalf of the republic; and installed a Free Womb law that declared legally free the children of enslaved women born after the law's promulgation while bonding these children to their mothers' masters until the age of eighteen.²¹ Of these three provisions, the Free Womb law most significantly transformed the institution of chattel slavery, by terminating its legal foundation: *partus sequitur ventrem*, the idea that the status of the child derives from the mother. It was thus, borrowing from Christina Sharpe, one of the earliest "afterlives of *partus sequitur ventrem*" in Colombia.²² After 1821, the children of

¹⁹ For more on the contemporary political situation, see my article, "'To End 500 Years of Great Terror': Struggles for Peace in the Afro-Colombian Pacific," *NACLA Report on the Americas, Issue 1: #BlackLivesMatter Across the Hemisphere* 49 (2017): 56–63.

²⁰ Jorge Andrés Tovar Mora and Hermes Tovar Pinzón, *El oscuro camino de la libertad: los esclavos en Colombia, 1821–1851* (Bogotá: Universidad de los Andes, Facultad de Economía, 2009), 53.

²¹ The Free Womb provision of the gradual emancipation law was also referred to as the *ley de libertad de los vientres* ("law of the freedom of the wombs"). See, for example, *Gaceta de Colombia*, no. 291 (13 de mayo de 1827): 211.

²² Christina Sharpe, *In the Wake: On Blackness and Being* (Durham, NC: Duke University Press, 2016), 78. For more on "*partus sequitur ventrum*" in the history of Atlantic world slavery, see Camillia Cowling, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro* (Chapel Hill: University of North Carolina Press, 2013), 53–59; Jennifer L. Morgan, "*Partus sequitur ventrum*: Law, Race,

slaves born in Gran Colombia would no longer inherit their mother's legal condition of enslavement.

This book reveals how while the children born after 1821 were no longer legally enslaved, they were birthed into Free Womb captivity, a tenuous space of transitory bondage regulated by private slaveholders in often-uneasy partnership with public officials. Actively incorporated into Colombia's economy, Free Womb captives were fungible and liquefiable commodities who could be bought and sold at profitable prices. As per the law, enslaved people born before the law's promulgation in 1821 remained enslaved. They could only acquire their freedom through long-established routes, whether legal or extralegal – self-purchase, manumission, or flight – or through the local, often erratic manumission juntas. But gradual emancipation rule equally governed the lives of enslaved people born before 1821, by maintaining their enslavement, creating novel political rituals that reinforced slavery's hold, and demanding their allegiance to the new republican order. The vice president of Gran Colombia, Francisco de Paula Santander, explicitly expressed this demand in 1822 when he urged local priests to make the enslaved understand “the great benefit they have received from the Government of Colombia in the freedom conceded to their children” and that “none of these benefits shall be enjoyed by them or their children if they return to the Spanish Government.”²³ Much as Colombian insurgents tried during the Wars of Independence to link racial hierarchies with Spanish despotism and equality with patriotic nationalism (as expertly chronicled by Marixa Lasso), postindependence Colombian officials sought to guarantee enslaved people's political loyalties by juxtaposing antislavery republicanism with proslavery Spanish colonial rule.²⁴ Targeting the enslaved family, gradual emancipation rule instantiated one of the earliest examples in Colombia of racialized liberal “progress,” characterized by the logic of gradualism, by attempting to appease enslaved parents and children with the promise of eventual freedom.

and Reproduction in Colonial Slavery,” *Small Axe* 22, no. 1 (March 2018, no. 55): 1–17; Martha S. Santos, “Slave Mothers,’ *Partus Sequitur Ventrem*, and the Naturalization of Slave Reproduction in Nineteenth-Century Brazil,” *Tempo* 22, no. 41 (September–December 2016): 467–487; Jerome S. Handler, “Custom and Law: The Status of Enslaved Africans in Seventeenth-Century Barbados,” *Slavery & Abolition* 37, no. 1 (2016): 1–23.

²³ Archivo Central del Cauca (hereinafter ACC), 1822, Independencia CIII-2g 6902, fol. 1.

²⁴ Lasso, *Myths of Harmony*.

Although Colombia never became a "slave society" – that is, a society where slavery was the primary mode of production, classically associated with the American South, the French colony of Saint-Domingue (modern-day Haiti), or northeastern Brazil – it did possess one of the largest populations of enslaved peoples in the Spanish American mainland.²⁵ The history of African captivity in Colombia begins with the conquest, when African slaves forcibly accompanied Spanish conquistadores on early sixteenth-century expeditions to the Caribbean coast and the Andean interior of so-called Tierra Firme. The quest for gold and, later, agricultural production fueled the Spanish colonial project in Colombia, whose auriferous rivers and fertile fields were initially worked by indigenous captives. As in the Caribbean islands and other sites across early colonial Spanish America, the decimation of indigenous peoples, who also staunchly resisted Spanish colonists, spurred the importation of African captives to Colombia in the sixteenth and seventeenth centuries. From 1595 to 1640, nearly 135,000 enslaved Africans were trafficked through the Caribbean port of Cartagena, which became the main slave trade entrepôt for Colombia and the rest of the Spanish American mainland. Many were forced to make the treacherous journey from the auction blocks of Cartagena to the gold fields of the southwestern province of Popayán, which included the bordering southern Pacific lowlands, the Spanish kingdom's principal producer of gold and one of the centers of the northern Andean slave trade by the end of the seventeenth century.²⁶

²⁵ Ira Berlin, *Generations of Captivity: A History of African American Slaves* (Cambridge, MA: Harvard University Press, 2003).

²⁶ Jaime Jaramillo Uribe, "Esclavos y señores en la sociedad colombiana del siglo XVIII," *Anuario colombiano de historia social y de la cultura* 1, no. 1 (1963): 3–62; Anthony McFarlane, "Cimarrones and Palenques: Runaways and Resistance in Colonial Colombia," *Slavery & Abolition* 6, no. 3 (1985): 131–35; Robin Blackburn, *The Making of New World Slavery: From the Baroque to the Modern, 1492–1800* (New York: Verso, 1997), 143. For more on the early colonial history of slavery in Colombia, see Carlos Eduardo Valencia Villa, *Alma en boca y huesos en costal: Una aproximación a los contrastes socio-económicos de la esclavitud. Santafé, Mariquita y Mompox, 1610–1660* (Bogotá: Instituto Colombiano de Antropología e Historia, 2003); Jorge Palacios Preciado, *La trata de negros por Cartagena de Indias, 1650–1750* (Tunja: Universidad Pedagógica y Tecnológica de Colombia, 1973); María del Carmen Borrego Pla, *Palenques de negros en Cartagena de Indias a fines del siglo XVII* (Sevilla: Escuela de Estudios Hispanoamericanos, 1973); María Cristina Navarrete, *Génesis y desarrollo de la esclavitud en Colombia siglos XVI y XVII* (Cali: Universidad del Valle, Programa Ediciones, 2005); Bryant, *Rivers of Gold*; Sherwin Bryant, "Finding Gold, Forming Slavery: The Creation of a Classic Slave Society, Popayán, 1600–1700," *The Americas* 63, no. 1 (2006): 81–112; Fernando Noboa Jurado, *Esclavitud en la Costa Pacífica*:

The continued wealth of Colombia was made possible by chattel slavery. Throughout the eighteenth century, African and native-born enslaved people were forcibly concentrated in certain regions of the northern Andes, such as the Caribbean coast – where they worked in Cartagena and in the countryside's sugar haciendas and cattle ranches – and the provinces of Antioquia, Popayán, and Chocó, where they labored in the gold mines. In these latter regions, enslaved people comprised a substantial portion of the population by the late colonial period. Yet despite the high proportion of African and American-born captives in the gold-mining provinces, according to the 1778 census they comprised just 5 percent (69,590) of the colony's total population of 1,283,755. The majority of the colony's population at this time consisted of free people of color (*libres de todos colores*, 34 percent) and free indigenous people (36 percent), with a significant white population (25 percent).²⁷ The gradual abolition of slavery in Colombia would later emerge amid the political vicissitudes of the Wars of Independence against Spain and in the shadow of Haiti and fears of domestic race war.

The history of the winding, protracted abolition of slavery by Free Womb decrees in Latin America and the Caribbean is certainly not unfamiliar. From Colombia in 1821 to Brazil in 1871, the majority of governments in the region adopted Free Womb legislation throughout the nineteenth century – with the exception of Mexico, Central America, and the Dominican Republic, where slavery was abolished during the 1820s; the British Caribbean colonies, where officials instituted an apprenticeship system in 1834 before final abolition in 1838; and Haiti, where the revolutionary black government extinguished slavery in 1805.²⁸ This book introduces the untold story of gradual emancipation rule in Colombia and the country's Black Pacific lowlands. I build on the vast

Iscuandé, Tumaco, Barbacoas y Esmeraldas, Siglos XVI al XIX (Quito: Ediciones Abya-Yala, 1990); Kris Lane, "The Transition from *Encomienda* to Slavery in Seventeenth-Century Barbacoas (Colombia)," *Slavery & Abolition* 21, no. 1 (2000): 73–95.

²⁷ Germán Colmenares, *Historia económica y social de Colombia, Tomo II: Popayán, una sociedad esclavista, 1680–1800* (Medellín: La Carreta, 1979); Helg, *Liberty and Equality*; Jaramillo Uribe, "Esclavos y señores en la sociedad colombiana del siglo XVIII"; Hermes Tovar Pinzón, Jorge Andrés Tovar Mora, and Camilo Ernesto Tovar Mora, *Convocatoria al poder del número: censos y estadísticas de la Nueva Granada, 1750–1830* (Santafé de Bogotá: Archivo General de la Nación, 1994), 69–73; Rafael Díaz Díaz, *Esclavitud, región y ciudad: El sistema esclavista urbano-regional en Santafé de Bogotá, 1700–1750* (Bogotá: Centro Editorial Javeriano, 2001).

²⁸ George Reid Andrews, *Afro-Latin America, 1800–2000* (Oxford: Oxford University Press, 2004), 57.

and rich social, legal, political, and economic historical scholarship on abolition and emancipation in the Americas, which has been shaped by pioneering historians such as Seymour Drescher, who rightfully argued that "free womb emancipation assured an endpoint in abolition with the working life of those remaining enslaved."²⁹ Though true enough from a retrospective, macrohistorical perspective, the narrative of the inevitability of final abolition, I contend, overlooks the vicissitudes and uncertainties experienced along the way. As *Freedom's Captives* uncovers, the political and rhetorical challenges to the gradual emancipation law waged by antiabolitionist slaveholders in the 1820s, legal changes to Free Womb captivity in the 1830s and 1840s as the country underwent its first civil war, and the small but forceful proslavery insurgency that emerged in southern Colombia in the early 1850s amid impassioned and ultimately successful congressional debates on total abolition all trouble the surety of slavery's final destruction. While the logic of slavery's demise was necessarily built into the Free Womb law, the endpoint of emancipation did not appear so certain for many of Colombia's captives and the people whom they cherished as they lived through and negotiated the law's twists and turns for over three decades. Borrowing Barbara Fields's iconic words, freedom under gradual emancipation rule in Colombia "was no fixed condition but a constantly moving target."³⁰

The historiography of gradual emancipation in Latin America and the Caribbean has been principally shaped by the late nineteenth-century emancipatory processes in the remaining Spanish colony of Cuba and in the independent Empire of Brazil, the last bastions of slavery in the Americas. Classic works such as Rebecca J. Scott's *Slave Emancipation in Cuba: The Transition to Free Labor, 1860–1899* (Princeton, NJ: Princeton University Press, 1980) and Robert E. Conrad's *The Destruction of Brazilian Slavery, 1850–1888* (Berkeley: University of California Press, 1972) defined the field by chronicling slavery's complex demise in Cuban and Brazilian society, respectively, while more recent scholarship – including Camillia Cowling's *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro* (Chapel Hill: University of North Carolina Press, 2013) and Celso T. Castilho's *Slave Emancipation and Transformations in*

²⁹ Seymour Drescher, *Abolition: A History of Slavery and Antislavery* (Cambridge: Cambridge University Press, 2009), 190.

³⁰ Barbara J. Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century* (New Haven, CT: Yale University Press, 1985), 193.

Brazilian Political Citizenship (Pittsburgh, PA: University of Pittsburgh Press, 2016) – have deepened our understanding of gradual emancipation as gendered and political processes marked by enslaved and free black women's claims-making and novel forms of public politics.³¹ However, the narrative of gradual emancipation continues to be largely read through Cuba and Brazil, places that underwent what I refer to as the third and final wave of gradual emancipation.

The examples of Cuba and Brazil are undeniably essential for understanding the rise and fall of slavery in Latin America and the Americas as a whole. Both countries, alongside the “cotton kingdom” of the southern United States, were the sites of the “second slavery,” or the nineteenth-century expansion of slavery in the Western Hemisphere in the aftermath of the Haitian Revolution and the destruction of its once-dominant sugar economy. As newly formed independent republics across mainland Spanish America adopted gradual emancipation measures throughout the early to mid-nineteenth century, unprecedented numbers of African captives entered Cuba's sugar plantations and Brazil's coffee plantations. It was not until the second half of the nineteenth century, after all the countries of the Spanish American mainland had finally abolished slavery, that gradual emancipation laws were adopted in Cuba (1870) and Brazil (1871). But the motives for implementing gradual emancipation legislation in Cuba and Brazil were specific to the mosaic of circumstances and political shifts marking the nineteenth-century Atlantic world, from anti-colonial rebellion and the specter of the American Civil War (1861–1865) in the Cuban case to the rise of robust abolitionist publics and the political aftermath of the Paraguayan War (1864–1870) for Brazil. An analysis of early gradual emancipation legislation in places like Colombia is crucial for understanding the implementation of such laws during the last wave of gradual emancipation. For it was during the late eighteenth and early nineteenth centuries when gradual emancipation rule was crafted

³¹ Other formative scholarship on Cuba and Brazil includes Rebecca Scott et al., *The Abolition of Slavery and the Aftermath of Emancipation in Brazil* (Durham, NC: Duke University Press, 1988); Laird Bergad, *The Comparative Histories of Slavery in Brazil, Cuba, and the United States* (Cambridge: Cambridge University Press, 2007); Ada Ferrer, *Insurgent Cuba: Race, Nation, and Revolution, 1868–1898* (Chapel Hill: University of North Carolina Press, 1999); Christopher Schmidt-Nowara, *Empire and Antislavery: Spain, Cuba, and Puerto Rico, 1833–1874* (Pittsburgh, PA: University of Pittsburgh Press, 1999); Dale Graden, *From Slavery to Freedom in Brazil: Bahia, 1835–1900* (Albuquerque: University of New Mexico Press, 2006); Ian Read, *Hierarchies of Slavery in Santos, Brazil, 1822–1888* (Stanford, CA: Stanford University Press, 2012); Robert Toplin, *The Abolition of Slavery in Brazil* (New York: Atheneum, 1972).

and contested in North America and the Spanish American mainland, in the context of the Age of Revolution, the Enlightenment, and Atlantic abolitionism. It was due to this moment that Spanish and Brazilian politicians could later, in the midst of crisis, turn to gradual emancipation rule as a secure and battle-tested option.

Nearly 100 years of gradual emancipation legislation in fourteen governments across North America and mainland Spanish America preceded Free Womb legislation in Cuba and Brazil. While emerging from divergent political cultures and realities, the societies that were part of the two waves of gradual emancipation that preceded Brazil and Cuba shared three main economic and political characteristics: slavery was not central to the economy, there were competing struggles for independence from colonial powers, and the rise of Enlightenment notions of natural law and humanity inspired a fundamental rethinking of slavery's future. In some of these cases, such as in the passage of the 1799 gradual abolition law in New York or the 1821 law in Gran Colombia, the specter of the Haitian Revolution loomed large.³² Although the kingdom of Portugal was the first governing body in the Atlantic world to pass a Free Womb law in 1773, Anglophone North America saw the first significant wave of such legislation.³³ In the northeastern United States, revolutionary ideas of political independence and powerful antislavery protests from the Quakers propelled a gradualist approach to the problem of northern slavery in states with largely nonslave economies (as compared to the US South). In 1780, Pennsylvania was the first in North America to institute a policy of gradual emancipation when the state legislature passed "An Act for the Gradual Abolition of Slavery," which became the legislative blueprint for future projects. The act declared that any child born from an enslaved woman after 1780 would no longer be "considered as Servants for Life or Slaves," but would be bonded to their mother's masters until the age of twenty-eight. The Pennsylvania law was inspired by long-standing North American historical practices such as

³² For a digital collection of gradual abolition laws with Free Womb decrees in the late eighteenth and early nineteenth-century Atlantic World, see my website: www.thefreewombproject.com. On gradual abolition laws and the specter of Haiti, see David Nathaniel Gellman, *Emancipating New York: The Politics of Slavery and Freedom, 1777-1827* (Baton Rouge: Louisiana State University Press, 2006), 140-143, and Chapter 3 of this book.

³³ On the Portuguese law, see Cristina Nogueira Da Silva and Keila Grinberg, "Soil Free from Slaves: Slave Law in Late Eighteenth- and Early Nineteenth-Century Portugal," *Slavery & Abolition* 32, no. 3 (September 2011): 431-446.

the institution in the eighteenth century of pauper apprenticeship, in addition to evolving ideas regarding the intellectual capacities of black children circulating in late colonial and early national circles.³⁴ Other states and provinces in the region implemented similar measures, with varying periods of bondage, in the years that followed, including Rhode Island and Connecticut (1784), British Upper Canada (1793), and New Jersey (1804).³⁵

While the first wave of gradual emancipation ended in North America in 1804, the second wave emerged in South America after the Napoleonic invasion of the Iberian Peninsula in 1808 and subsequent Wars of Independence against Spain. The Napoleonic Wars and the abdication of King Ferdinand VII in 1808 unleashed cataclysmic political crises in Spain and across the Spanish empire. Peninsular and American revolutionary officials convened the Cortes of Cádiz (1810–1812), a parliament

³⁴ Gary B. Nash and Jean R. Soderlund, *Freedom By Degrees: Emancipation in Pennsylvania and Its Aftermath* (New York: Oxford University Press, 1991), 57, 87, 90; Steve Hindle and Ruth Wallis Herndon, "Recreating Proper Families in England and North America: Pauper Apprenticeship in Transatlantic Context," in *Children Bound to Labor: The Pauper Apprenticeship System in Early America*, Ruth Wallis Herndon and John E. Murray, eds. (Ithaca, NY: Cornell University Press, 2009), 34; Sharon Braslaw Sundue, "'Beyond the Time of White Children': African American Emancipation, Age, and Ascribed Neoteny in Early National Pennsylvania," in *Age in America: The Colonial Era to the Present*, Corinne T. Field and Nicholas L. Syrett, eds. (New York: New York University Press, 2015), 52–53; Alan Craig Houston, *Benjamin Franklin and the Politics of Improvement* (New Haven, CT: Yale University Press, 2008), 200.

³⁵ For more on gradual abolition in North America, see Arthur Zilversmit, *The First Emancipation: The Abolition of Slavery in the North* (Chicago: University of Chicago Press, 1967); Nash and Soderlund, *Freedom by Degrees*; Melish, *Disowning Slavery*; Christy Clark-Pujara, *Dark Work: The Business of Slavery in Rhode Island* (New York: New York University Press, 2016); Gellman, *Emancipating New York*; Gigantino II, *Ragged Road to Abolition*; Hartog, *Trouble with Minna*; Paul J. Polgar, "'To Raise Them to an Equal Participation': Early National Abolitionism, Gradual Emancipation, and the Promise of African American Citizenship," *Journal of the Early Republic*, 31, no. 2 (Summer 2011): 229–258; Paul J. Polgar, *Standard-Bearers of Equality: America's First Abolition Movement* (Chapel Hill: University of North Carolina Press, 2019); Sarah L. H. Gronningsater, "Born Free in the Master's House: Children and Gradual Emancipation in the Early American North," in *Child Slavery before and after Emancipation: An Argument for Child-Centered Slavery Studies*, Anna Mae Duane, ed. (Cambridge: Cambridge University Press, 2017), 123–150; Sarah Levine-Gronningsater, "Delivering Freedom: Gradual Emancipation, Black Legal Culture, and the Origins of Sectional Crisis in New York, 1759–1870" (PhD Dissertation, University of Chicago, 2014); W. R. Riddell, "The Slave in Upper Canada," *The Journal of Negro History* 4, no. 4 (October 1919): 372–395. In the United States, similar gradual emancipation schemes failed in the legislatures of Delaware and Maryland, which, Seymour Drescher writes, established "a latitudinal boundary to legislated emancipations until the American Civil War." See Drescher, *Abolition: A History of Slavery and Antislavery*, 128.

established after the collapse of the Junta Central (1808–1809) and Regency (1809–1810). At this parliament they fiercely debated the fate of Spain and the Spanish American territories, including the future of the slave trade, slavery, and citizenship rights for Americans of African descent.³⁶ During the early debates of 1811, several antislavery delegates from New Spain (present-day Mexico), Spain, and Quito proposed gradual emancipation schemes that featured Free Womb measures. Although ultimately not implemented, these propositions undoubtedly circulated among Spanish American revolutionary circles, via the works of antislavery liberals such as the Quiteño Antonio de Villavicencio y Verástegui, who penned a gradual emancipation treatise ahead of the Cortes in 1809.³⁷ For some Spanish American revolutionary liberals, these proposals may have been seen as logical juridical evolutions of Spanish Bourbon ameliorationist policies on slavery like the *Royal Instructions for the Education, Treatment, and Work of the Slaves* (1789). Adopted amid liberal absolutist rule and the Spanish Crown's desires to expand plantation slavery in the American colonies, the decree notably obliged slaveholders to "feed and clothe [slaves], including the women and children, whether the latter are slaves or free, until they can earn enough to maintain themselves."³⁸ Ostensibly this meant that

³⁶ Lasso, *Myths of Harmony*; Christopher Schmidt-Nowara, *Slavery, Freedom, and Abolition in Latin America and the Atlantic World* (Albuquerque: University of New Mexico Press, 2011), 90–116.

³⁷ For more on Free Womb measures in the Cádiz debates, see Emily Bergquist, "Early Anti-Slavery Sentiment in the Spanish Atlantic World, 1765–1817," *Slavery & Abolition* 31, no. 2 (June 2010): 193–194; Rafael Marquese, Tâmis Parron, and Márcia Berbel, trans. Leonardo Marques, *Slavery and Politics: Brazil and Cuba, 1790–1850* (Albuquerque: University of New Mexico Press, 2016), 76–77. On Villavicencio, see Edgardo Pérez Morales, "Itineraries of Freedom: Revolutionary Travels and Slave Emancipation in Colombia and the Greater Caribbean, 1789–1830" (Doctoral Dissertation, University of Michigan, 2013), 114–118; Antonio de Villavicencio y Verástegui, "Delicadísimo punto y plan sobre el comercio de esclavos y la absoluta abolición de la esclavitud en ambas Américas, propuesto por un propietario" in *Copia del proyecto de ley qe. presenté a la comisión del arreglo de asuntos qe. debian tratar las Cortes de España, en Sevilla, 16 de noviembre de 1809*, Biblioteca Nacional de Colombia (hereinafter BNC), Biblioteca Digital, accessed February 7, 2019.

³⁸ See chapter 2 of the "Royal Instructions for the Education, Treatment, and Work of the Slaves" in *Slavery, Freedom, and the Law in the Atlantic World: A Brief History with Documents*, Sue Peabody and Keila Grinberg, eds. (New York: Palgrave Macmillan, 2007), 111. In a similar intervention regarding origins, but in the different context of New York, Sarah Levine-Gronningsater importantly argues that state's 1799 gradual abolition law emerged out of poor law, slave law, and Quaker proposals for emancipation. See Levine-Gronningsater, "Delivering Freedom," chapter 1.

slaveholders were obliged to provide for even free black children, echoing similar responsibilities to those later imposed upon slaveholders in possession of Free Womb children. While the decree was suspended in 1794 after severe protests and complaints by slaveholders, it signaled the monarchical state's intervention in the "private" affairs of slaveholders. Opponents of gradual emancipation laws in Spanish America later waged similar protests of "intrusion" against their respective republican governments.³⁹

After news of the king's abdication in 1808 crossed the Atlantic, creole-led juntas formed throughout Spanish America to profess their firm loyalty to the crown; these bodies later declared complete independence. Building on precedents from North America and the Cádiz debates, insurgent junta officials in Chile proclaimed in 1811 the first Free Womb law in mainland Spanish America, which unconditionally freed all children of enslaved women born hence, banned the transatlantic slave trade, and secured immediate freedom for a select group of foreign slaves.⁴⁰ Two years later, the revolutionary assembly of the United Provinces of Río de la Plata (present-day Argentina) passed a similar law stipulating that all female children of slaves would be freed after reaching the age of sixteen, and all male children at age twenty.⁴¹ In the decades that followed, the new Spanish American republics adopted gradual emancipation laws via Free Womb decrees, including Gran Colombia (1821), Peru (1821), Uruguay (1825), Bolivia (1831), and Paraguay (1842).⁴² Although operating under different political and

³⁹ For more on the 1789 decree, see Echeverri, *Indian and Slave Royalists*, 97–100.

⁴⁰ Guillermo Feliú Cruz, *La abolición de la esclavitud en Chile: estudio histórico y social* (Santiago de Chile: Editorial Universitaria, 1973), 38–40; Simon Collier and William F. Sater, *A History of Chile, 1808–2002* (Cambridge: Cambridge University Press, 2004), 29–34.

⁴¹ George Reid Andrews, *The Afro-Argentines of Buenos Aires, 1800–1900* (Madison: University of Wisconsin Press, 1980), 48–51; Blanchard, *Under the Flags of Freedom*, 37–46; Magdalena Candioti, "Abolición gradual y libertades vigiladas en el Río de la Plata. La política de control de libertos de 1813," *Corpus* 6, no. 1 (enero-junio 2016): 9–11; Diego Gonzalo Murcia, "La Asamblea del Año XIII y el problema de la esclavitud," *Aequitas* 7, no. 20 (2013): 23–26. Citing Manuel García Soriano, Paulina L. Alberto argues that the 1813 law was one of the first pieces of "labor legislation" decreed by a revolutionary Spanish American government. See Paulina L. Alberto, "Liberta by Trade: Negotiating the Terms of Unfree Labor in Gradual Abolition Buenos Aires (1820s–30s)," *Journal of Social History* 52, no. 3 (Spring 2019): 636.

⁴² Carlos Aguirre, *Agentes de su propia libertad: los esclavos de Lima y la desintegración de la esclavitud, 1821–1854* (Lima: PUCP, Fondo Editorial, 1993); Peter Blanchard, *Slavery and Abolition in Early Republican Peru* (Wilmington, DE: SR Books, 1992); Alex

economic circumstances, late-nineteenth century imperial officials in Spain and Brazil were not venturing in uncharted waters when they approved Free Womb policies in Cuba, Puerto Rico, and Brazil during the third and last wave of gradual emancipation.

José Félix de Restrepo, the revolutionary republican lawyer and architect of Gran Colombia's gradual emancipation law, was influenced by the earlier precedents established during the first and second waves of gradual emancipation. In his opening speech during the congressional debate over the Colombian law in 1821, Restrepo referred to the examples of Pennsylvania, which "abolished slavery and is one of the most thriving states in North America," in addition to Chile and Buenos Aires that "have declared the freedom of the womb."⁴³ But the political gaze was not solely "unidirectional." Colombia, in fact, served as a model of emancipation during the first half of the nineteenth century for abolitionist politicians from England, the United States, Portugal, and Brazil, a point that most scholars have missed. In London, knowledge of Colombia's 1821 law was facilitated by the publication and circulation in 1823 of a voluminous English translation of Colombia's constitution and laws, which included the gradual emancipation law.⁴⁴

Borucki, *Abolicionismo y tráfico de esclavos en Montevideo tras la fundación republicana (1829–1853)* (Montevideo: Biblioteca Nacional: Universidad de la República, Facultad de Humanidades y Ciencias de la Educación, 2009); Alex Borucki, Karla Chagas, and Natalia Stalla, *Esclavitud y trabajo: un estudio sobre los afrodescendientes en la frontera uruguaya, 1835–1855* (Montevideo: Mastergraf, 2009); John V. Lombardi, *The Decline and Abolition of Negro Slavery in Venezuela, 1820–1854* (Westport, CT: Greenwood Pub. Corp., 1971); Alfredo Boccia Romañach, *Esclavitud en el Paraguay: vida cotidiana del esclavo en las Indias Meridionales* (Asunción: Servilibro, 2004); Julio Tobar Donoso, "La abolición de la esclavitud en el Ecuador," *Boletín de la Academia Nacional de Historia* 39, no. 93 (ene.-jun. 1959): 5–30; Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*; Camilla Townsend, "In Search of Liberty: The Efforts of the Enslaved to Attain Abolition in Ecuador, 1822–1852," in *Beyond Slavery: The Multilayered Legacy of Africans in Latin America and the Caribbean*, Darién J. Davis, ed. (Lanham, MD: Rowman & Littlefield Publishers, Inc., 2007).

⁴³ José Félix de Restrepo, "Discurso sobre la manumisión de esclavos pronunciado en el soberano Congreso de Colombia reunido en la Villa del Rosario de Cúcuta en el año de 1821," 1822, BNC, Biblioteca Digital, accessed February 7, 2019, 25, 28.

⁴⁴ *Code of Laws of the Republic of Colombia: Containing the Constitution and Laws*, vol. 1 (London: Printed for Ridgway, Piccadilly, 1823), 83–88. For more, see Marcela Echeverri, "Slavery in Mainland Spanish America in the Age of the Second Slavery," in *Atlantic Transformations: Empire, Politics, and Slavery during the Nineteenth Century*, Dale W. Tomich ed. (Albany: State University of New York Press, 2020), 27–30; Caitlin Fitz, *Our Sister Republics: The United States in an Age of American Revolutions* (New York: W. W. Norton & Company, 2016), 80–155.

Freedom's Captives takes such influence seriously, arguing that a view from Colombia shifts our understanding of hemispheric abolitionism both geographically and temporally. Throughout the first half of the nineteenth century, Colombian officials not only transformed the institution of chattel slavery in the northern Andes, but also formulated a blueprint of social control for fellow white abolitionists and policymakers in a politically volatile Atlantic world. In 1823 the MP of Southwark, Sir Robert Thomas Wilson, made the case for abolition in the British West Indies by “contrast[ing] our conduct in regard to slaves with that of the new republic of Colombia.” Wilson spoke favorably of the country’s move, via its Free Womb law, to declare “every black infant, born of slave parents, manumitted after he should have attained eighteen years of age; and in the meanwhile to declare them no longer slaves, but to continue them as apprentices under their masters.”⁴⁵ In 1824, a few months after the Demerara rebellion, a massive slave uprising that took place in Britain’s colony in present-day Guyana, the Marquess of Lansdowne petitioned the House of Lords to pass an abolitionist measure by calling attention to how “the state of Colombia had made provisions for the gradual extinction of slavery . . . Care had been taken [in Colombia] to secure to all parties compensation for loss; and the manumission of slaves had been attended with considerable immediate advantages to the masters themselves.”⁴⁶ He was soon thereafter joined by Earl Robert Grosvenor, who claimed that he “wished some measure to be adopted to obviate” slavery in the British Caribbean, “a measure something like that which had been agreed to in Colombia.”⁴⁷ Even on the eve of the historic Slavery Abolition Act of 1833, which established the apprenticeship system throughout the British West Indies, other parliamentary appealed to the example of Colombia, as the Duke of Wellington did in late June 1833.⁴⁸

The Colombian law reverberated beyond British abolitionist circles. In 1834, American abolitionist writer Francis John Higginson endorsed

⁴⁵ T. C. Hansard, ed., *The Parliamentary Debates*, vol. 3, February 4–April 13, 1823 (London: Printed by T. C. Hansard, Peterborough Court, Fleet Street, 1823), 768.

⁴⁶ *The New Annual Register or General Repository of History, Politics, Arts, Sciences, and Literature, for the Year 1824* (London: B. J. Holdsworth, 1825), 169.

⁴⁷ T. C. Hansard, ed., *The Parliamentary Debates*, vol. 11, March 13–June 25, 1824 (London: Printed by T. C. Hansard of the Pater-master-Row Press, 1825), 2.

⁴⁸ *The Debates in Parliament on the Resolutions and Bill for the Abolition of Slavery in the British Colonies, Session 1833* (London: Piccadilly, 1834), 536.

the Colombian law as a security measure, noting that "it is perfectly well known, and universally acknowledged, that no disturbance of public peace and no injury to the welfare of either proprietors or slaves was produced by this measure" and that the law – according to "a perfectly competent witness" – "produced a degree of docility on the part of the blacks before unknown."⁴⁹ The famous New England abolitionist Lydia Maria Child also listed the law among other exemplary pieces of emancipatory legislation in her 1836 tract *The Evils of Slavery*.⁵⁰ From the 1830s into the 1850s, writers and abolitionist officials in the Lusophone Atlantic praised the project of Colombian gradual emancipation. These included the Portuguese abolitionist and prime minister Bernardo de Sá Nogueira de Figueiredo, who oversaw implementation of a gradual emancipation law in the Portuguese West African colonies in 1856; the Brazilian diplomat and minister resident in Colombia Miguel María Lisboa, who discussed the 1821 law with local officials in the early 1850s; and the Brazilian general José Ignacio Abreu y Lima, who fought in Simon Bolívar's armies and became an abolitionist socialist by the early 1850s.⁵¹

Despite the domestic and international significance of the 1821 law, the era of gradual emancipation rule has been largely treated as a peculiar footnote in studies of slavery, emancipation, and politics in nineteenth-century Colombia.⁵² Certainly, this historiographical propensity is shaped by the fact that, as Jason McGraw writes, "the 1821 law . . . raised expectations of freedom without providing it."⁵³ Indeed,

⁴⁹ Francis John Higginson, *Remarks on Slavery and Emancipation* (Boston: Hilliard, Gray, & Company, 1834), 40.

⁵⁰ Lydia Maria Child, *The Evils of Slavery, and the Cure of Slavery*, 2nd ed. (Newburyport: Charles Whipple, 1839), 15.

⁵¹ *Bosquejo histórico, político e literario do Brasil* (Nitheroy: Typographia Nitheroy, 1835), 50; Bernardo de Sá Nogueira de Figueiredo, Marquis de Sá da Bandeira, *O trafico de escravatura: e o bill de lord Palmerston* (Lisboa: Typographia de José Baptista Morando, 1840), 4; Miguel María Lisboa, *Relación de un viaje a Venezuela, Nueva Granada y Ecuador* (Caracas: Ediciones de la Presidencia de la República de Venezuela, 1954), 76–77; José Ignacio de Abreu e Lima, *O Socialismo pelo General Abreu e Lima* (Recife: Typographia Universal, 1855), 201.

⁵² Sanders, *Contentious Republicans*, 61–63; Lasso, *Myths of Harmony*, 58–60, 65–66; Helg, *Liberty and Equality*, 169–171; Hans-Joachim König, *En el camino hacia la nación: nacionalismo en el proceso de formación del Estado y de la Nación de la Nueva Granada, 1750 a 1856* (Colombia: Banco de la República, 1994), 353–358.

⁵³ Jason McGraw, *The Work of Recognition: Caribbean Colombia and the Postemancipation Struggle for Citizenship* (Chapel Hill: University of North Carolina Press, 2014), 23.

the obstacles that gradual emancipation rule placed in the path of the enslaved on their journey toward freedom were not substantially alleviated by the promise of liberation. And that was no accident. In an era of fraught transitions – from monarchy to republic, from slavery to wage labor, from subject to citizen – the 1821 law was a relatively successful biopolitical experiment in social control aimed at the population considered by liberal lawmakers to be the most troublesome. Once we understand how the 1821 law in fact ruled *through* liberal freedom, we can begin to appreciate gradual emancipation rule as a key period in a longer history of racial, sexual, and gendered technologies of black governance, from chattel slavery to the postemancipation era. Attending to gradual emancipation rule on its own terms also foregrounds its effects on the day-to-day lives of hundreds of captives of African descent and the people who lived with and loved them. It is the fleeting visions and undaunting labors of these people that carry the pages of this book.

BEYOND THE ANDES: THE PACIFIC LOWLANDS
OF COLOMBIA AND THE BLACK PACIFIC WORLD

The daughter of Rogerio Velásquez, the celebrated Afro-Colombian folklorist born and raised in the northern Pacific lowlands of Chocó, tells a story. As the darkness enveloped the night sky, her father would often recount, “Al otro lado de la cordillera termina Colombia y a este lado comienza el Chocó” (On the other side of *la cordillera* [the western range of the Andes mountains] Colombia ends, and, on this side, Chocó begins).⁵⁴ This elegantly simple sentence encapsulates the popular sentiment that the Pacific lowlands are altogether distinct from the nation-state of Colombia, a universe entirely of their own. In part, this sense of difference is a product of the physical geography and climate. One of the most biodiverse regions in the world, the Pacific lowlands extends 1,300 km along the northern Pacific coast of South America (slightly longer than both Carolinas combined), from southeastern Panama in the north to the northwestern Ecuadorian province of Esmeraldas in the south. A world apart from the cool, rugged Andean highlands of

⁵⁴ Rogerio Velásquez, *Ensayos escogidos* (Bogotá: Ministerio de Cultura, 2010), 9–10.

Colombia and Ecuador to its east, the Pacific lowlands is famed for its intense humidity, abundant rainfall, intricate gold-rich river networks, and dense rainforest, which covers nearly 80 percent of the region.⁵⁵ As geographer Ulrich Oslander writes, it is a profoundly "aquatic space," an "environment where people are surrounded by water – the sea in front, the rivers all around, and torrential rain from above."⁵⁶

Yet, much more than a descriptor of topographical difference, Velásquez's poetic sentence gestures to the historic racialization and marginalization of the Colombian Black Pacific, a frontier territory that is the largest area in the Americas populated primarily by people of African descent.⁵⁷ Often pitted against a historically white Andean interior, the majority-black Colombian Pacific lowlands have long occupied a crucial place, as Michael Taussig notes, in the larger "*landscape of the [Colombian] imagination . . . whose force as well as its form soar from the moral topography of power in society.*"⁵⁸ Today, the Pacific lowlands are home to nearly 1.3 million people (3 percent of Colombia's total population), of whom 93 percent are Afro-Colombian, the descendants of African captives trafficked across the Atlantic in the sixteenth century and forced to work the territory's infamous riverine gold mines. This stands in sharp contrast to the national demography of Colombia (as of the 2005 population census), with 49 percent identifying as mestizo (of mixed European and indigenous ancestry), 37 percent white, 3.4 percent indigenous, and 10.6 percent Afro-Colombian.⁵⁹ While Colombia's white upper echelon – many descendants of the country's wealthy slaveholders – continue to inherit lives of

⁵⁵ Ulrich Oslander, *The Geographies of Social Movements: Afro-Colombian Mobilization and the Aquatic Space* (Durham, NC: Duke University Press, 2016), 8, 93; William Sharp, *Slavery on the Spanish Frontier: The Colombian Chocó, 1680–1810* (Norman: University of Oklahoma Press, 1976), 3, 9.

⁵⁶ Oslander, *Geographies of Social Movements*, 47, 83.

⁵⁷ Claudia Leal, *Landscapes of Freedom: Building a Postemancipation Society in the Rainforests of Western Colombia* (Tucson: University of Arizona Press, 2018), 3.

⁵⁸ Michael Taussig, *Shamanism, Colonialism and the Wild Man: A Study in Terror and Healing* (Chicago: University of Chicago Press, 1987), 287.

⁵⁹ Oslander, *Geographies of Social Movements*, 8, 97. As Tianna S. Paschel argues, these ethno-racial identifications in the Colombian census were and remain politically contentious. See Tianna S. Paschel, *Becoming Black Political Subjects: Movements and Ethno-Racial Rights in Colombia and Brazil* (Princeton, NJ: Princeton University Press, 2018), 133–134.

wealth and privilege, inhabitants of the majority-black Pacific lowlands have suffered record levels of extreme poverty, land displacement, and murder (primarily at the hands of right-wing paramilitaries in the ongoing war against land rights activists since the late 1990s), indicative of what Saidiya Hartman calls “the afterlife of slavery – skewed life chances, limited access to health and education, premature death, incarceration, and impoverishment.”⁶⁰

Freedom's Captives focuses on Chocó, a province that comprises the northern half of the Pacific lowlands. This remote province, one of the Spanish empire's primary gold-mining centers, was central to the historical development of colonialism in Colombia and the Atlantic world more broadly, for it was in Chocó where the Spanish empire, to fulfill its dreams of gold, forcibly displaced indigenous peoples and exiled thousands of African captives to mining camps. Flanked to the east by the soaring western range of the Andes, with their constant cover of ghostly fog, and to the west by the rocky, high cliffs of the Pacific coast, Chocó was legendary for its labyrinthine green jungle and gold mines. “From the sea-coast to the Cordilleras,” wrote one French traveler to the region in the 1820s, “Choco forms but one plain, which, in its greatest extent, may be about thirty leagues, is very low and covered with impenetrable forests.”⁶¹ But unlike the open, rolling llanos (grassland plains) of eastern Colombia, the humid rainforest floor of the northern Pacific lowlands rarely saw sunlight and was thick with towering palm trees, low ferns, and impenetrable swamps – forming an ideal and sacred landscape of fugitivity.⁶²

⁶⁰ Saidiya Hartman, *Lose Your Mother: A Journey along the Atlantic Slave Route* (New York: Farrar, Straus and Giroux, 2008), 6.

⁶¹ Gaspard Théodore Mollien, *Travels in the Republic of Colombia: In the Years 1822 and 1823* (London: C. Knight, 1824), 303.

⁶² Robert C. West, *The Pacific Lowlands of Colombia: A Negroid Area of the American Tropics* (Baton Rouge: Louisiana State University Press, 1957), 43; Sergio Antonio Mosquera Mosquera, *De esclavizadores y esclavizados en la provincia de Citará: ensayo etno-histórico, siglo XIX* (Quibdó, Colombia: Promotora Editorial de Autores Chocoanos, 1997), 105–106; Jane M. Rausch, *Territorial Rule in Colombia and the Transformation of the Llanos Orientales* (Gainesville: University Press of Florida, 2013).



FIGURE 0.1 Contemporary map of Chocó and the Colombian Pacific lowlands. Designed by David Cox.

Yet more than any other feature, Chocó is defined by what historian Sergio Antonio Mosquera Mosquera calls its distinctive “water culture,” whether emanating from the region’s thunderous skies or flowing rivers.⁶³ With its heavy, incessant precipitation (amounting to over 10,000 mm of rain per year), Chocó is the third-rainiest place in the world, after two small villages in the mountainous rainforests of northeastern India bordering Bangladesh.⁶⁴ “I suspect that there are few places on the face of the earth where rains are more frequent than in the region about Quibdó,” the capital of Chocó, an American surveyor rightly surmised in the 1850s; “It probably does not happen twenty times in a year, that twenty-four successive hours pass without more or less rain.”⁶⁵ This ceaseless rain filled Chocó’s two main gold-bearing rivers – the Atrato River in the north and the San Juan River in the south – in addition to the hundreds of auriferous rivers, tributaries, and streams that formed an almost dizzying aquatic maze. The region’s intense rainforest humidity was often blamed for impeding its colonization by Europe and, later, economic development. This “continual humidity,” remarked one visitor in the 1820s, “renders the climate . . . very unhealthy . . . as nothing can become dry here, the strongest constitution is undermined; all Europeans fall ill.”⁶⁶

Yet neither the impenetrable humidity nor the hostile tigers known to lurk in the jungles ultimately kept gold-hungry Spanish colonists away from these lands, controlled by disparate indigenous groups when the Spanish first arrived to the Caribbean coast of Urabá, in the early sixteenth century.⁶⁷ Writing to the Spanish king in 1513, Vasco Núñez de Balboa cast the lowlands as a kind of alternate El Dorado, the mythical chief of the Muisca peoples purportedly covered in gold from head to toe. According to the Spanish conquistador, a cacique (indigenous chief)

⁶³ Leal, *Landscapes of Freedom*, 22, 30; West, *Pacific Lowlands of Colombia*, 3, 24, 40–43; Sergio Antonio Mosquera Mosquera, *Don Melchor de Barona y Betancourt y la esclavización en el Chocó* (Quibdó, Colombia: Universidad Tecnológica del Chocó “Diego Luis Córdoba,” 2004), 29.

⁶⁴ Oslender, *Geographies of Social Movements*, 93; Peter Wade, *Blackness and Race Mixture: The Dynamics of Racial Identity in Colombia* (Baltimore: Johns Hopkins University Press, 1993), 95; Leal, *Landscapes of Freedom*, 196.

⁶⁵ John C. Trautwine, *Rough Notes of an Exploration for an Inter-Oceanic Canal Route by Way of the Rivers Atrato and San Juan, in New Granada, South America* (Philadelphia, PA: Barnard and Jones, 1854), 40.

⁶⁶ Mollien, *Travels in the Republic of Colombia*, 303.

⁶⁷ Jean Baptiste Boussingault, *Memorias* (Bogotá: Presidencia de la República, 1994), 389; Trautwine, *Rough Notes*, 13.

named Dabaibe ruled over the Pacific lowlands and possessed "baskets of gold," even having a gold foundry in his home. During the sixteenth and seventeenth centuries the Spanish attempted to pacify and colonize this isolated frontier through *entradas* (military expeditions) and spiritual missions, but they had little success due to the forbidding geography and fierce resistance of decentralized indigenous groups, including the Citará of the Atrato River and Cuna of the Caribbean Darién region aligned with English privateers. During these nearly 200 years, efforts to colonize Chocó were directly correlated with recessions in colonial New Granada's gold-mining industry, established by the mid-sixteenth century in the southwestern Cauca Valley and in Antioquia, the western Andean region of the Colombian interior. Not until the 1690s – several years after a massive Indian rebellion massacred Spanish colonists in Chocó – did the Spanish effectively rule over the region, introducing the first of the infamous *cuadrillas* (slave gangs) of African captives to work its gold-rich rivers.⁶⁸

During the eighteenth century Chocó underwent massive social changes, transforming from an almost impenetrable indigenous territory into an enslaved mining frontier. Spanish prospectors – especially from elite families in Popayán city but also from Cali, Cartago, and other cities and towns in the southwestern Colombian interior – flooded Chocó early in the century, bringing African captives purchased in Cartagena and New Granada's southwestern slave markets. Reflecting its economic ascendance, Chocó, previously under the jurisdiction of Popayán province, officially became an independent province in 1726, with two administrative districts: Nóvita (the colonial capital) and the San Juan River district in the south, and Quibdó and the Atrato River district in the north. Yet in contrast to the settled goldfields of Minas Gerais, Brazil, or the silver mines of Potosí, Bolivia, well into the nineteenth century Chocó remained a frontier territory of dispersed gold mines owned by absentee slaveholders from Popayán and managed by overseers and a handful of officials. By 1724, 2,000 enslaved people, the majority of them *bozales* (African-born captives), worked these mines. Among these workers were the future leaders of Chocó's largest slave rebellion, which was quickly crushed in 1728 in the mining town of Tadó. It was enslaved labor in the

⁶⁸ Caroline Williams, *Between Resistance and Adaptation: Indigenous Peoples and the Colonisation in the Chocó, 1510–1753* (Liverpool: Liverpool University Press, 2005); Vicente Restrepo, *Estudio sobre las minas de oro y plata de Colombia*, 2nd ed. (Bogotá: Imprenta de Silvestre y Compañía, 1888), 22–23.

Pacific lowlands that made possible what historian Germán Colmenares calls New Granada's second gold cycle (the first occurring in the Andean interior from 1550 to 1620). Between 45 to 70 percent of New Granada's total gold production from 1735 to 1799 came from the Pacific lowlands, the Spanish empire's glistening crown jewel.⁶⁹

Yet after an economic crisis hit the gold mines in the 1750s and 1760s, the northern Pacific lowlands' social demography shifted yet again. By then Chocó's mine deposits were exhausted, and Popayán owners shifted their investments to other commercial ventures.⁷⁰ Although many large-scale slaveholders remained, new small-scale slaveholders began to settle and build families who would form a small but powerful white elite over the course of the next several decades.⁷¹ The mining crisis likewise precipitated a fall in the value of "prime" slaves in the region, dropping to 305 pesos by 1779 from their cost of 500–525 pesos between 1700 and 1765.⁷² As slaveholders wrestled with these economic challenges, new opportunities arose for enslaved lowlanders to negotiate and purchase their freedom. By the late eighteenth century, a sizeable free black population had developed in Chocó: of the 14,662 residents recorded in 1778, during the first major census conducted in the region, 332 were *blancos*

⁶⁹ Anthony McFarlane, *Colombia before Independence: Economy, Society, and Politics under Bourbon Rule* (Cambridge: Cambridge University Press, 1993), 74–77; Leal, *Landscapes of Freedom*, 30–36; Sharp, *Slavery on the Spanish Frontier*, 21–22; Germán Colmenares, "La economía y la sociedad coloniales, 1550–1800," in *Nueva Historia de Colombia*, Tomo I (Bogotá: Planeta, 1989), 123–124; Sergio Antonio Mosquera Mosquera, "Los procesos de manumisión en las provincias del Chocó," in *Afrodescendientes en las Américas: trayectorias sociales e identitarias: 150 años de la abolición de la esclavitud en Colombia*, Claudia Mosquera Rosero-Labbé, Mauricio Pardo, and Odile Hoffmann, eds. (Bogotá, Colombia: Universidad Nacional de Colombia, 2002), 99; Eric Werner Cantor, *Ni aniquilados ni vencidos. Los Emberá y la gente negra del Atrato bajo el dominio español. Siglo XVIII* (Bogotá: Instituto Colombiano de Antropología e Historia, 2000); Zamira Díaz, *Oro, sociedad y economía. El sistema colonial en la gobernación de Popayán: 1533–1733* (Bogotá: Banco de la República, 1994); Bernardo Leal, "Matar a los blancos bueno es, luego el Chocó acabará." Cimarronaje de esclavos jamaíquinos en el Chocó," *Fronteras de la Historia* 2 (1998): 143–161.

⁷⁰ Sharp, *Slavery on the Spanish Frontier*, 119, 188. This coincided with a general drop in the production of gold throughout New Granada at this time. See McFarlane, *Colombia Before Independence*, 81–82.

⁷¹ Mosquera Mosquera, "Los procesos de manumisión en las provincias del Chocó," 102–103.

⁷² Sharp, *Slavery on the Spanish Frontier*, 119.

(2 percent), 5,414 were *indios* (37 percent), 5,756 were enslaved (39 percent), and 3,160 were *libres*, or free blacks (22 percent).⁷³

These formerly enslaved women and men were pioneers who cleared the *monte bravo* (wild forest), panned for gold, and expanded the borders of the Colombian state by erecting settlements along the riverine Pacific lowlands' myriad riverbanks and tributaries. Some directly invested in the slavery regime as slaveholders themselves, after acquiring their freedom and accumulating capital.⁷⁴ In the late colonial period, free black lowlanders formed what Sergio Antonio Mosquera Mosquera has termed a small "mulatocracia," an exclusive group of wealthier free black people who developed strong ties with the white slaveholding miners and authorities.⁷⁵ By 1808, Chocó's population had transformed from primarily enslaved to majority free black, a population that had multiplied fivefold from 1778 to 15,184, 61 percent of the northern Pacific lowlands' total population. Undoubtedly, chattel slavery remained central to the lowland gold-mining economy, as Chocó's 400 resident whites (1 percent of the total population) ruled over 4,968 (20 percent) enslaved lowlanders alongside 4,450 indigenous people (18 percent), who supplied canoes and food to the mining camps.⁷⁶ This is the social universe of *Freedom's Captives*: a semiautonomous rainforest province on the borderlands of the Colombian republic with a long and tortured history of slavery now populated by free blacks. With the dawn of gradual emancipation rule, modes of freedom and bondage were reconfigured as more mixed-status families composed of enslaved, free, and Free Womb captives emerged in the lowlands. At stake once again after 1821 was nothing less than the flesh-and-bone meaning of freedom.

SOURCES, METHODOLOGY, AND QUESTIONS

Freedom's Captives draws upon the tools of social, political, and legal history by excavating and combing through hundreds of archival records – many fragmentary and in serious stages of deterioration – across Colombia. These records include the usual suspects marshaled by the trained social historian: government reports and correspondence,

⁷³ Tovar Pinzón, Tovar Mora, and Tovar Mora, *Convocatoria al poder del número*, 353–357.

⁷⁴ *Ibid.*, 126–128; Mosquera Mosquera, *De esclavizadores y esclavizados en la provincia de Citará*, 14.

⁷⁵ Mosquera Mosquera, *De esclavizadores y esclavizados en la provincia de Citará*, 21–24.

⁷⁶ Sharp, *Slavery on the Spanish Frontier*, 199.

legislative debates, laws, and legal measures, criminal and civil lawsuits, newspapers, pamphlets, mining and property inventories, private letters, baptismal and death certificates, notarial records featuring a harrowing papertrail of notes of sale, freedom papers, mortgages, last will and testaments, power of attorneys, and dowries, and foreigners' travelogues, which allow us to consider the possible political and social worlds of enslaved, Free Womb captives, masters, and authorities. Almost all of these records represent, in the words of Walter Johnson, "the world as a slave trader's dream: slaves without frail or resistant bodies; sales sealed without manipulation, coercion, or opposition; history without contingency."⁷⁷ Indeed, any semblance of an enslaved or Free Womb captive's possible life can only be recreated through the violent and mediated archives of slavery – financial thumbprints like notes of sale, particular clauses in masters' last will and testaments, and not impartial references to behavior or comportment in lawsuits.

Given these fraught realities, *Freedom's Captives* adopts the historical methodology proposed by Marisa Fuentes in "reading *along the bias grain*," which "stretch[es] archival fragments . . . to eke out extinguished and invisible but no less historically important lives."⁷⁸ It "stretches" contentious lawsuits and birth records to propose possible social universes, contingencies, and visions of everyday lowlanders under gradual emancipation rule. Whenever possible, I center the voices of Afro-Colombians themselves, voices most directly heard in lawsuits and occasionally in notarial records – sources that are still mediated by powerful forces like masters, lawyers, and public officials. Still, these "direct" voices are far and few between in Colombia's archive of slavery. For example, it is impossible to have a clear sense of how Free Womb children and their kin understood their condition from slavery's archive. Yet, attention to discursive shifts might offer insight to this particular conundrum. As I examine later, the adoption of the new phrase "full freedom" in the freedom papers purchased by the kin of Free Womb children might have developed from kin seeking to emphasize the Free Womb child's complete legal freedom as opposed to their state of unfreedom or partial freedom under Free Womb captivity. Ultimately, however, as Saidiya Hartman notes, "the archive dictates what can be

⁷⁷ Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge, MA: Harvard University Press, 2009), 14.

⁷⁸ Marisa Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive* (Philadelphia: University of Pennsylvania Press, 2018), 7.

said about the past and the kinds of stories that can be told about the persons cataloged, embalmed, and sealed away in box files and folios."⁷⁹

"To read the archive," Hartman reminds us, "is to enter a mortuary; it permits one final viewing and allows for a last glimpse of persons about to disappear into the slave hold."⁸⁰ Tending to this disappearance, of course, requires an ethics of historical care. Toward this end, *Freedom's Captives* also draws upon historical ethnography – thick description coupled with interpretive historical analysis – to slavery's archive. This is a mode of scholarship that applies the experiential interpretations and ethical obligations of the fieldworker in anthropology to the historical worker in the archive.⁸¹ It invites readers to consider the textures and complex circumstances of everyday physical and social life in the early nineteenth-century Pacific lowlands – from the constant raindrops and changing rhythm of the lowland rivers to complicated relations of debt between free and enslaved sisters. Despite their problematic and voyeuristic nature, foreigners' travelogues, along with visual materials, feature importantly here because they are the only sources that give us a truly material and ethnographic sense of the landscape and moving bodies that inhabited this part of the world. To be clear, I do not simply accept the claims made by these visitors, but mobilize their narrative eye to draft potential universes rendered invisible by slavery's archive. Above all, a historical ethnographic approach to slavery's archive takes seriously Ta-Nehisi Coates's moving words imparted to his son in *Between the World and Me* that one must "respect every human being as singular, and you must extend that same respect into the past. Slavery is not an indefinable mass of flesh. It is a particular, specific enslaved woman, whose mind is active as your own, whose range of feelings is as vast as your own . . ."⁸² More than just rhetorical and narrative flourish, my historical ethnographic approach is my attempt to extend that historical care and respect to the past.

Before we venture to the muddy Pacific lowland riverbanks and rowdy congress halls of the western Andes, there are other historical and analytical points to briefly consider. Throughout this book, I use the term *lowlander* to describe those (often qualified by their racial or

⁷⁹ Hartman, *Lose Your Mother*, 17. ⁸⁰ Ibid.

⁸¹ For an example of this approach, see Yesenia Barragan, *Selling Our Death Masks: Cash-for-Gold in the Age of Austerity* (London: Zero Books, 2014); Michael Taussig, *My Cocaine Museum* (Chicago: University of Chicago Press, 2004).

⁸² Ta-Nehisi Coates, *Between the World and Me* (New York: Spiegel & Grau, 2015), 69.

legal identities, whether enslaved, free black, indigenous, Free Womb, or white) who inhabited Chocó and the greater Pacific lowlands. While this term was not used in the historical record, I nevertheless employ it in order to emphasize the centrality of the Pacific lowlands and their natural landscape in the making of peoples' identities. Moreover, I claim that a close examination of this unusual region uniquely upends traditional reifications of rural and urban slaveries. On the one hand, the Pacific lowlands were a profoundly rural society marked by vast rainforest cover and intricate water networks, not unlike the riverine landscape foraged by the maroon slaves of the Brazilian Amazon.⁸³ On the other hand, the widespread culture of self-purchase and the sizeable free black communities that resulted developed from the particularities of the lowland gold-mining economy and resembled more closely the dynamics in Havana and other sites of Spanish American urban slavery. As in the gold-mining frontier of Minas Gerais, enslaved Pacific lowlanders were regularly granted days off to mine for gold, which they accumulated over years and often decades in order to purchase the freedom of captive kin.⁸⁴ Yet the maroon communities that thrived in similar jungle landscapes in Brazil, Jamaica, and Suriname were disincentivized in the Pacific lowlands due to this ready access to gold and the long-standing tradition of self-purchase.⁸⁵

Readers may be surprised by this book's relative lack of focus on the question of citizenship, a key subject in histories of abolition and emancipation in the nineteenth-century Americas. The politics of citizenship were crucial to Afro-Colombian history. They were especially visible in urban settings like Cartagena and Cali and far from inconsequential in the northern Pacific lowlands. Yet, this book aims to show how the particular physical and social environment of Chocó enabled some escape from masters, capitalists, and the state, thereby making citizenship and the

⁸³ Oscar de la Torre, *The People of the River: Nature and Identity in Black Amazonia, 1835–1945* (Chapel Hill: University of North Carolina Press, 2018).

⁸⁴ Kathleen J. Higgins, "Licentious Liberty" in a Brazilian Gold-Mining Region: *Slavery, Gender, and Social Control in Eighteenth-Century Sabará, Minas Gerais* (University Park: Pennsylvania State University Press, 1999).

⁸⁵ Leal, *Landscapes of Freedom*, 45–48. As opposed to the Colombian Pacific, *palenques* were more present in the Colombian Caribbean. See McFarlane, "Cimarrones and Palenques"; Borrego Plá, *Palenques de negros en Cartagena de Indias*; María Cristina Navarrete, *Cimarrones y palenques en el siglo XVII* (Santiago de Cali: Universidad del Valle, 2003).

broader politics of “inclusion” seemingly less essential.⁸⁶ Local struggles over territoriality, autonomy, and masterless sovereignty were at the forefront for captive and free black lowlanders as they wrestled with the limits of liberal freedom under gradual emancipation rule. *Freedom’s Captives*, following the critical place-based scholarship of James Scott, Arturo Escobar, and Katherine McKittrick, thus invites scholars to employ more expansive notions of politics that make space for refusal, territorial belonging, and self-ownership.⁸⁷

OUTLINE OF CHAPTERS

Freedom’s Captives is divided into three parts. Part I, “The Social Universe of the Colombian Black Pacific,” offers a material framework for understanding the special conditions of the Pacific lowlands of Chocó during this period before turning to Part II, which features more analytical chapters on gradual emancipation rule. Chapters 1 and 2 in Part I introduce readers to the everyday world of the nineteenth-century Colombian Black Pacific – often neglected in the dominant historiography of colonial and nineteenth-century Colombia – through a narrative-driven historical geography and ethnography of Chocó. Through the journeys of a free black *boga* (rower) and a female gold miner, among other figures, the first chapter shows the everyday ways in which free blacks and (to some extent) slaves continued to trouble white governmentality during the gradual emancipation years. In many ways, free black and captive lowlanders experienced unparalleled levels of autonomy and independence in this mining frontier by maintaining control over the region’s labyrinth of rivers and gold mines. This chapter likewise reveals how the gold-mining economy’s gendered social structure was transformed after independence and gradual emancipation rule, as enslaved and free black women became the primary laborers in mines increasingly worked by Free Womb captives. Chapter 2 leaves the rural rainforests

⁸⁶ For a similar argument see Yuko Miki, *Frontiers of Citizenship: A Black and Indigenous History of Postcolonial Brazil* (Cambridge: Cambridge University Press, 2018), 13.

⁸⁷ James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven, CT: Yale University Press, 2009); James C. Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (New Haven, CT: Yale University Press, 2011); Arturo Escobar, *Territories of Difference: Place, Movements, Life, Redes* (Durham, NC: Duke University Press, 2009); Katherine McKittrick, *Demonic Grounds: Black Women and the Cartographies of Struggle* (Minneapolis: University of Minnesota Press, 2006).

of the northern Pacific lowlands for its two small urban frontier towns: N6vita – the capital of Choc6 before independence – and Quibd6 – the capital of Choc6 afterward – where the majority population of white slaveholders and mineowners lived alongside the entrepreneurial merchants from Jamaica, France, and Italy who began to settle in the Pacific lowlands after independence. Based on tax records, wills, travelogues, and other archival sources, this chapter offers a door-to-door geography of Quibd6 after the Wars of Independence and explores the small-scale slaveholding central to its households. Despite slavery's slow destruction under gradual emancipation rule, the local trade in slaves and Free Womb children paradoxically remained as active as ever in Choc6 well into the 1830s and 1840s.

The three chapters that form Part II, "The Time of Gradual Emancipation Rule," are the heart of the book. Collectively, they examine the gradual emancipation law's formation and application throughout Colombia and specifically in the northern Pacific lowlands. While the Pacific lowlands are often portrayed as at the margins of national politics, the region featured prominently in the lettered debates that concerned the law. Chapter 3 departs from the Colombian Pacific and ventures to the eastern Andean highland town of C6cuta, where white slaveholding delegates from across Gran Colombia (and one from Mexico) established gradual emancipation rule. After surveying historical precedents for and factors leading up to the 1821 gradual emancipation law's adoption, including Antioquia's gradual abolition law of 1814 and the Haitian Revolution, the chapter turns to the contentious debate over the Free Womb law and the question of slaveholders' compensation. Delegates principally wrestled over the age at which Free Womb children's bondage would be terminated and over the parameters of their salability, grounding arguments in Enlightenment thought and colonial racial accounting ideas of the development life cycles of enslaved people. Here I also examine the debates and conditions for the trafficking of Free Womb children, a phenomenon I refer to as the Free Womb trade that adopted specific legal parameters regarding puberty and geography. The chapter ends by exploring the combative and regionalized public spheres of abolition and anti-abolition that developed across Gran Colombia in the 1820s.

Chapters 4 and 5 return to the northern Pacific lowlands under gradual emancipation rule. The first examines the legal, economic, and political life of the Free Womb law there and the making of new racialized labor structures. For the first time, enslaved women were granted limited legal rights of maternity and motherhood over their children – at least those

born after the promulgation of the 1821 law, which was at times malleably interpreted by lowland masters to defend their claims over Free Womb children. By carefully examining notes of sale, mining inventories, dowries, and wills, this chapter charts the formation in the northern Pacific lowlands of a parallel market for Free Womb children, which instantiated a new and at-times confusing regime of property rights. Reversals of the 1821 law are the subject of Chapter 4's last section, which looks at extension of Free Womb bondage, partly inspired by the British Caribbean apprenticeship model established under the Slavery Abolition Act of 1833, in the aftermath of Colombia's first civil war (1839–1842). Chapter 5 studies the two principal avenues of acquiring freedom available during gradual emancipation rule in the northern Pacific lowlands: self-purchase for enslaved and Free Womb captives, and public manumissions administered by the new manumission juntas. As Claudia Leal argues, "the Pacific coast of Colombia stands out for being – in all likelihood – the place in the Americas where self-purchase accounts for the largest percentage of manumissions."⁸⁸ This popular practice continued during gradual emancipation, giving rise to a debt-ridden moral economy of familial self-purchase embedded in the northern Pacific lowland gold industry. In the rest of the chapter, I argue that the public manumissions performed by the juntas, while they transformed the political culture and meaning of manumission as a public good in Colombia, fundamentally retained the disciplining logic of the slaveholding order. In fact, a close analysis of the juntas' finances reveals how they repackaged self-purchase as manumission, thereby erasing the lowland's long legacy of black self-purchase.

Nearly thirty years after the 1821 law, chattel slavery and gradual emancipation rule was finally abolished in 1852, amid a liberal revolution in Colombia. Part III, "Final Abolition and the Afterlife of Gradual Emancipation," turns to this transformative period of final abolitionism and its immediate aftermath up until the late 1850s before exploring what I call the long "afterlife of gradual emancipation rule" in the Colombian Pacific in the epilogue. After surveying how a capitalist culture and corresponding associationism expanded throughout the Pacific lowlands in the 1840s, the sixth chapter chronicles a final abolitionist movement in Colombia leading in the early 1850s to a final abolition law that compensated slaveholders. This chapter offers the first in-depth study of

⁸⁸ Leal, *Landscapes of Freedom*, 45.

compensation in Colombia and Chocó specifically, a befuddling bureaucratic process for both lowland officials and ex-masters. Notwithstanding administrative challenges, former slaveholders in the lowlands circulated the government-sponsored “manumission bills” well into the 1850s, whether to pay off their private debts or fortify their descendants’ wealth via their last will and testament. These haunting records lay bare the immediate financial afterlife of slavery in the Colombian Pacific, revealing how enslaved lowlanders’ “paper bodies” continued to fuel the postslavery economy. Finally, the chapter examines the lowlands’ contending postslavery racial geographies and economies into the 1850s. Frontier authorities and former slaveholders sought to retain gradual emancipation rule and devised new methods of social control but had little success implementing such measures in the historically autonomous Colombian Pacific. On the coastal frontier, a social universe daily managed by independent black bogas and gold miners, the principal challenge for white rulers after emancipation was black autonomy. The epilogue meditates on what I refer to as the “afterlife of gradual emancipation rule” in the Colombian Pacific, principally through the continued logic of graded, scheduled “progress” amid an ongoing state of racial terror.

And what of Magdalena, among the thousands of Free Womb captives across Colombia emancipated after the destruction of gradual emancipation rule, who was left to fend for herself in the Pacific lowlands’ rainforest in the 1840s? What ran through Magdalena’s mind knowing her tormenter no longer had legal dominion over her eludes us. Perhaps joining her mother, sister, or cousin, Magdalena would build a new world for herself that violated the wildest dreams of her captors. Yet, the violence of gradual emancipation rule had been done. Magdalena would never have her whole, unbroken body back – and undoubtedly so much more. It is this violent loss and building anew that this book is dedicated to tracing.

PART I

THE SOCIAL UNIVERSE OF THE COLOMBIAN
BLACK PACIFIC

Black Freedom and the Aquatic Lowlands

A late afternoon drizzle, typical of the tropical Pacific lowlands, peppered the shoulders of Cecilio de la Cuesta as he pushed his long, wooden canoe out from the muddy banks of the Atrato River and dexterously boarded for his impending journey. The free black boga was leaving the capital of Quibdó in early 1823 accompanied by two passengers on their way to the small mining village of Murrí, home to the gold mines of San José de Murrí and the Murrí fort, a fort constructed by enslaved lowlanders a few years earlier to defend the local insurgents against Spanish royalist forces.¹ De la Cuesta dug his oar into the water's shallow edge and quickly propelled the canoe downriver, careful not to tip over his safely stowed cargo of plantains. Shouts, whistles, and the occasional songs signaled greetings to friends, fellow bogas traversing the busy Atrato River, the main water artery of Quibdó and the northern Pacific lowlands of Colombia's Chocó province. Straw hats were tipped to a group of young black women bathing and smoking cigars *pa'dentro*, an iconic lowland custom by which the lit end remained inside one's mouth, to keep rain and water from extinguishing the cigar. *Bongos* (large dugout canoes) manned by two or three enslaved men on their way to the capital glided past de la Cuesta, carrying cacao, coconuts, and tobacco under a

¹ Sergio Antonio Mosquera Mosquera, *Memorias de los últimos esclavizadores en Citará: historia documental* (Quibdó: Promotora Editorial de Autores Chocoanos, 1996), 177–183; Restrepo, *Estudio sobre las minas de oro y plata de Colombia*, 21–22; Notaría Primera de Quibdó (hereinafter NPQ), 1827: pagination damaged (document dated November 14, 1821).

straw canopy for sale by order of their masters.² The sky grayed and the raindrops fell harder, but that didn't stop their journey or the work of the black washerwomen and the Indian families out fishing on the Atrato's banks at low tide. De la Cuesta had made this trip innumerable times since early childhood; little did he know that this time would be his last.³

Hundreds of free black and enslaved bogas like Cecilio de la Cuesta transformed Chocó's crisscrossing, seemingly countless rivers and tributaries into navigable and knowable aquatic highways. Every three or four months, a crew of seven to eighteen bogas rode *champanes*, large freight boats with thatched bamboo canopies to protect from the rain, up and down the nearly 200-mile stretch of the Atrato River from Chocó's center to the Gulf of Darién, in the Caribbean. Business also took bogas down the 120-mile-long San Juan River, which snaked along the gold-mining camps of southern Chocó, outside Nóvita, before reaching the remote jungles of the Pacific coast to the west.⁴ Rowers on these two

² ACC, 1826, Independencia JI-15cr 5775, fol. 3r; AGN, 1821, SR, Fondo Asuntos Criminales (FAC), 12, 4, D.8, fols. 299r-307r. On the sonic nineteenth-century landscape of bogas on the Magdalena River, see Ana María Ochoa Gautier, *Aurality: Listening and Knowledge in Nineteenth-Century Colombia* (Durham, NC: Duke University Press, 2014), 31-75. On the lowland custom of smoking "pa'dentro," see Trautwine, *Rough Notes*, 35-36, and Oslender, *Geographies of Social Movements*, 11.

³ ACC, 1827, Independencia JI-6cr 5733, fol. 6r; Oslender, *Geographies of Social Movements*, 125-126. For a twentieth-century fictional account of traversing the Atrato River, see Arnoldo Palacios, *Las estrellas son negras* (Bogotá: Ministerio de Cultura, 2010). On the contemporary politics of the riverine lowlands, see Kiran Asher, *Black and Green: Afro-Colombians, Development, and Nature in the Pacific Lowlands* (Durham, NC: Duke University Press, 2009); Escobar, *Territories of Difference*; Oslender, *Geographies of Social Movements*.

⁴ Sharp, *Slavery on the Spanish Frontier*, 9-10; Josiah Conder, *The Modern Traveller. A Popular Description, Geographical, Historical, and Topographical, of the Various Countries of the Globe. Colombia* (London: J. Duncan, 1825), 300-301; Charles Stuart Cochrane, *Journal of a Residence and Travels in Colombia during the Years 1823 and 1824*, vol. 2 (London: Henry Colburn, 1825), 417-418; Eduardo Posada-Carbó notes that there were more shorter distance and less cargo-heavy boats such as bongos, piraguas, and canoes than large freight champanes that navigated the Magdalena during the 1820s. The same was likely true of the Pacific lowlands. See Eduardo Posada-Carbó, "Bongos, champanes y vapores en la navegación fluvial colombiana del siglo XIX," *Boletín Cultural y Bibliográfico* 26, no. 21 (1989): 3-4. In 1846, the government of Cartagena required passports from bogas and boat owners who conducted business in Chocó, see AGN, 1846, SR, FG, l. 146.

rivers, the province's principal maritime routes, often turned onto the area's hundreds of smaller rivers and tributaries like the Murrí River – Cecilio de la Cuesta's destination – that then split into smaller gold-bearing *quebradas* (ravines or streams) regularly worked by enslaved lowlanders, free black families, and, after 1821, Free Womb captives. Attempting to appeal to the imaginations of European readers, the French explorer and diplomat Gaspard Théodore Mollien likened Chocó's extensive waterways to Holland's famous canals during his travels to the province in 1823.⁵ Yet, very unlike the Dutch Netherlands, Chocó's system of "natural canals" directly connected rural mining camps and small villages to its capital city's buzzing central square. Quibdó thus stitched together a lively world of free and unfree riverine dwellers.

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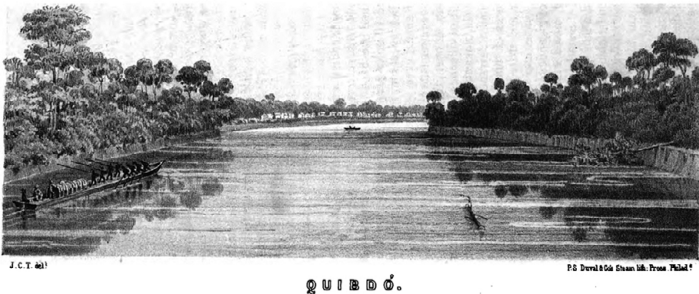


FIGURE 1.1 Arriving at Quibdó.

John C. Trautwine, *Rough Notes of an Exploration for an Inter-oceanic Canal Route by Way of the Rivers Atrato and San Juan, in New Granada, South America* (Philadelphia, PA: Barnard and Jones, 1854).

⁵ Mollien, *Travels in the Republic of Colombia*, 302. Holland was a popular reference point for other European foreigners describing the Pacific lowlands. In 1853, the Italian military explorer Agustín Codazzi described the southern Pacific lowland country of Barbaocoas as a "true Granadian Holland." See *Gaceta oficial*, August 2, 1853, no. 1576, 638.

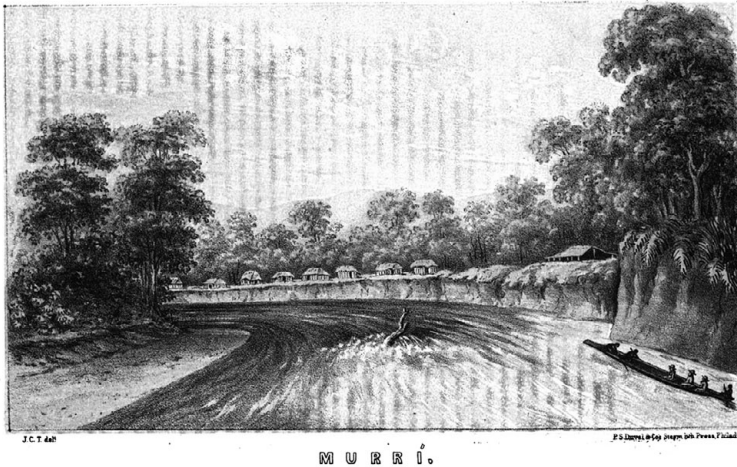


FIGURE 1.2 View of Murrí off the Atrato River.

John C. Trautwine, *Rough Notes of an Exploration for an Inter-oceanic Canal Route by Way of the Rivers Atrato and San Juan, in New Granada, South America* (Philadelphia, PA: Barnard and Jones, 1854).

This chapter follows the waterways into the gold-mining lands along the muddy riverbanks and lowland jungles where the majority of black life was lived in the northern Colombian Pacific. The Pacific lowlands' waters and geopolitical remoteness helped cultivate spaces of relative autonomy for black river workers and gold miners that challenged the limits of chattel slavery and white power, which continued in Colombia under gradual emancipation rule. Much like the enslaved swimmers and navigators of the Atlantic World studied by Kevin Dawson, the bogas of the Pacific lowlands "used specialized wisdom and skills to invert racial/social hierarchies."⁶ After the tumultuous independence wars and passage of the 1821 gradual abolition law, the social composition and structures of the Pacific lowland gold mines were transformed. Black women came to manage Chocó's beaches and rivers as expert panners and divers, while enslaved miners were gradually replaced by Free Womb captives.

⁶ Kevin Dawson, "The Cultural Geography of Enslaved Ship Pilots," in *The Black Urban Atlantic in the Age of the Slave Trade*, Jorge Cañizares-Esguerra, Matt D. Childs, and James Sidbury, eds. (Philadelphia: University of Pennsylvania Press, 2013), 164. For more on the aquatic worlds of the African diaspora, see Kevin Dawson, *Undercurrents of Power: Aquatic Cultures in the African Diaspora* (Philadelphia: University of Pennsylvania Press, 2018).

But even in the gold-mining camps deep in the lowland rainforests, enslaved and Free Womb gold miners exercised astonishing periods of independence while in bondage.⁷ Whether shuffling goods in their boats from one shoreline to the other or discovering new gold deposits hidden away on a secluded beach, black pilots and gold miners governed the everyday life of the riverine Chocó in remarkable and historically unacknowledged ways.

RIVERS

Becoming a masterful boga in Chocó required skill, for navigating up and down the province's rivers and tributaries was no easy task. Rowers like Cecilio de la Cuesta had to pay constant attention to their surroundings, looking out for obstructions like drifting branches that could instantly capsize a canoe. As one American observer noted in the early 1850s, "The bogas, who at other times are constantly singing," had to "preserve perfect silence on approaching a wasp's nests; and take especial care not to touch [them] with their paláncas [poles]" in order to avoid being stung.⁸ Rowing was also physically taxing, particularly for bogas trekking upriver with their oars and poles in the sweltering heat, often wearing only a *jipijapa* (straw hat) and white loincloth. This was a challenge for bogas throughout Colombia; for instance, the famed black bogas of the Magdalena River, the gatekeepers of the Colombian Caribbean, rowed champanes upstream under the beating sun with levers pressed to their chests for up to twelve hours a day, which often caused bleeding, scars, and physical disability.⁹ The bogas of Chocó looked in

⁷ For more on this tradition in colonial Colombia, see Echeverri, *Indian and Slave Royalists*, 169–190.

⁸ Trautwine, *Rough Notes*, 221.

⁹ McGraw, *Work of Recognition*, 75–76. For more on bogas in nineteenth-century Colombia, see Helg, *Liberty and Equality*, 67–70; María Camila Nieto Villamizar and María Riaño Pradilla, *Esclavos, negros libres y bogas en la literatura del siglo XIX* (Bogotá: Universidad de los Andes, Facultad de Ciencias Sociales-CESO, Departamento de Historia, 2011); David Ernesto Peñas Galindo, *Los bogas de Mompo: historia de zambaje* (Bogotá: Tercer Mundo Ediciones, 1988); Felipe Martínez-Pinzón, "Tránsitos por el río Magdalena: el boga, el blanco y las contradicciones del liberalismo colombiano en el medio siglo XIX," *Estudios de Literatura Colombiana* (Universidad de Antioquia), 29 (July–December 2011): 17–41. African American river workers on the Mississippi faced distinct yet equally harsh conditions as bogas in the Colombian Pacific lowlands. For more, see Thomas C. Buchanan, *Black Life on the Mississippi: Slaves, Free Blacks, and the Western Steamboat World* (Chapel Hill: University of North Carolina Press, 2004), 58–59.

awe to the legendary Magdalena men renowned for their “endurance, extraordinary muscular strength, precise rhythm, and coordination.”¹⁰ When a canoe sunk in the early morning hours in the Quito River, which meets the Atrato in Quibdó, the responsible bogas said that “even in the great Magdalena, with their good champanes and excellent rowers, there are very few that risk the danger of navigating [the Quito River] before dawn.”¹¹

Finesse and physical strength were likewise necessary skills for bogas in the Pacific lowlands. On his journey to Chocó, the French explorer, Mollien, spoke highly of the “excellent sailors” who maneuvered his canoe, especially “the negro with the pole,” who “like a skilful pilot dexterously avoided the current of the river where it was too rapid, entered boldly among the windings of the rocks, and without fearing to dash the canoe to pieces, conducted it through those narrow issues.”¹² Although rowing as a profession tended to be dominated by men, experienced woman and girl bogas also navigated the province’s riverine routes. Embarking on a bongo from a small mining town in 1823, the English captain, Charles Stuart Cochrane noted how his canoe was:

poled by a man and his daughter, a fine, young, black girl, who had a handkerchief tied across her shoulders, covering one breast, and leaving the other bare. She had the complete appearance of a black Amazon, evincing much strength and quickness in the use of her pole, and considerable agility in occasionally springing out of the canoe to bear it from a rock, and jumping in again when it was rapidly moving on.¹³

While filtered through troubling sexualized and racialized lens, the skilled labor of this anonymous woman alongside her father shows how women, and particularly daughters, were also crucial members of black family enterprises like rowing.¹⁴

Adroit and knowledgeable about the province’s intricate river routes, bogas controlled transport and communication in an otherwise remote region, which afforded them relative power and the fear of whites whose fates depended upon them. The independence and authority exercised by bogas on Chocó’s extensive network of tributaries sharply contrasted with the struggles of black river workers in other places of the African diaspora like the antebellum-era Mississippi and Ohio Rivers, where

¹⁰ Helg, *Liberty and Equality*, 68. ¹¹ ACC, 1839, República JI-15 cv 752, fol. 11v.

¹² Mollien, *Travels in the Republic of Colombia*, 294.

¹³ Cochrane, *Journal of a Residence and Travels in Colombia*, 429–430.

¹⁴ On black women and girls canoeing in the present-day lowlands, see Oslender, *Geographies of Social Movements*, 53–55, 83, 127.

enslaved and free black Americans were constantly policed by white river stewards, captains, and passengers alike.¹⁵ Although impressed by the skill of the black bogas who canoed him out to the Pacific lowlands, Mollien expressed his utter disgust with the power they wielded after threatening to leave him at a small outpost called El Salto amidst a torrential downpour. “I was cruelly embarrassed,” Mollien confessed, “for if I had been left in these forests, I should have perished with hunger or disease, while waiting for another boat.” It was after a white shopkeeper intervened – and Mollien promised to pay “double what other travelers give” – that the bogas agreed to pilot him further.

The experience rattled Mollien, who complained that “the agents of the Colombian government are rarely of any service in protecting the traveler, especially a foreigner: it is only by means of exhortations or money that he can make himself obeyed.” Out in the riverine backlands of the Colombian Pacific, the bogas had the upper hand, even over state authorities. “Being the only guides amidst the dangers of the navigation or the roads, the sailors and muleteers are respected by all the officers of government, who, being generally engaged in trade, are afraid of suffering for their rigour if they executed the laws.” Mollien and others were all too aware of how black bogas’ skill and deep familiarity with the area’s constellation of rivers tilted the balance of power in their favor. Technology and development, Mollien hoped, would nudge the balance back in favor of whites: “When the roads become better, and the navigation more perfectly known, these men will be less extortionate, and will be made to obey.”¹⁶ During the years of gradual emancipation, however, Chocó’s waterways remained in the hands of the province’s black and indigenous classes. Following the example set by officials on the Magdalena River in the 1820s, authorities in 1840s Chocó attempted to regulate bogas’ mobility by creating the *inspección de bogas*, a policing force administered by a manager selected from “among the most notable” of the region.¹⁷ Only the mid-nineteenth-century arrival of steamboats

¹⁵ Buchanan, *Black Life on the Mississippi*, 4, 6, 23; Matthew Salafia, *Slavery’s Borderland: Freedom and Bondage along the Ohio River* (Philadelphia: University of Pennsylvania Press, 2013), 125–135.

¹⁶ Mollien, *Travels in the Republic of Colombia*, 295–296. McGraw and Lasso discuss a similar dynamic of power faced by the bogas of Mompo and the Magdalena River, see McGraw, *Work of Recognition*, 77–78; Lasso, *Myths of Harmony*, 109.

¹⁷ Republican Caribbean authorities began to police bogas on the Magdalena River earlier in 1826. In the 1840s, national and local administrations in the Caribbean sought to reinstitute the *inspección de bogas*. See Helg, *Liberty and Equality*, 177; McGraw, *Work*

curtailed the bogas' exclusive control over Pacific lowland river transportation, but even then only to a very limited degree.¹⁸

This relative absence of state power on Chocó's riverways, which contributed to black bogas' relative autonomy, was exemplified by the unfortunate final voyage of Cecilio de la Cuesta. Visiting Chocó in 1823, Mollien, the Frenchman who complained about Colombian state agents' inability to protect travelers, might have passed by de la Cuesta and his fellow passengers drifting down the Atrato toward the mining village of Murrí. The heavy rain had turned back to a warm drizzle by the time they reached a fisherman named Gregorio Arce at the mouth of the Negua River, a small river that branched from the Atrato. The fisherman begged to be taken on board, and space in the wooden canoe was made for this third passenger. The passengers chatted about the news of war and rumors of contraband goods smuggled in by the new English Jamaican merchants, some of whom got into screaming matches in broken Spanish with local vendors in Quibdó's central square.¹⁹ Boats were regularly seized throughout the eighteenth and nineteenth centuries for illegally shipping contraband like aguardiente (liquor), gold, platinum, and tobacco.²⁰ Occasionally, de la Cuesta engaged in the conversation but

of Recognition, 82–85. It is unclear whether officials in Chocó actually established the *inspección de bogas* since another official argued that the office was unnecessary. See AGN, 1848, SR, FGV, l. 139, fols. 225r–230v.

¹⁸ This was also true of the Magdalena River. See Helg, *Liberty and Equality*, 69; McGraw, *Work of Recognition*, 91–98; Posada-Carbó, “Bongos, champanes y vapores,” 6–13. The first steamboats arrived at the Atrato in the 1850s, though regular steamboat service was not established until the late 1860s. See Claudia Leal, “Black Forests: The Pacific Lowlands of Colombia, 1850–1930” (PhD dissertation, University of California, Berkeley, 2004), 148; Leal, *Landscapes of Freedom*, 104. As Leal finds, steamboat navigation on the Atrato was rather sporadic during this time since months or years went by without the appearance of a steamboat. For more on steamboats in the late nineteenth and early twentieth Chocó, see Gabriel Poveda Ramos, *Vapores fluviales en Colombia* (Santafé de Bogotá: TM Editores, 1998), 408–418 and Luis Fernando González Escobar, *Quibdó: contexto histórico, desarrollo urbano y patrimonio arquitectónico* (Medellín: Universidad Nacional de Colombia, 2003), 65, 67–74. As a point of comparison, steamboats arrived in thousands along the Mississippi River by the 1840s and 1850s. See Buchanan, *Black Life on the Mississippi*, 9.

¹⁹ ACC, 1827–1829, República JI-3cr 4182, fols. 1r–6v.

²⁰ The Spanish Crown passed eight edicts prohibiting maritime commerce on the Atrato throughout the late seventeenth and eighteenth centuries. See Sharp, *Slavery on the Spanish Frontier*, 10. Contraband was continually seized in the nineteenth century. See, for example, ACC, 1824 Independencia JI-2r 1587, fol. 2r–4v. On contraband and platinum mining in the eighteenth-century Colombian Pacific lowlands, see Kris Lane, “Gone Platinum: Contraband and Chemistry in Eighteenth-Century Colombia,” *Colonial Latin American Review* 20, no. 1 (April 2011): 61–79.

otherwise kept his eyes and ears open for any potential passengers along the riverbanks and the far expanse of the lowlands. Throughout Colombia's rivers, bogas were known to be "sensorially acute, capable of clearly distinguishing words and identifying peoples across great distances."²¹ Eventually, de la Cuesta picked up two more passengers, a husband and wife, bringing the slender canoe's passenger total to five.

Sometime after the couple joined the trip, the fisherman Arce implored de la Cuesta to stop by his brother's home so that he could pick up a package of *fiambre* (food wrapped up in plantain leaves) that his sister-in-law had prepared for him. It was not an unusual request since bogas essentially functioned as nineteenth-century bus drivers, often picking up new passengers and making unannounced stops along the way. But this time, de la Cuesta was set on getting to Murrí, perhaps following a schedule that he did not share with the other passengers, and denied Arce's request. Arce became displeased, and a verbal fight ensued between the two men. The fight escalated as de la Cuesta pulled out his saber, which he carried for self-defense, and struck Arce. Much to de la Cuesta's surprise, the fisherman quickly then lodged his *fisga* (a spear for fishing) into the boga's chest. De la Cuesta died nearly three weeks later.²² The very absence of state power that provided black bogas spaces of autonomy also made the riverine world of the Pacific lowlands an unpredictable place, a fact not lost on the hundreds of enslaved lowlanders who continued to traverse the rivers under the shadow of their masters under gradual emancipation rule.

For many enslaved and free black Pacific lowlanders, however, the very unpredictability of the region's vast array of rivers and jungle created opportunities for flight from the cruel and violent spaces of white power in Chocó's capital and larger towns. Anxious to tame the Pacific frontier after the fall of Spanish rule in the early 1820s, Governor José María Cancino resented the region's rainforest and rivers, which he believed facilitated black criminality and fostered fugitivity. "As soon as they [slaves and free blacks] commit a crime," Cancino argued, "they embark onto their canoe with their families and networks traversing innumerable rivers and they hide themselves in the jungle, a secure refuge of independence." Cancino fretted over how easily black lowlanders could tear

²¹ This is Ochoa Gautier's interpretation of the French diplomat Auguste Le Moyne's observations of bogas along the Magdalena between 1828 and 1839. See Ochoa Gautier, *Aurality*, 41.

²² ACC, 1827, Independencia JI-6cr 5733, fol. 6r-v.

“themselves away from a society that restricted their inclinations and dependence on a *jefe* who corrected their disorders.” Beyond the state’s reach, these black lowlanders “remain and later return only to disappear once again if it is necessary.”²³ The rivers and jungle, in other words, functioned as “rival geography,” which the late historian Stephanie Camp defined as “alternative ways of knowing and using . . . space that conflicted with” the master class’s “ideals and demands.”²⁴ For authorities like Cancino, rivers should ideally act as conduits of commerce and strict political administration, connecting overseers in the gold mines to slave traders and judges in the towns. In practice, however, networks of bogas appear to have largely controlled the Pacific lowlands’ tributaries and jungles well into the nineteenth century. This vast, unruly landscape rendered perfect discipline by white authorities impossible.

Cancino and other white officials were troubled by the rise of small riverine pueblos of free families of African descent, who were weaving a fraught but important geography of black freedom amid the northern lowlands’ white towns. Beginning in the late eighteenth century, these new free black settlements formed along Chocó’s riverbanks and streams, chosen for their natural levees, excellent soils for cultivation, and ready supply of fish, after decades of declining gold production and increased opportunities for self-purchase.²⁵ One free black family, the Cortéses, dated their property claims to *rastrojos* off the Atrato to 1782, when the patriarch, a *mazamorrero* and *alférez* (second lieutenant) of the First Company of Grenadiers, purchased lands of *monte brabo* (wild forests) for five gold escudos from the royal governor.²⁶ Many other families without ties to powerful institutions like the free black colonial militia lived on *tierras baldías* (public lands) and had informal claims to land

²³ ACC, 1822, Independencia CI-2g 6837, fol. 2r. ²⁴ Camp, *Closer to Freedom*, xvii.

²⁵ Sharp, *Slavery on the Spanish Frontier*, 119, 188; West, *Pacific Lowlands of Colombia*, 87. There was a general drop in the production of gold throughout New Granada in the 1750s and 1760s, see McFarlane, *Colombia before Independence*, 81–82. As Cochrane noted, these settlements could not “go into the interior above fifty yards” because beyond that was “morass.” Cochrane, *Journal of a Residence and Travels in Colombia*, 448.

²⁶ ACC, 1827, Independencia JI-3cr 3800, fols. 1r–3v. A company of mulattos libres was formed in Nóvita in 1761, while another company was established in Quibdó in 1774 at the Viceroy’s request. Some free blacks were able to ascend within the military ranks, such as the free mulatto Juan Antonio de Lasprilla, who was named the captain and commander of the company of libres of Nóvita in 1761. See Sharp, *Slavery on the Spanish Frontier*, 152–153.

ownership. Over time, families along a particular riverbank would identify as part of a single community, demonstrating the social importance of rivers in the formation of free black villages in the region, a tradition that continues to this day.²⁷

Rural black families' riverbank houses became the iconic architecture of the Pacific lowland countryside: four-walled dwellings constructed from bamboo, guayacan (a tree native to the region), palm trees, and other forest materials and covered by thatched roofs. These structures were elevated several feet by four or more wooden posts, which protected the interiors of the home from flooding – ever a problem in one of the world's rainiest regions – and provided space for storage and pens for raising chickens or pigs, crucial for daily subsistence.²⁸



FIGURE 1.3 View of Chocoano town of Baudó. Note the houses on stilts. John C. Trautwine, *Rough Notes of an Exploration for an Inter-oceanic Canal Route by Way of the Rivers Atrato and San Juan, in New Granada, South America* (Philadelphia, PA: Barnard and Jones, 1854).

²⁷ On the *tierras baldías* outside of Quibdó, see Cochrane, *Journal of a Residence and Travels in Colombia*, 440–441, and AGN, 1833, SR, FGV, l. 37, fol. 841; West, *Pacific Lowlands of Colombia*, 88. On the importance of rivers in community and political identity formation in the contemporary lowlands, see Oslender, *Geographies of Social Movements*, 23, 57–59, 140.

²⁸ West, *Pacific Lowlands of Colombia*, 114–123; Mollien, *Travels in the Republic of Colombia*, 304–305.

Free black lowlanders adopted the architecture of these iconic, flood-resistant structures from indigenous lowlanders, whose homes only differed in their lack of walls. Black and indigenous lowlanders tended to marry within their own racial groups. Of the 161 marriages recorded in the parish church of N6vita from 1821 to 1831, for example, there was only one union between a black and an indigenous person.²⁹ Nevertheless, Indian and free black lowland families sometimes lived side by side along Choc6's rivers and quebradas, as observed by the French explorer, Gaspard Th6odore Mollien: "The number of villages, if we may call by that name two or three huts, collected in one spot, is very limited . . . inhabited for the most part by negroes, people of colour and some Indians."³⁰ The small Juntas de Taman6, which as we will see in Chapter 4 became in the 1840s an important site for the construction of a road system connecting Choc6 to the Colombian interior, typified such black-indigenous riverine villages of the Pacific lowland frontier. In the early 1820s, the village was overseen by the "Alc6lde, a mulatto," according to the Englishman, Charles Stuart Cochrane, and consisted of a church and twelve homes elevated "four feet from the ground."

Unfortunately, very little archival evidence exists regarding the political life of these riverine alcaldes, a small but influential group of lowland free black men in positions of governmental authority in the early nineteenth century.³¹ However, an 1853 Chorographic Commission painting featuring an African-descended mayor from the small lowland town of

²⁹ Wade, *Blackness and Race Mixture*, 102; marriage certificate between Ram6n Vald6s, pardo, and Micaela Sarco, India and widowed, in N6vita on March 22, 1824, *Familysearch.org*, The Church of Jesus Christ of Latter-day Saints, accessed April 8, 2017, <https://familysearch.org/ark:/61903/3:1:33S7-95JM-NSQ?i=204&wc=QZZS-BWH%3A1044033101%2C1044097301%2C1044097302%2C1044107101&cc=1726975>.

However, the mere existence of zambos in the lowlands demonstrates that cohabitation outside of marriage took place between both groups in the region. Given the absence of census data on zambos, it is impossible to say how typical such relations were.

³⁰ Mollien, *Travels in the Republic of Colombia*, 306. One report referenced "los ind6genas i libres" who resided from the mouth of the Calima River to the San Juan River, see AGN, 1849, SR, FGV, l. 151, fol. 539r.

³¹ Lasso profiles several prominent men of color in positions of authority in Caribbean Colombia during the early republic. See Lasso, *Myths of Harmony*, 91-128. Aims McGuinness briefly discusses alcaldes of African descent in mid-nineteenth-century Panama. See Aims McGuinness, *Paths of Empire: Panama and the California Gold Rush* (Ithaca, NY: Cornell University Press, 2008), 92-93. Echeverri notes the appointment of an African descended man, Francisco "El negro" Angulo, into the insurrectionary royalist government in Barbacoas in 1824, see Echeverri, *Indian and Slave Royalists*, 218.



FIGURE 1.4 *Alcalde del pueblo de Tebadá* by Manuel María Paz. Ca. 1853. Watercolor.

Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

Tebadá grants a rare snapshot of such men. Wearing a straw hat and holding a walking stick, the barefoot mayor strikes an authoritative pose as he overlooks the serene yet busy Bojayá River from a small hill. Such fragments of historical evidence make clear that these men were important power brokers who daily managed the complex racial and ethnic worlds of the Colombian lowlands. For example, the *mulato* alcalde encountered by Cochrane dictated the terms of the Englishman's travels. When Cochrane wanted to depart from Juntas de Tamaná, the alcalde informed him that this would be impossible, supposedly because "the Indians had been dancing all night, and most of them had got drunk, which would incapacitate them for directing a canoe steadily and safely."³²

The jungles and rivers of Chocó also had their own unique set of ethereal gatekeepers, whose disciplinary powers were memorialized in numerous legends and myths dating back to pre-Columbian times that

³² Cochrane, *Journal of a Residence and Travels in Colombia*, 411–412.

still circulate in black and indigenous lowland cosmologies. For instance, anyone who wandered too deeply into the jungles ran the risk of running into the Pata Sola, a stunning, carnivorous, one-legged woman who devoured drifters who followed her cries for help. The Madre Monte, a half-woman, half-earth deity, was said to live amid the jungle swamps and screamed when sawyers and hunters invaded her territory. The beautiful, dark-haired water nymph known as the Madre de Agua ruled Chocó's rivers with her penetrating gaze and protective obsession with children. Slavery left its indelible mark on Pacific coastal river legends such as that of the enormous slave ship *Maravelí*, which sunk transporting 500 enslaved Africans to the Colombian Pacific and was said to now haunt the waterways of Sipí, Buenaventura, and other nearby towns at night during Holy Week. Interestingly, it was the torturous shrieks of not the slaves but the slave traders, eternally condemned to hell, that were said to be heard aboard the ghost ship.³³ These stories and legends undoubtedly played important roles in helping Pacific lowlanders navigate their lives in the region's intricate and dangerous jungles and rivers. Certainly, legends such as that of the *Maravelí* offered a way to assuage the historic pain of inhuman bondage.

Black lowlanders who settled along Chocó's riverbanks had developed diverse economies to maintain their families and livelihoods. Reporting in 1803 to the Audiencia de Santafé de Bogotá on the Pacific lowlands, Chocó's colonial governor observed how on the marshy "longitude of the rivers . . . reside the *mulatos*, *zambos* [people of mixed African and indigenous descent], and *negros libres* [free blacks]" in dispersed villages "cultivating and subsisting with their families, feeding themselves with fruit and honey from the cane and engaging in commerce provided by their yields with the miners and the *pueblos* and with the people from other rivers." Black families in the Pacific lowlands produced food not only for subsistence, but also corn and plantains for sale in nearby mines and villages, providing a vital supply of food for the mining economy and urban dwellers. In addition to cultivating food, families fished along the

³³ Jesús Médicis Leudo Muriel, *Legado Chocoano: La enciclopedia del pasado al presente* (n.p., n.d.), 172–175, 180, 192. For a different reading of the *Maravelí*, see Oslender, *Geographies of Social Movements*, 84–85. The rivers and jungles of the Colombian Pacific form the basis of popular folktales in the region. See Rogerio Velásquez, *Fragments de historia, etnografía y narraciones del Pacífico colombiano negro* (Bogotá: Instituto Colombiano de Antropología e Historia, 2000), 173–233, and Norman E. Whitten Jr., *Black Frontiersmen: Afro-Hispanic Culture of Ecuador and Colombia* (Prospect Heights, IL: Waveland Press, 1974), 99–101.

rivers and hunted for deer, pig, and wild hog in the jungles. Grandparents, mothers, fathers, uncles, cousins, siblings, and other kin drew upon their extended families' diverse skills, including farming, fishing, hunting, and local trading, to survive and thrive in the dispersed and at times isolated Pacific lowlands. "The majority," noted the colonial governor, "occupy themselves diligently in gold washing on the banks of the rivers and ravines,"³⁴ using the gold to satisfy debts, meet basic necessities, and (as we will see in Chapter 5) purchase the freedom of enslaved kin. More than any other natural resource, gold structured the lives and livelihoods of black lowlanders.

GOLD

Apart from functioning as important hydraulic channels for communication, mobility, and community, the northern Pacific lowlands' rivers were crucial sources of wealth. For this reason, the names of the region's rivers and tributaries figure prominently in notes of sale for *tierras de mina* (mining lands) throughout the early nineteenth century.³⁵ In contrast to the centralized, deep-shaft silver mines of Potosí, where tunnels were excavated into the legendary mountain Cerro Rico, Chocó's gold and platinum mines were scattered among the region's rivers and were worked primarily by alluvial or placer mining.³⁶ In practice, this technique involved panning the river for gold – sometimes referred to as gold washing – or working the streambed gravel through other means.³⁷ While free black lowlanders organized their own gold-washing arrangements within their kinship networks, enslaved and Free Womb lowlanders

³⁴ As quoted in Enrique Ortega Ricaurte, *Historia documental del Chocó* (Bogotá: Editorial Kelly, 1954), 276.

³⁵ For examples of *tierras de minas* with names of rivers denoted, see NPQ, 1833: 75r; 1835: 9r, 29r; 1837: 103v–104v, 116r; 1838: 11v–12r; 1842: 91r, 110v–111r, 144r, 169r, 169r–v, 179r–v; 1845: 61r–v, 74v–75r, 76r–76v, 86r–v.

³⁶ In addition to gold and platinum mines, Chocó also boasted three government-owned salt mines in the towns of Tutunendo, Beté, and Murri. AGN, 1833, SR, FGV, l. 37, fol. 841r. Authorities noted that salt mining was costly in the region, given the availability of cheaper salt deposits in Cartagena and the coast (likely from la Guajira). For more on the salt industry during nineteenth-century Colombia, see Joshua M. Rosenthal, *Salt and the Colombian State: Society and Regional Monopoly in Boyacá, 1821–1900* (Pittsburgh, PA: University of Pittsburgh Press, 2012).

³⁷ Placer mining was also used in the gold mines of Brazil. See Higgins, "Licentious Liberty." On Potosí, Enrique Tandeter, *Coercion and Market: Silver Mining in Colonial Potosí, 1692–1826* (Albuquerque: University of New Mexico Press, 1993).

worked the gold-rich rivers at the behest of masters or overseers, the latter usually local white men or elderly enslaved men trusted by their masters.

Under gradual emancipation rule, enslaved and Free Womb lowlanders toiled on *tierras de mina* that varied in size – from a small family to nearly two hundred captives – and geographical location. María Francisca Mena's arrangements typified the small-scale mining operation most common in the lowlands. Three women and one man bearing their mistress's last name, as well as three Free Womb children, panned the gold on the banks of the Atrato River. Like many other miners, doña Mena did not have full ownership of a particular gold mine, but claimed *un derecho* (working rights) to mining lands whose borders were demarcated by sticks of *mate* and *guásimo* plants native to the region.³⁸ Although the mining crisis of the late eighteenth century and the Wars of Independence resulted in the overall decline of large-scale mining operations, after Spanish rule there were still many large-scale gold mines in Chocó with over 100 laborers organized into *cuadrillas* (slave gangs). There were two main districts in Chocó: the Atrato River district in the north (with Quibdó serving as its administrative center), and the San Juan River district in the south (Nóvita its administrative center). In 1822, for example, Chocó's governor reported that eighteen large-scale mines were operating in the San Juan district, with a total of 3,073 slaves. Fifteen of these mines employed more than 100 enslaved laborers. At the time, San Juan's largest mining operation was La Bodega, where 173 enslaved men, 185 women, and 82 enslaved and Free Womb children lived and labored. Absentee owners in Popayán, Buga, and Bogotá owned fifteen of San Juan's eighteen mines in San Juan, local resident miners owning the remaining three.³⁹

As in the colonial period, the mines of Nóvita and the surrounding San Juan district produced the majority of gold in the early republican period. According to a regional census conducted in 1833, twenty-four gold mines were operating in San Juan, while seven were "worked regularly" in the Atrato district.⁴⁰ Chocó's governor claimed that many *mazamoreros*, or free black gold prospectors, could be seen exploiting gold in the

³⁸ NPQ, 1838: 41r-42v. ³⁹ ACC, 1822, Independencia CI-2g 6837, fol. 3r.

⁴⁰ The following were the gold mines in the San Juan district: La Bodega, San Cristoval, Santa, el Aceite, el Lindero, el Tigre, Cuego, Opogado, el Playon, San Lorenzo, San Jose, Aguaclara, Santarrosa, Cimarrones, Santa Luisa, San Juan Evangelista, Raspadura, San Pablo, Veroviso, Soledad, Santa Barbara, Pureto, Santa Rita de Yró, and Condoto. In the Atrato: Vagadó, Terrébare, Tuto, Tamando, Certegui, Tutunendo, and Murri. See AGN, 1833, SR, FGV, l. 37, fol. 842. Five years later in 1838, there were nineteen operating

Atrato.⁴¹ Mazamorreros often held derechos to use particular tierras de minas, but did not have a title to the mine itself. Thus, mining enterprises within Chocó differed greatly, with more legally owned and operated gold mines fueled by enslaved labor in the south and predominantly free black mazamorreros prospecting in the gold-bearing rivers and tributaries on Quibdó's outskirts. Accordingly, 678 pounds of gold were produced in 1832 in San Juan district, compared to 203 pounds in Atrato.⁴² This trend continued early ten years later, San Juan district delivering 56,583 pesos worth of gold compared to 33,931 pesos from Atrato.⁴³

By the mid-1840s, the provincial government attempted to regulate mining by specifying that only those individuals who “on their own, or with their family, work on their own land” and own “at least five slaves” could be officially considered *mineros propietarios* (mine owners), strictly associating mine ownership with land tenure and slaveholding.⁴⁴ Authorities likely took the number of slaves required from the entry qualifications for the colonial *gremio de mineros* (mine-owner's guild).⁴⁵ This requirement excluded from mine ownership small-scale miners, who were mainly poorer free blacks and mazamorreros, and independent mining prospectors “who exploit gold in the beaches of the rivers and the lower parts.”⁴⁶ The mid-1840s mining regulations may have codified de facto practice in the lowlands. In the 1830s, for example, two small-scale slaveholders set up a mining company whose contract required each to provide three slaves – one man and two women – in addition to “the necessary materials for the trade.”⁴⁷ Collectively owning a mine with over five slaves, both men could bear the official title of *mineros propietarios*.

Many of the large-scale mining camps were erected deep in Chocó's jungles and were only accessible via the province's rivers, the boat ride often taking several hours to several days depending on the site. For instance, it took the French chemist and metallurgist Jean-Baptiste

gold mines in the San Juan and still seven in the Atrato. See AGN, 1838, SR, FGV, l. 56, fol. 90v.

⁴¹ Robert C. West, *Colonial Placer Mining in Colombia* (Baton Rouge: Louisiana State University Press, 1952), 89–90.

⁴² AGN, 1833, SR, FGV, l. 37, fol. 841. ⁴³ AGN, 1844, SR, FGV, l. 95, fol. 960.

⁴⁴ AGN, 1845, SR, FGV, l. 105, fol. 425r.

⁴⁵ Sharp, *Slavery on the Spanish Frontier*, 116; Colmenares, *Historia económica y social de Colombia*, Tomo II, 73.

⁴⁶ AGN, 1845, SR, FGN, l. 105, fol. 425r; Sharp, *Slavery on the Spanish Frontier*, 116.

⁴⁷ NPQ, 1831: 149v–151r. For another example of a contract establishing a small mining company, see NPQ, 1833, 41r–v.

Boussingault nearly a day in February 1829 to travel from the small river village of Juntas de Tamaná to the gold mines of Aguas Claras. Two locals, likely indigenous or free black men, rapidly hollowed out tree trunks from the surrounding forest to build piraguas (canoes) for Boussingault's journey. After navigating rapid currents and avoiding waterfalls on the Tamaná River, the piragua, steered by a black boga, was ultimately forced to stop at a hacienda along the Guayabal River and wait for other bogas to continue the journey. Boussingault's piragua eventually arrived at the Real de Aguas Clara by late afternoon.⁴⁸

If Boussingault's travels revealed the difficulties of reaching Chocó's mining centers, his arrival shed some light on the sociocultural world to be found there. When the French chemist finally did arrive to Aguas Clara, he was embarrassingly "entirely naked" – wearing nothing but a *jipjapa* – due to the lowland's constant rain and humidity. An older black man, who appeared to be a *mayordomo* (overseer), pointed him to the *casa del real* (masters' house) on the mine's premises, similar to the *casa-grande* of Brazilian *fazendas* (plantations). Boussingault immediately hurried to the *casa del real*, which he described as "of beautiful appearance," to dress himself.⁴⁹ Instead of finding privacy, however, Boussingault found himself standing in "a parlor of certain elegance where in my state of complete nudity I found myself in the presence of three charming ladies, sitting on a sofa, occupied in needlework: *la dueña de la casa*, Señora Petronila y Gual, her daughter, and a young *mulata*, probably one of those bastards who are taken in by creole families." It's unclear whom exactly the young *mulata* woman was – she could have been a domestic slave attending to her mistresses, an orphaned child of a free black or enslaved woman, or the illicit offspring of Señora Petronila y Gual's husband or son.⁵⁰ Whatever the case may have been, the elegant parlor, sofa, and needlework (a common pastime of early nineteenth-century Pacific lowland elite women) powerfully presented an atmosphere of luxury and leisure, reinforced by the women's elaborate attire. In sharp

⁴⁸ Real was a term used to describe the mining camp that included the slaves' huts (living quarters), the chapel, the masters' house, and the *tierras de minas*. See ACC, 1822, Independencia CI-2g 6837, fol. 3v.

⁴⁹ The older black man was likely an enslaved or free black overseer of the gold mine of Aguas Claras, given his age and apparent authority.

⁵⁰ For an example of children being fathered by the sons of slaveholders and mistresses in Chocó, see the 1809 will of Doña Ana Maria de la Cuesta in Mosquera Mosquera, *Memorias*, 54–60.

contrast to Boussingault's naked body, the three "charming ladies" were "elegantly dressed, and for the first time I saw puffed sleeves."

Boussingault's embarrassing predicament revealed how although many prosperous slaveholders lived in the urban centers of Quibdó and Nóvita, as we shall see in the following chapter, some resided in the mining countryside, which allowed them to more directly manage their human and nonhuman possessions. In her 1809 last will and testament, doña Ana María de la Cuesta and her Spanish husband claimed among her properties "the house I live in on the Mine of Nuestra Señora de Chiquinquirá," where they held captive thirty-five enslaved people. The walls of her straw-thatched house enclosed a world of domestic luxury, revealed in the golden necklaces, pearl bracelets and chokers, crosses with emeralds, and other jewelry that doña de la Cuesta bequeathed to her children.⁵¹ Like Señora Petronila y Gual of the Real de Aguas Claras and other lowland mistresses, doña de la Cuesta ruled over her casa del real and took occasional strolls through the Nuestra Señora de Chiquinquirá's mines dressed in European fashions. Such sartorial choices served a purpose beyond mere style. As Boussingault discovered upon entering Aguas Clara's casa del real, Señora Petronila y Gual and the "charming ladies" were not surprised by his "lack of clothing . . . being that they are accustomed to living among many slaves of both sexes, who, during work, did not have any clothing on their bodies."⁵² Through their home décor and dress, mistresses and masters in Chocó's mining camps constantly drew the line between free and unfree via the naked skin of their captive workers.

A manifestation of slavery's regime of visual and corporal violence, the near or complete nudity of enslaved and Free Womb miners also often reflected their profound destitution. One assessor reported that the numerous slaves on the Sesego mine suffered from swelling, fever, fistulas, and inflammation. According to the mine's overseer, 165 days "were wasted in maintaining the *negro Santos*," who spent months recovering from an unnamed illness, to the dismay of his superiors.⁵³ Decades of toiling in the gold-laden rivers and snake-infested jungles under poor health conditions and regimes of violence subtracted years from the lives of enslaved miners like Santos. Masters and overseers often looked at illness with suspicion. "In my last letter, I told you that *los malditos negros* pretended to be sick for the assessments," wrote one slaveholding

⁵¹ Mosquera Mosquera, *Memorias*, 55. ⁵² Boussingault, *Memorias*, 391–392.

⁵³ ACC, 1843, República CI-13mn 4242, fol. 5v.

priest about the slaves of the Raspadura mine.⁵⁴ But the steady stream of burials in the mining camps' cemeteries throughout the first half of the nineteenth century spoke to the brutal reality of regular death for the enslaved. While the parish priests administered holy rites, mothers and widowed husbands clung to loved ones as their Free Womb infants and enslaved spouses were lowered into the pits and covered by the dark soil of the *tierras de minas*.⁵⁵

On large-scale mines, the ringing of bells from the small, straw-thatched church signaled at dawn the workday's beginning, assisted by the cries of roosters. Under the *casa del real*'s shadow and the supervising eye of an overseer, either enslaved or white, entire families would emerge from the cramped *chozas* (huts), as the slave quarters of the Pacific lowlands were known. In 1838, the mining camp of Tutunendo, located on the Bojayá River north of Quibdó, counted 13 huts for 115 enslaved miners and their Free Womb children. An assessor excluded the thirteen *chozas* from the mine's inventory because they were in a ruined state, reflecting the deprivation experienced by these families.⁵⁶ Before setting off to the gold mines, humming mothers hurriedly breastfed their children while sons, grandparents, or adopted kin prepared the first meal of the day, usually plantains, corn patties, or salted pork or beef, from the weekly food rations or from their provision grounds.⁵⁷

Down by the rivers and tributaries, groups of enslaved women, accompanied by their enslaved and Free Womb children, waded knee-deep in the water for hours and panned for gold with their large, shallow wooden basins called *bateas*. Other enslaved lowlanders were organized into small *cuadrillas* for ground sluicing, a popular mining method adopted by Spanish colonists from the indigenous that involved digging ditches and building makeshift dams near a water source before panning through the gravel. Managed by a *capitán de cuadrilla* (captain of a slave gang), enslaved men were often in charge of digging and heavy lifting, while

⁵⁴ ACC, 1832, República CI-13mn 4300, fol. 36v.

⁵⁵ Ecclesiastical records during this period report the deaths of enslaved and Free Womb infants in the parish church of Nóvita and vice parish churches of the mines del Tigre, Sesego, San José, and others. For an example of a death record of a Free Womb infant, see death record of Servando, September 1, 1841, *Familysearch.org*, The Church of Jesus Christ of Latter-day Saints, accessed July 14, 2017, <https://familysearch.org/ark:/61903/3:1:3337-95JM-ZY1?i=359&wc=QZZS-BW7%3A1044033101%2C1044097301%2C1044097302%2C1044107701%3Fcc%3D1726975&cc=1726975>.

⁵⁶ ACC, 1837, República, CI-13mn 4385, fols. 7r, 11r-v.

⁵⁷ Jiménez Meneses, *El Chocó, un paraíso del demonio*, 68, 104; West, *Colonial Placer Mining in Colombia*, 87.

enslaved women were responsible for working the *batea* and *almocafre*, a mining tool used to scrape through gravel.⁵⁸ Typically, the captain was an older enslaved man who reported directly to the mining administrator, a white or free black overseer in charge of running the mine. If the mining operations were smaller, the captain would report directly to the owner. A title rewarded after decades of forced labor, the captain was the top position within the hierarchy of gold-mining slavery and afforded opportunities of upward mobility for enslaved families.⁵⁹

The intensity of work depended on the richness of a particular mine and environmental conditions. In the rainy season, enslaved Chocoanos and their children labored seemingly without end in sight; the work pace could ease in the summer or when a mine became exhausted. When exhaustion occurred, enslaved lowlanders experienced what historian Orián Jiménez Meneses has called “libertad transitoria,” or a fleeting freedom, since their masters would send them off in search of new gold-bearing sites, during which they would be outside the overseer’s grasp and responsible for producing a certain yield of gold on their own.⁶⁰ When not locating new placer deposits, slaves were also hired out by masters to miners or merchants in other villages and towns, which separated the enslaved from their families and friends for what could be an unknown period of time.⁶¹

While some captives headed to the rivers, others – those deemed *chusma* (useless), or slaves not in prime health or age to work the mines, often the sick, elderly, and younger children – planted crops in the *rastrojos* (fields) either adjoining the *tierras de minas* or a day or two away by canoe. On the *rastrojos*, young and old grew and harvested plantains, corn, or sugarcane for the mine’s daily sustenance, important for operations given that importation of goods to the Pacific backcountry

⁵⁸ Jiménez Meneses, *El Chocó, un paraíso del demonio*, 57–62; West, *Colonial Placer Mining in Colombia*, 56–57, 86.

⁵⁹ ACC, 1832, República CI-13mn 4300, fols. 6v–7r. In addition to overseeing the work discipline of the mines, captains were sometimes involved in capturing fugitive miners. For an example, see ACC, 1843, República JI-18cv 965, fol. 16r. Captains also played a central role in the political organization of enslaved communities during the Wars of Independence. See Echeverri, *Indian and Slave Royalists*, 186–187.

⁶⁰ Jiménez Meneses, *El Chocó, un paraíso del demonio*, 35; Bernardo Leal, “Pido se me ampare en mi libertad: Esclavizados, manumisos y rebeldes en el Chocó (1710–1810) bajo la lente colonial y contemporánea” (MA Thesis, Universidad Nacional de Colombia, 2006), 109.

⁶¹ Sharp, *Slavery on the Spanish Frontier*, 134–135.

was costly.⁶² Although these crops did not form the basis of the lowland economy, they produced within the larger galaxy of gold worlds unto themselves, with their own rhythms, schedules, demands, and extractions of sweat and blood. Enslaved families were sometimes afforded small plots of land to mine for gold and cultivate their own vegetables and crops, similar to the provision grounds granted to enslaved laborers in Atlantic World plantation societies.⁶³

In spite of slavery's inhumanity, enslaved miners of the Pacific lowlands managed to carve out space and time for themselves and their families. In some smaller cuadrillas, when masters could not provide adequate rations, miners were allotted three days off each week to provide their own food.⁶⁴ A rare petition initiated by a formerly enslaved woman named Cayetana Becerra in Quibdó revealed her work arrangements on an unnamed large-scale mine. According to Becerra, she had previously worked "only . . . 165 days each year, leaving the rest for days of *fiesta, ración, y enfermedades*" (holiday, provisioning, and illnesses).⁶⁵ As Becerra's petition relays, some enslaved miners were granted certain days off, typically Sunday to attend church and other days for personal time to work their provisions, observe religious holidays, and recoup after illness. Depending on the master, some were permitted to work the mines for themselves. The accumulated gold was often used to acquire necessary goods like food or clothing or for the future freedom of themselves or their loved ones.⁶⁶

Occasionally, the masters' archives reveal how the enslaved in the Pacific lowlands' remote mining camps made time for leisure and pleasure as well, acts infused with particularly radical meanings within a system of dehumanization. Upon surveying several gold mines in Chocó's jungles in the early 1820s, the governor was struck by the "happiness that reigns in [the slaves'] dances that at times tend to go on for three days, their little necessities, and the reciprocal bonds among individuals of the same

⁶² Jiménez Meneses, *El Chocó, un paraíso del demonio*, 103; West, *Colonial Placer Mining in Colombia*, 86, 103, 104; Sharp, *Slavery on the Spanish Frontier*, 116; Leal, "Pido se me ampare," 99.

⁶³ Jiménez Meneses, *El Chocó, un paraíso del demonio*, 90; Sharp, *Slavery on the Spanish Frontier*, 133. On provision grounds in Jamaica, see Holt, *Problem of Freedom*, 43, 66–67.

⁶⁴ Sharp, *Slavery on the Spanish Frontier*, 134. ⁶⁵ NPQ, 1810: 142a.

⁶⁶ Jiménez Meneses, *El Chocó, un paraíso del demonio*, 70; West, *Colonial Placer Mining in Colombia*, 88. Archival records from the Mine of Sesego document many enslaved miners purchasing their freedom. See ACC, 1838–1839, República JIII-10su 4244, fols. 5r–19v.

mine.”⁶⁷ Laughs, no doubt, were shared, hearts possibly broken, and advice imparted amid drinking, eating, and dancing to drums and indigenous lowland flutes, experiential fragments that escape the archival hold. Setting aside time for festivities – sometimes days long – fit within and consolidated the logic of slavery but also spoke to other kinds of productivities central to enslaved people’s daily struggles for bodily integrity and community making.⁶⁸

When the provincial governor observed those gatherings, however, he interpreted them as symptomatic of a grave problem plaguing the Pacific lowlands’ gold mines: the decline of the mining economy, a complaint registered by other authorities and slaveholders at the time. In the middle of the jungles, the governor noted, slaves worked “without direction, without method, and with very little use of their masters, and without food except for 32 plantains per week, or an *almud* [ten kilos of shelled corn] that their owners supply them with.” He was deeply concerned by what he saw as the “abandonment and indifference of the owners of the Mines over their cuadrillas,” who were placed “under the direction of a Slave . . . or another inept man” or sometimes even, perhaps surprisingly to some readers, “sometimes in the charge of a woman.” The provincial governor described the mines he was able to visit as “swarms of vagrants living without rules It appears that in some [mines] their masters have thrown them in the middle of the Jungles only with the objective of survival and breeding.”⁶⁹

The economic, political, and social destruction of the Wars of Independence indeed resulted in a 40 percent decline in production across the gold-mining provinces of Chocó, Popayán, Antioquia, and Mariquita. No doubt echoing the complaints of lowland slaveholders, some observers blamed the mines’ decline on slave conscription during and after the wars. The French explorer Gaspard Théodore Mollien claimed that Chocó’s gold mines were still operating “but in an imperfect manner; the negroes, every moment ready to become soldiers, leave the finest establishments to fall off.”⁷⁰ Likewise, the English captain Charles Stuart Cochrane blamed declining mine production on the fact that “any negro that does not like his master can go and offer himself to the commanding

⁶⁷ ACC, 1822, Independencia CI-2g 6837, fol. 3r.

⁶⁸ Andrews, *Afro-Latin America*, 28–29.

⁶⁹ ACC, 1822, Independencia CI-2g 6837, fol. 3v; Sharp, *Slavery on the Spanish Frontier*, x.

⁷⁰ Mollien, *Travels in the Republic of Colombia*, 376.

officer of a regiment.”⁷¹ After independence in the early 1820s, officials continued to depend heavily on gold exportation from western Colombia, but struggled to attain colonial-era rates of production.⁷² The mine owners’ desertion observed by the provincial governor in the Pacific lowlands was thought the major reason for this decline. The governor feared that unsupervised slaves would “resist the obedience of their masters, rising up and burying themselves into the jungles.” As a remedy, the governor proposed both measures against the irresponsible masters and the idea of freeing all slaves in the lowland gold mines “so that the Government begins to look over their conduct.” The slaves would be transferred from the mines to work on government projects “for the construction of fortifications, roads, etc.” and would be given parcels of *tierras baldías* for their own use.⁷³ This was more likely a warning rather than a serious proposal, especially since it was never discussed again in governmental correspondence. However, the proposal importantly reveals the early republican state’s interventionist politics. Perhaps inspired by the requisition of royalist properties amid the Wars of Independence, the provincial governor ultimately sought to seize ostensibly abandoned mines for the republic’s greater use.

While the provincial governor’s particular proposals were fanciful, the economic anxieties that produced them were not. After the wars, administrative chaos and declining economic production seized the entire country, including many of the gold-mining camps of the northern Pacific lowlands. In a span of twenty-four years, from 1814 to 1838, thirteen separate overseers administered Sesego mine alone and most managed the mine for just a year or two.⁷⁴ In 1843, only four *cuadrillas* were working in Sesego.⁷⁵ Over the course of a decade, the Raspadura mine’s value was cut in half, from a little over 11,000 pesos in 1822 to just over 5,500

⁷¹ Cochrane, *Journal of a Residence and Travels in Colombia*, 419.

⁷² José Antonio Ocampo, *Colombia y la economía mundial* (México, D.F.: Siglo Veintiuno Editores, 1984), 347–349; Restrepo, *Estudio sobre las minas de oro y plata de Colombia*, 167–168; Jaime Jaramillo Uribe, “La controversia jurídica y filosófica librada en la Nueva Granada en torno a la liberación de los esclavos y la importancia económica-social de la esclavitud en el siglo XIX,” *Anuario Colombiano de Historia Social y de la Cultura* 4 (1969): 63–67; Hermes Tovar Pinzón, “La lenta ruptura con el pasado colonial (1810–1850),” in *Historia económica de Colombia*, José Antonio Ocampo, ed. (Bogotá: Siglo Veintiuno Editores de Colombia, 1987).

⁷³ ACC, 1822, Independencia CI-2g 6837, fol. 3v.

⁷⁴ ACC, 1838–1839, República JIII-10su 4244, fol. 20r.

⁷⁵ ACC, 1843, República CI-13mn 4242, fol. 5r.

pesos in 1832.⁷⁶ Years later, in 1844, a new provincial governor reported that “the large slave gangs that exploited the mines have been destroyed.”⁷⁷

The postwar economic ruin and slave conscription were not the only factors that un-did the large-scale gold mines. After the Free Womb edict in 1821, the gold mines’ labor structures transformed. In 1819, 166 slaves worked the gold mines of San José de Murri, owned by the Spaniard don Francisco García y Ruiz. More than ten years later, in 1831, the workforce dropped to 123 miners, a little over a third of whom were Free Womb captives, whose unfree servitude was ultimately temporary.⁷⁸ Similarly, nearly half of the Tutunendo mine’s 115 laborers were classified as Free Womb children by 1838.⁷⁹ To the master class, the legally imposed, eventual freedom of these Free Womb children, like the ten-year-old girl Luciana, the oldest of San José de Murri’s Free Womb children, spelled doom for the already-declining gold mines. Luciana’s twelve-year-old enslaved brother Enrique born two years shy of the 1821 law was a reminder of what used to be. As the lowland slaveholder and mine owner don Hurtado lamented, “The war has drawn away all the best negroes, and the laws of the Congress are taking the rest.”⁸⁰ Yet, apart from the changes wrought by the wars and Free Womb law, the lowland gold mines’ workforce was transforming in other unforeseen ways.

BLACK WOMEN AND THE LOWLAND GOLD-MINING ECONOMY

Nothing had come easily for Barbara Libreros, a free black woman who claimed *tierras de mina* on the Cajón River, one of the countless tributaries of the San Juan River deep in the rainforests of southern Chocó. She acquired the Beta mine from the heirs of don Antonio José de Longa, a Basque migrant who had owned several gold mines in Chocó. According to Libreros, the Longas “*cedió*” (transferred, ceded, or gave) the mine to her before leaving in 1819, the year when the insurgents definitively retook royalist-controlled Chocó. Her use of the vague legal term *cedió* meant that Libreros, like other free blacks in the Pacific lowlands, might

⁷⁶ ACC, 1832, República CI-13mn 4300, fol. 30v.

⁷⁷ AGN, 1844, SR, FGV, l. 95, fol. 944r.

⁷⁸ Mosquera Mosquera, *Memorias*, 177-183; NPQ, 1827: 11-3v.

⁷⁹ ACC, 1837, República, CI-13mn 4385, fol. 29r.

⁸⁰ Cochrane, *Journal of a Residence and Travels in Colombia*, 419.

have occupied or informally taken over abandoned lands; she did not have a record of sale to definitively prove that they were hers. If the Longas were indeed Spanish partisans, Libreros's occupation of the Beta mine may have constituted her own informal requisition of royalist property.⁸¹ Whatever the case, Libreros soon after settling on the mine gave birth to her daughter, María Trinidad, who in 1820 was christened a libre like her mother. Like other free black lowland frontierswomen at the time, Libreros was unmarried when her daughter was born; the birth certificate declared María Trinidad the child of an "unknown father" (*padre no conocido*).⁸²

Barbara Libreros built her small world on the Beta mine, working the gold-laden Cajón River amid the constant rain and raising María Trinidad and perhaps other children. There's a good chance that María Trinidad took up mining like her mother and expected to inherit Beta. Eventually, Libreros's sister settled on a small *rastrojo* across the river. In 1840, Libreros acquired "judicial possession" over Beta and adjoining lands. For twenty-five years, Libreros "calmly and peacefully possessed [the mining lands] . . . with my House." At least until 1844, when she claimed that a free black man named Estevan Guillermo attempted to "evict" her. As the heir of his grandfather's estate, Guillermo was seeking ownership over part of Beta. Libreros had her entire universe to lose in the property dispute. Although Libreros claimed "judicial possession" of the land, she explained that the mine, "strictly speaking, is not recognized."⁸³

Thus in the legal proceedings initiated by Guillermo, Libreros collected witnesses to prove her ownership. But her defense of her claim to the land especially rested on detailing her mastery of the mining lands and gold-

⁸¹ ACC, 1844-1845, República JI-19cv 1004, fols. 10r-12v. For another case of lowlanders informally requisitioning royalists Spaniards' properties, see AGN, 1822, SR, FAC 82, D.5, fols. 889r-919v.

⁸² María Trinidad was seven months old when she was baptized in January 1821 at the Holy Church of Nóvita. See baptismal record of María Trinidad, January 27, 1821, *Familysearch.org*, The Church of Jesus Christ of Latter-day Saints, accessed April 8, 2017, <https://familysearch.org/ark:/61903/3:1:333SQ-G5JH-93TL?mode=g&ci=500&wc=QZZS-BZ2%3A1044033101%2C1044097301%2C1044097302%2C1044100401&cc=1726975>.

⁸³ ACC, 1844-1845, República JI-19cv 1004, fols. 10r, 23r. For an earlier example of an attempted eviction of *libertos* from mining lands in Chocó, see NPQ, 1818: 37v-38r, 55r-56r. Libreros does not explicitly describe how her "judicial possession" of the Beta was acquired. For an example of a similar case of "judicial possession" of land, see NPQ, 1835: 168r-169r.

washing process. Thus she explained that twenty yards away from the Beta mines was an area she called “Vetazón, and not Veta [Beta], because the rocks deepen, the water’s surface is superior, and one must necessarily exhaust it in order to take advantage of the land.” She meticulously detailed how to handle uneven mining lands with *mampuestos* (rough stones) and how to build a manmade stream for gold washing called *azeguia alta*. She was a skilled mazamorrera who searched for gold with “large pans and [by] removing the dirt until it reaches the rock, depositing them out in order to clean them later, which cannot be done without water.” By thus proving her knowledge of the lands and mining techniques, Libreros sought to strengthen her claim. Furthermore, she accused Guillermo of “usurping mining lands [in order] to convert them into rastrojos,” a grave accusation in a world dominated by gold mining.

Black women miners like Libreros undergirded the faltering lowland gold-mining economy in the aftermath of the Wars of Independence and gradual emancipation. While enslaved men were the primary labor force for the Colombian Pacific’s gold mines during the colonial period, free black mazamorreras and enslaved women comprised this specialized workforce in the early nineteenth century.⁸⁴ Their toil in western Colombia’s mining camps and auriferous streams transformed gendered assumptions about labor and skill there. Women traditionally comprised the workforce for many gold-mining societies across the Black Atlantic; in West Africa’s Gold Coast (present-day Ghana), for instance, families of women panned for gold alongside adolescent girls and young boys in streambeds and along the coastal shorelines from the seventeenth to the late nineteenth century.⁸⁵ On the other hand, for the gold mines of eighteenth-century Minas Gerais, Brazil, Portuguese traders and owners overwhelmingly preferred enslaved male labor – a preference that mirrored the general demographic makeup of rural slavery in colonial Brazil, where enslaved men largely outnumbered women from

⁸⁴ Colmenares, *Historia económica y social de Colombia*, Tomo II, 75, 80–82, 85; Leal, “Pido se me ampare,” 94–95. Sharp notes that the enslaved male-to-female ratio was almost equal by 1808, with 2,540 males and 2,428 females working Chocó’s mines. See Sharp, *Slavery on the Spanish Frontier*, 124, 203.

⁸⁵ Raymond E. Dumett, *El Dorado in West Africa: The Gold-Mining Frontier, African Labor and Colonial Capitalism in the Gold Coast, 1875–1900* (Oxford: James Currey Publishers, 1999), 29, 51–53, 66, 72.

the northeastern sugar plantations of Salvador to the gold-mining lands of Sabará.⁸⁶

The greater presence of black women in the Colombian Pacific coastal gold mines after the Wars of Independence reflected both national and local changes. By the late colonial period, women constituted the majority population in many Colombian cities, including Popayán and Cartagena; this trend only increased after independence in 1819.⁸⁷ The blaring guns, gory fighting, and forced conscription of able-bodied men created in Chocó economic and social uncertainty as well as a new gendered reality. When the dust of war had settled, a once majority-male frontier zone run by a small class of white male colonists and slaveholders had transformed into a majority-female province. By 1833, women outnumbered men 8,756 to 7,747.⁸⁸ While there are no official statistics regarding the racial makeup of these women, one can safely assume that the majority were free black women like Barbara Libreros. One can also assume, based on fragmentary records such as a chart of gold mines published in 1845 and foreign-penned travelogues, that many of the province's 8,756 women were gold miners. Writing from Nóvita, an official described the black women who "work the gold on the beaches of the river and the lower banks, who are commonly called mazamorreras."⁸⁹ Foreigners like the French metallurgist Jean-Baptiste Boussingault constantly referred to black women hard at work in the lowland rivers. While drifting along the Tamaná River with his boga, he observed a "very poor woman, as is always seen in these gold regions," who was "occupied in cleaning

⁸⁶ Higgins, "Licentious Liberty," 13, 58, 86; Júnia Ferreira Furtado, *Chica da Silva: A Brazilian Slave of the Eighteenth Century* (Cambridge: Cambridge University Press, 2009), 15; Walter Fraga, *Crossroads of Freedom: Slaves and Freed People in Bahia, Brazil, 1870–1910* (Durham, NC: Duke University Press, 2016), 11–12.

⁸⁷ Helg, *Liberty and Equality*, 80–81; María Teresa Pérez Hernández, "Prácticas y representaciones en torno a la familia, el género y la raza. Popayán en 1807," *Convergencia* 12, no. 37 (enero-abril 2005): 217–245.

⁸⁸ AGN, 1833, SR, FGV, l. 37, fol. 84r. The 1833 census only included men, women, and slaves (in other words, the legally free versus enslaved) and did not assign racial designations. Given census data from 1808, it is almost certainly the case that the majority of women were libres and indigenous. See Sharp, *Slavery on the Spanish Frontier*, 199.

⁸⁹ AGN, 1845, SR, FGV, l. 105, fol. 425r. Mazamorreras also predominated the gold mines of Antioquia. As one 1856 report stated, "The most singular thing is, that although this [gold washing] is the hardest work connected with mining, by tacit consent, and as a general rule, it is performed wholly by women. The robust and brave negras of Antioquia, in this, as in other kinds of labor, will compete favourably with men, unless the latter have been endowed with very strong constitutions," as quoted in Restrepo, *Estudio sobre las minas de oro y plata de Colombia*, 189.

sand . . . in each operation *la negra* took out a little bit of gold dust mixed with some platinum grains.” As he traveled on to the mining town of Tadó, he “saw more *negras* occupied in cleaning gold from the river.”⁹⁰

The gender ratio for Chocó’s enslaved population followed the general trends, with 1,639 enslaved women toiling alongside 1,621 enslaved men in 1835, largely in the province’s gold mines but also as domestic laborers in the bustling lowland capital and towns. Likewise, from 1828 to 1851, more than half (58 percent) of enslaved lowlanders bought and sold before the notary in Quibdó were women, a trend analyzed in greater depth in Chapter 2.⁹¹ This greater trade in enslaved women was very likely due to the gender composition of the postwar lowlands, which may have led to a preference among slaveholders for women workers in the lowland gold mines. Moreover, despite the Free Womb law, enslaved women’s reproductive capacities were still valued for producing a secure if now temporary workforce, given that the mass importation of enslaved peoples was no longer possible. Yet, while the value of enslaved bondswomen fluctuated over the course of gradual emancipation rule, it gradually fell: 191 pesos in 1828, 179 pesos in 1838, and 158 pesos in 1848.⁹² A description of three “*negritas esclavas*” (enslaved girls) from the Sesego mine as “healthy and robust girls” reflected slaveholders’ estimations of young enslaved women miners.⁹³

Even after slavery’s abolition in 1852, black women miners continued to command the lowland rivers. In 1854, the American prospector John Trautwine was told by a black lowland man he encountered (whom he referred to as “the colored master of the house”) that “the women of his family were at the moment washing for [gold] in the immediate vicinity.” Upon “expressing a desire to see the operation,” Trautwine was reluctantly brought by the man to his family’s *tierras de minas*, where his wife, daughters, sisters, mother, and other relatives were washing “a deep deposit of gold-gravel and whitish clay, at least 25 feet thick, that being the height to which we ascended it above the level of the stream.” Venturing further into the lowlands by canoe, Trautwine came across “some twenty black women and children [who] were washing fine gold dust from the gravel” at the mouth of the Pató River. At one point in his

⁹⁰ Boussingault, *Memorias*, 395–398.

⁹¹ In total, 293 women and 217 men were sold from 1828–1852, for a total of 510 slave purchases. These statistics were generated by individually counting slave purchases as recorded in the NPQ during these years and differentiating between sexes.

⁹² See Table 2.2. ⁹³ ACC, 1838–1839 República JIII-Iosu 4244, fol. 1v.

journey, while cooling down in a stream, Trautwine was immediately startled by “the sudden apparition of a venerable, grave-looking, white-haired, negro woman, who came wading slowly down the creek, holding a small totuma, or calabash bowl, carefully in her hands.” Nothing else is known about this elderly woman – if she was once enslaved or if she lived most, if not all, of her life as a mazamorrera – but she was likely panning for gold and undoubtedly knew the stones and the creek that she was gently traversing quite well.⁹⁴

Two watercolors painted in the early 1850s by traveling artists of the Chorographic Commission fleetingly capture black women miners from the San Juan River in Chocó and the southern Pacific province of Barbaçoas, respectively. In both images, infants cling to the backs of women, likely their mothers, who hold large, shallow wooden bateas in their hands, while another woman in the Barbaçoas painting is actively at work.⁹⁵ Once the rich gravel was taken from the river by such women, they added water to the batea and carefully rotated it in constant, circular motions. Particles bearing gold, because of its higher density, would sink to the batea's bottom; the extraneous sands, pebbles, and other rock material would then be carefully poured out. The material left in the batea was a black sand called *jagua*, which contained tiny gold flakes and other minerals like platinum. While repeated washings in the bateas were sometimes sufficient to extract the gold dust, mercury and other solutions were being used as early as the eighteenth century to purify the *jagua*.⁹⁶ In the early twenty-first century, anthropologist Michael Taussig encountered black women miners employing the same movements in the Colombian Pacific: “The women bend almost double from the waist and like magic get the *batea* to make this swirling movement so it spins out gravel . . . It is an astonishingly beautiful movement . . . The women drift along the streams when and where they wish. Nobody can stop them now. The river is theirs.”⁹⁷

⁹⁴ Trautwine, *Rough Notes*, 68, 75, 80.

⁹⁵ In her examination of the Barbaçoas painting, Nancy Appelbaum analyzes the woman's gesture as a possible expression of local knowledge transmission. See Nancy Appelbaum, *Mapping the Country of Regions: The Chorographic Commission of Nineteenth-Century Colombia* (Chapel Hill: University of North Carolina Press, 2016), 94.

⁹⁶ Jiménez Meneses, *El Chocó, un paraíso del demonio*, 61; West, *Colonial Placer Mining in Colombia*, 62; Higgins, “*Licentious Liberty*,” 22. Mercury was listed in the treasurer's expense report in Quibdó for October 1828. See *Gaceta de Colombia*, no. 403, 8 marzo 1829. Claudia Leal notes, however, that mercury was seldom used in the mines, probably due to the high costs. See Leal, *Landscapes of Freedom*, 42. In the mid-1840s, mercury was shipped from Cartagena to Chocó, see AGN, 1844–1845, l. 110 and AGN, 1846, l. 117.

⁹⁷ Taussig, *My Cocaine Museum*, 2–3.



FIGURE 1.5 *Vista del rio San Juan. Modo de navegar en él* by Manuel María Paz. Ca. 1853. Watercolor.
Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

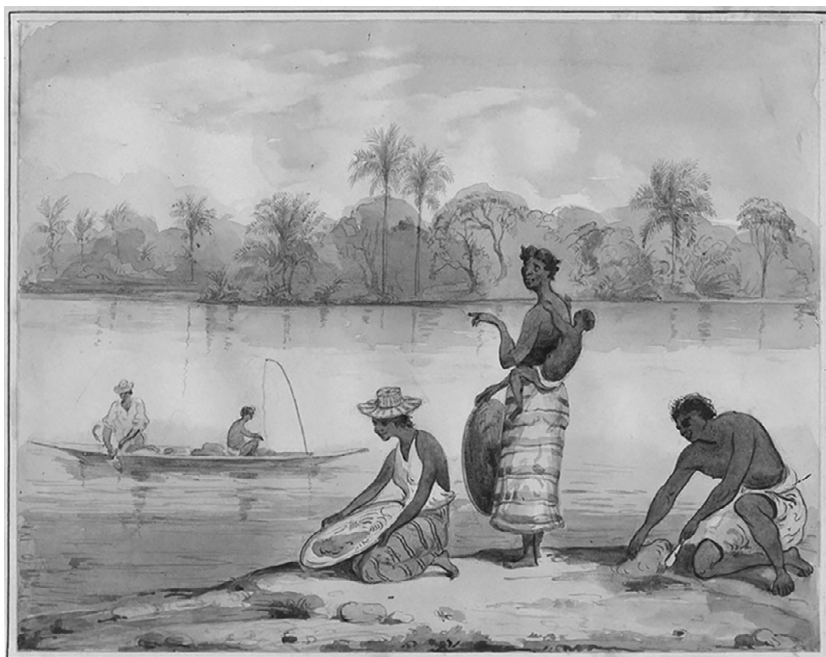


FIGURE 1.6 *Modo de labar oro* by Manuel María Paz. Ca. 1853. Watercolor.
Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

It is not entirely clear how women ended up being deemed expert panners in the rivers and *tierras de minas* of Chocó.⁹⁸ Unlike plantation slaveholders in the American South, who penned accounts detailing their gendered preferences in the fields, Colombian slaveholders left no records articulating their explicit desire for women's labor in the gold mines. On plantations and small farms in antebellum Georgia, for example, slaveholders believed that enslaved women were more skilled and productive in the cotton fields "because of their small hands" and "their fingers being naturally more nimble."⁹⁹ One can easily imagine similar biologizing explanations for lowland bondwomen's mastery of the *batea*, which necessitated adroit movement of arm, hand, and fingers, or for their ability to withstand prolonged standing on their naked feet and constant bending in the water. On the San Miguel mine, a twenty-seven-year-old enslaved woman named Juana Petrona was described as "useless" because her body was severely broken down after years of working "con las piedras en el trabajo" (with the rocks at work), a result of ceaseless wading. Another older woman from the same mine, Marteá, was assessed at 50 *pesos*; her "withered arm" very likely derived from decades of forced *batea* work.¹⁰⁰

Fragmentary observations by European visitors further reveal how black women's bodies were violently gendered. This was especially apparent in notations by the French chemist Boussingault, who described in detail another technique employed by miners, especially women, in the lowland rivers: diving. When certain rivers were very deep as a result of torrential rain, the *zambullidores* (divers) extracted auriferous gravel from the riverbed by plunging into the water. In the Pacific lowlands *zambullidores* were typically women, who would tie a heavy stone to their waists and sink to the bottom of the river to remove the gravel with their *bateas*.¹⁰¹ As he crossed the San Juan River in southern Chocó, Boussingault explained how he was:

very much entertained watching the *negras* dive ... to remove the sand; they carried on their lower backs, supported by a belt that they tightened with their

⁹⁸ As Peter Wade notes, enslaved women were valued for their skilled labor especially during the last stage of gold washing when the *batea* was used. See Wade, *Blackness and Race Mixture*, 100.

⁹⁹ Daina Ramey Berry, "Swing the Sickle for the Harvest is Ripe": Gender and Slavery in Antebellum Georgia (Urbana: University of Illinois Press, 2010), 15.

¹⁰⁰ ACC, 1835, República CI-13mn 5171, fols. 1r, 8r.

¹⁰¹ West, *Colonial Placer Mining in Colombia*, 58–62; West, *Pacific Lowlands of Colombia*, 174–176, 178.

left hand, a large rock that helped support their enormous buttocks; weighted down, they boldly entered half their body into the water and with the right hand removed all the sand onto the tray and then let go of the rock of the ballast, loosening the belt, and steered themselves to the right side, where they cleaned the collected sand.¹⁰²

Boussingault's voyeuristic observations offer chilling insight into how mineowners might have violently engendered black women's bodies as "ideal types" for this method of gold mining. Boussingault naturalized and rationalized black women's bodies as better equipped to perform the exhausting task of diving, with each body part endowed with specific value within a larger process of dehumanization. While the Frenchman was "very much entertained watching the *negras* dive under the San Juan," sometimes staying "under water for fifteen seconds" at a time, the *zambullidores* had graver concerns on their minds. Enslaved women constantly faced the threat of sexual violence, a horrifying specter in Boussingault's voyeurism. Pulmonary diseases were especially common among *zambullidores*, who also risked being attacked by *dentón* (carnivorous fish). In one note of sale, the elderly woman Atanacia was described as "incredibly sick because she not only suffers from asthma or breathing difficulties, but also from menopause," while Casimira, another enslaved woman miner forced on the auction block, suffered "periodically from breathing difficulties."¹⁰³

In spite of this physical punishment caused by rivers, many enslaved and free black women gold washers and divers were able to accumulate specks of gold from the Pacific lowlands' rocky floors and thus make their lives more bearable for themselves and their loved ones. Perhaps in response to opportunities afforded by gold accumulation, one enslaved woman in the southern Pacific coastal town of Timbiquí was described by her master as "very useless in the kitchen . . . she does not want to apply herself, she does not think of anything else but the [gold] mine and for that work she is a good slave."¹⁰⁴ Over years, these women painstakingly gathered gold dust used to purchase provisions, whether pigs or special clothing from the English vendors in town, and sometimes freedom. Some enslaved miners were said to have developed special survival techniques

¹⁰² Boussingault, *Memorias*, 400.

¹⁰³ NPQ, 1833, 45r-v; 1835, 151r-v. West, *Colonial Placer Mining in Colombia*, 58-59. West notes that some women were trained to remain underwater for up to two to three minutes.

¹⁰⁴ ACC, Sala Mosquera, 1823, No. 5 G-L, D. 1029, fol. 1r.

to acquire gold while on the master's clock. According to one eighteenth-century observer, an overseer needed to be present in the mines because some slaves would swallow golden pebbles to recover them later in their excrement, while others hid gold in the ground and returned afterward to retrieve it.¹⁰⁵ During the gradual emancipation years, black women miners handed over thousands of pesos worth of gold to masters who held their enslaved and Free Womb kin hostage. The seemingly endless hours spent running their coarse hands through the dark, gold-rich sand, perhaps supplemented by personal loans of gold dust, transformed into pesos that secured a tenuous liberation. With their flesh and sweat, these women made legal freedom in the Pacific lowlands of Chocó possible.¹⁰⁶ Yet, while enslaved and free black women and men crafted rival geographies made of water and gold in the western Pacific frontier's waterways and jungles, white elite lowlanders in the region's small urban centers, alongside growing numbers of white European prospectors based in Jamaica, maintained positions of power and a commitment to black captivity. It is to their luxurious homes, tidied by enslaved and Free Womb captives, that we now turn.

¹⁰⁵ Jiménez Meneses, *El Chocó, un paraíso del demonio*, 63. For safekeeping of gold, trunks – especially trunks with locks – were prized possessions in the lowlands. Trunks, either with locks or lockless, abound in the last wills and testaments of Chocó, with some testators having up to three or four trunks. For examples, see NPQ, 1828: 32r; 1831: 23v, 55r, 170v; 1832: 22r; 1833: 35r, 131r; 1836: 140r. For alleged robbery cases of stolen trunks, see NPQ, 1836: 145v; ACC, 1836–1837, República JIV-17cr, fol. 14v.

¹⁰⁶ ACC, 1838–1839, República JIII-10su 4244, fol. 8v. On the central role of black women's forced labor in the making of the modern American state, see Sarah Haley, *No Mercy Here: Gender, Punishment, and the Making of Jim Crow Modernity* (Chapel Hill: University of North Carolina Press, 2016).

Slavery and the Urban Pacific Frontier

The morning dew was gradually dissipating on the dark green lowland flora in early 1809 when don Carlos de Andrade received “the terrible news”: a poisonous snake had bitten doña Nicolasa Becerra. The widowed slaveholder had been tending to her *platanar* (banana grove) in Buey, in the jungles northwest of Quibdó. “I feel lifeless not being able to help her,” Andrade lamented, “not even with my *negro curandero* [black healer], given that he is working as a *bodeguero* [small shop attendant] in Arquía, nor can I attend to her myself, given that I have had a foot ailment for many days now as God knows.” Even though doña Becerra’s state was grave, Andrade recommended that she not seek a curandero or drink anything; he advised their close friend to immediately place her in a canoe with a canopy (“so the wind won’t get in”) and take her downriver to the slightly more populous village of Bebará, “where assuredly there will not be a lot, but at least more resources.”¹ There, Andrade noted, the enslaved Antonio Pegedo, “a good curandero,” would be on hand to address doña Becerra’s nasty wound.²

Hours after arriving in Bebará, bedridden in a small bodega off the Bebaramá River, doña Becerra immediately dictated her last will and testament in the presence of the local *corregidor* (administrator), who had quickly arrived to her bedside after midnight. This was no simple

¹ NPQ, 1810: 55r.

² Mosquera Mosquera has written about Becerra’s death in his discussion of the role of black curanderos in Chocó. See Mosquera Mosquera, *De esclavizadores y esclavizados en la provincia de Citará*, 110–111.

task, for Becerra was a prosperous woman, part of a small yet powerful slaveholding elite residing in Colombia's northern Pacific lowlands during the late colonial period, with many inherited claims to land, mines, and people.³ At the center of Becerra's universe were her home and gold mine. Surrounded by towering palm and fruit trees in Quibdó's grassy plaza, Becerra's straw-thatched house was a private kingdom replete with fine china, leather-covered chairs, gold and emerald jewelry, and dresses and linens from places ranging from China to France. From her two windows – architectural markers of wealth in the Colombian frontier – looking out on Quibdó's plaza, Becerra had spent her days listening to the restive shouts of auctioneers selling enslaved mothers and children from the lowland gold mines or the murmur of her fair-skinned *vecinos* (townspeople) as they streamed into the church of San Francisco de Asís for evening mass. Becerra claimed the gold mine of Lombricero, a short canoe ride down the Atrato River, where she held thirty enslaved people, making her a medium-scale slaveholder for the northern Pacific lowlands.⁴ She accounted for these nonhuman and human holdings to the corregidor as she gradually lost consciousness on her makeshift deathbed, preparing her loved ones to possess many of the privileges she had enjoyed in her days. Her household's items were inventoried posthumously by her trusted domestic slave, *la criada* (slave or servant) Encarnación.

This chapter explores slavery and everyday life during the first half of the nineteenth century in Quibdó and Nóvita, the main urban centers of the northern Colombian Pacific frontier, where white slaveholders like doña Nicolasa Becerra spent most of their waking hours. Whereas the winding, gold-rich rivers often functioned as conduits of black freedom, these two towns were largely sites of white domination. Yet, the culture of

³ For a transcription of Becerra's will, along with corresponding notes, see Mosquera Mosquera, *Memorias*, 91–120. For more on slaveholding women in Chocó, see my article, "Gendering Mastery: Female Slaveholders in the Colombian Pacific Lowlands," *Slavery & Abolition* 39, no. 1 (2018): 1–26. A few weeks after Becerra's death, her mother, also a slaveholder and mine owner, contested the will's validity, claiming that the witnesses were unreliable because they were "some commoners [*unos rusticos*] and miserable negros who were only called to hear something read which they did not understand." See NPQ, 1810: 71r.

⁴ This assessment is based upon my observations from the archives. In the northern Pacific lowlands, there appear to be three general types of slaveholders: small-scale slaveholders (possession of less than 5 slaves), medium-scale slaveholders (possession of between 20–40 slaves), and large-scale slaveholders (possession of more than 100 slaves). There were, of course, slaveholders who fell in between.

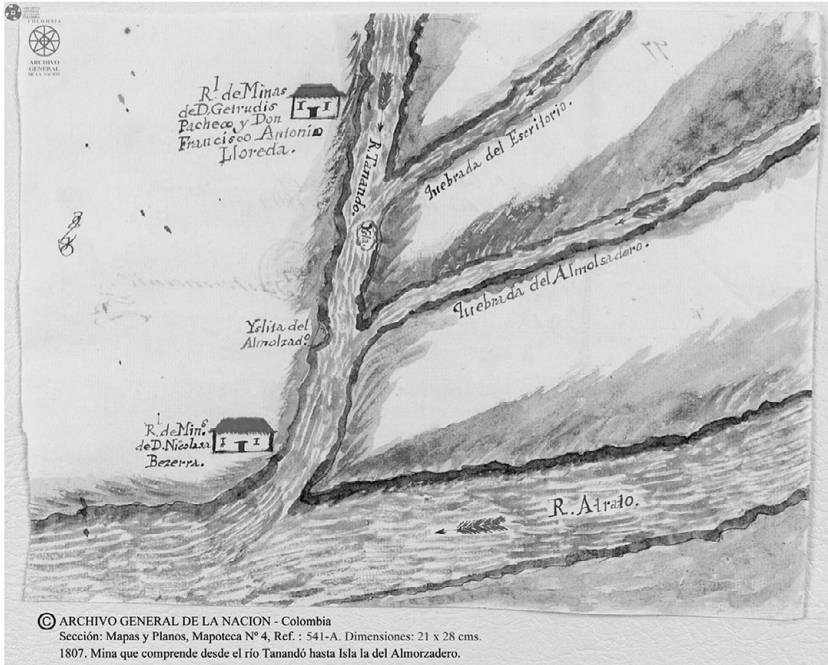


FIGURE 2.1 Map of doña Nicolasa Becerra's house and gold mine, 1807. Note that her parents, who were also mineowners, lived nearby up the Tanando River. Archivo General de la Nación, Bogotá.

white mastery transformed in the lowlands after the independence wars and dawn of gradual emancipation. Small-scale as opposed to large-scale slaveholding became the universal norm as English, French, and Italian merchants settled into Chocó for the first time in search of humans for sale and economic opportunities and as the Free Womb captive entered the domestic slave market. Yet, as this chapter underscores, despite the fact that the 1821 law dictated slavery's eventual destruction, the lowland slave trade thrived while the price of bondspeople – and almost everything else in the postindependence national economy – fluctuated over time. While some free black masters carved out lives on the margins and outskirts of Quibdó and Nóvita, both towns were the racially and economically stratified playgrounds of the regional white elite. It was in these frontier towns where local white power and tenuous claims to black freedom were made and remade as chattel slavery and its new republican-era corollary, Free Womb captivity, set the terms of lowland existence.

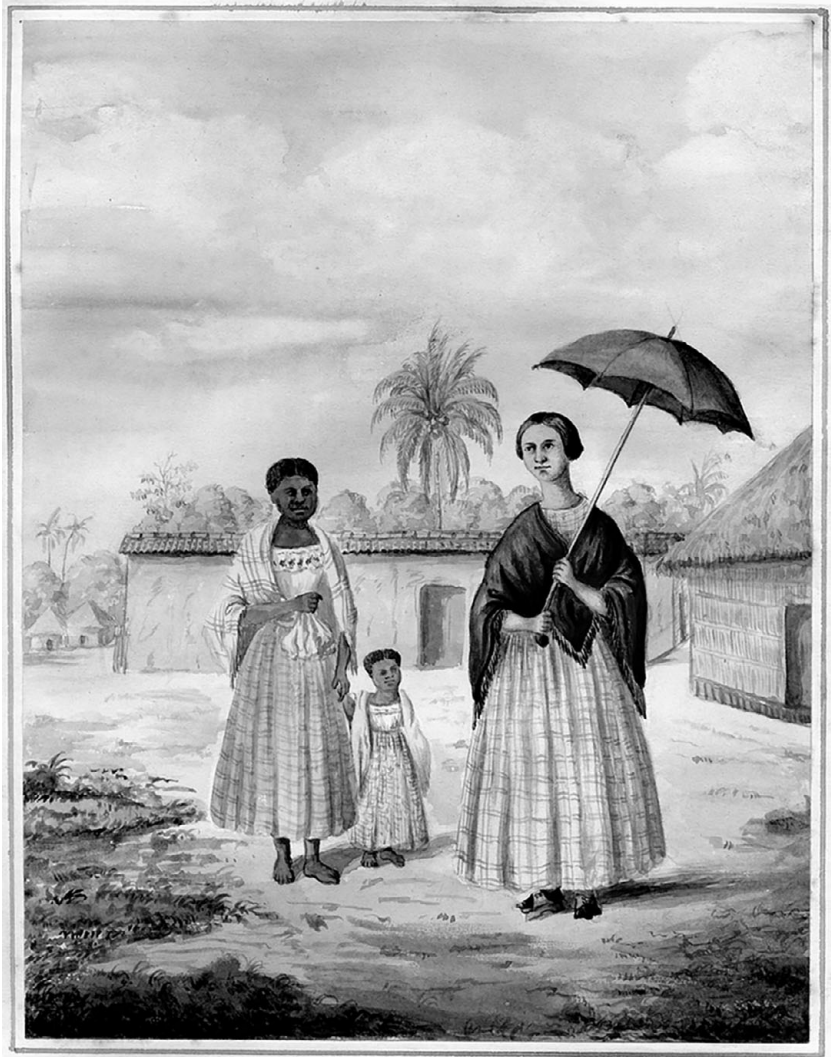


FIGURE 2.2 *Plaza de Quibdó* by Manuel María Paz. Ca. 1853. Watercolor. Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

QUIBDÓ

The social and political world left behind by the ailing mistress doña Nicolasa Becerra that fateful morning in 1809 was rapidly disappearing. The Napoleonic invasion of Spain in 1808 and King Ferdinand VII's

subsequent abdication unleashed a crisis of political legitimacy in the kingdom's far-flung American colonies. Across Spanish America, prominent creoles, with the critical support of the popular classes, formed provincial juntas declaring loyalty to the abducted king and the principle of popular sovereignty. Such juntas appeared in Caracas, Cartagena, and other northern Andean towns from April to early July 1810, after which creole notables in Bogotá formed the Supreme Junta, established to govern New Granada in the name of the king, on July 20. Responding to Bogotá's perceived monopolization of power, autonomous juntas were declared across Colombia and eventually in the northern Pacific lowlands in the early days and weeks of August 1810.⁵ Several prominent Quibdó townsmen arrived to the royal governor's home on a late August evening and announced their intention to establish a junta. Reflecting long-standing intraprovincial rivalries, a separate junta was also formed in the town of Nóvita, the colonial capital of Chocó located south of Quibdó.⁶ Despite these changes in political sovereignty, these early provincial juntas in their first few years did not radically disrupt the day-to-day rhythms of Chocó. Bondspeople continued to be sold, dowries of elite women executed, and debts settled in gold dust or pigs – everyday activities that would have been very familiar to doña Becerra had she survived.

Yet major political fissures and warfare arrived to the northern Pacific lowlands after 1813, when the juntas of both Nóvita and Quibdó declared outright independence from the Spanish monarchy.⁷ Two years later, in 1815, royalist forces set off from Cádiz to reconquer the rebellious Spanish American territories, with over 12,000 soldiers sent to the northern Andes.⁸ After bloody fighting and massacres, insurgent-controlled Cartagena fell to the royalists in early December 1815 and became the new administrative capital and military base of royalist New Granada. From there 6 war boats and 200 men made their way down the

⁵ Helg, *Liberty and Equality*, 121–125.

⁶ Armando Martínez Garnica and Daniel Gutiérrez Ardila, *Quién es quién en 1810: guía de forasteros del virreinato de Santa Fe* (Bogotá: Editorial Universidad del Rosario, 2010), 363–365.

⁷ Despite its location along the Pacific lowlands, the northern territory of Chocó was outside of what Marcela Echeverri has called the “Pacific royalist block” of New Granada, a political-territorial region largely inhabited by indigenous and enslaved people that spanned the southern Pacific coastal lowlands and southwestern Andean region. See Echeverri, *Indian and Slave Royalists*, 11.

⁸ Rebecca Earle, *Spain and the Independence of Colombia, 1810–1825* (Exeter: University of Exeter Press, 2000), 57.

Atrato River to regain control over Chocó in December 1815.⁹ The Atrato became a crucial battleground in the Colombian Pacific during the ensuing months, with indigenous and enslaved lowlanders aligning with both royalists and provincial insurgents. Despite temporary setbacks, Spanish royalists retook the province by May 1816. Soon thereafter, royalists executed one of Chocó's insurgent leaders, a slave trader from Cartagena named Tomás Pérez, and placed his head at the mouth of the Atrato and Quito rivers, in perfect view of central Quibdó, as a clear warning to potential traitors.¹⁰

Three years later, the political tides shifted once again in the northern Pacific lowlands, this time permanently in the insurgents' favor. An insurgency took off in the northern Andes after the Battle of Boyacá in August 1819, in which insurgent forces successfully defeated the royalists in the eastern cordillera. Royalists began to desert as news of the battle spread.¹¹ By September 1819, an insurgent force of fifty soldiers led by two colonels was sent to pacify royalist-controlled Chocó, a strategically important province given its mineral resources. Insurgent commander and later Vice President of Gran Colombia after 1821 Francisco de Paula Santander confirmed that he had sent forces to Chocó "to secure that *país* [country] and to send me a lot of gold for guns."¹² One lowland slaveholder ordered eight of his slaves to the Piedra mine to acquire gold for the independence cause, while other slaves were forced to build trenches, transport supplies, and serve as spies.¹³ As the insurgent expedition descended on the province, Chocó's royalist governor attempted to escape to Cartagena but was apprehended and executed by soldiers at the mouth of the Atrato River. "How many fewer devils we have thanks to Boyacá!" Santander joyfully noted in early

⁹ *Ibid.*, 65; Rogerio Velásquez, *El Chocó en la independencia de Colombia* (Bogotá: Editorial Hispánica, 1965), 103; José Manuel Restrepo, *Historia de la revolución de la República de Colombia en la América meridional*, vol. 1 (Besançon: Imprenta de José Jacquin, 1858), 397.

¹⁰ Velásquez, *El Chocó en la independencia de Colombia*, 112; Heliodoro F. González, *Emancipación del Chocó/Ejecución del capitán Tomás Pérez en 1816* (Impr. Santa Ana: 1909). Reflecting the political winds blowing from Cartagena to Chocó, in 1813 Tomás Pérez became the first person in Quibdó to use the term citizen instead of vecino to identify himself before the notary when he sold an enslaved woman, an act that implicitly associated citizenship with slaveholding. See NPQ, 1813: 88v–90r.

¹¹ Earle, *Spain and the Independence of Colombia*, 139.

¹² Francisco de Paula Santander, *Cartas y mensajes del General Francisco de Paula Santander*, vol. 1, Roberto Cortazar, ed. (Bogotá: Talleres Editoriales de Librería Voluntad, 1954), 302.

¹³ AGN, 1819, SR, Fondo Peticiones y Solicitudes (FPS), l. 6, fol. 824r.

December.¹⁴ By mid-December, Chocó, along with the provinces of Cauca and Antioquia, was occupied by insurgent armies.¹⁵ After fierce fighting on the Murri River over the course of ten days in early February 1820, the royalist army abandoned Chocó, leaving the province in the hands of the insurgents and securing independence in the northern Colombian Pacific.¹⁶ Previously an independent province under colonial rule, republican Chocó soon fell under the jurisdiction of the newly established southwestern department of Cauca, with its capital of Popayán, the following year.¹⁷

A decade after doña Becerra's death, a strange new world had taken hold in Chocó. Political sovereignty now rested not with the king but the newly constituted republic of Gran Colombia. By early 1822, in parish churches across the lowlands, officials read the republican constitution before packed audiences of townspeople. In the mining town of Lloró, for instance, parish priest Manuel Alberto Guerrero gave a "long speech, which aimed to help understand the circumstances and form of the Government of the Republic," followed by three days of patriotic celebrations with, in addition to the ringing of church bells and festivities, fire lightings, no doubt a spectacle in the jungles of Chocó, where darkness came quickly after sundown.¹⁸ Yet some elements of this strange new world would have been recognizable to doña Becerra. Although the colonial government had been replaced by the new "Liberal System,"¹⁹ many of the republic's officials were drawn from the slaveholding elites of late colonial lowland society; Guerrero himself, the parish priest who explained to Lloró's residents the new system of republican government, owned eight people and had been doña Becerra's neighbor on Quibdó's central plaza. Yet this slaveholding elite saw their claims to authority over their slaves fundamentally changed in several ways, beginning in late 1819 with the forced conscription of lowland slaves into the insurgent armies and culminating in 1821 with the Free Womb law, which legislated the eventual dissolution of the centuries-old institution of chattel slavery.

¹⁴ Santander, *Cartas y mensajes del General Francisco de Paula Santander*, vol. 1, 351.

¹⁵ *Ibid.*, 358.

¹⁶ Soledad Acosta de Samper, *Biografía del general Joaquín Acosta, prócer de la independencia, historiador, geógrafo, hombre científico y filántropo* (Bogotá: Librería Colombiana, Camacho, Roldán & Tamayo, 1901), 41–42.

¹⁷ Congreso de Cúcuta, *Libro de Actas*, Act 187, Session of October 2.

¹⁸ NPQ, 1827: unpaginated (document dated February 4, 1822).

¹⁹ *Ibid.* (document dated January 9, 1822).

The new provincial capital of Quibdó was also transforming in the war's aftermath. Upon passing through in 1821 en route to deliver special documents to General Antonio José de Sucre in Guayaquil, Ecuador, a young Colombian insurgent veteran noted that the city "had totally changed from the previous year, and I found it notably improved." While the veteran had during that earlier stay found the townspeople to be "incredibly hospitable," he had been thoroughly unimpressed with the frontier town's humdrum ruggedness. With the exception of an ancestral dance performed by war-painted Indians visiting from surrounding pueblos, raucous cockfighting seemed to be the only form of serious amusement for local men, and the local "women, although ladies, go about barefoot."²⁰ But a year later, the veteran encountered a different, apparently livelier Quibdó, where several "merchants from Jamaica had established sturdy houses of commerce . . . where they brought merchandise"²¹ from the Colombian interior. The postindependence years saw the first significant arrival of English, French, and Italian merchants from Jamaica and the Caribbean, attracted to the economic and political opportunities – including gold and slave trading – of a newly independent northern Pacific lowlands no longer tethered to Spain and directly connecting the Caribbean with greater Pacific and interior commercial networks through the province's crisscrossing rivers and overland mountain trails. The veteran believed that the foreigners had injected a welcome liveliness into Quibdó by hosting frequent dances, strolls, and banquets. During his twenty-day stay in 1821, "there was not one evening that he did not attend some dance or *tertulia* [gathering]. Such customs were very different, in fact, to the inertia and reserve of the inhabitants when he visited the village for the first time."²²

Two years later, the English captain Charles Stuart Cochrane likewise reported that Quibdó's "respectable portion" gathered on Sunday to dance "Spanish country-dance and waltzes" to the charming sounds of violin, flute, and drums. Yet, despite such high society entertainment, Cochrane was not nearly as impressed as the young Colombian insurgent veteran. Rather, the Englishman echoed eighteenth- and nineteenth-century scientific and cultural beliefs regarding the debilitating effects of

²⁰ Acosta de Samper, *Biografía del general Joaquín Acosta*, 39, 65. ²¹ *Ibid.*, 65.

²² *Ibid.*, 66. During time period non-Spanish European foreigners also flooded other Colombian mining towns such as Marmato, Supía, and Riosucio across the western Andean range, see Álvaro Gärtner, *Los misteres de las minas: crónica de la colonia europea más grande de Colombia en el siglo XIX, surgida alrededor de las minas de Marmato, Supía y Riosucio* (Manizales: Editorial Universidad de Caldas, 2005), 161.

tropical climates when he claimed that “both men and women” of the lowland elite “are particularly plain, indeed ugly, their countenances bearing strong proofs of the ravages of the climate. They have no education or manners.”²³ But the unimpressed Captain Cochrane was interested more in the foreigners who had settled in the region. When he first arrived in Quibdó in 1823, a fellow Englishman from Jamaica named Dr. Robert Key received him. Key served as the surgeon major to General José de San Martín in Peru before settling in Chocó, where in the early 1820s he became a gold-mining prospector and formed a company with a French merchant to extract metal from the province’s rivers.²⁴ Throughout the 1830s, Key bought and sold enslaved people, traded aguardiente, and traveled back and forth from Cali in the western interior, Quibdó, and Kingston, Jamaica.²⁵

Foreign merchants like Robert Key not only diversified the faces of lowland slaveholding, but also transformed Chocó from a frontier outpost to the cosmopolitan center of South America’s northern Pacific coast, with strong ties to the Colombian interior and wider Caribbean economy. These foreigners exported gold, tobacco, and other lowland goods directly into domestic and Atlantic markets, stocked Quibdó with local and imported merchandise, ran Chocó’s first short-lived newspapers (in the 1830s), and deepened the regional trade in lowland captives. Indeed, historian Sergio Antonio Mosquera Mosquera argues that these capital-rich foreign merchants “saved the city from economic collapse during the last years of slavery.”²⁶ Through strategic marriages, some of these merchants built lasting legacies as flourishing businessmen and local politicians, which allowed them to cultivate themselves as philanthropists in the 1830s and the 1840s. However, not all locals were thrilled about these new foreigners in Quibdó. City authorities claimed that Jamaican merchants, arriving daily to the Atrato River with cheap goods, were interfering with the government’s local tobacco

²³ Cochrane, *Journal of a Residence and Travels in Colombia*, 442. For more on the racial and cultural constructions of the Pacific lowlands climate in the mid-nineteenth century, see Appelbaum, *Mapping the Country of Regions*, 81–105.

²⁴ ACC, 1827, Independencia, JI-3cr 2948, fol. 107r; Santander, *Cartas y mensajes del General Francisco de Paula Santander, 1837–1840 y Apéndice General*, vol. 10, 424–425; Cochrane, *Journal of a Residence and Travels in Colombia*, 438.

²⁵ NPQ, 1837: 185r–v; 1839: 135v–136r; 1840: 94v; 1846: 85r–86v; 1852: 116r–v. Like other foreigners, Key eventually married into the Chocoano white elite, see NPQ, 1854: 174r–177r.

²⁶ Sergio Antonio Mosquera Mosquera, *Quibdó: un sueño en construcción* (Medellín: Editorial Lealon, 2012), 29.

monopoly.²⁷ Others complained that the “more than 10,000 demijohns of aguardiente” for sale in the merchants’ shops, given the liquor’s highly flammable nature, could turn Quibdó “into a lake of fire.”²⁸

Despite these local grievances, national-level Colombian officials in the first postcolonial years, turning from Spain in the independence wars’ aftermath, sought diplomatic recognition and financial support from one nation in particular: England.²⁹ In 1822, the Colombian government received substantial loans from three London merchants, who in return were awarded “two hundred thousand ‘*fanegadas*’ [one and a half acres] of unoccupied land” – located in Caracas, Mérida (in the Venezuelan outskirts), and Chocó – “for the purpose of their being peopled by Europeans.”³⁰ The Colombian Agricultural Association was responsible for attracting “honorable, industrious, and peaceable persons” – “agriculturalists, artisans, master mechanics, &c” who were “European English, Germans, Swiss, Dutch, &c.” – to settle the land grants.³¹ Yet this whitening land scheme never reached the Pacific lowlands, Mérida the only one of the three land grants to see any serious attempt at European colonization. By late 1832, Chocó’s governor reported to Bogotá that the merchants had not taken possession of the 50,000 *fanegadas* granted in the province, and no other reference to this early British

²⁷ ACC, 1824, Independencia, CI-21h 1739, fol. 1r. The republican government retained the tobacco monopoly until 1850, when it was abolished along with other liberal reforms. See David Bushnell, *The Making of Modern Colombia: A Nation In Spite of Itself* (Berkeley: University of California Press, 1993), 99.

²⁸ *El Constitucional del Chocó*, no. 1, 3 de septiembre de 1835, 1, BNC.

²⁹ Matthew Brown, *The Struggle for Power in Post-Independence Colombia and Venezuela* (New York: Palgrave Macmillan, 2012), 27–38; Bushnell, *Making of Modern Colombia*, 59.

³⁰ *Report from the Select Committee on Emigration from the United Kingdom*, Great Britain, Parliamentary Papers, House of Commons and Command, volume 4, May 26, 1826, 305. Herring, Graham, and Powles were known London merchants who supplied loans to other former Spanish American colonies, including Mexico. See John F. Fox, *Macnamara’s Irish Colony and the United States Taking of California in 1846* (Jefferson, NC: McFarland, 2000), 27. For more on their loan to Colombia, see Frank Griffith Dawson, *The First Latin American Debt Crisis: The City of London and the 1822–25 Loan Bubble* (New Haven, CT: Yale University Press, 1990), 26; *The Morning Post* (London, England), October 24, 1822, Issue 16, 102; January 13, 1823, Issue 16, 765; February 13, 1823, Issue 16, 792.

³¹ *Report from the Select Committee on Emigration from the United Kingdom*, 305–307. The Colombian government bestowed certain privileges upon the settlers and banned the observation of “any other form of religion than the Roman Catholic,” among other prohibitions. However, bearing in mind the Protestant background of many English and European colonists, the government informed colonists that they “will not in any way be molested on account of their belief.”

colonization effort was ever made.³² This was the first time (but certainly not the last) in the republican era that Colombian politicians tried to whiten and colonize Chocó and other “unruly” marginal provinces through immigration.

Small-scale slaveholding was the norm among masters residing in the northern Pacific lowlands after the fall of colonial rule. Based on the eighty last wills and testaments executed in Quibdó and surrounding towns and villages from the creation of the Gran Colombian republic (1819) to slavery’s final abolition (1852), the median number of slaves owned was between three and four. The majority of testators (69, or 86 percent) owned at least one enslaved person, while only two held more than ten slaves.³³ This small-scale slaveholding in Chocó mirrored rates in much more populous urban slaveholding centers in the 1820s such as Rio de Janeiro, Brazil, where 88 percent of testators possessed at least one slave, and Charleston, South Carolina, where more than 75 percent of “heads of families” declared ownership of one or more slaves.³⁴ The ubiquity of small-scale slaveholding in a less populous, relatively remote region such as the northern Pacific lowlands undoubtedly reinforced the financial, political, and social investment in slavery. By the early 1830s, 600 enslaved people were reported for Quibdó and the surrounding Atrato River district amid nearly 9,000 free lowlanders, the majority of whom were black and indigenous.³⁵

³² Fox, *Macnamara’s Irish Colony*, 28; AGN, 1832, SR, FGV, l. 36, fol. 227; *Gaceta de la Nueva Granada*, no. 58, November 4, 1832. For more on the early colonization efforts of Colombia in the 1820s, see Alexander Walker, *The Recognition, the Loan, and the Colonization of Colombia* (London: Baldwin, Cradock, and Joy, 1822).

³³ These findings come from the last wills and testaments of slaveholders available in the NPQ (1819–1851), in addition to others transcribed in Mosquera Mosquera’s *Memorias* and several transcribed and made available electronically through la Universidad Tecnológica del Chocó. In the late colonial wills, there were only seven individuals who claimed ten or more slaves. Of these seven, five held a substantial number of slaves, including Ana Maria de la Cuesta (34 slaves), Rosa Bejarano (35 slaves), don Carlos Miguel de la Cuesta (66 slaves), doña Maria Catalina Maturana (137 slaves), and don Francisco García y Ruiz (166 slaves). See Mosquera Mosquera, *Memorias*, 28–31, 54–57, 162–163, 166–171, 174–183, 190–193, and NPQ, 1832: 97r–98r. For more on large-scale owners in late colonial Chocó (1808), see Victor Zuluaga Gómez, ed., *Documentos inéditos sobre la historia de Caldas, Chocó y Risaralda* (Pereira: Universidad Tecnológica de Pereira, 1988), 91–104.

³⁴ Zephyr L. Frank, *Dutra’s World: Wealth and Family in Nineteenth-Century Rio de Janeiro* (Albuquerque: University of New Mexico Press, 2004), 200; Richard C. Wade, *Slavery in the Cities: The South, 1820–1860* (New York: Oxford University Press, 1964), 20.

³⁵ AGN, 1833, SR, FGV, l. 37, fol. 84r.

Quibdó reflected the general trends for the region. A rare tax record from 1826 lists the names of the 110 heads of household residing in the town.³⁶ By tracing the notarial records of slave sales and purchase made by each of these 110 household heads between 1810 (the first year for which we have such records) and 1852 (the year of final abolition), we find that 53 of them had documented ownership of enslaved people. These 53 heads of household collectively owned 348 enslaved people during this forty-two-year period. The median number of enslaved lowlanders claimed by the city's residents was four, similar to the median number inventoried in the last wills and testaments executed in Quibdó for the city and surrounding region from 1819 to 1852. Of Quibdó's 53 slaveholding heads of household, 43 (81 percent) owned less than ten people, while the remaining ten householders claimed between eleven to forty-four slaves. Identified as a *liberta* (freed black woman) in a contentious lawsuit, María Cruz de Vidal possessed the largest number of slaves – forty-four – and had amassed a small slave-trading empire for herself and her children without the assistance of a husband. During the 1830s and 1840s, Vidal became a central stakeholder in the local and regional slave and Free Womb market. She oversaw a commercial network that crossed racial classes stretching from Quibdó to the urban plazas of Cali over 200 miles away across the western Andean range.³⁷

Thus by the early 1820s, the rugged capital of Chocó had grown into a small but bustling frontier town, the muddy Atrato River buzzing with the constant arrival of free black bogas and schooners like the *Diana*, navigated by pilots from New Orleans and Havana and carrying merchandise from Jamaica and political news from the greater Caribbean.³⁸ As we have seen, Quibdó boasted 110 heads of household by 1826, residing in straw-thatched houses that lined three main streets of two blocks each, a grass-patched central plaza, a gold foundry, a crumbling, palm-covered jail, and a humble church with a growing cemetery.³⁹ Like many centers of slavery, Quibdó had a population comprised primarily of white and mestizo elites, descended from the region's slaveholders of the eighteenth century. About 15 percent of the town's 110 houses were valued between

³⁶ ACC, 1826, Independencia, CI-23cp 2350, fols. 11–21.

³⁷ For more on Vidal's slave trading and moneylending activities in the region, see my article, "Gendering Mastery," 15–19.

³⁸ Acosta de Samper, *Biografía del general Joaquín Acosta*, 40–41.

³⁹ On the jail, see AGN, 1832, SR, FGV, l. 36, fol. 191 and AGN, 1837, SR, FGV, l. 50, fol. 371v. By 1833, there were 145 houses in Quibdó. See AGN, 1833, SR, FGV, l. 37, fol. 841.

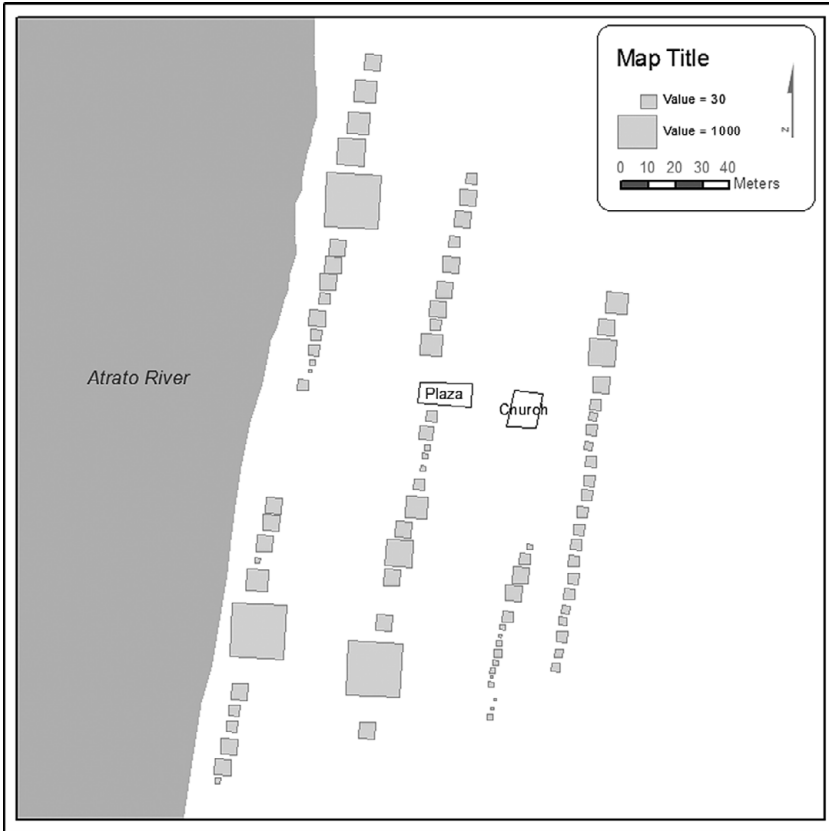


FIGURE 2.3 Map of Quibdó, ca. 1826. Based off of ACC, 1826, Independencia, CI-23cp 2350, fols. 1r-2r. *Calle primera* is located along the riverbank, followed by *calle segunda* and *calle tercera* behind it. The boxes represent the value of the houses according to the record.

Designed by Stephen P. Gaughan.

500 and 1,200 pesos, marking their owners as the city's upper echelon.⁴⁰ This highest stratum resided on *calle primera*, located along the riverbank of the Atrato, and *calle segunda*, located behind *calle primera*. Even with the ever-present threat of landslides due to the constant lowland rain, real estate along the Atrato riverbank was the most desirable in Chocó, its

⁴⁰ ACC, 1826, Independencia, CI-23cp 2350, fols. 1-2; Mosquera Mosquera, *Don Melchor*, 66.

houses typically assessed at “triple the value than those which are found in the interior of the province.”⁴¹

In 1826, the French merchant Guillermo Eduardo Coutín owned Quibdó's most expensive property, a house on the riverbank from which his company operated, assessed at 1,200 pesos. After journeying to Colombia as the personal assistant of Louis-Michel Aury, the notorious French corsair who operated in the Gulf of Mexico and the Caribbean in the early nineteenth century, Coutín gradually became one of Chocó's more prosperous merchants and slaveholders. Coutín was enlisted by the governor as lieutenant of the provincial infantry in July 1820, a few months after the insurgents secured Chocó.⁴² Like other foreigners, Coutín established intimate connections with the northern lowland elite by marrying a wealthy local. He eventually had five children with Ana de Diego.⁴³ Coutín became a significant power broker in the local slave trade throughout the late 1820s and 1830s. He also occupied several important government posts during this period, including administrator of tobaccos, *mayordomo* [administrator] of the Quibdó church, and jefe político of the Atrato River district.⁴⁴

Diagonally across the street from Coutín's house on calle primera, doña Manuela Ferrer Scarpetta resided in a lavish home assessed at 700 pesos on calle segunda. The widow of a prominent Spanish slave trader, Scarpetta married an English merchant from Montego Bay, Jamaica named George Henry Issacs. Years later, the couple gave birth to Jorge Isaacs Ferrer, the celebrated Romantic writer and arguably the

⁴¹ AGN, 1833, SR, FGV, l. 37, fol. 805. Reflecting the increasing urban development of Quibdó in the 1830s, the government prohibited the construction of any more houses alongside the Atrato on calle primera because they “obstruct the view of the City.” See AGN, 1833, SR, FGV, l. 37, fol. 806. On the lasting racial politics of calle primera in Quibdó, see Mosquera Mosquera, *De esclavizadores y esclavizados en la provincia de Citará*, 20; de Fridemann, *Criole, criol son. Del Pacífico negro*, 68.

⁴² Agustín Codazzi, the famous Italian geographer of Colombia, was later sent as Coutín's replacement. See Daniel Florencio O'Leary, *Memorias del General O'Leary*, Tomo XVIII (Caracas: Imprenta de la “Gaceta Oficial,” 1881), 414, 419; Sergio Elías Ortiz, *Franceses en la independencia de la Gran Colombia*, Second Edition (Bogotá: Editorial ABC, 1971), 223.

⁴³ NPQ, 1839: 45v–48v. Coutín referred his wife, Ana de Diego, as “una hija de lugar” (a daughter of repute). See ACC, 1827, Independencia, JI-3cr 2948, 1v. For more on Ana de Diego's family, see NPQ, 1835: 56r–60r.

⁴⁴ On Coutín's activities in the slave and Free Womb trade, see NPQ, 1829: 4v, 29r, 52v–53r, 55v, 59r, 59v–60r, 63r; 1831: 43v–44r, 75v–76v; 1833: 101v; 1836: 15r–v; 1837: 26v–27r; 1838: 109v, 134r–135r; 1839: 41r. On his government posts, see NPQ, 1829: 99r; 1831: 75v; 1837: 26v–27r; 1838: 143r; 1839: 47r. Coutín also sold land in Chocó, see NPQ, 1829: 56v, 99r.

most famous figure of nineteenth-century Colombia, his face adorning the 50,000 Colombian peso note today. Of Sephardic Jewish descent, George Henry Isaacs arrived in Cartagena after independence and settled in Quibdó in the mid-1820s.⁴⁵ When he wed Scarpetta in 1828, the couple received her dowry worth 3,663 pesos, among the higher dowries awarded to daughters of the northern Pacific lowland elite. This allowed George Henry and Manuela to move into a house on calle segunda, attended by four enslaved lowlanders, named Estefana, María, Ysavel, and José Joaquín. A wooden bed, a pair of “fine tables with nymphs,” and diamond-studded gold necklaces, among other properties, secured a domestic universe of affluence and comfort for the young couple.⁴⁶ Years later, one of their other houses bordering the *plazuela* (small square) of the city church and an adjoining plot of land was sold to the province’s governor for the hefty price of 2,500 pesos.⁴⁷

Back in Jamaica, the Isaacs built their estate on slave trading, which George Henry extended into the Colombian Caribbean and Pacific.⁴⁸ From 1828 to 1836, they bought and sold more than twenty enslaved and Free Womb lowlanders in Quibdó. George Henry was also active in the larger regional slave trade, commissioned in 1828 to sell two lowland slaves – thirty-year-old Gerónima and fourteen-year-old Bacilio – in Cartagena “for the highest price he can.”⁴⁹ George Henry was also a

⁴⁵ Susana Zanetti, *Jorge Isaacs* (Buenos Aires: Centro Editor de América Latina, 1967), 7. According to Carlos Arturo Caicedo Licona, Isaacs arrived to the region in 1826, see *Jorge Isaacs, su María, sus luchas* (Medellín: Editorial Lealon, 1989), 32. Isaacs was the son of Henry Isaacs and Sarah Adolphus, who were likely the Jewish Jamaican slaveholders Eli Faber noted in his study on Jewish slaveholders in the Americas. See Eli Faber, *Jews, Slaves, and the Slave Trade: Setting the Record Straight* (New York: New York University Press, 1998), 208, 213.

⁴⁶ NPQ, 1828: 42v–44r. ⁴⁷ NPQ, 1835: 106v.

⁴⁸ For more on the Isaacs and slave trading in the Americas and Jamaica, see Faber, *Jews, Slaves, and the Slave Trade*, 141, 235. In 1828, George Henry Isaacs bought a slave named Estefana for his sister-in-law, Emilia de Costas Isaacs, who was living in Cartagena at the time. See NPQ, 1828: 51v. Emilia (Emma Matilida) was married to George Henry’s brother, Joseph Henry Isaacs, see K. E. Ingram, *Manuscript Sources for the History of the West Indies: With Special Reference to Jamaica in the National Library of Jamaica and Supplementary Sources in the West Indies, North America, and United Kingdom and Elsewhere* (Barbados: University of West Indies Press, 2000), 110. Also born in Jamaica, Emilia was born into the Jewish da Costa family, who also made their fortune from slave trading. See Saul S. Friedman, *Jews and the American Slave Trade* (New Brunswick, NJ: Transaction Publishers, 1998), 70, 97–98, 147–148.

⁴⁹ NPQ, 1828: 9r. Over this period of time, George Henry and his wife Manuela Ferrer Scarpetta purchased over ten slaves, see NPQ, 1828: 6v–7r, 46r–v, 51v, 69r–v, 70r; 1831: 12v–13v; 1835: 181r–v, 191r. George Henry also sold over ten slaves during this period,

businessman, lender, and politician. In 1835, he opened a bodega in Quibdó and loaned over 8,000 pesos to an Englishman who was financing the construction of a road from Cali to the Pacific port town of Buenaventura.⁵⁰ He occupied several important political posts in Quibdó, including jefe municipal and juez político. In 1836, he moved with his family to become a prosperous slaveholding hacendado in Cali.⁵¹ His son would famously memorialize his father's legacy in the Cauca Valley in his iconic 1867 novel, *María*.

Across the street from the Scarpetta and Isaacs's affluent house on calle segunda was *calle tercera*, the street farthest from the Atrato riverbank where the majority of Quibdó's poorer and darker-skinned residents, including formerly enslaved and free black women, lived and labored. Although there were a handful of wealthier residents on this street, the average value of a home there was 135 pesos, modest compared to the 310–350 average value of homes on calles primera and segunda. Unsurprisingly, calle tercera's poorest houses were crowded together near the town barracks, at the end of the street farthest from the central plaza.⁵² Just beyond calle tercera were rows of "Indian huts . . . boarded and wainscotted by flat laths made of guadua-tree." Beyond these residences for Quibdó's indigenous families was the thick expanse of lowland jungle, "so enveloped in morasses, that it is almost impossible to enter the woods."⁵³

Down rugged paths cut through these woods, the smaller rural parishes of Guayabal and La Troje, located a few miles outside the lowland capital of Quibdó, were home to middling free black slaveholders with claims to gold mines, slaves, and Free Womb captives. Mateo Mena, a free black lowlander born into slavery, was a prominent resident in

see NPQ: 1828: 9r; 1831: 3v–5v; 1832: 70v–71r, 85r–v; 1833: 133v, 174r; 1835: 113r, 148v–149r, 152v–153r; 1837: 30v. On George Henry's company with his brother Joseph, see NPQ, 1829: 24r, 60r.

⁵⁰ NPQ, 1835: 137v, 180r; Jairo Henry Arroyo Reina, *Historia de las prácticas empresariales en el Valle del Cauca* (Cali: Universidad del Valle, 2006), 19. For George Henry's landholding and lending, see NPQ, 1828: 58v; 1829: 1r, 30v, 71v, 88v–89r; 1832: 76v–78r; 1835: 183r–v.

⁵¹ NPQ, 1832: 26r, 70v–71r. According to Susana Zanetti, George Henry later became a jefe político in Cali and eventually an interim governor of the province. See Zanetti, *Jorge Isaacs*, 7.

⁵² These assessments were determined by calculating the values of homes as listed in ACC, 1826, Independencia, CI-23cp 2350, fols. 1r–2r. On the colonial and nineteenth century architectural history of Quibdó, see Mosquera Mosquera, *Quibdó*, 32–33 and González Escobar, *Quibdó: contexto histórico*, 45–55 and 96–103.

⁵³ Cochrane, *Journal of a Residence and Travels in Colombia*, 439–440.

Guayabal. He owned several enslaved people and Free Womb children, who panned his gold-bearing rivers and tended to his fields along the Buey River. Mateo Mena would have known Pedro Eduardo Córdova, a formerly enslaved gold miner and resident of the nearby La Troje. According to Córdova's last will and testament from 1847, he and his wife María Josefa del Pino had nothing when they got married "because I was a slave and my wife, although free, was poor." Eventually, through del Pino's hard efforts, the free black couple paid 605 pesos to purchase Córdova's freedom, settled in La Troje, and purchased mining and agricultural rights along the Buey River. They would raise ten children and acquire several captives: six slaves and six Free Womb children by the time of Córdova's death in 1847.⁵⁴

The geography of Quibdó reflected the city's racialized and gendered stratification. Perhaps sisters by blood or struggle, the former bondswomen Tomasa Bermudes and Placida Becerra lived on Quibdó's outer limits, on calle tercera. Both women likely purchased their freedom in 1818 and set out to remake their lives as free black Quibdoseñas in their small neighboring abodes (worth 40 and 30 pesos, respectively). Other women, like the free black vecina Nepomucena Córdova, stepdaughter to a prosperous free black gold miner, were their neighbors. A few steps away from Córdova lived "*la mulata*" Encarnación Becerra, who as we saw at this chapter's beginning was the former domestic slave of doña Nicolasa Becerra. Residing in a more expansive home worth 150 pesos, Encarnación gained her freedom after doña Becerra's sudden death in 1809; she took on her former mistress's last name in her new life as a free vecina. Like other "faithful" enslaved domestics, Encarnación acquired some capital from her late owner as gratitude for having served "with the most loyalty." Encarnación's specific inheritance, including a *bodeguita* (small shop) and two pigs, likely served as economic stepping-stones for her and her daughter, helping them secure such a house in the city.⁵⁵

Although some formerly enslaved women purchased and sold slaves in Quibdó throughout the first half of the nineteenth century, the free black vecinas living on the city's margins seem not to have done so, perhaps

⁵⁴ For Mena's last will and testament, see NPQ, 1845: 153r-157r. For Córdova's last will and testament, see NPQ, 1847: 7r-11v.

⁵⁵ On Bermudes and Becerra, see NPQ, 1818: 58v-59r, 102r-v. On Córdova, NPQ, 1814: 75v-78r. On Encarnación Becerra, see Mosquera Mosquera, *Memorias*, 94, 100, 105-106.

because their poverty made it impossible. These women's everyday experiences were likely similar to those of Catalina Lago, the daughter of slaves and one of a handful of free black women to compose a last will and testament in the early nineteenth century. This single mother did not possess slaves when she wrote her will in 1819. Lago asked her executor to organize a modest burial given her "poverty," bequeathed her few properties (such as a blue skirt, a pair of gold earrings, and a religious effigy) to her sole daughter, and listed the small debts she had incurred to several prosperous Quibdosenña slaveholding women.⁵⁶ Such debts, while possibly suggesting a female network of moneylenders and borrowers in the city, at least point to the many ways that women of various races, classes, and legal statuses were crucial to Quibdó's day-to-day operations. In fact, by 1826 women owned just under a third of the city's house, a not-insignificant number.

A lucrative pool hall and town store owned by local prosperous slaveholders operated across the street from the cluster of houses owned by these free black women.⁵⁷ It was not coincidental that these two establishments were located on the city's limits, far away from the church in the plaza. The area featuring these boisterous businesses might also have been home to a local red-light district, as in the late colonial era one slaveholder had been accused of playing games and scandalously drinking with women from brothels there.⁵⁸ Given their poverty and meager resources, poor free black women residing on the city's limits could have been compelled to work in the lowland sex industry.

The market in human flesh continued to define the economic landscape of Quibdó, the epicenter of the northern lowland slave economy, during the years of gradual emancipation. From 1828 (the year in which the first notarial records are available for the republican period) to 1851, 510 enslaved people were bought and sold before the city notary.⁵⁹

⁵⁶ NPQ, 1819: 42r-43v.

⁵⁷ ACC, 1826, Independencia, CI-23cp 2350, fol. 1r. On Martínez, who ran a truco (pool hall), see ACC, 1826, Independencia, CI-23cp 2350, fol. 1v; NPQ, 1818: 4r, 1829: 41v. On Rojas, who ran a tienda (store), see ACC, 1826, Independencia, CI-23cp 2350, fol. 1v; NPQ, 1828: 97v-98r.

⁵⁸ Pablo Rodríguez and Jaime Huberto Borja, "La vida cotidiana en las minas coloniales," in *Historia de la vida cotidiana en Colombia*, Beatriz Castro Carvajal, ed. (Bogotá: Editorial Norma, 1996), 70.

⁵⁹ Two years were missing during this time (1830 and 1834) when I consulted the NPQ records in 2010. Unfortunately, the NPQ also lost the records from 1820-1827.

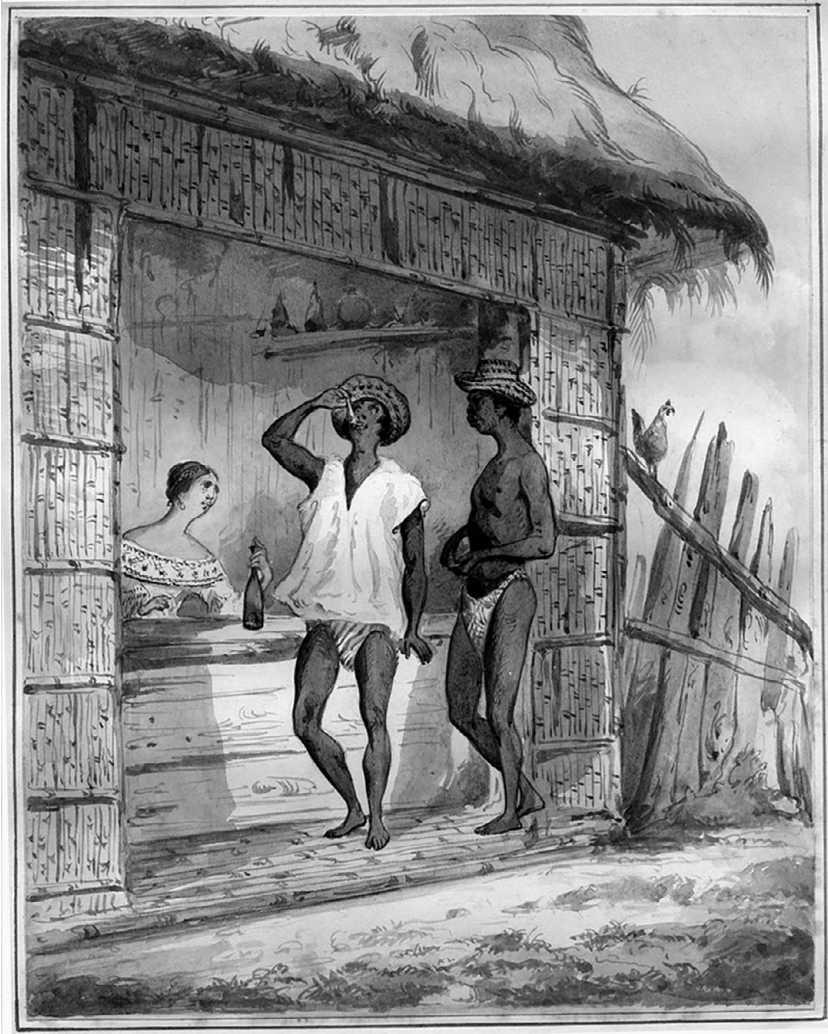


FIGURE 2.4 *Venta de aguardiente en el pueblo de Lloró* by Manuel María Paz. Ca. 1853. Watercolor. Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

As a point of comparison, 573 enslaved people were purchased in the Caribbean port city of Santa Marta from 1821 to 1851, while 825 were sold in Cartagena from 1814 to 1852 and 1,596 in the Andean capital of Bogotá from 1819 to 1851, statistics indicative of larger periods of time in

larger, more centrally located Colombian cities than Quibdó.⁶⁰ Scattered notarial records reveal that 191 enslaved people were purchased in Quibdó between 1810 and 1819. Thus, from 1810 to 1851, at least 700 enslaved people were sold in Quibdó.⁶¹ Given the incompleteness of these records, which are missing crucial years in the local slave trade, it is even possible that Quibdó saw the sale of as many enslaved people as in Cartagena, if not more. The similar rates of sale for Quibdó and larger Caribbean slave ports like Santa Marta and Cartagena reveal chattel slavery's overall strength in Chocó's economy under gradual emancipation rule.

The rise and fall of the slave trade in Quibdó from 1828 to 1851 mirrors the ebb and flow of the trade in other Colombian cities, including Cartagena and Popayán.⁶² The greatest number of enslaved lowlanders was sold between 1821 and 1835, followed by a slight drop between 1836 to 1840. The largest decline in the trade occurred in 1841, when only six enslaved people were sold. This fall coincided with Colombia's first civil war, the War of the Supremes, which struck Quibdó in early 1841. In his annual report to the House of Representatives that year, Chocó's governor lamented that the war "destroyed the majestic march of the Province . . . away from 'liberty and order.'" According to the governor, opposition leaders had "set fire to public offices" in their pursuit of a new regional order in the Pacific lowlands.⁶³ This political and economic havoc was therefore reflected in the sudden fall of the local slave trade, as masters in Chocó held onto to their human possessions amid the volatility. Over time, however, the trade picked up again, reaching a new peak of thirty-one slaves sold in 1846. By this time, political stability returned, as the provincial governor noted that Chocó "finds itself in complete tranquility" that year.⁶⁴ The number of slaves dropped dramatically by mid-century in Quibdó, as only three slaves were sold in 1849,

⁶⁰ For statistics on Santa Marta, see Dolcey Romero Jaramillo, *Esclavitud en la Provincia de Santa Marta, 1791-1851* (Santa Marta: ICTM, 1997), 63. On Cartagena, see Dianis Hernández Lugo and Sandra Tabora Parra, "De la esclavitud a la liberación: esclavos, manumisión y abolición en Cartagena 1814-1860," *Revista Cambios y Permanencias* 4 (2013): unpaginated. On Bogotá, see Antonio José Galvis Noyes, "La esclavitud en Bogotá, 1819-1851," *Boletín de Historia y Antigüedades* 67, no. 729 (1980): 344.

⁶¹ These statistics were calculated by counting the sale of enslaved peoples in available records from the NPQ during the Independence period, including the years 1810, 1813-1815, and 1818-1819. Some of these records are incomplete due to damage.

⁶² On Cartagena, see Hernández Lugo and Tabora Parra, "De la esclavitud a la liberación." On Popayán, see Pablo Rodríguez, "Aspectos del comercio y la vida de los esclavos. Popayán, 1780-1850," *Boletín de Antropología* 7, no. 23 (1990): 14.

⁶³ AGN, 1841, SR, FGV, l. 73, fol. 328r-v. ⁶⁴ AGN, 1846, SR, FGV, l. 115, fol. 45r.

TABLE 2.1 *Slave sales in Quibdó according to sex, 1828–1851*

Year	Female	Male
1828	32	20
1829	22	23
1831	28	23
1832	20	23
1833	24	22
1835	31	28
1836	2	4
1837	16	12
1838	24	8
1839	16	5
1840	18	9
1841	5	1
1842	4	4
1843	5	6
1844	6	4
1845	5	8
1846	21	10
1847	8	1
1848	3	5
1849	1	2
1850	1	0
1851	1	0
Total Sales	293	217

Source: Notaria Primera de Quibdó, Quibdó, Colombia

and one slave each in 1850 and 1851. By then, the local slave trade practically fell out of operation in the northern Pacific lowlands. Moreover, the price of bondspersons in the Quibdó market fluctuated over the course of gradual emancipation, perhaps reflecting economic uncertainty and political volatility amid the general deflation of the postindependence economy.⁶⁵

⁶⁵ Slave market statistics were determined by averaging the prices of enslaved men and women as recorded in the NPQ from 1828–1851, see Table 2.2. Pesos and patacones were used during the period of gradual emancipation in Colombia, with one patacón worth half of a peso. See Mosquera Mosquera, *Don Melchor*, 302. For examples of patacones-into-pesos conversion in the archival records, see NPQ, 1842: 58r and ACC, 1839–1842 República JI-17cv 850, fol. 1v. It appears that the value of the patacón rose over time given that a record from 1858 states that 80 pesos were worth 100 patacones, see NPQ, 1858: 58r. On the volatile state of the post-independence economy in

TABLE 2.2 *Average price (in pesos) of slaves in Quibdó according to sex, 1828–1851*

Year	Females	Males
1828	191	200
1829	129	128
1831	135	116
1832	157	142
1833	144	180
1835	193	214
1836	213	186
1837	196	192
1838	179	197
1839	164	131
1840	176	228
1841	192	125
1842	242	213
1843	234	284
1844	141	220
1845	200	197
1846	120	133
1847	124	113
1848	158	224
1849	150	144
1850	125	—
1851	200	—
Overall Average Price	171	178

Note: — refers to no price allotted due to no slaves sold that year.

Source: Notaria Primera de Quibdó, Quibdó, Colombia

Chocó was recognized as a lucrative place in the broader slave trade of southwestern Colombia. Bondsmen and women from the Cauca Valley were forced to trek over the western Andean range to Quibdó because their masters believed they could be sold for higher prices there given the challenges of acquiring new slaves in the lowlands and the demands of the mining economy. In 1829, for example, one enslaved woman named

Colombia, see Salomón Kalmanovitz, “Consecuencias económicas de la independencia en Colombia,” *Revista de Economía Institucional* 10, no. 19 (July/December 2008): 216; José Joaquín Pino Bernal, “Las finanzas de la ‘Gran Colombia,’” *Documentos de Trabajo (IELAT, Instituto Universitario de Investigación en Estudios Latinoamericanos)* no. 40 (2012): 92–113; Guillermo Torres García, *Historia de la moneda en Colombia* (Bogotá: Imprenta del Banco República, 1945).

Eusevia in the Cauca Valley town of Anserma was marked “to be sold in the Province of Chocó.”⁶⁶ One mistress in another of the valley’s towns, Cartago, empowered a man “to sell my Slave . . . to one of the places in the Province of Chocó,”⁶⁷ while another master asked a trader to “take [his slave Ángel] to the Provinces of Chocó to sell him.”⁶⁸ Ripped apart from loved ones and kin in the Cauca Valley, these captives would be forced to painfully reconstruct their lives in the swampy Pacific lowlands. Yet at least one of these captives managed to run away and reverse her trek from the Cauca Valley. Sold as a “*negrita*” at the end of the Wars of Independence, Nicolasa had been purchased by a colonel in Quibdó, who subsequently took her to the isthmus of Panama and later Cali. By 1828, however, she reportedly fled back to her loved ones in the Pacific lowland gold mines of Junguito.⁶⁹

Nicolasa was likely originally sold in Quibdó’s central plaza, where, surrounded by a mixed crowd of prospective customers and curious spectators, the *pregonero público* (public town crier) auctioned deceased locals’ properties, including copper pans, jewelry, cows, enslaved lowlanders, and Free Womb children.⁷⁰ Among the crowd of spectators could have very well been enslaved gold miners briefly in town with their masters or young girls of the Free Womb accompanying their mothers to collect water from the Atrato early in the morning.⁷¹ In a relatively small place like the Pacific lowlands, such spectators very likely recognized the people standing at the auction block. For spectators and customers alike, the persistence of such estate sales during gradual emancipation rule were public manifestations of slavery’s continued grip on the Pacific lowlands.

The Quibdó’s notary’s office was the primary commercial clearinghouse for the regional slave and Free Womb trade. Masters and mistresses, or their legal representatives, were required to report there to record their sale transactions, which protected from any potential legal

⁶⁶ NPQ, 1829: 5v–6r. ⁶⁷ NPQ, 1837: 75r–76v.

⁶⁸ NPQ, 1838: 25r. The Cauca Valley-Pacific lowland slave trade was also operating during the colonial era, see Jaramillo Uribe, “Esclavos y señores en la sociedad colombiana del siglo XVIII,” 40.

⁶⁹ Archivo Histórico Municipal de Cali, Archivo Histórico Judicial de Cali, Caja 130, Legajo 11, Folio 23, 1830–1831, fols. 4r–5v.

⁷⁰ For examples of slave auctions, see NPQ, 1813: 24v–26v, 28v–30v, 98r–99v; 1814: 12r–13r; 1831: 64r–66v; 1832: 86v; 1843: 88v; 1845: 99v–100v; 1846: 61v; 1847: 48r. Bernardo Leal found that an enslaved man in Chocó acted as town crier during a slave auction in the early eighteenth century. See Leal, “Pido se me ampare,” 112.

⁷¹ Trautwine, *Rough Notes*, 36.

complications. After a period of negotiations, the buyer and the seller, or their representatives, formalized their agreed-upon price, which would be ratified by at least two witnesses who were typically “upstanding,” slaveholding men. Sellers were legally obliged to assert the slaves’ “vices, flaws, defects, sicknesses public and secret” so as to avoid future accusations of fraud.⁷² For instance, one lowland mistress, when selling a woman named María Gregoria, attested that she did “not presently suffer a bad heart, epilepsy, or any other known or secret illness, nor does she have any other vice or defect that renders her unfit for service.”⁷³ Runaways in particular were considered legal liabilities, and sellers were thus obligated to state captives’ fugitive histories to potential buyers. This was mandated by the medieval Castilian legislation the *Siete Partidas*, which remained in effect during the early national era.⁷⁴ One seller in 1828 warned the Jamaican merchant George Henry Isaacs that a woman he was purchasing, named Estefana, had “run away on one occasion.”⁷⁵ Conversely, some sellers explicitly declared that their slaves were completely risk-free purchases. Huddled over the notary’s wooden desk in 1835, a trader from Anserma sold Isaacs a woman named Aleja Vetancur, who was “free from any economic burdens and does not suffer any illnesses, nor is she a thief nor a runaway.”⁷⁶

Yet not all enslaved lowlanders who absconded from their masters sought to permanently resist their state of enslavement. In fact, some fugitives living in the smaller towns surrounding Quibdó ran away to this city in search of a new master. Writing from the village of Bebará in 1835, one priest informed his friend that “Nicolás my slave has run away, and I believe that he left to the Capital, asking around for an owner; if that is the case, I recommend that you do me the favor of selling him for the highest amount possible.”⁷⁷ Likewise, another slaveholder in 1843 instructed that if one of his runaway captives “doesn’t find an owner or \$300 is not provided” for his sale, his uncle was to “do me the favor of putting him in chains.”⁷⁸ Other lowland slaves ran away to specific slaveholders outside Quibdó whom they apparently trusted to

⁷² NPQ, 1813: 39r. ⁷³ NPQ, 1832: 79r-v.

⁷⁴ Law LXIV “Concerning a Fault or a Bad Quality Which a Slave Has Who Is Sold by One Man to Another,” in Samuel Parsons Scott and Robert I. Burns, eds., *Las Siete Partidas: Family, Commerce, and the Sea: The Worlds of Women and Merchants*, vol. 4 (Philadelphia: University of Pennsylvania Press, 2000), 1052.

⁷⁵ NPQ, 1828: 51v.

⁷⁶ NPQ, 1835: 181r-v. For another example of a similar record, see NPQ, 1843: 89v.

⁷⁷ NPQ, 1835: 207r. ⁷⁸ NPQ, 1843: 34r.

provide more manageable conditions of servitude. This is perhaps what inspired “*una negrita* named María del Carmen,” who in 1838, according to one slaveholder, “came as a runaway to my house on the mouth of the Negua River.” This slaveholder was searching for del Carmen’s master, away on business in Nóvita, in the “hope that I can buy her.”⁷⁹ Likewise, the slave Martín sought a new owner in Señora Concepción Carrión de García in 1845. The master from whom he fled requested that his relative “demand him from the Sra. and sell him for 250 pesos, or send him to me with full security,” but Martín managed to slip from his owner’s grasp by purchasing his freedom papers a few weeks after escaping.⁸⁰ Still others sought to control the quality of their enslavement not by running away, but by specifically requesting to be sold to another master.⁸¹

But in fact, beyond the notary’s office and the central plaza, almost everywhere in Quibdó was a potential site for the sale of slaves. This is because the price of lowland slaves was also negotiated in slaveholders’ homes, making them fundamental spaces in the regional trade in bondspeople. Notaries regularly executed notes of sale in the lowland masters’ homes in case of illness or other extenuating circumstances arose. From the comfort of his home in 1828, Quibdó’s mayor received 200 pesos from the wife of Italian merchant Antonio Botto for a woman named Concepción.⁸² Other slaveholders stated their need to perform the sale in their home “for being sick.”⁸³ These business proceedings reveal how the lowland home was an extension of the marketplace, a space where men and women of all ages actively participated in the economy of slavery, often in the presence of other slaves who thereby quickly learned the rituals they might experience in the future.⁸⁴

Many of Quibdó’s homes ran on captive labor. Dresses free from wrinkles, tidy households, and the smell of fried pork and eggs wafting from kitchens at midday marked the forced comings and goings of barefoot enslaved women and men as well as Free Womb children domestics.⁸⁵ This is why the 1829 note of sale for the eighteen-year-old María Mercedes, sold from the Cauca Valley to a Quibdó resident, made sure to

⁷⁹ NPQ, 1838: 58r. ⁸⁰ NPQ, 1845: 48r–49r.

⁸¹ NPQ, 1829: 41v; NPQ, 1835: 38r–v, 42r–v. ⁸² NPQ, 1828: 23r–v.

⁸³ NPQ, 1831: 12r–v; NPQ, 1833: 160v.

⁸⁴ For more on the mistress’s home as a site of work and commercial activities, see Thavolia Glymph, *Out of the House of Bondage: The Transformation of the Plantation Household* (Cambridge: Cambridge University Press, 2008), 19, 84.

⁸⁵ Mosquera Mosquera notes that domestic slaves usually lived in the back part of the house near the kitchen. See Mosquera Mosquera, *Don Melchor*, 219–223.

emphasize that she had been “born and raised in [her owner’s] house among other female Slaves,” assurance that she had been appropriately domesticated. Another enslaved woman, named Marcela, was sold with her young Free Womb son to a Quibdó resident for 300 pesos “on account of her being a seamstress, ironer, cleaner, and cook.”⁸⁶ Quibdó’s local priest sold Clemencia to a fellow townsperson at a slightly higher price because she knew “how to cook, clean, and iron . . . is about twenty-six years old, healthy, without vices, and knows domestic service.”⁸⁷ Traveling in chains over land and river from the Cauca Valley town of Cartago to Quibdó, Juan was described as a slave who knew “something about shoemaking and is agile and cooks well.”⁸⁸ Whether in the home, the notary office, or the central plaza, it would have been nearly impossible to escape slavery and Free Womb captivity in the northern lowland capital of Quibdó.

NÓVITA

Quibdó was not the only urban center of slavery in the northern Pacific lowlands. Canoes winding down the Atrato and San Juan Rivers transported free and unfree lowlanders to the town of Nóvita, the capital of Chocó during the colonial era. Bogas would pass along free black settlements during the four to five days of travel down the Atrato and San Juan Rivers from Quibdó to Nóvita.⁸⁹ Erected on a small hill hugging the San Juan, Nóvita had been the colonial capital of Chocó, where the province’s royal governors principally resided. By the late eighteenth and early nineteenth centuries, however, Nóvita had been eclipsed by Quibdó in political and economic importance, given increased gold mining in the surrounding villages and the Atrato’s opening to the Caribbean.⁹⁰ Quibdó and Nóvita were political rivals throughout the first half of the nineteenth century; Quibdó known to be ruled by liberals, while Nóvita

⁸⁶ NPQ, 1829: 38v–40r. Marcela was sent to Quibdó from Cartago in August 1835. Her master hoped to sell her for 400 pesos, but she was ultimately bought for 300. See NPQ, 1835: 149v–150r.

⁸⁷ NPQ, 1837: 27v–29r. ⁸⁸ NPQ, 1833: 89v–90r.

⁸⁹ The duration of travel depended on the state of the rivers. See AGN, 1832, SR, FGV, l. 36, fol. 130. Travelers had to pass through the isthmus of San Pablo, an overland route that connected both rivers. See Jiménez Meneses, *El Chocó, un paraíso del demonio*, 43–50.

⁹⁰ Sharp, *Slavery on the Spanish Frontier*, 15.

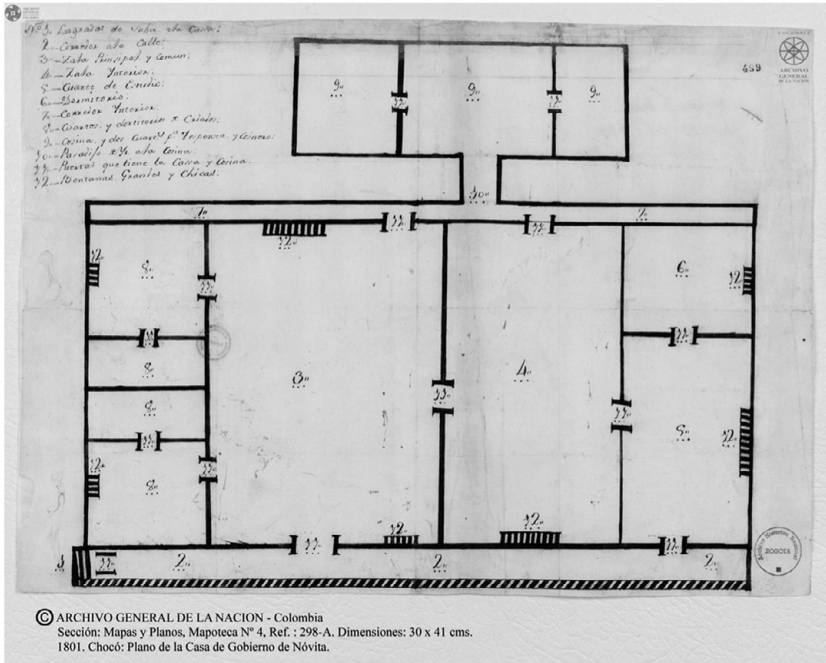


FIGURE 2.5 Plan of the colonial *Casa de Gobierno* in Nóvita, 1801. On the left-hand side, the spaces designated “8” are described as rooms and bedrooms for the slaves.

Archivo General de la Nación, Bogotá.

by conservatives. Quibdó was declared the new capital of Chocó during the Wars of Independence, a status it held onto until 1842 when Nóvita was renamed the capital after Colombia’s first civil war. In 1851, with the Liberal Party in control of the national government, Quibdó was named capital once again.⁹¹ Despite Nóvita’s historical importance in Chocó, by the early 1820s outsiders were describing Nóvita as a “sad,” “terrible,” and “miserable town.” The former capital consisted of just one street, its four blocks of houses covered in straw and *guadua* (a bamboo cane from Colombia and Ecuador); some of these homes were slightly elevated to make space for the pigpens “whose dirt and noise render the habitation miserable.”⁹² Imported goods from the Cauca Valley filled the frontier town’s shops, carrying “dried beef, salted pork, tobacco, lard, rum,

⁹¹ *Ibid.*, 16.

⁹² Cochrane, *Journal of a Residence and Travels in Colombia*, 416.

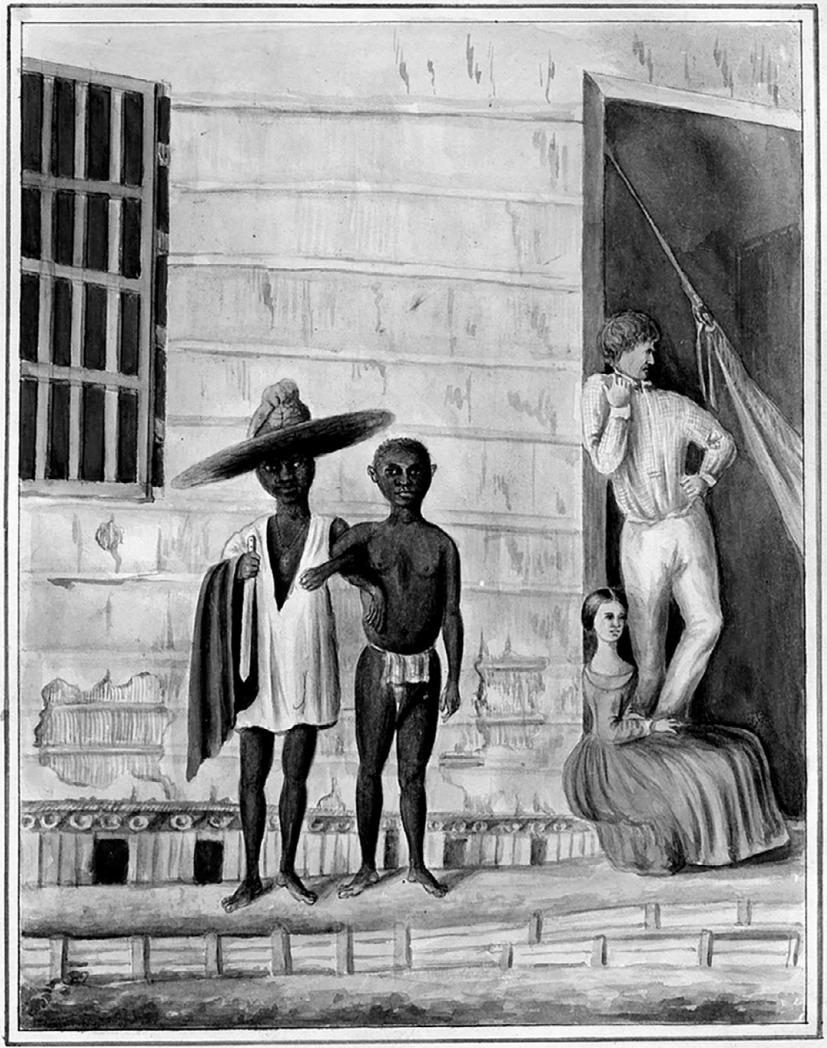


FIGURE 2.6 *Aspecto exterior de las casas de Nóvita* by Manuel María Paz. Ca. 1853. Watercolor.

Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

[and] cotton,” which were then transported to the surrounding mining camps.⁹³ “What sad estates there!” exclaimed the French metallurgist

⁹³ R. H. Bonnycastle, *Spanish America; or a Descriptive, Historical, and Geographical Account of the Dominions of Spain in the Western Hemisphere, Continental & Insular* (Philadelphia, PA: Abraham Small, 1819), 204.



FIGURE 2.7 *Vista de una calle de Nóvita* by Manuel María Paz. Ca. 1853. Watercolor.

Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

Jean-Baptiste Boussingault after arriving to the town in the late 1820s. “The houses are made of bamboo, covered in palm leaves, constructed on top of a swamp, and as if piled up on top of each other. The shops were filled completely with merchandise of all types, and the ground was

completely wrecked, given that N6vita is constructed in the middle of old *lavaderos* [gold-panning sites]."⁹⁴

These visitors would have undoubtedly observed barefoot women and children tending to their master's palm-thatched homes and storehouses, stopping for a moment to watch the constant raindrops empty from the impenetrable sky. By 1822, 254 enslaved men and 259 enslaved women were employed in *servicio dom6stico* (domestic service) in N6vita and surrounding villages.⁹⁵ Most of N6vita's captives, however, lived and labored in the surrounding mining camps of Juntas de Taman6, Los Brazos, Noanam6, Tad6, and San Agust6n, connected by rivers and muddy trails to the town. In the early 1830s, over 3,000 slaves worked their masters' gold mines and adjoining fields in N6vita and the greater San Juan River district, along with over 16,500 free lowlanders, both black and white.⁹⁶ The enslaved and free population of N6vita and the San Juan River district was larger than that of Quibd6 and the greater Atrato River district, which reportedly counted 600 enslaved people and 9,000 free lowlanders of all races.

Despite foreign visitors' perception of N6vita as dilapidated, it was home to wealthy slaveholders and gold mine owners "who generally were old royalists who had accepted independence by necessity." The rough town remained under the control of the powerful slaveholding families who had ruled there during the late colonial period, including the famous Mosquera clan. Cochrane became intimately acquainted with this family, who claimed gold mines in the San Juan district, during his stay in the early 1820s. When he arrived to Francisco Mosquera's home, the patriarch was away at his gold mine, and Cochrane was instead greeted by Pepeta, Mosquera's cousin and the wife of don Rafael Mosquera, a slaveholding aristocrat from Popay6n who would later be targeted by abolitionists in Colombian newspapers in the 1820s. Shortly after arriving, Cochrane was introduced to Pepeta's father, the administrator of N6vita's post office, and her sixteen-year-old brother, who administered the local tobacco trade. Apart from their gold-mining possessions, the Mosquera family effectively controlled almost every important office in N6vita, running the town during the gradual emancipation years.

The small, predominantly royalist town did have its own die-hard republicans. Its priest, Pedro Joaquin Cañarte, was one. Boussingault described him as an "unusual man, great admirer of the French

⁹⁴ Boussingault, *Memorias*, 393. ⁹⁵ ACC, 1822, Independencia, CI-2g 6830.

⁹⁶ AGN, 1833, SR, FGV, l. 37, fol. 841.

Revolution.” Indeed, Cañarte’s republican fanaticism led him to commission paintings on his home’s walls “of the most prominent events of the Terror, among others, the execution of the unfortunate Louis XVI,” based on the engraving made by the French painter Pierre-Paul Prud’hon. “Frankly,” Boussingault noted in surprise, “I did not expect to see paintings of this style, in the middle of the jungle of the New World.”⁹⁷ Cañarte’s painted walls connected the bloody independence struggle in the remote countryside of Colombia to the apex of the French Revolution. By all indications, Cañarte, a slaveholder like many other lowland republicans, was a respected member of both colonial- and republican-era political society in the town. In 1784, Cañarte oversaw the provincial census, a task most appropriate for priests given their extensive travel to reach parishioners. He also served on the local junta de manumisión in the 1820s, to which he appeared to be greatly committed, bequeathing “a great amount of his holdings” to its fund upon his death in the 1830s.⁹⁸

Father Cañarte oversaw a diverse congregation at the Holy Church of San Gerónimo de Nóvita, located in the damp town plaza “that looked like a prairie overrun by frogs.” In the humble church, Cañarte administered the religious rites of all his parishioners – including slaves, *pardos libres* (free peoples of mixed African and European descent), *negros libertos* or *libres* (free black or formerly enslaved people), Free Womb children, the local white elite, and occasionally *indígenas*. On one afternoon in February 1827, Cañarte blessed the union of Francisco Antonio and María Antonia, two widowed captives from the Playón Mine who were, as Cañarte firmly noted, “my parishioners.” A free black man and an enslaved woman from the mine joined the couple as witnesses to their marriage before the church’s holy altar.

The Holy Church of San Gerónimo de Nóvita played a significant role in the lives of the town’s black parishioners, not just as a space of worship but also as a public space for deeply meaningful self-expression. During Captain Cochrane’s visit to the town, he witnessed how the “negroes,

⁹⁷ Boussingault, *Memorias*, 394. For other examples of the inspiration of the French Revolution in the Colombian Caribbean during the early independence years, see Lasso, *Myths of Harmony*, 77–78.

⁹⁸ Jaime Jaramillo Uribe, *Ensayos de historia social: la sociedad neogranadina* (Bogotá: Tercer Mundo Editores, 1989), 141. For more on Cañarte, see ACC, 1827, Independencia, EI-15cap 5793; ACC, 1832, República, JII-3su 2228, fols. 1–33; *El Constitucional del Chocó* (Quibdó), no. 4, 24 de septiembre de 1835, Biblioteca Luis Ángel Arango (hereinafter BLAA).

who had been working during the week at the mines, had returned to Nóvita the previous evening, and made their appearance at mass.” Unable to distinguish between enslaved and free black miners, Cochrane stated that the “population, which is all nearly black, amounts to about one thousand souls. The blacks turned out very clean; the women appeared very fond of gaudy colours.” Cochrane’s observation of African-descended women dressed in brightly colored garments reveals how church attendance was important not just for spiritual ritual. In a place where near-nudity and tattered, muslin hand-me-downs clearly marked a lowland slave (or perhaps “crushingly poor” free black), the “gaudy colours” were an aesthetic claim to freedom, humanity, and ownership over one’s own body.⁹⁹

In the parish churches and plazas of Nóvita, Quibdó, and across Colombia, enslaved people’s routes to freedom and self-ownership would transform with the rise of gradual emancipation rule, crafted hundreds of miles away in the highland town of Villa del Rosario de Cúcuta. Our next chapter turns to this Andean town and explores the making of the 1821 law in Colombia.

⁹⁹ In the eyes of Cochrane, Father Cañarte and his parishioners were still “miserably ignorant. The administrator told me that he had never read the Bible or Testament, and wish much to procure them in Spanish: I trust the Society for promoting Christian Knowledge will soon forward a good supply to all parts of Colombia.” See Cochrane, *Journal of a Residence and Travels in Colombia*, 425. Perhaps at Cochrane’s insistence, a reverend from Perthshire in the British and Foreign Bible Society sent “100 Bibles and 100 Testaments” to Chocó in 1825. See The British and Foreign Bible Society, *The Twenty-First Report of the British and Foreign Bible Society; MDCCCXXV. With an Appendix and a List of Subscribers and Benefactors* (London: Augustus Applegath, 1825), lvii.

PART II

THE TIME OF GRADUAL EMANCIPATION RULE

The Gradual Emancipation Law of 1821 and Abolitionist Publics in Colombia

In 1821, as insurgent forces battled Spanish royalists in what would become the last throes of the Wars of Independence in the northern Andes, representatives of the newly constituted republic of Gran Colombia gathered in the savanna town of Villa del Rosario de Cúcuta to plot the young nation's direction. Mostly below the age of forty (given the death of many insurgent leaders in the 1810s), the revolutionary delegates to what became known as the Congress of Cúcuta were part of a younger generation of Colombia's and Venezuela's lettered, commercial, and ecclesiastical creole elite. The only non-Andean delegate was Miguel Santa María, a native of Veracruz, Mexico, who became the congress's deputy secretary after a winding career path across the revolutionary Atlantic. Although away from the dangers of the battlefield, the war-torn Villa del Rosario de Cúcuta, nestled along the modern-day Colombia–Venezuela border, did confront the delegates with, according to one report, “scarcity of provisions, the poor quality and the high price of food, uncomfortable beds without furniture, and above all the heat, the continuous wind and constantly cloudy water,” all of which made for an “unpleasant” experience.¹ Many of the delegates nonetheless weathered these more mundane difficulties and proceeded with their deliberations.

¹ As quoted in Carlos Restrepo Piedrahita, *El Congreso Constituyente de la Villa del Rosario de Cúcuta, 1821* (Bogotá: Universidad Externado de Colombia, 1996), 105. For an overview of the delegates, see Leopoldo Uprimny, *El pensamiento filosófico y político en el Congreso de Cúcuta* (Bogotá: Ed. Academia Colombiana de Jurisprudencia, 2010), 20–22, 73. After meeting Simón Bolívar in Jamaica while in exile, Miguel Santa María joined the insurgent cause in Gran Colombia. For more on Miguel Santa María, see Ornán Roldán Oquendo, *Don Miguel de Santamaría y el americanismo de su época* (Ciudad de

Over the course of a year, these men of means defined the future of Gran Colombia. Crucial debates over the republic's political structure, whether the country would adopt a federalist or centralist system, and the question of war debt occupied much of the delegates' time as they responded to an influx of private petitions from soldiers, widows, war orphans, clergy, and public administrators.² Many of Colombia's most sweeping liberal reforms were adopted in this historic congress, one of the most iconic being the (unsuccessful) liquidation of Indian *resguardos*, communal lands dating from the colonial period. Several measures dealt similar blows to hundreds of years of Spanish legislation, while others only slightly amended Colombia's inherited colonial structure.³ Slavery, one of Spanish colonial rule's most contentious legacies, was also on the table. At the earlier Congress of Angostura, which had established the republic of Gran Colombia in 1819, the nation's commander-in-chief, Simón Bolívar, had urged fellow deputies to address the question of slavery.⁴ But forces from below also spurred Cúcuta's debate over slavery, as enslaved peoples' support for the Spanish crown throughout parts of the northern Andes and nearby specter of Haiti loomed heavily in the political calculus.⁵

Mexico: Universidad Autónoma de México, 1963). During the debates, Santa María articulated a Catholic defense of emancipation, see Congreso de Cúcuta, *Libro de Actas*, Act 56, Session of June 28.

² Juan Camilo Restrepo Salazar, *La hacienda pública en la Constitución de Cúcuta de 1821* (Bogotá: Pontificia Universidad Javeriana, Grupo Editorial Ibañez, 2010), 37, 40, 53.

³ For more on the Congress, see José Manuel Restrepo, *Historia de la revolución de la república de Colombia en la América meridional*, vol. 3 (Besançon: J. Jacquin, 1858), 227–248; Bushnell, *Making of Modern Colombia*, 51–55; John Lynch, *Simon Bolívar: A Life* (New Haven, CT: Yale University Press, 2006), 152–164.

⁴ Simón Bolívar, "The Angostura Address (February 15, 1819)," in *El Libertador: Writings of Simón Bolívar*, Frederick H. Hornoff and David Bushnell, eds. (Oxford: Oxford University Press, 2003), 51.

⁵ For more on Haiti and Colombia during this period, see Aline Helg, "A Fragmented Majority: Free 'Of All Colors,' Indians, and Slaves in Caribbean Colombia during the Haitian Revolution," in *The Impact of the Haitian Revolution in the Atlantic World*, David Geggus, ed. (Columbia: University of South Carolina Press, 2001), 157–175; Marixa Lasso, "Haiti as an Image of Popular Republicanism in Caribbean Colombia: Cartagena Province (1811–1828)," in *The Impact of the Haitian Revolution in the Atlantic World*, David Geggus, ed. (Columbia: University of South Carolina Press, 2001), 176–193; Dolcey Romero Jaramillo, "El fantasma de la revolución haitiana: esclavitud y libertad en Cartagena de Indias, 1812–1815," *Historia Caribe* 3, no. 8 (2003): 19–34; Daniel Gutiérrez Ardila, "Colombia y Haití: historia de un desencuentro (1819–1831)," *Secuencia* 81 (sep.–dic. 2011): 69–93. On Afro-Colombian popular politics in the late colony and republic, see Múnera, *El fracaso de la nación*; Lasso, *Myths of Harmony*; Echeverri, *Indian and Slave Royalists*; Sanders, *Contentious Republicans*.

From May until late July, over forty-five delegates debated the future of Colombian slavery at the Congress of Cúcuta. José Félix de Restrepo, a revolutionary republican lawyer, educator, and slaveholder from the western Andean province of Antioquia, initiated the debate by proposing a gradual emancipation law. On July 21, 1821, after weeks of contentious discussion, delegates passed a law “on the free womb, manumission, and abolition of the slave trade.” This law, like those passed by other polities across the Atlantic world, was a compromise between the revolutionary politics of natural rights espoused by abolitionists and the respect for (human) property demanded by powerful domestic slaveholding interests. At the center of the Colombian law was a Free Womb law, which sought to gradually end chattel slavery by terminating a long-standing legal cornerstone of slavery: *partus sequitur ventrem*, or the idea that a child’s legal status as slave or free derives from the status of the mother. In particular, this Free Womb law legally “freed” the children of enslaved women born after the law’s promulgation but bonded these children to their mothers’ masters until the age of eighteen, thereby placing them in a state of temporary quasi-slavery. The Colombian gradual emancipation law also banned the international slave trade on Colombian soil and created *juntas de manumisión* (manumission juntas), local councils empowered to emancipate “deserving” slaves by compensating their masters from public coffers.⁶ The 1821 law targeted slavery on many fronts but through gradual means, thereby ushering in the period of gradual emancipation rule in Colombia.

This chapter charts the domestic origins and legislative construction of the 1821 gradual emancipation law, with a focus on the Free Womb law, the most controversial part of the proposed law. Basing their arguments on early modern conceptions of racial numeracy and accounting rooted in the colonial economy of slavery, the Colombian and Venezuelan delegates vigorously debated two issues central to the Free Womb law: the age of the Free Womb child’s future emancipation and the nature of their salability. It was in Cúcuta where delegates shaped the initial parameters of the Free Womb trade. The 1821 gradual emancipation instantiated the rule of liberal freedom by granting promissory freedom to Free Womb

⁶ The final law also included a provision that reconfirmed the emancipation of those slaves (and the future children of female slaves) who acquired their freedom through laws and decrees “of the several republican governments” that were established prior to the Spanish reconquest. As a modification of Article 11 of Restrepo’s original bill, this provision nominally reinstated the 1814 Antioquia law, among other abolitionist measures adopted by insurgent provinces in Gran Colombia.

children while formally ending their inherited status as chattel. The law thus represented a new political frontier in Colombia's long history of chattel slavery. But these Free Womb children were made test subjects as Colombia crafted a new regime of unfreedom, the contours of which would be fiercely contested after 1821 within a burgeoning public sphere across Colombia.

ORIGINS OF COLOMBIA'S 1821 LAW: THE 1814 LAW OF ANTIOQUIA AND THE LATE WARS OF INDEPENDENCE

While Colombia's gradual emancipation law of 1821 was intellectually inspired by similar laws adopted in the revolutionary Atlantic world, its origins can be traced to two main historical events in Colombia: the implementation of a gradual abolition law in the independent western republic of Antioquia in 1814, and the shifting political and military context of the late Wars of Independence, especially after 1819. The 1814 Antioquia law was promulgated during Colombia's early revolutionary years, a period of radical constitutional change, contentious interprovincial politics, and the formation of independent republics across Colombia.⁷ After the political crisis unleashed by the Napoleonic invasion in Spain and King Ferdinand VII's abdication in 1808, provincial juntas formed throughout Spanish America and Colombia that quickly evolved into provincial independent republics after 1810. With a sizable and politically significant population of color, from both the popular and elite classes, the Caribbean coastal city of Cartagena hosted one of the earliest and most radical juntas. Established in mid-1810, by December the Supreme Junta of Cartagena, led by creole and pardo elites, instituted an electoral system of indirect representation, whereby all male citizens, including whites, Indians, mestizos, mulatos, zambos, and free blacks who were heads of household or lived off their own labor, were enfranchised to participate in parish elections. With news that the Spanish Cortes rejected citizenship rights for pardos and equal representation for the American territories, Cartagena declared independence and passed its first constitution, signed by two pardo deputies, in July 1812. Rebuking the Cortes, the republican constitution of Cartagena granted

⁷ This period is often termed *la patria boba* (foolish fatherland) in the nationalist historiography of Colombia. This term refers to the "patriot" critique of the internecine federalist and centralist conflicts between the provinces in the early 1810s that they argue eventually facilitated the reestablishment of Spanish royalist control of Colombia in 1816.

citizenship rights to all free men of means regardless of race and took radical measures against the slave trade. The Cartagena Constitution further prohibited the transatlantic trade within the republic's territory and created a first-of-its-kind legislative body empowered to create a manumission fund, later replicated in the gradual emancipation law of 1821.⁸

With Spanish control deteriorating and autonomous provincial juntas forming across Colombia after 1810, several independent republics were declared, including the new republic of Cundinamarca, based in the colonial capital of Santafé de Bogotá in 1811. The rise of Cundinamarca alarmed revolutionaries outside of Bogotá, who feared that the colonial capital would reassert power over the rest of the Colombian territory. These concerns were confirmed for many when the insurgent leader Antonio Nariño seized Santafé de Bogotá and attempted to establish a centralist government in Cundinamarca. With Cundinamarca under Nariño's rule, representatives of several provinces, including Cartagena, Antioquia, Neiva, Pamplona, and Tunja, formed a federalist government called the United Provinces of New Granada in November 1811. The provinces of Cundinamarca and Chocó did not join. Under the United Provinces, each province retained political sovereignty and ordained their own republican constitutions.⁹ But Antioquia, which declared full independence from Spain in 1813, set itself apart from its sister republics by passing a gradual abolition law in 1814.

This law was largely the work of two Colombian men of means: José Félix de Restrepo, who, as we have seen, would play a key part in the Congress of Cúcuta, and Juan del Corral, a slaveholding revolutionary from the Caribbean town of Mompox, who was appointed president-dictator of the independent state of Antioquia in 1813. Both had intimate ties to Antioquia, a thriving gold-mining province whose placer mines by the late eighteenth century were worked primarily by independent free miners with small cuadrillas.¹⁰ Born there in 1760, Restrepo trained as a

⁸ The 1812 constitution of Venezuela likewise granted rights to *pardos*. Helg, *Liberty and Equality*, 126, 129–130; Lasso, *Myths of Harmony*, 44–49; Eduardo Posada and Carlos Restrepo Canal, *La esclavitud en Colombia, y leyes de manumisión* (Bogotá: Imprenta Nacional, 1935), 34.

⁹ Michael LaRosa and Germán R. Mejía, *Colombia: A Concise Contemporary History* (Lanham, MD: Rowman & Littlefield Publishers, 2012), 19–21; Safford and Palacios, *Colombia: Fragmented Land*, 89–91.

¹⁰ For more on mining in late colonial Antioquia, see Ann Twinam, *Miners, Merchants, and Farmers in Colonial Colombia* (Austin: University of Texas Press, 1982), 19–43.

lawyer in Santafé de Bogotá's prestigious Colegio de San Bartolomé. In the early 1780s, Restrepo settled in Popayán, where he eventually owned at least twelve slaves and married into a prosperous slaveholding family whose fortunes were built on mining in the southern Pacific lowlands. Up until the early 1800s, Restrepo as public defender served a diverse range of litigants, including slaves and former slaves before the colonial courts of New Granada, an experience that, as historian Edgardo Pérez Morales argues, shaped his perspectives on slavery and emancipation. As Pérez Morales also notes, Restrepo's budding antislavery philosophy might have developed from his studies of natural law, through the writings of the Neapolitan antislavery jurist Gaetano Filangieri, in addition to Restrepo's encounter with the Quiteño slaveholder and antislavery liberal Antonio de Villavicencio in Popayán in January 1811. In 1809, two years prior to their meeting, Villavicencio proposed a gradual end to slavery in the tract "A Very Delicate Commentary and Plan on the Slave Trade, and the Complete Abolition of Slavery in Both Americas, Proposed by a Slaveholder," which he intended to present to the committees selecting topics for the Spanish Cortes. The Antioquia gradual abolition law that Restrepo drafted three years after their encounter echoed much of Villavicencio's plan.¹¹

Restrepo first met Corral after fleeing from Popayán, where he had supported the insurgents against the royalist forces, to revolutionary Antioquia in 1812. Born in Mompox in 1778, Corral settled in Santa Fé de Antioquia at the end of the eighteenth century, where he became a prosperous merchant and married into a wealthy family. During the early revolutionary years, Corral served as a colonel in the insurgent army and was named the corepresentative of Antioquia for the United Provinces of New Granada in 1811. His appointment as president-dictator of Antioquia in 1813 stemmed from fears of a Spanish invasion via the Cauca Valley.¹² Guided by Restrepo's juridical maneuverings and Corral's revolutionary liberal leadership, Antioquia ordained Colombia's first gradual abolition law.

¹¹ Pérez Morales, "Itineraries of Freedom," 10, 58, 96–105, 114–118, 181–182. On Filangieri's antislavery and reference to the Pennsylvania gradual abolition law, see Gaetano Filangieri, *The Science of Legislation, from the Italian Gaetano Filangieri*, vol. 1 (London: Printed for Thomas Ostell, by Emery and Adams, 1806), 43–44.

¹² Pérez Morales, "Itineraries of Freedom," 98, 125–127, 179. For more on Corral, see Ramón Correa, *Biografía de don Juan del Corral* (Medellín: Universidad Pontificia Bolivariana, 2009).

Yet also factoring into Antioquia's gradual abolition law were local fears of slave revolt, inspired by the revolutionary upheavals and the Haitian Revolution. In August 1812, months after the declaration of Antioquia's constitution, 206 slaves representing the "10,700 slaves of Medellín and its surroundings" signed a petition demanding their freedom and a clarification of the meaning of liberty as declared in the revolutionary constitution. A group of slaves believed to be the leaders of the movement were immediately imprisoned as officials suspected a potential slave rebellion.¹³ It was in this context that Restrepo, along with Dr. José Pardo, drafted the gradual abolition law. In fact, when Corral presented the abolitionist project at a meeting of Antioquia's legislature in 1812, he justified it in terms of both natural law and fear of potential slave insurrections. Given the impact of such a radical measure, the legislature decided that the project would be sent to the Congress of the United Provinces for their consideration the following year.¹⁴

Corral made his case before the Congress of the United Provinces in December 1813 via a classical liberal argument, decrying the intellectual contradictions of maintaining slavery "when everywhere else the eternal rights of man is proclaimed." But given the dangers of immediate abolition, Corral argued, a process of "gradual emancipation" was the most astute policy. He justified this by evoking the dual threat of an alliance between the enslaved and Spanish royalists, as had occurred in Popayán and the southwestern Pacific lowlands, and the spread of "the revolutionary fever," framed in his speech by reference to current "threats" in Antioquia, a potential allusion to the 1812 slave petition. Corral announced that his government would wait at least two months for the United Provinces to pass the measure. However, if they failed to do so, Corral avowed that Antioquia would move forward "to calm the agitation of our conscience . . . and guarantee the security of the republic."¹⁵

¹³ Chaves, "Nos, los esclavos de Medellín," 44, 48–49; Chaves, "Esclavos, libertades y república," 88–90.

¹⁴ Posada and Restrepo Canal, *La esclavitud en Colombia*, 148–149; Gregorio Hernández de Alba, *Libertad de los esclavos en Colombia* (Bogotá: Editorial ABC, 1956), 44.

¹⁵ Juan del Corral, as quoted in Posada and Restrepo Canal, *La esclavitud en Colombia*, 36–39; Roberto María Tisnés Jiménez, *Don Juan del Corral, libertador de los esclavos* (Cali: Banco Popular, 1980), 262–263. Corral also stated that the "foreign newspapers announce that the liberal government of Chile has filled itself with glory declaring free the children of slaves," thereby showing the intellectual circulation of gradual emancipation laws. On slave royalism in southwestern Colombia and the northern Andes, see Echeverri, *Indian and Slave Royalists*.

The Congress of the United Provinces agreed that Corral's abolitionist measure required careful study and resolved to send it to each of the provinces. In the end, the other provincial bodies lacked Antioquia's enthusiasm for the measure, and no resolutions were produced following Corral's statement.¹⁶ As he had promised, Corral requested that Antioquia's legislature on its own pass the gradual abolition law. In late March 1814, Corral reiterated the need to secure the "stability of the republic" and warned against making "extensive the immutable laws of justice concerning a certain class of disgraced men who chew the hunger of slavery with spite, which will finally burst into a bloody insurrection."¹⁷ Invoking political lessons for white revolutionary liberals from the Haitian Revolution, Corral continued: "Bring your imagination for a moment to the horrors, the murders, the cruelties done on the island of Haiti, only because the French wanted to be free, holding onto slavery in their colonies through a formal decree and revoking the beneficial and liberal rulings that were previously passed."¹⁸ Corral mobilized insurgent fears of slave royalism, insurrection, and the example of Haiti in pressing for gradual abolition in Antioquia and revolutionary Colombia.

Yet Corral died nearly two weeks before Antioquia passed the gradual abolition law, in April 1814. It was titled "Project of Law on the Manumission of the Future African Slaves and Measures of Gradually Purchasing the Freedom of their Parents," with Restrepo as its chief architect. The law justified itself on the basis of Christian natural law and revolutionary liberal principles from its very opening lines, which pronounced that the "freedom of the pueblos of America" ushered in by the Wars of Independence required the construction of "more virtuous, more just, and more honorable" peoples and condemned slavery as "contrary to nature, reason, and the Divine system of the religion of our Fathers." At the center of the 1814 law was a "Free Womb" law that "freed" all children born from enslaved women but bonded them to their mothers' masters until the age of sixteen as compensation for their rearing. The law contained other clauses that would be replicated in the 1821 national gradual emancipation law also composed by Restrepo, including the prohibition on importing slaves and the formation of juntas,

¹⁶ Posada and Restrepo Canal, *La esclavitud en Colombia*, 40. The proposed provision was sent on February 3, 1814, and requested specific information from the provinces to investigate the applicability of an abolitionist law. For more, see Posada and Restrepo Canal, *La esclavitud en Colombia*, 39-40.

¹⁷ As quoted in Posada and Restrepo Canal, *La esclavitud en Colombia*, 40.

¹⁸ As quoted in Tisnés Jiménez, *Don Juan del Corral*, 269.

called *amigos de la humanidad* (friends of humanity) in the Antioquia law, that would collect funds to manumit “the most honorable and eldest” slaves.¹⁹ The independent republic of Mariquita, in the Andean interior, would also include a Free Womb law in its 1815 constitution, likewise bonding the children under the law to their mothers’ masters until the age of sixteen.²⁰

As news of the Antioquia law traveled west to the humid rainforests of Chocó, it destabilized the political order of slavery. The province faced its own internal conflicts during the early revolutionary years, with separate juntas formed in Quibdó and Nóvita in 1810. Both declared independent republics encompassing the province’s territory by 1813.²¹ In February 1814, slaveholding insurgents in Nóvita composed a constitution that established what historian Clément Thibaud describes as a moderate “Bourbon republic,” combining the viceroyalty’s monarchical juridical structures with revolutionary liberalism. Although slavery was not explicitly referenced in the Nóvita constitution (which largely copied the constitution of Cundinamarca verbatim), Article 10 defended property rights writ large, claiming that “no one can be deprived in the least portion of his properties without his consent,” and Article 16 revoked citizenship rights for *los vagos* (vagrants), which likely included the province’s majority free black population of itinerant mazamorreros.²²

¹⁹ For the entire Antioquia manumission law of 1814, titled “Proyecto de ley sobre la manumisión de la posteridad de los esclavos Africanos y sobre los medios de redimir sucesivamente a sus padres,” see Guillermo Hernandez de Alba, *Vida y escritos del doctor José Félix de Restrepo* (Bogotá: Imprenta Nacional, 1935), 69–73. The 1814 law included other provisions, such as the forced re-enslavement of any former slaves who “abused” their freedom and the refusal to grant full emancipation to Free Womb children who were deemed “immoral and full of vices” despite having reached the age of emancipation.

²⁰ Posada and Restrepo Canal, *La esclavitud en Colombia*, 43–44; Restrepo, *Historia de la revolución*, 246; *Constitución de Mariquita* (Santafé: En la Imprenta del Estado, por el C.J.M. Rios, Impresor del Congreso de las Provincias Unidas de la N.G., 1815), 39–40. Daniel Gutiérrez Ardila found that insurgent officials in Antioquia applied the 1814 law, including organizing the juntas, and that the law was upheld by Spanish officials after the royalist pacification of Antioquia in 1816. See Daniel Gutiérrez Ardila, “La politique abolitionniste dans l’État d’Antioquia, Colombie (1812–1816),” *Le Mouvement Social* 252, no. 3 (2015): 63–70. Julieta Cano Bolívar shows that masters, enslaved, and free people in Medellín appealed to the 1814 law after the return of the royalist government in Antioquia. See Julieta Cano Bolívar, “Reclamos y manumisión de esclavos en Medellín, 1800–1830,” *Revista Cambios y Permanencias* 5 (Diciembre 2014): 516–518.

²¹ Martínez Garnica and Gutiérrez Ardila, *Quién es quién en 1810*, 363–365.

²² AGN, Archivo Restrepo, Caja 4, Fondo 1, vol. 11, Congreso y Chocó (1811–1816), fol. 441; Clément Thibaud, “Una constitución perdida: la carta de Nóvita en la Nueva Granada,” in *Dos siglos llaman a la puerta, 1812–2012*, eds. Marieta Canos Casenave

In general terms, these two clauses may have assured those Nóvita insurgents apprehensive about any disruption to the lowlands' white slaveholding order, apprehensions that perhaps lingered from the 1809 discovery of a slave conspiracy in Nóvita's gold mines.²³

Yet after passing its own gradual abolition law in April 1814, Antioquia invited its neighboring insurgents in Nóvita, just months after proclaiming its implicitly proslavery constitution, to implement the gradual abolition law. As Thibaud notes, this solicitation preceded unsuccessful diplomatic attempts in 1813 by Corral to annex the province of Chocó to Antioquia. Upon receiving Antioquia's invitation, Nóvita's slaveholders reacted quickly and harshly, decrying the 1814 law as a violation of the "sacred right of property":

It is well known that all the properties of the Americans, all the capital of the Monasteries . . . are based upon the Slaves they own, and the entire hope of the owner consists in the multiplication of the *partos* [Free Womb children] rather than the current generation of their Slaves. If the *vientres* [wombs or Free Womb children] are declared free, will not the slaveholders be destroyed between fifty to sixty years? . . . We wish to Divine Providence that this electric, and antipolitical, spark not be the fatal origin of great political fires!²⁴

Thus rebuking the Antioquia law, the Nóvita insurgents argued that the Free Womb clause in particular would definitively annihilate lowland slavery within a half century. Lowland slaveholders long recognized their jurisdictional power over enslaved women's reproductive faculties. Perhaps subconsciously foreseeing the Free Womb debates, one lowland master even made a rare explicit reference to his slave Clemencia Valencia's unfree womb during her self-purchase in 1812. After receiving 100 pesos from her, the master clarified that "this amount is only for herself, and *not the child that she has in her womb and will soon give birth to.*"²⁵ The president of the Quibdó junta was equally opposed to Antioquia's gradual abolition law, arguing in 1814 that Chocó "cannot

and María Dolores Lozano Salado (Cádiz: Universidad de Cádiz, 2013), 98; *Constitución de Cundinamarca: su capital Santafé de Bogotá. Sancionada el 30 de Marzo de 1811* (Santafé de Bogotá: Imprenta Patriótica de D. Nicolás Calvo, y Quixano, 1811), 43–44.

²³ Daniel Gutiérrez Ardila, "Una provincia contra su gobernador: La pugna de los vecinos de Nóvita contra el capitán Juan de Aguirre (1809–1810)," in *Nuevo Mundo Mundos Nuevos* (May 20, 2010), <http://nuevomundo.revues.org/59707>; AGN, 1809, Sección Colonia, Fondo Negros y Esclavos, Cauca, Tomo 2, Legajo 2, fols. 965–967; Blanchard, *Under the Flags of Freedom*, 20.

²⁴ From "El Gobierno de Nóvita al Supremo Poder Ejecutivo Federal," as quoted in Thibaud, "Una constitución perdida."

²⁵ NPQ, 1819: 39r, my emphasis.

at this moment be open to any idea of this nature, where only this germ of infinite damages will accelerate the ruin of the nation.”²⁶ The lowland elite believed that adoption of the Antioquia law would seal their economic and political fate.

Yet despite this elite condemnation, news of the Antioquia law circulated among enslaved and free black lowlanders and provided important political leverage in at least one surviving legal case. In March 1815, almost a year after the Antioquia law was passed, a free black man and slaveholder named Joaquín Caicedo represented his enslaved kin, Pablo Palomeque, in his pursuit of freedom in Quibdó. Fifty years old and trained as a surgeon, Palomeque sought to purchase his freedom and acquired monetary support from Caicedo to do so. However, Palomeque’s master fixed his value at the substantial sum of 390 pesos. Caicedo protested the price placed as “excessive given [Palomeque’s] age, the circumstances of the time, [and] the large family that he must support.” Drawing on long-standing sentiments regarding slaveholders’ responsibilities, Caicedo asked the owner to take into “consideration . . . [his] having given four children to his master’s property and hacienda.”²⁷ But Caicedo’s arguments did not solely hinge on emotional and physical family sacrifice. He also pointedly referred to “the circumstances of the time” and the “liberal principles spread by some parties” – a reference to the Antioquia law – in requesting a decrease in the price. According to Caicedo, the originally stated price for Palomeque was exceptionally objectionable given “the revolution that has been talked about, which has arrived, causing many *Pueblos* to decree the freedom of the womb, and the bettering of the Slaves’ conditions.”²⁸ As Caicedo’s words reveal, some enslaved and free black lowlanders were familiar with local revolutionary developments, and with the Antioquia law in particular. Understanding the stakes of these regional politics, Caicedo and

²⁶ As quoted in Tisnés Jiménez, *Don Juan del Corral*, 265. The president of Quibdó discussed the possibility of banning the slave trade. For positive responses to the Antioquia law in other provinces such as Popayán, Pamplona, and Tunja, see Pedro Felipe Hoyos Körbel, *Las negritudes y Bolívar: momentos históricos de una minoría étnica en la Gran Colombia* (Manizales: Hoyos Ediciones, 2007), 211–213.

²⁷ NPQ, 1815: pagination damaged (dated March 9). By referencing his four children, Caicedo equally alluded to the sacrificial reproductive labor of his wife or female partner in addition to that of his family.

²⁸ *Ibid.* The original reads as the following: “Y de la rebolucion en que nos hablamos, que ha llegado hasta hacer que muchos Pueblos decreten la libertad de vientres, y mejoran la condición de los Esclavos, como se ha hecho en esta misma republica dándoles en la Semana un día mas.”

Palomeque wielded them for their own pursuit of freedom. Although initially refusing to budge, Palomeque's owner eventually lowered the price to 290 pesos, 100 pesos less than the original assessment.²⁹ Why he did so has evaded the written record, but Caicedo's powerful allusions to the Free Womb law and the tumultuous contemporary politics undoubtedly played an important role.

While the 1821 gradual emancipation law was inspired by the Antioquia law of 1814, it more immediately stemmed from the insurgents' changing political calculus regarding the military enlistment of slaves during the latter years of the independence wars. While in the early years of the independence wars insurgents in the Río de la Plata (present-day Argentina) enthusiastically recruited enslaved soldiers, in the Viceroyalty of New Granada and Captaincy-General of Venezuela the vast majority of the enslaved sided with royalist forces, who promised freedom in exchange for service. In March 1810, for example, amid impending insurgent threats on Popayán city from Cali, the municipal council promised freedom to enslaved men who defended the royalist partisans. As Marcela Echeverri argues in her examination of slave royalism in Popayán province during this period, royalist allegiance among the enslaved was "consistent with their belief in the king's justice and their interest in becoming free vassals of the Spanish king."³⁰ For many enslaved men in the northern Andes, the wisdom of this choice was reinforced by insurgent losses in the battlefield. Faced with these facts, insurgent leaders reluctantly began enlisting enslaved recruits; in May 1812, for instance, the Venezuelan insurgent commander Francisco de Miranda offered freedom to any enslaved person who signed up to serve in the insurgent army for ten years. Yet such halting beginnings were soon reversed as angered slaveholders actively rose against the insurgents.³¹

The real necessity of slave soldiers, however, eventually hit home, particularly after the reestablishment of Spanish control over New Granada and Venezuela under royalist leader Pablo Morillo in 1815–1816, a period often referred to as the Reconquest in the nationalist historiography. Amid the return of Spanish rule in the northern Andes, the insurgent leader Simón Bolívar, a Venezuelan patrician slaveholder

²⁹ Ibid.

³⁰ Echeverri, *Indian and Slave Royalists*, 160. On the Río de la Plata case, see Blanchard, *Under the Flags of Freedom*, 37–63.

³¹ Blanchard, *Under the Flags of Freedom*, 17–36; Echeverri, *Indian and Slave Royalists*, 159.

who expressed hostility against blacks for their loyalty to the Spanish crown, began to recognize that the enslaved's military and political support was crucial for securing independence. Bolívar also acquired more abolitionist leanings after being exiled to Haiti in late 1815. During his time in the revolutionary black republic, Bolívar famously promised President Alexandre Pétion that, in exchange for wartime supplies, he would emancipate all the enslaved in the lands liberated by his armies. Upon his return to Venezuela in May 1816, Bolívar declared that "there will be more no slaves in Venezuela, except those who wish to be slaves. All those who prefer liberty to repose will take up arms to defend their sacred rights and will be citizens." However, Bolívar went on to specify in June and July that freedom would only be granted to enslaved men (and their families) between the ages of fourteen and sixty years who served in the insurgent armies. While Morillo continued to successfully enlist enslaved, free black, and pardo soldiers into northern Andean royalist forces, Bolívar sought more and more enslaved recruits – through voluntary and, primarily, forcible conscription – as insurgent troops dwindled into 1819.³²

Bolívar explicitly called for enslaved soldiers from the Pacific lowlands by late 1819. After the decisive Battle of Boyacá in August 1819, which secured independence for New Granada, Bolívar controversially ordered the conscription of 1,000 slaves each from Antioquia and Chocó, along with 2,000 slaves from Popayán. A few months later, in February 1820, Bolívar increased the order to 3,000 slaves each from Antioquia and Chocó, "all of them shall be single, if it is possible." He reiterated that such conscripts "shall be offered their freedom from the moment they leave their país, and two years after having served, they shall be given absolute permission to enjoy their full freedom." To this end Bolívar asked for "eager and active commissioners to find these men in the South" and ordered that "a decree founded upon principles of humanity, politics, and military interests, for the salvation of the Republic . . . be printed and published in each of the provinces."³³

Bolívar's order was not received warmly by his major general and the future vice president of Gran Colombia, Francisco de Paula Santander.

³² Blanchard, *Under the Flags of Freedom*, 64–85; Sibylle Fischer, "Bolívar in Haiti: Republicanism in the Revolutionary Atlantic," in *Haiti and the Americas*, Carla Calargé, Raphael Dalleo, and Luis Duno-Gottberg, eds. (Jackson: University Press of Mississippi, 2013), 25–53; Pita Pico, *El reclutamiento de negros esclavos*; Aline Helg, "Simón Bolívar's Republic: A Bulwark against the 'Tyranny' of the Majority," *Revista de Sociología e Política* 20, no. 4 (June 2012): 23–26.

³³ Simon Bolívar, *Cartas del Libertador*, vol. 2, Vicente Lecuna, ed. (Caracas: Banco de Venezuela, Fundación Vicente Lecuna, 1964), 273.

Santander had little qualms about applying the decree in a royalist stronghold such as Popayán where “the slaves belong to disaffected families” (i.e. their royalist enemies) and “the wealth of the province is not based in the mines.” But Santander had severe economic and political apprehensions about enforcing the decree in the insurgent strongholds of Chocó and Antioquia, where “slavery affects all families of the system, and their wealth is exclusively based in the mines.”³⁴ In a private letter to Bolívar, Santander excused himself for his “impertinence” in critiquing the order but claimed that he felt he had to because “if any disastrous result comes from this freedom, I cannot be accused of not having presented this fact.”³⁵

Bolívar did not find much credence to Santander’s objections, clarifying that he was only calling for the conscription of slaves as needed for the army. In a letter to Santander on April 20, 1820, Bolívar stressed that the rapidly deteriorating insurgent armies desperately needed “robust and strong men accustomed to harshness and fatigue . . . who identify their cause with the public cause.” However, Bolívar claimed the political reasons behind the conscription decree were “even more powerful.” Bolívar cited the Baron de Montesquieu’s *The Spirit of the Laws* (1748), in which the French Enlightenment philosopher argued that the enslaved, deprived of civil liberties, were “the natural enemies of society” under a moderate government. Bolívar understood the fatal consequences of a revolutionary republicanism that preserved slavery. As he put it to Santander, “All free governments that commit the absurdity of maintaining slavery are punished by rebellion and sometimes exterminated by it, as in Haiti.”³⁶ Apart from white annihilation, Bolívar feared the demographic consequences of thousands of creole insurgents dying on the

³⁴ Francisco de Paula Santander, *Cartas y mensajes del General Francisco de Paula Santander*, vol. 2, Roberto Cortazar, ed. (Bogotá: Talleres Editoriales de Librería Voluntad, 1954), 78.

³⁵ *Ibid.*, 80–81.

³⁶ In late May 1820, Bolívar further elaborated on the necessity of arming the enslaved out of fear of a potential Haiti in order to save the republic:

The greed of the colonists caused the revolution, because the French republic decreed emancipation, and they refused it, and using force of resistance and opposition they irritated the parties who are naturally enemies. The momentum of this revolution is already going, now no one can contain it and the best we can do is give it a good direction. The example of freedom is tempting, and that of domestic freedom is urgent and captivating . . . Certainly, gold and silver are precious objects; but the existence of the republic and life of the citizens is even more precious.

(Quoted in Hernández de Alba, *Libertad de los esclavos en Colombia*, 52)

battlefield while the enslaved remained safely removed from the war. “Is it fair that only free men die to emancipate the slaves?” Bolívar inquired, “Will it not be useful that [enslaved people] acquire their rights in the battlefield, and their dangerous number shall be decreased through a powerful and legitimate manner?”³⁷ Bolívar thus insisted that Santander carry out the order for mass slave conscription.

But as he had warned Bolívar, Santander faced opposition from Pacific lowland slaveholders. A week after receiving Bolívar’s letter defending the decree, Santander wrote the minister of war that he was “told not ask for” the slaves requested from Chocó and Popayán.³⁸ By early May 1820, Santander informed Bolívar of the “thousand complaints that the owners make, who exclusively subsist on slavery”; as he wryly framed the problem, “If they were to have the philosophy of Montesquieu, I would have not to fear anything.”³⁹ Angry petitions and complaints from Chocó streamed into Santander’s headquarters, including one by a Quibdó priest who claimed that lowland slaves were not prepared for freedom and should remain in the mines. “What advantages will the state gain by this precipitous emancipation of slaves?” the priest questioned.⁴⁰ While praising the principle of freedom, the jurist Vicente Azuero Plata, later a delegate at the Congress of Cúcuta, protested Bolívar’s decree by arguing that a “sword in the hand of a *Negro* is like a sword in the hand of a child.” The military commander of Cali, José Concha, alerted Santander that Bolívar’s orders had caused grave disorder and alarm because the slaves misunderstood him as calling for their full freedom.⁴¹

Despite his warning and the protests he faced, Santander made progress in his mission, informing Bolívar that 258 conscripts were en route to Bogotá. But insurgent forces were especially anticipating the 800 conscripts that Santander was in the process of requesting from Chocó, the region whose enslaved population were reputed to be “the toughest” and able to “resist the most deprivation.”⁴² The first order for slave conscripts

³⁷ Bolívar, *Cartas del Libertador*, vol. 2, 308–309.

³⁸ Santander, *Cartas y mensajes del General Francisco de Paula Santander*, vol. 2, 105.

³⁹ *Ibid.*, 116.

⁴⁰ As quoted in Harold A. Bierck, Jr., “The Struggle for Abolition in Gran Colombia,” *Hispanic American Historical Review* 33, no. 3 (August 1953): 370.

⁴¹ *Ibid.*

⁴² Santander, *Cartas y mensajes del General Francisco de Paula Santander*, vol. 2, 116, 123, 218. Santander continued to press Bolívar on the negative consequences of his order. On May 19, 1820, he decried the “3,000 men who costs 300,000 pesos, it’s another source of wealth that their masters are deprived of. 3,000 men, whose job was to remove gold with other hands, who shall no longer employ themselves in that work; the production of gold

from this province had arrived in late April 1820, when Santander informed its governor and commander general to “send 600–800 slaves” from the cuadrillas to the capital. Conscripts were offered their freedom for three years of service, while their masters were to be compensated “in land or in money.” While protests by slaveholders erupted throughout the province, the conscriptions were forcibly carried out by insurgent officials on the ground. Manuel de Sánchez, a master from Nóvita who owned five gold mines in Chocó, claimed that commanders had gathered his enslaved miners in his house and informed them about their conscription. Commanders conscripted captives and seized tools from the San Juan Evangelista mine, claimed by José Indalecio Lozano, an insurgent slaveholder and Nóvita’s notary, and his sister Señora Maria Rosalia Urrutia. Only 25 of the mine’s 125 enslaved workers were considered “fit for service,” and only 16 of these 25 were deemed “useful” for the conscription. Ranging from ages twelve to forty, these sixteen conscripts represented the “best slaves” among Lozano and Urrutia’s cuadrillas according to the commanders. The subsequent fate of these enslaved captives from the San Juan Evangelista mine offers a snapshot of the issues that would dog the project of slave conscription. By 1820, only seven of these captives were still enlisted: the twelve-year-olds Vicente, Francisco Antonio, Sebastián, and Agapito; eighteen-year-old Juan Macario; twenty-five-year-old Cecilio; and thirty-five-year-old Siriaco. The others were forced to return to Chocó for becoming *inútiles* (useless, disabled). In late December 1821, Chocó’s governor informed Lozano that his eldest slave, Siriaco, had deserted; the governor asked whether Lozano wanted the republican forces to track down and “apprehend him, and subject him to his old state of slavery, supposing he has rejected the graces of the Government.” The governor reported that almost all the slaves conscripted from the province “deserted while in transit, before reaching the capital.”⁴³

shall be less, the acquisition of goods shall be less and the profit from the treasury shall be less in the foundation and quintos, minting, etc. The army shall increase, and as a result, the costs shall increase. The agriculturalists, miners, shall decrease, and as such, the resources shall decrease.” See *Cartas y mensajes del General Francisco de Paula Santander*, vol. 2, 138.

⁴³ “El señor José Indalecio Lozano; deuda doméstica,” 1827, BLAA, Archivo Histórico Casa de Moneda (hereinafter AHCM), 21–111. The fugitive soldier Siriaco was eventually captured and died alongside the enslaved lowland soldier Cecilio in the barracks of Llanogrande.

But besides Siriaco, the rest of the San Juan Evangelista conscripts still enlisted by 1820 remained in the service of the republican troops well into 1822. One of the youngest conscripts, fourteen-year-old Sebastián Urrutia, wrote a letter to each of his masters while stationed in Cartago in late July 1822 of his homesickness and desire to return home. Many other weary soldiers on the warfront wrote such letters; enslaved conscripts faced the additional challenge of discrimination and cruelty in the barracks. Hundreds of miles away from his loved ones and no doubt terrified, Sebastián reached out to the only people he thought could realistically help him. He requested both Lozano's and Urrutia's assistance in getting discharged. "My master, I only write to ask for your mercy," Sebastián told Lozano, "as it's been a long time since I have heard about my home [*mi casa*]." He requested that Lozano help "remove me from the service." Perhaps hoping to tug on his mistress's female sensibilities, in his correspondence with Urrutia he added that he was requesting assistance "to remove me from military service" out of fear that "one day I shall be disabled," a possibility that would equally prove a financial liability to the masters should he return alive. Indeed, disability was always a real possibility. Among those seven soldiers from the mine still enlisted by 1820, Juan Macario eventually returned to Chocó as a "disabled Soldier," discharged and granted a passport by his colonel. From late December 1822 to March 1823, Juan Macario gradually made his way back from his base in Tunja with rations and aid from republican troops stationed in the villages along his way home. Officially ranked a soldier from the *clase de libre* (free class), Juan Macario died a few months after his return to Chocó.⁴⁴

⁴⁴ *Ibid.*, 9r–v, 10r, 12r, 18r, 19r. Beginning in Tunja, Juan Lozano stopped for rations and aid at Chocontá, Bogotá, Tocayma, Guastaquí, Piedras, and Ibagué from December 1822 to March 1823. In 1825, five years after Lozano's slaves were drafted, Lozano began legal proceedings to receive his compensation for seven slaves who served in the army, assessed at 250 pesos each, in addition to the ten mining tools seized, as promised by the republican government. At first, Lozano sought compensation from his local manumission juntas established after the 1821 gradual emancipation law. Both juntas in Quibdó and Nóvita lacked adequate funding. Finally, a ruling came down from central authorities that those slaves conscripted before the 1821 law, which included Lozano's slaves, would "form part of the national debt, and shall not be satisfied by the manumission funds." See *Ibid.*, 2r, 24v. Also see ACC, 1826, Independencia CI-21h 2425, fol. 3r. For a similar case in Chocó, see "Reclamo que hace Francisco Martín Mosquera, para que se le devuelva el valor de los esclavos, que sacaron de su mina," 1826, BLAA, AHCM.

The fate of San Juan Evangelista's conscripts highlights the problems of slave desertion and rising discontent among the master class and some conscripts, which led Santander to eventually order all slaves not needed on the front back to the mines and to temporarily end the conscription of slaves in the Cauca Valley in 1820.⁴⁵ But for many slaveholders across the Pacific lowlands, the damage had already been done, and the recruitment project had helped set a critical precedent by tying the insurgent cause with the freedom of Colombia's enslaved people. In his analysis of gradual abolition laws in Spanish America, historian George Reid Andrews argues that the Free Womb laws adopted across Spanish America during and after the Wars of Independence were fundamentally tied to enslaved soldiers' military service in the insurgent armies; according to Andrews, while the laws guaranteeing freedom after military service "were a concession aimed at gaining slave support for the revolution," the subsequent Free Womb laws "were a reward for wartime service."⁴⁶ In other words, the Free Womb edicts sought to compensate enslaved recruits for their loyalty to the insurgent cause by ostensibly freeing their children. Bolívar confirmed this link with a communiqué to the Congress of Cúcuta, immediately after the national gradual abolition law was passed in late July 1821, to celebrate the law "as a reward for the brilliant victory of Carabobo," a pivotal battle that assured Venezuela's independence.⁴⁷

Although Restrepo and Corral initiated the Colombian abolitionist project in 1814 with the Antioquia law, it was Bolívar who set the tone for the national debate. Bolívar continued to draw on the specter of Haiti when making his case for abolition. At the Congress of Angostura in 1819, Bolívar emphasized the need to reform the institution of slavery. In his famous "Angostura Address" of February 1819, Bolívar summoned

⁴⁵ Bierck, Jr., "Struggle for Abolition in Gran Colombia," 370.

⁴⁶ Reid Andrews, *Afro-Latin America*, 64. For similar arguments, see João Pedro Marques, "Part I. Slave Revolts and the Abolition of Slavery: An Overinterpretation," in *Who Abolished Slavery?: Slave Revolts and Abolitionism: A Debate with João Pedro Marques*, João Pedro Marques, Seymour Drescher, and P. C. Emmer, eds. (New York: Berghahn Books, 2010), 49–51; Blanchard, *Under the Flags of Freedom*, 34, 47, 81, 99–100.

⁴⁷ Congreso de Cúcuta, *Libro de Actas*, Act 103, Session of August 1; Antonio José Galvis Noyes, "La abolición de la esclavitud en la Nueva Granada, 1820–1832," *Boletín de Historia y Antigüedades* 67, no. 730 (1980): 470. According to Bolívar's confidant General Daniel Florence O'Leary, Bolívar was not satisfied with the Cúcuta Congress's Free Womb policy. Bolívar allegedly wrote that the "children of slaves that hereafter are born in Colombia should be free . . . The general Congress, authorized by its own laws, even more, by the laws of nature, can decree the absolute freedom of all the colombians once they are born in the territory of the republic." See *Memorias del General O'Leary*, Tomo II (Caracas: Imprenta de "El Monitor," 1833), 102–103.

the historic and dreaded examples of “the helots, of Spartacus, and of Haiti,” which proved that “one cannot be simultaneously free and enslaved except by violating at one and the same time the natural law, the political laws, and the civil laws.” Evoking the specter of black Haiti, Bolívar famously urged the congress to confirm “the absolute freedom of slaves, just as I would beg for my life and the life of the republic.”⁴⁸

The first legislative steps to address slavery followed a year later, in January 1820, after the insurgent victory at Boyacá.⁴⁹ Delegates at this January session agreed that any plan of freedom should be done “by degrees” (*por grados*) – that is, through a gradual process – and compared the moral capacity of slaves to that of blind people who steadily “recover their eyesight,” referencing a common Enlightenment trope.⁵⁰ Deputies stressed the importance of gradualism in any abolitionist measure, which would aim to “make men [out of slaves] before making them citizens.”⁵¹ Before becoming citizens, enslaved people would first have to become, in the words of Colombian scholar Eduardo Restrepo, “moral subjects who could be recognized as humans.”⁵² While Angostura deputies passed several preliminary measures, including a ban of the transatlantic slave trade in Colombia, they delayed passing a comprehensive plan for the “absolute extinction of slavery” until the congress at Cúcuta the following year, in May 1821.

Elected by restricted suffrage, the delegates of Cúcuta met at a time when much of Venezuela (including Caracas) and most of Ecuador remained under royalist control. By the end of May, a few weeks after discussing the young republic’s form of governance and immediate matters of national debt, Restrepo presented his plan to gradually end chattel slavery in Gran Colombia, with the 1814 Antioquia law serving as his blueprint. The eventual 1821 law formed out of the preparatory commissions that had been working on the law prior to the session of

⁴⁸ Bolívar, “Angostura Address,” 51; Bushnell, *Making of Modern Colombia*, 50.

⁴⁹ Several attempts were made to debate a proposed abolition law in Venezuela between Bolívar’s address in early 1819 and the January session in early 1820. See Hoyos Körbel, *Las negritudes y Bolívar*, 231–235.

⁵⁰ Congreso de Angostura, *Libro de Actas* (Bogotá: Imprenta Nacional, 1921), Act 252, Session of January 11, 1820; Jessica Riskin, *Science in the Age of Sensibility: The Sentimental Empiricists of the French Enlightenment* (Chicago: University of Chicago Press, 2002), 10.

⁵¹ Congreso de Angostura, *Libro de Actas*, Act 252, Session of January 11, 1820.

⁵² Eduardo Restrepo, “Medidas abolicionistas en la Nueva Granada, 1814–1851,” *Revista Ciencias Sociales* 9 (enero–junio 2012): 242.



FIGURE 3.1 *Abolición de la esclavitud*. P. Tenerani, inc.; P. Guglielmi, dis; Vitta, inc. 18—.

Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

congress that considered Restrepo's proposal.⁵³ Prior to introducing the bill, Restrepo reminded delegates that it was necessary for the congress to take into "consideration the measures to extinguish slavery" given the "venerable orders" of Bolívar and the Congress of Angostura.⁵⁴ However, in his opening remarks to his fellow delegates at Cúcuta,

⁵³ Bushnell, *Making of Modern Colombia*, 52; Posada and Restrepo Canal, *La esclavitud en Colombia*, 57.

⁵⁴ Congreso de Cúcuta, *Libro de Actas*, Act 26, Session of May 28.

Restrepo framed the proposed measure in terms of not a quid pro quo repayment of a moral military debt, a nevertheless-critical part of the law's political calculus, but rather the philosophical values of the independence movement as they applied to the family. "When the pueblos of America conceived the noble and magnanimous plan to shake off peninsular oppression," Restrepo pronounced, "they did not intend to aim for the benefit and convenience of *just one class of men or families*."⁵⁵ Against Spain's "atrocious and avaricious policy" of slavery over the course of centuries, Restrepo thereby proposed a republican policy that would attend to the enslaved family. Drawing on his legislative experiences in Antioquia, Restrepo thought a national gradual emancipation law with a Free Womb edict central to such a policy.

THE FREE WOMB DEBATE AT THE CONGRESS OF CÚCUTA

Although Restrepo introduced the gradual abolition project in May 1821, it was not debated until late June. The law was examined by over forty-five delegates from Colombia's and Venezuela's prosperous late colonial elite, including small- and medium-sized slaveholders, over the course of three weeks.⁵⁶ The delegates held a range of positions on slavery. At one extreme was Restrepo, who urged delegates to grant the enslaved freedom for "the good that would come from it for the Republic." At the other extreme was the vice president of the congress (and later, in the late 1820s, the archbishop of Caracas) Ramón Ignacio Méndez, who cited the epistle to Philemon to highlight the ethical nature of Christian slavery.⁵⁷ Of all the resolutions stipulated in the proposed legislation, the Free Womb law was the most controversial. Importantly, as Marixa

⁵⁵ *Ibid.*, my emphasis. The original reads as the following: "Cuando los pueblos de América concibieron el generoso y magnánimo designio de sacudir la opresión peninsular, no se propusieron por objeto las ventajas y comodidad de una sola clase de hombres o familias."

⁵⁶ It is difficult to assess the exact social strata of slaveholders that composed the Cúcuta delegates. Nevertheless, some delegates were smaller to medium-sized holders. Restrepo, for example, once possessed twelve slaves. Another delegate, Francisco Pereira, claimed to only own one slave, while Domingo Briceño y Briceño claimed fourteen slaves. See Pérez Morales, "Itineraries of Freedom," 98; Congreso de Cúcuta, *Libro de Actas*, Act 56, Session of June 28. Carlos Restrepo Piedrahita writes that the exact economic position of each delegate at Cúcuta is unclear, but notes that property ownership over 5,000 pesos or an annual income over 500 pesos was necessary in order to be an elected into the Congress of Angostura. See Restrepo Piedrahita, *El Congreso Constituyente de la Villa del Rosario de Cúcuta*, 97.

⁵⁷ Congreso de Cúcuta, *Libro de Actas*, Act 56, Session of June 28.

Lasso has noted, “not even the most vocal champions of slaveholders defended slavery as an institution” or opposed the Free Womb law by principle during the Congress of Cúcuta.⁵⁸ Instead, Cúcuta delegates debated the terms of the Free Womb law. Thus, the main question became not *if* but *how* abolitionism would be implemented and structured. Two central issues regarding the Free Womb law emerged during the congress: the age of emancipation for Free Womb children and the conditions of their salability. These twin concerns were tied to the subjects of compensating slaveholders and safeguarding the domestic slave trade.

More than any other rhetorical device, the law’s advocates and critics at Cúcuta drew on numerical calculations rooted in the economic culture of colonial slavery to plead their case for specific age limits on Free Womb children’s bondage.⁵⁹ This racial accounting was based particularly on the development cycle of slaves from birth to adulthood, in order to make ethical claims about the law’s effect on the pocketbooks and financial futures of Gran Colombia’s slaveholders. In his opening remarks to the congress, Restrepo presented his account of slaves’ standard life cycle in their early years to demonstrate that the Free Womb children could provide ample compensation to their owners even if they were emancipated at age sixteen or eighteen, as he proposed. According to Restrepo, the first two years of an enslaved child’s life imposed little economic burden on the master. But as the child aged and their expenses increased, so did their potential productivity. From ages nine to twelve, the enslaved child could perform small but important domestic tasks such as serving as personal assistants (*pajes*), running errands, transporting water to the kitchen, tending to livestock, and caring after younger children (*entretienen á los demas pequeñuelos*). Once they reached the age of twelve, the youth was considered ready for hard labor, however defined by the individual master; this meant, Restrepo claimed, that masters could retrieve at least double their investment by the time the child reached the age of fourteen. From fourteen to eighteen years of age, the investment would quadruple.⁶⁰ Slaveholders in the late eighteenth-century US South utilized similar age-specific standardizations in their private accounting.

⁵⁸ Lasso, *Myths of Harmony*, 58.

⁵⁹ For more on numerical accounting and statecraft, see Mary Poovey, *History of the Modern Fact: Problems of Knowledge in the Sciences of Wealth and Society* (Chicago: University of Chicago Press, 1998).

⁶⁰ Félix José de Restrepo, “Discurso sobre la manumisión de esclavos pronunciado en el soberano Congreso de Colombia reunido en la Villa del Rosario de Cúcuta en el año de 1821,” 1822, BNC, Biblioteca Digital, accessed February 7, 2019, 32–33.

In his *Farm Book* (1774–1824), for example, Thomas Jefferson noted that enslaved “children till 10. years old [should] serve as nurses. from 10. to 16. the boys make nails, the girls spin. at 16. go into the ground or learn trades.”⁶¹ Throughout the antebellum South and British Caribbean, younger enslaved children were often entrusted with “light chores,” which increased and specialized over time according to the industry and the masters’ desires.⁶² The work expectations outlined by Restrepo thus mirrored long-standing notions across the slaveholding Americas about the distinct forms of labor that enslaved youth could perform.

But Restrepo’s calculations drew especially on his own and fellow slaveholders’ observation of the early biological development of slaves in late colonial Colombia’s mines and haciendas. Though enslaved children between two to eight years old, along with the sick and elderly, were typically listed as “*chusma*” (useless) in inventories, they provided important labor, such as cultivating vegetables, cleaning and cooking in their masters’ homes, and panning for gold alongside their mothers in auriferous rivers.⁶³ Work expectations for certain ages varied according to the particular place and industry; enslaved youth in the eighteenth-century Caribbean port city of Santa Marta, for example, were employed in the sugarcane haciendas removing pulp from the mills as early as age six.⁶⁴ But universally across Colombia, enslaved youth were believed capable of performing more important tasks from the ages of eight to ten, reflected in higher prices of sale.⁶⁵ Certainly in the gold mines of the Colombian Pacific, which were familiar to Restrepo, children of ages ten

⁶¹ Quoted in Henry Wiencek, *Masters of the Mountain: Thomas Jefferson and His Slaves* (New York: Macmillan, 2012), 92.

⁶² Wilma King, *Stolen Childhood: Slave Youth in Nineteenth-Century America*, Second Edition (Bloomington: Indiana University Press, 2011), 71–77; Steven Mintz, “Children in North American Slavery,” in *The Routledge History of Childhood in the Western World*, Paula S. Fass, ed. (New York: Routledge, 2013), 336–337; Sasha Turner, *Contested Bodies: Pregnancy, Childrearing, and Slavery in Jamaica* (Philadelphia: University of Pennsylvania Press, 2017), 222.

⁶³ Restrepo, “Discurso sobre la manumisión de esclavos,” 10; Trautwine, *Rough Notes*, 75; Rodríguez and Huberto Borja, “La vida cotidiana en las minas coloniales,” 65–66; Jiménez Meneses, *El Chocó: un paraíso del demonio*, 73; Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 40.

⁶⁴ Hermes Tovar Pinzón, *Grandes empresas agrícolas y ganaderas: su desarrollo en el siglo XVIII* (Bogotá: Universidad Nacional de Colombia, Ediciones CIEC, 1980); Romero Jaramillo, *Esclavitud en la Provincia de Santa Marta*, 67.

⁶⁵ Sharp, *Slavery on the Spanish Frontier*, 121; Mosquera Mosquera, *De esclavizadores y esclavizados en la provincia de Citará*, 51.

to twelve were considered suitable for hard labor.⁶⁶ Restrepo designated the age of twelve as a crucial threshold in the life cycle of slavery, likely due to ideas about age divisions that had developed in the mercantile world of Spanish American slavery spanning back to the seventeenth century. Originating in the Caribbean trade, Spanish American slave traders used specific categories to reflect the price of enslaved people according to age: the term *mulequillo* referred to an enslaved child from birth to the age of seven, a *muleque* from seven to twelve, and a *mulecón* from twelve to sixteen.⁶⁷ Traders therefore believed that like the age of seven (when a *mulequillo* became a *muleque*), the age of twelve was a critical, transitional year (when a *muleque* became a *mulecón*) for the slave market, a view not lost on Restrepo.

As historians of science and mathematics have established, the 1820s and 1830s saw an explosion in the use of numbers in political debates; prior to then, numbers played a minor role. Restrepo and other delegates at the Congress of Cúcuta were among those Atlantic world “intellectual elites who, at the turn of the nineteenth century, were becoming interested in collecting and analyzing numerical data [and] were precisely those segments of the emerging citizenry we usually associate with Enlightenment, the rise of a public sphere, and the development of liberal and democratic claims.”⁶⁸ Although based in long-standing traditions of political arithmetic and slavery accounting practices, Restrepo’s and other delegates’ application of numerical “facts” through age cycles was novel in that it represented the mobilization of otherwise private and de facto

⁶⁶ Mario Diego Romero, “Procesos de poblamiento y organización social en la costa pacífica colombiana,” *Anuario Colombiano de Historia Social y de la Cultura* 18–19 (1991): 13. Diego Romero and Francisco Zuluaga divided slaves into three categories of age: párvulos (minors under the age of 10), adults (10–60 years old), and the elderly (above the age of 60). See Francisco Zuluaga and Diego Romero, *Sociedad, cultura y resistencia negra en Colombia y Ecuador* (Cali: Programa Editorial Universidad del Valle, 2007), 225.

⁶⁷ Rolando Mellafe, *Negro Slavery in Latin America* (Berkeley: University of California Press, 1975), 84; Matthew C. Mirow, *Latin American Law: A History of Private Law and Institutions in Spanish America* (Austin: University of Texas Press, 2004), 294; Romero Jaramillo, *Esclavitud en la provincia de Santa Marta*, 67; Manuel Álvarez Nazario, “El castellano de los conquistadores y primitivos vecinos españoles de Puerto Rico,” *Revista del Instituto de Cultura Puertorriqueña* 81 (oct.–dic. 1978): 19. Generally speaking, the most marketable age for enslaved people in the transatlantic trade was between ten- and twenty-four-years old. See King, *Stolen Childhood*, 3.

⁶⁸ Jean-Guy Prévost and Jean-Pierre Beaud, *Statistics, Public Debate and the State, 1800–1945: A Social, Political, and Intellectual History of Numbers* (New York: Routledge, 2016), 63.

observations for the purpose of shaping public policy. Specifically, Restrepo and other Colombian legislators sought to institute standardization – the quintessential marker of modern statecraft – by developing a universal life cycle of the slave.⁶⁹ This “standard” cycle would, in turn, be utilized to solve the “public problem” of slavery in the new republic.

José Manuel Restrepo, a renowned Colombian lawyer who had served under the revolutionary government of Antioquia from 1810 to 1816, was the first Cúcuta delegate to propose extending the age of emancipation from eighteen years – one of the ages originally proposed by José Félix de Restrepo – to twenty.⁷⁰ José Manuel Restrepo’s past experience in Antioquia likely influenced his lobbying for a prolonged period of bondage.⁷¹ Indeed, he told his fellow Cúcuta delegates that he believed “the age of sixteen,” the age of Free Womb emancipation in the Antioquia law, “seemed too young to let [the Free Womb children] enter into absolute freedom.” At Cúcuta he even suggested the possibility that the Free Womb children serve their masters until the age of twenty-five “if the masters wanted them to.”⁷² The Bogotano lawyer Miguel Tobar similarly claimed that it was better for the children “to continue in the conditions of *libertos*” until age twenty-five, the age of legal adulthood in late colonial and early republican Colombia based on the *Siete Partidas*, the medieval Castilian statutory code.⁷³ As a point of comparison, the age

⁶⁹ James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998), 81–82. Sasha Turner makes a similar argument regarding the shift to a “chronological metric” concerning the value of enslaved people in early-nineteenth-century Jamaica, see *Contested Bodies*, 214.

⁷⁰ Congreso de Cúcuta, *Libro de Actas*, Act 58, Session of June 30. According to the minutes of the Congress, Manuel Restrepo counted on the support of Colombian lawyer and politician Vicente Azuero on this point.

⁷¹ For more on Manuel de Restrepo in Antioquia and Colombia, see Juan Botero Restrepo, *El prócer historiador, José Manuel Restrepo (1781–1863)* (Medellín: Granamérica, 1982); Daniel Gutiérrez Ardila, “El arrepentimiento de un revolucionario: José Manuel Restrepo en tiempos de la Reconquista (1816–1819),” *Anuario Colombiano de Historia Social y de la Cultura* 40, no. 2 (jul.–dic. 2013): 49–76; Javier Ocampo López, “El maestro José Félix de Restrepo, el educador de la generación de independencia de Colombia,” *Revista Historia de la Educación Latinoamericana* 14 (2010): 31.

⁷² Congreso de Cúcuta, *Libro de Actas*, Act 66, Session of July 6.

⁷³ Congreso de Cúcuta, *Libro de Actas*, Act 58, Session of June 30. For more on age and adulthood in the *Siete Partidas*, see Part III, Title II, Law XI or Part III, Title V, Law II in Samuel Parsons Scott and Robert I. Burns, trans. and eds., *Las Siete Partidas, Volume 3: Medieval Law: Lawyers and Their Work* (Philadelphia: University of Pennsylvania Press, 2000), 541, 585. Also see Helg, *Liberty and Equality*, 92; Ann Twinam, *Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America*

of majority in the United States throughout most of the nineteenth century was twenty-one for both sexes, while American slaveholders often considered enslaved youth adults when they reached around sixteen years of age.⁷⁴ There appears to have been broad support for Restrepo's and Tobar's proposals for extending the age of emancipation, as in response, according to the congressional minutes, the Cúcuta delegates erupted into massive clapping and applause, requiring the congress's president, José Ignacio de Márquez, to call for order and to mandate that "from here forward there shall be no applause through clapping."⁷⁵ As we shall later see, the final law, which set the age of emancipation at eighteen, had a fair number of detractors.

Venezuelan delegate Domingo Briceño y Briceño, who argued that the gradual abolition law as proposed by José Félix de Restrepo would bring the republic's downfall, used his own racial accounting to support extending the age of bondage. He claimed that masters expended nearly 400 pesos from the moment of a slave's birth to the age of eight, while the slave could only produce 144 pesos for their owner from ages eight to sixteen, not even half the master's investment. Like other Cúcuta delegates, Briceño y Briceño might have based these calculations on knowledge of enslaved labor on Venezuela's Caribbean haciendas, where enslaved youth typically engaged in backbreaking labor as early as eight years old. In light of these disagreements, José Manuel Restrepo requested a commission composed of hacendados or other experts in Cundinamarca or Venezuela to quickly inform the congress of the ideal age for emancipation. This request reveals how the delegates struggled to standardize the variegated experience of slavery in Colombia. José Félix de Restrepo criticized the proposed commission as "useless" because no standardized rate of wages and food could be determined across the provinces. The delegates came to a deadlock regarding whether the commission should even be formed.⁷⁶

(Stanford, CA: Stanford University Press, 1999). The 1821 constitution of Gran Colombia designated the age twenty-five as the age of enfranchisement for a certain class of propertied, male citizens. See William Marion Gibson, *Constitutions of Colombia* (Durham, NC: Duke University Press, 1948), 44. For references to twenty-five as the age of adulthood in the notarial records of republican Quibdó, see NPQ, 1835: 104r; 1845: 53r.

⁷⁴ Nicholas L. Syrett, *American Child Bride: A History of Minors and Marriage in the United States* (Chapel Hill: University of North Carolina Press, 2016), 34; King, *Stolen Childhood*, xxi.

⁷⁵ Congreso de Cúcuta, *Libro de Actas*, Act 58, Session of June 30.

⁷⁶ *Ibid.* There were nineteen votes for and against forming the commission.

Briceño y Briceño's question of the enslaved child's economic burden on their master remained a subject of consternation. In response, José Félix de Restrepo countered the Venezuelan delegate's accounting for not considering the mother's two years of breastfeeding, during which "the master did not spend anything or lose the services of the female slaves."⁷⁷ Indeed, in slave societies like eighteenth-century Jamaica, enslaved mothers typically nursed their children for eighteen-to-twenty-four months, about the span of two years, and returned to plantation work soon after birth.⁷⁸ This focus on enslaved women's breastfeeding within the larger political economy of abolition echoed contemporaneous Colombian newspaper discourse on the importance of breastfeeding republican youth. But while nonenslaved republican mothers were lauded for breastfeeding their children as an act of "moral conservation," as one Bogotano paper put it, enslaved mothers were viewed during the Cúcuta debates as receptacles of compensation in the service of the national abolitionist project.⁷⁹ Nevertheless, at the heart of Restrepo's point remained a fundamental question concerning the nature of the Free Womb children: Were they producers or consumers of value? And if the latter, were they expending the value of the masters or the enslaved mothers? While the breastfeeding of Free Womb children was referenced during the congress, in contrast to other Free Womb laws adopted in Latin America specific protocols concerning nursing were not adopted in the Colombia law. For example, the Argentine law of 1813 specified that Free Womb children had the right to be breastfed for at least a year, while the Paraguayan law of 1842 instructed that the "*edad de lactación*" (period of breastfeeding) ended at age three.⁸⁰ An addendum to the

⁷⁷ Congreso de Cúcuta, *Libro de Actas*, Act 67, Session of July 7. Restrepo reiterated this point in the same session by reminding delegates of the "two years of breast-feeding in which the owners spends nothing." In the gold mines of the western and southwestern Colombia, Restrepo's main point of reference, enslaved pregnant women were typically afforded little time off – a total of four months, two during the last stages of the pregnancy and two for the immediate post-partum period. See Jiménez Meneses, *El Chocó: un paraíso del demonio*, 70.

⁷⁸ Turner, *Contested Bodies*, 30, 100–101, 189.

⁷⁹ *Correo de la ciudad de Bogotá*, no. 140, 4 de abril de 1822, 461. In fact, the same editorial demonized the use of wet nurses, an occupation often employed by enslaved and poor, non-white women. See *Correo de la ciudad de Bogotá*, no. 141, 11 de abril de 1822, 414–415. For a similar analysis about the different reproductive requirements between black and white women in Jamaica under slavery, see Turner, *Contested Bodies*, 31.

⁸⁰ For the Argentine stipulation, see Article 4 of "Reglamento para la educación y ejercicio de los libertos," in *Trabajos legislativos de las primeras asambleas argentinas desde la*

Peruvian law of 1821 explicitly specified that masters would be responsible for “the small costs incurred by the rearing and education of the children of slaves at the age of breastfeeding,” an addition that might have been adopted after contentious debate as well.⁸¹

Those looking to counter Restrepo's arguments drew on Enlightenment discourses beyond political economy. For instance, when arguing that setting an age of majority below twenty would cause more harm to the Free Womb captive than the master, Tobar referenced the *Histoire naturelle, générale et particulière* (1749–1804) by the French naturalist Georges-Louis Leclerc, comte de Buffon, historically recognized as the originator of the early modern conception of “race” in its zoological, scientific sense.⁸² More than a source of rhetorical support, Tobar's citation of Buffon's text – specifically, the “Table of the Probabilities of the Duration of Life” – reveals how he and other Colombian delegates were Enlightenment racist thinkers who sought scientific proof and evidence-based calculations to organize social life.⁸³ As reflected in the Cúcuta delegates' various accountings, the enslaved person was viewed as a distinct human “breed” with a distinct life cycle that had to be enumerated in order to determine financial reparation for Colombia's master class.

This becomes clear when one compares this emphasis on the cycles of enslaved youth development at Cúcuta with the broader early republican politics of the child at this time in Colombia, rooted in late eighteenth-century Bourbon social reforms. During the late colonial period, infancy and childhood were increasingly seen in the Spanish American world as

junta de 1811 hasta la disolución del congreso en 1827, Tomo 1, 1811–1820 (Buenos Aires: Imprenta de La Universidad, 1832), 22. For the Paraguayan stipulation, see Article 6 of 1842 law in *Revista del Paraguay, Ciencias, Literatura y Artes, Año I, Número 1* (Buenos Aires, Enero de 1891), 531.

⁸¹ Article 1 of law promulgated on November 24, 1821 in *Colección de leyes, decretos y ordenes publicadas en el Peru desde su independencia en el año de 1821 hasta 31 de diciembre de 1830, Tomo I* (Lima: Imprenta de Jose Masias, 1831), 84–85.

⁸² According to the chart, based on registries of burials from country parishes in France and mortality rates from Paris during unspecified years, an individual was expected to live an additional thirty-three to thirty-four more years (that is, until the age of fifty-one to fifty-four) from the age of eighteen to twenty. See George Louis Leclerc Buffon, *Buffon's Natural History of Man, the Globe, and of Quadrupeds*, vol. 1 (New York: Leavitt & Allen, 1857), 98–99.

⁸³ For more on Buffon and racial thinking, see Ashley Montagu, *Man's Most Dangerous Myth: The Fallacy of Race*, Sixth Edition (New York: Rowman & Littlefield Publishers, 1997), 68–69; Robert W. Sussman, *The Myth of Race: The Troubling Persistence of an Unscientific Idea* (Cambridge, MA: Harvard University Press, 2014), 16–18.

critical stages in the social and economic life of an enlightened, productive polity.⁸⁴ The short-lived Bogotá-based newspaper *El huerfanito Bogotano* (The young orphan of Bogotá) captured elite Colombians' conceptions of (male) childhood in the early national period. One 1826 editorial stressed the importance of *juventud* (youth as a period of life) in "decid[ing] the other periods of our existence" and its "direct contribution to the utmost happiness of a State."⁸⁵ In another article, a writer connected the importance of "good rearing" (*buena crianza*) with enlightened, republican state building. A new generation of young boys, the editorial noted, would be educated not in "profound courtesies and formal ceremonies" – a critique of royalist culture – but rather in matters of "political management" (*manejo político*).⁸⁶

Cúcuta delegates demonstrated their adherence to this discourse of youth, education, and republicanism by voting to establish schools for boys in all communities of Gran Colombia with more than 100 inhabitants.⁸⁷ Such schools were viewed as crucial sites for training a new generation of young republicans to build the postcolonial Colombian nation. As Simón Rodríguez, a Venezuelan philosopher and former tutor of Simón Bolívar, stated in his famous *Sociedades americanas* (1828), such republican schools would destroy the "despotic orders still partly present" in the everyday life of early national Colombia.⁸⁸ It is thus striking that such concerns about education appear nowhere in the

⁸⁴ Bianca Premo, *Children of the Father King: Youth, Authority, and Legal Minority in Colonial Lima* (Chapel Hill: University of North Carolina Press, 2005), 137–178.

⁸⁵ *El huerfanito Bogotano*, no. 2, 17 de marzo de 1826.

⁸⁶ *El huerfanito Bogotano*, no. 5, 7 de abril de 1826. The second edition of *El huerfanito* (March 17, 1826) explicitly spelled out the characteristics of a "good republican," consisting of paying attention to Christian piety, and respect for God, one's parents, and society.

⁸⁷ Evelyn J. G. Ahern, "El desarrollo de la educación en Colombia, 1820–1850," *Revista Colombiana de Educación*, nos. 22–23 (1991): unpaginated. For more on education in early republican Colombia, see Meri L. Clark, "Disciplining Liberty: Early National Colombian School Struggles, 1820–1840," in *Transformations in Schooling: Historical and Comparative Perspectives*, Kim Tolley, ed. (New York: Palgrave-MacMillan, 2007), 87–108; Bárbara Yadira García Sánchez, "De la educación doméstica a la educación pública en Colombia: transiciones de la colonia a la república" (PhD Dissertation, Universidad Pedagógica y Tecnológica de Colombia, Tunja, 2005); Rodrigo Hernán Torrejano Vargas, "La educación en los albores de la república, 1810–1830," *Revista Republicana* 10 (enero–jun. 2011): 45–66; Marcelo Caruso, "Emotional Regimes and School Policy in Colombia, 1800–1835," in *Childhood, Youth and Emotions in Modern History: National, Colonial and Global Perspectives*, Stephanie Olsen, ed. (New York: Palgrave Macmillan, 2015), 144–153.

⁸⁸ As quoted in Caruso, "Emotional Regimes and School Policy in Colombia," 147–148.

Cúcuta delegates' consideration of the Free Womb children's fate. While free boys were groomed in the republic's new schools in the art of "political management," the Free Womb children were "reared" and "educated" in the private sphere of their masters' domain. The fact that Free Womb children were not mentioned in Cúcuta's school law suggests that they were likely not imagined as the beneficiaries of Colombia's early national primary schools, suggesting that they would provide a different "contribution to the utmost happiness of State," in the country's homes, gold mines, and haciendas as the subjects of "political management" broadly construed.⁸⁹ In contrast, *ingênuos* (the term for Free Womb children in Brazil) in Brazilian provinces like Paraná were legally obligated to attend primary school in the early 1870s.⁹⁰

After much deliberation, the delegates finally voted twenty-eight to seventeen to set the age of emancipation for Free Womb children at eighteen. The final vote's margin reflects the law's controversial nature, and several delegates continued to complain about the decision. The Colombian lawyer and politician Vicente Azuero Plata, who would go on to found the Liberal Party, pressed the need to extend the age of bondage for Free Womb children from eighteen to twenty-five, later adding that this would benefit the youth by providing them with an "education." Various delegates, including the congress's president, José Ignacio de Márquez, intervened by arguing that Azuero's proposal would essentially "force a completely free man to work," which constituted "slavery by fact" (*esclavitud de hecho*).⁹¹ Nearly twenty years later, Márquez would become the president of Colombia and oversee the first generation of Free Womb captives attain full freedom.⁹²

⁸⁹ *El huerfanito Bogotano*, no. 2, 17 de marzo de 1826.

⁹⁰ On Paraná, see Surya Pombo de Barros, "Escravos, libertos, filhos de africanos livres, não livres, pretos, ingênuos: negros nas legislações educacionais do XIX," *Educação e Pesquisa* 42, 3 (jul./set. 2016): 602. On the education of *ingênuos* in other states like Maranhão, see Mariléia dos Santos Cruz, *Escravos, forros e ingênuos em processos educacionais e civilizatórios na sociedade escravista do Maranhão no século XIX* (São Paulo: Araraquara, 2008).

⁹¹ Congreso de Cúcuta, *Libro de Actas*, Act 69, Session of July 9.

⁹² Different periods of Free Womb bondage were instituted in other governments that adopted gradual abolition laws with Free Womb decrees throughout the revolutionary Atlantic World. The Pennsylvania "Act for the Gradual Abolition of Slavery" of 1780, the first legislation to include a Free Womb (also known as Free Birth) clause in the Americas, held Free Womb children in bondage until the age of twenty-eight. Similar legislation passed in New York in 1799 established different periods of bondage based on gender, whereby Free Womb women would be emancipated at age twenty-five and Free Womb men at age twenty-eight. The 1804 "Act for the Gradual Abolition of Slavery" of

TABLE 3.1 Free Womb emancipation by age and sex in the Atlantic world, 1773–1871

Country/state, year	Age of emancipation	By sex: M	By sex: F
Portugal, 1773	At birth		
Pennsylvania, 1780	28		
Rhode Island, 1784		21	18
Connecticut, 1784	25		
Upper Canada, 1793	25		
New York, 1799		28	25
New Jersey, 1804		25	21
Chile, 1811	At birth		
Argentina, 1813	20		
Gran Colombia, 1821	18		
Peru, 1821		24	20
Uruguay, 1825		20	18
Bolivia, 1831	At birth		
Paraguay, 1842		25	24
Portuguese African Territories, 1856	20		
Puerto Rico and Cuba, 1871	22		
Brazil, 1871	21		

Source: www.thefreewombproject.com

With the Free Womb children’s age of emancipation established, Cúcuta delegates next had to grapple with the condition of these children’s salability. In the course of debating this two interconnected issues arose: the terms for when a child could be removed from their master’s dominion, and whether a mother and child could be separated for sale. José Félix de Restrepo proposed that designated individuals could “withdraw” the child prior to the age of eighteen by providing their master with a “just compensation for the *alimentos* [support]” that had been provided for the child while under their dominion. What qualified as “just compensation” for *alimentos* would be determined through “private agreement,

New Jersey followed course by terminating Free Womb bondage at age twenty-one for women and twenty-five for men. The Free Womb clause adopted in revolutionary Buenos Aires in 1813 likewise differentiated Free Womb bondage by gender, stipulating that Free Womb girls would work under their masters for free until the age of fourteen and fifteen for boys (followed by a period of waged work), while the 1821 Peruvian law terminated Free Womb bondage for women at age twenty and twenty-four for men. For a digital, translated collection of eighteen gradual abolition laws with Free Womb decrees adopted across the late eighteenth and nineteenth century Atlantic World, see my website: www.thefreewombproject.com.

or by the prudent decision of a judge.”⁹³ Crucial to Restrepo’s proposal, however, was *which designated individuals* were authorized to “withdraw” the child from the master’s dominion. As per Restrepo’s original proposal, only “the parents or relatives of the [Free Womb child] or persons not of kin” could claim the child from their master.⁹⁴ Regarding the first two groups of people (“parents or relatives”), Restrepo proposed something analogous to a Free Womb self-purchase mechanism, insofar as relatives would be able to buy the “withdrawal” of their Free Womb kin from their master. There were technical differences, however, between an enslaved person’s and Free Womb captive’s self-purchase. In the former case, the slave repaid the master’s investment in her very being. For the Free Womb child, by contrast, “alimentos” were theoretically the only object of repayment. As we’ll later see in Chapter 5, the self-purchase price of Free Womb children appears to have been significantly cheaper than those of enslaved children born before the 1821 law – an opportunity that was exploited many some, but not many, kin of Free Womb children in the lowlands.

Yet, in addition to parents and relatives, Restrepo crucially proposed granting the right of removal to “persons not of kin” (*extraños*), which meant that slaveholders unrelated to the Free Womb child were legally empowered to acquire the child from another master. This clause laid the legal groundwork for what I call the Free Womb trade, whose financial operations and practices we will closely explore in the next chapter. The Free Womb trade created another category of salable human beings for the Free Womb child was not explicitly considered a slave but like a slave could be bought and sold on the marketplace. The Venezuelan priest and insurgent soldier Antonio María Briceño argued that it was essential to firmly stress the rights of non-kin. To this end he proposed slightly modifying the language of Restrepo’s article on this point from “los padres o parientes del esclavo o extraños” (the parents or relatives of the slave or persons not of kin) to “los padres, los parientes u otros extraños” (the parents, relatives, or *other* persons not of kin). This seemingly minor modification emphasized that “*other* persons not of kin” as opposed to simply “persons not of kin” could acquire the children, by which Briceño underscored the purchasing powers of non-kin slaveholders. The congress adopted Briceño’s proposal for the final version of the law, codified in article 3 of the 1821 law, which reveals that a

⁹³ Congreso de Cúcuta, *Libro de Actas*, Act 26, Session of May 28.

⁹⁴ *Ibid.*

majority of delegates sought to clarify the Free Womb child's salability. There were some vocal opponents to this emphasis on salability. While the Bogotano delegate Miguel Tobar, as we have seen, was in favor of extending the Free Womb child's age of bondage during earlier debates, he protested Briceño's amendment because it meant that "any stranger would be authorized to take advantage of the labor of the joven."⁹⁵

Yet, while the final law secured the Free Womb trade, it did set specific conditions for its operation. José Félix de Restrepo originally proposed a clause that prohibited separating through sale enslaved mothers from their Free Womb children who had not yet reached the age of *pubertad* (puberty), left unspecified by Restrepo.⁹⁶ José Manuel Restrepo was seemingly perturbed by this proposition. In response, he suggested amending the clause to only ban the sale of slaves from their prepubescent Free Womb children "outside their province," thus expanding Félix de Restrepo's proposal to allow for trade in individual prepubescent Free Womb children at the provincial level.⁹⁷ In both Restrepos' proposals, there would be no restrictions on family separation once the child reached the age of puberty. José Manuel Restrepo's proposed changes were included in article five of the final 1821 law, which specified that it would "not be lawful to sell any slaves outside the province in which they reside, separating the children from their parents; this prohibition however shall only be in force until the children have attained the age of puberty."⁹⁸

The exact "age of puberty" was not explicitly designated in the final law. Cúcuta deputies might have left the "age of puberty" vague to place more control over the law's application at the local level, the question remaining a matter of controversial interpretation between individual masters and parents of Free Womb children. Informally, there was general consensus among Colombian slaveholders that slaves reached puberty sometime between twelve and fourteen years of age.⁹⁹ For example, the prominent Popayán slaveholder Gerónimo Francisco de

⁹⁵ Congreso de Cúcuta, *Libro de Actas*, Act 69, Session of July 9.

⁹⁶ Puberty served as important de facto marker in the individual lives of enslaved peoples. As Steven Mintz notes, former slaves in North America were initially confronted with the brutal labor of chattel slavery "before or around puberty." Mintz, "Children in North American Slavery," 338.

⁹⁷ The original read "fuera de la provincia en que se hallen." Congreso de Cúcuta, *Libro de Actas*, Act 60, Session of July 2.

⁹⁸ Congreso de Cúcuta, 1821, *Libro de Actas*, Act 84, Session of July 19.

⁹⁹ As a point of reference, the 1826 Consolidated Slave Law in the British Caribbean "demarcated age ten as the end of sexual innocence and the start of sexual maturity for enslaved girls." See Turner, *Contested Bodies*, 216.

Torres remarked as an aside in his pamphlet against the 1821 law that an enslaved woman reached puberty at twelve years of age, while one Chocoano slaveholder, owner of the Raspadura mine, cited the age at fourteen while discussing the mine's inventory in 1834.¹⁰⁰ Torres's specific reference to a female suggests that the delegates might have failed to designate a particular age of puberty in recognition of the gendered nature of puberty, attained at different ages by different sexes. The law's reference to "puberty" further reflected the Enlightenment-era intellectual spirit of the delegates, which as we have seen already infused their decision-making at the congress. While the term *puberty* dates back to the Roman period (deriving from the Latin *puberatum* or *pubertas*, meaning "age of maturity") and can be found in the *Siete Partidas*, puberty as a classificatory problem of scientific inquiry only developed in the eighteenth century.¹⁰¹ One of the best-known Enlightenment proponents of the scientific idea of puberty was the French philosopher Jean-Jacques Rousseau, whose famous educational treatise *Émile ou De l'éducation* (1762) was grounded in a "physiology of puberty."¹⁰²

Unlike the Colombian law, most governments that adopted Free Womb laws across the nineteenth-century Atlantic world authorized the separate sale of the children at a designated age (in fact, Colombia had the only such law featuring a "puberty" clause). For example, the Argentine law of 1813 stipulated that a child could be sold without their mother after age two, while the 1856 law in the Portuguese West African territories specified that such children could be sold after age seven.¹⁰³ Gradual emancipation laws in late nineteenth-century Brazil and Cuba specified that Free Womb children could not be sold from their enslaved parents before the ages of twelve and fourteen, respectively.¹⁰⁴ One

¹⁰⁰ Gerónimo Torres, *Observaciones de G.T. sobre la ley de manumisión del soberano congreso de Colombia* (Bogotá: En la Patriótica de la capital de Bogotá por José Manuel Galagarza, 1822), 17; ACC, 1833, República CI-13mn 4316, fol. 39r.

¹⁰¹ Premo, *Children of the Father King*, 28; Mary McAlpin, *Female Sexuality and Cultural Degradation in Enlightenment France: Medicine and Literature* (London: Routledge, 2016), 1; Helen King, *The Disease of Virgins: Green Sickness, Chlorosis and the Problems of Puberty* (London: Routledge, 2009), 84–86.

¹⁰² McAlpin, *Female Sexuality*, 9.

¹⁰³ For the Argentine stipulation, see Article 5 of "Reglamento para la educación y ejercicio de los libertos," 22. For the Portuguese stipulation, see Article 5 of "Lei de 24 de julho de 1856, declarando livres os filhos que nascerem de mulher escrava," in *Relatorio do Governador Geral da Provincia de Angola, Sebastião Lopes de Calheiros e Menezes, Referido ao anno de 1861* (Lisboa: Imprensa Nacional, 1867), 436.

¹⁰⁴ Cowling, *Conceiving Freedom*, 101.

legislative project debated in the House of Representatives in Uruguay in 1838 even proposed regulating rates of sale for individual “Free Womb” children, with one-year olds sold for 30 pesos and twelve-to-sixteen-year olds for 100 pesos – in some ways constituting a kind of Free Womb market regulation.¹⁰⁵

In some respects, the creation of a relatively unhindered marketplace for children followed the logic of other liberal reforms passed by the Congress of Cúcuta. For instance, delegates, in the name of destroying a supposed “colonial vestige,” created an unrestricted real estate market by liquidating the traditional indigenous system of *resguardos*, protected, inalienable reserves of land long owned by indigenous communities under colonial rule.¹⁰⁶ Like other republican governments in postcolonial Spanish America, the Congress of Cúcuta mandated the liberalization of such communal, indigenous territories through distribution (*repartimiento*) and division.¹⁰⁷ Thus the Congress of Cúcuta established simultaneously relatively unfettered free markets in indigenous lands and enslaved people’s children.

Many top Gran Colombian officials lauded the gradual emancipation law’s passage with familiar language about the necessity of abolition in the face of slave royalism, insurrection, and the example of Haiti – especially as fears of Spanish reinvasion and slave loyalty to the crown loomed well into the 1820s. Santander articulated this very sentiment in a letter to José Manuel Restrepo on July 22, a day after the law was formally passed in Cúcuta, telling the delegate that the law would no doubt bestow “honor” on the congress given how, “in favor of domestic peace,” its members were “able to work with relief and unity” in order to

¹⁰⁵ See Article 2 of “Proyecto de ley,” in *Actas de la H. Camara de Representantes*, 1^o, 2^o y 3^o *Periodos de la General Legislatura y Prórroga Extraordinaria*, Tomo III, Años 1837–1841 (Montevideo: Imprenta “El Siglo Ilustrado” de Turenne, Varzi y Cía), 1906. For more on the Free Womb law in Uruguay, see Borucki, *Abolicionismo y tráfico de esclavos en Montevideo*.

¹⁰⁶ Larson, *Trials of Nation-Making*, 72. For the law, see Congreso de Cúcuta, *Libro de Actas*, Act 190, Session of October 4.

¹⁰⁷ For more on the process of *resguardo* liquidation in early-to-mid-nineteenth-century Colombia, see Lina del Castillo, *Crafting a Republic for the World: Scientific, Geographic, and Historiographic Inventions of Colombia* (Lincoln: University of Nebraska Press, 2018), 121–158; Salomón Kalmanovitz, *Economía y nación: una historia de Colombia* (Bogotá: Grupo Editorial, 2003), 112–129; Sanders, *Contentious Republicans*, 41–42; Nancy Appelbaum, *Muddied Waters: Race, Region, and Local History in Colombia, 1846–1948* (Durham, NC: Duke University Press, 2003), 61–71; Sergio Paolo Solano D. and Roicer Flórez Bolívar, “Indígenas, mestizaje, tierras y poder en el Bolívar Grande (Colombia) siglo XIX,” *Indiana* 26 (2009): 267–295.

“forestall a fatal result that with time would have easily occurred.”¹⁰⁸ José Manuel Restrepo would come to echo this point later as interior minister. In his 1823 report to Congress, Restrepo argued that while the “gradual extinction of slavery” had necessarily affected the national economy, especially with regard to agriculture and mining, these sacrifices were “certainly less bad than living . . . atop a volcano that is constantly on the verge of a terrible explosion.”¹⁰⁹ As Marixa Lasso writes, Restrepo posited that these economic problems “were much lesser evils than the inevitable race war that would follow if slavery were maintained.”¹¹⁰

Unsurprisingly though, many slaveholders, especially from the gold-mining provinces of Popayán and Chocó, remained antagonistic to the national gradual emancipation law. In a private letter written from Popayán a few years after the law’s passage, the royalist turned insurgent slaveholder José María Mosquera expressed his steadfast opposition to the law. Writing to his slaveholding son and future president of Colombia (from 1845–1849) Tomás Cipriano de Mosquera, the elder Mosquera claimed to understand the law’s “soundness” from the perspective of “political economy,” but was ultimately convinced that the law should be rescinded: “It is essential that all the owners of cuadrillas in fact continue to demand a repeal of the law because there is no other means when reason is not heard, and the very constitution is violated, in such a fundamental principle that is the guarantee of properties.”¹¹¹ The lowland slaveholder Antonio García y Falcón was equally perturbed. After his father’s death in 1819, García y Falcón had inherited his family’s massive estate, which included one of Chocó’s largest gold mines. As the executor of his father’s will in 1827, García y Falcón claimed that his father’s properties should have been valued up to 24,000 pesos, but he could barely assess the holdings because:

the properties have been stripped to their bare bones with all the extraordinary events caused by the revolution; due to the blind insubordination of the slaves, and due to the manumission of the children of the Free Womb, and bankruptcies, there is no one to take charge of [the villages]. As a result of this mentioned Law,

¹⁰⁸ Francisco de Paula Santander, *Cartas y mensajes del General Francisco de Paula Santander*, vol. 3, Roberto Cortazar, ed. (Bogotá: Talleres Editoriales de Librería Voluntad, 1954), 245.

¹⁰⁹ José Manuel Restrepo, “Memoria que el secretario de estado y del despacho del interior presentó al Congreso de Colombia sobre los negocios de su departamento. Año de 1823-13,” BNC, 110-111, www.bdigital.unal.edu.co/346/10/CAP3.pdf, accessed April 15, 2019.

¹¹⁰ Lasso, *Myths of Harmony*, 65. ¹¹¹ ACC, Sala Mosquera, No. 22, D. 2038, fol. 3r.

they count up to forty-two manumitted infants; and with the lands that are linked to our *fincas*, which we call *baldías*, it follows that after ten or twelve years we will need to abandon them for lack of arms to continue the work.¹¹²

As president of Quibdó's manumission junta, García y Falcón had direct knowledge of the number of local Free Womb children. He was all too aware that sometime between 1837 and 1839, the first generation of Free Womb children would attain full emancipation. He knew these statistics and calculations in the course of fulfilling his public duties as a responsible government official, but he also utilized them in his late father's testamentary records to express his vexations with the gradual emancipation law. Both García y Falcón and Mosquera reflected a larger antiabolitionist public culture developing in the lowlands and southwestern Colombia during the 1820s.¹¹³ In fact, as we will next see, contention over the 1821 law within the new postindependence realm of "public opinion" led to the formation of highly regionalized abolitionist and antiabolitionist publics across Gran Colombia.

ABOLITIONIST AND ANTIABOLITIONIST PUBLICS IN 1820S COLOMBIA

As historian Victor Uribe-Urán has argued, an "incipient public sphere" first developed in late colonial Spanish America with the rise of a periodical press and literary, economic, and scientific societies comprised largely of lettered urban elites who formed an engaged reading and intellectual public.¹¹⁴ This public sphere exploded during and especially after the revolutionary years, as "public opinion" became the new source for the exercise of legitimate political power – what Pablo Piccato, writing on Mexico during the national period, has described as "a transparent expression of popular sovereignty, a clear marker of modernity."¹¹⁵ As

¹¹² NPQ, 1827: 127r.

¹¹³ As Pablo Piccato notes, the "articulation of private interests in public was, after all, part of the historical development of the public sphere." See Pablo Piccato, "Public sphere in Latin America: A Map of the Historiography," *Social History* 35, no. 2 (May 2010): 177.

¹¹⁴ Victor Uribe-Urán, "The Birth of a Public Sphere in Latin America during the Age of Revolution," *Comparative Studies in Society and History* 42, no. 2 (April 2000): 425–448.

¹¹⁵ Pablo Piccato, *The Tyranny of Opinion: Honor in the Construction of the Mexican Public Sphere* (Durham, NC: Duke University Press, 2010), 16; Uribe-Urán, "Birth of a Public Sphere in Latin America," 448–456. On the formation of the press and public opinion in late colonial Colombia, see Jaime Andrés Peralta A., *Los novatores: la cultura*

politics became more contentious during the early nineteenth century, its print arena became livelier. Published from the coastal lowlands of the Caribbean to the rugged southwestern Cauca Valley, newspapers embodied the new voice of “public opinion” and the expansive political print culture of postcolonial Colombia. According to historians Francisco A. Ortega Martínez and Alexander Chaparro Silva, the majority of post-independence newspapers in Colombia claimed “utility” to the *patria* as one of their main editorial objectives. In other words, the chief role of the press was to cultivate “true republican citizens.”¹¹⁶ Armed with reason and critique, republican *letrados* of opposing positions spilled much ink over the 1821 law in early national Colombian print media.

Debates over the law produced two regionalized factions in Colombia's public sphere: an abolitionist public centered largely in Bogotá but also extending to other Gran Colombian cities, and an anti-abolitionist public based in the southwestern slaveholding capital of Popayán, from where many of Chocó's absentee slaveholders hailed. That Bogotá, the capital and seat of the new republic of Gran Colombia, became the abolitionist center is no surprise.¹¹⁷ Popayán, by contrast, was long considered the historic heartland of Colombian slavery and home to the wealthiest and most prominent slaveholding families. A member of one such prominent family, José Rafael Mosquera, referenced these geopolitical divisions in a letter to his cousin Tomás Cipriano de Mosquera in 1824. To his relative José Rafael complained that his proposed bill to amend the 1821 law “has suffered a terrible opposition in *la montaña* [the mountain],” a nickname for Bogotá because of its location in the Andean highlands. According to José Rafael Mosquera, the proposal failed because the Bogotano officials “who hate me to death

ilustrada y la prensa colonial en Nueva Granada (1750–1810) (Medellín: Editorial Universidad de Antioquia, 2005). On the press during the Independence wars and early republican Colombia, see Camila Gómez Cotta, “Prensa decimonónica/poder/subalternidades relatos-otros del bicentenario en Colombia,” *Historia Caribe* 5, no. 17 (2010): 89–110; Gilberto Loaiza Cano, “Prensa y opinión en los inicios republicanos (Nuevo Reino de Granada, 1808–1815),” *Historia Crítica* 42 (sep.–dic. 2010): 54–83; Eduardo Posada-Carbó, “Newspapers, Politics, and Elections in Colombia, 1830–1930,” *The Historical Journal* 53, no. 4 (2010): 939–962.

¹¹⁶ Francisco A. Ortega Martínez and Alexander Chaparro Silva, “El nacimiento de la opinión pública en la Nueva Granada, 1785–1830,” in *Disfraz y pluma de todos. Opinión pública y cultura política, siglos XVIII y XIX*, Francisco A. Ortega Martínez and Alexander Chaparro Silva, eds. (Bogotá: Universidad Nacional de Colombia-Sede Bogotá, Centro de Estudios Sociales, 2012), 106.

¹¹⁷ On the struggles relating to Bogotá's claim to political power in Gran Colombia, see del Castillo, *Crafting a Republic for the World*, 45–75.

believe I am presenting [the bill] because of personal interests, and they say that it seeks to fatten up the pocketbooks of the slave masters.”¹¹⁸ Mosquera’s comments reveal two separate publics established in Colombia, which would adopt distinctive print cultural practices.

Printed in Bogotá in 1822, José Félix de Restrepo’s historic speech in support of the 1821 law at the Congress of Cúcuta was the first abolitionist pamphlet produced in Colombia during the period of gradual emancipation. But the newspaper was the principal medium of abolitionist expression for the republicans of Bogotá and elsewhere in Colombia during the early 1820s, while anti-Free Womb law partisans in Popayán largely advocated their views in pamphlet form.¹¹⁹ Given the depressed war-torn economy and high illiteracy rates in Colombia at the time, there is little doubt that these publications circulated primarily – but not exclusively, as we’ll see in Chapter 4 – among Gran Colombia’s literate and lettered elite, thereby forming a selective republican readership.¹²⁰ Nevertheless, as Celso T. Castilho finds in his study of emancipation and public politics in late nineteenth-century Brazil, the differences among “abolitionist and slaveholder publics centered not only slavery but also on ideas about political practice”; in the case of early national Colombia, these differences extended to practices of print culture.¹²¹

The government-sponsored *La Gaceta de Colombia*, created in September 1821 at Cúcuta, was the central organ for this early abolitionist politics. As the republican government’s mouthpiece, the *Gaceta* became one of the earliest public advocates of the 1821 law in print and its main readers included government officials, editors of other newspapers, and the Colombian lettered elite.¹²² As Lina del Castillo argues, “Influencing the opinion of these literate citizens proved crucial for the *Gaceta* and for the Liberator Party [pro-Bolívar party] because this

¹¹⁸ ACC, Sala Mosquera, 1824, No. 13M, D. 1.409.

¹¹⁹ As David N. Gellman notes in his study of gradual abolition in New York, newspapers in the late eighteenth century likewise played a crucial role in the development of an antislavery public sphere in the state. See Gellman, *Emancipating New York*. On Brazil, see Celso Thomas Castilho, *Slave Emancipation and Transformations in Brazilian Political Citizenship* (Pittsburgh, PA: University of Pittsburgh Press, 2016).

¹²⁰ Rebecca Earle, “Information and Disinformation in Late Colonial New Granada,” *The Americas* 54, no. 2 (October 1997): 168–169.

¹²¹ Castilho, *Slave Emancipation and Transformations in Brazilian Political Citizenship*, 9.

¹²² del Castillo, *Crafting a Republic for the World*, 59. *La Gaceta* was published twice a week between September 6 and October 14, 1821. After January 13, 1822, it was published once a week on Sundays. According to No. 193 of *La Gaceta*, 800 copies of paper were printed regularly.

readership was most involved in the business of politics."¹²³ As the paper published laws from the Congress of Cúcuta, its second issue, in early September, reproduced the entire gradual emancipation law.¹²⁴ In later editions of the paper, editorials praised the 1821 law for ushering in the "gradual and prepared transition of slaves into libres" who would eventually transform into "hardworking and law-abiding men" and deemed it an "homage to reason" and a rebuke to pro-slavery Spanish colonialism.¹²⁵

Similar praises for the 1821 law circulated in another Bogotá periodical, the *Correo de la Ciudad de Bogotá*, which ran for only two years in the early 1820s. A year after the law's passage, the *Correo* lauded the 1821 law as "an eternal monument to wisdom and justice that shall fill the glory of Colombia and carry her name to the outermost parts of the world."¹²⁶ These words were copied from an issue of the Medellín-based paper *El Eco de Antioquia*, published just a few weeks earlier, in June 1822.¹²⁷ An article from July 1826 in the Cartagena paper *El Mundo Observador* commended the law's abolition of the international slave trade in particular but called for additional ameliorative measures that would help ease the experience of enslavement for Colombia's remaining slaves.¹²⁸ The Venezuelan paper *Correo del Orinoco* followed the *Gaceta de Colombia* in publishing the entire 1821 law just a few months after its passage. This newspaper, first established in the city of Angostura in 1818, extolled how "Liberty, gift of nature, shall be seen with this Law, protected in the most dignified way."¹²⁹

In addition to such rhetorical celebrations, some newspapers, especially the government-operated *Gaceta*, notably printed descriptions of slave manumission ceremonies organized by the new manumission juntas

¹²³ del Castillo, *Crafting a Republic for the World*, 59.

¹²⁴ *Gazeta de Colombia*, no. 2, 9 de septiembre de 1821. As David Bushnell has noted, *La Gaceta* started out by printing out most of the laws adopted at the Congress of Cúcuta and then expanded to print war news and discussions of political and intellectual matters. See David Bushnell, "Development of the Press in Great Colombia," *The Hispanic American Historical Review* 30, no. 4 (November, 1950): 434. For clarity, the name of the periodical was officially *Gazeta de Colombia* for the first twelve issues and then changed to *Gaceta de Colombia* from issue 13 onward when its printing headquarter was moved from Cúcuta to Bogotá.

¹²⁵ *Gazeta de Colombia*, no. 3, 13 de septiembre de 1821, no. 12, 14 de octubre de 1821.

¹²⁶ *Correo de la ciudad de Bogotá*, no. 158, 1 de agosto 1822. For another discussion of the 1821 law in *Correo*, see no. 135, 28 de febrero 1822.

¹²⁷ *El Eco de Antioquia*, no. 5, 2 de junio 1822.

¹²⁸ *El Mundo Observador*, no. 3, 12 de julio 1826.

¹²⁹ *Correo del Orinoco*, no. 116, 13 de octubre 1821. For another discussion of the law, see no. 120, 1 de diciembre 1821.

throughout the 1820s, helping further cultivate an abolitionist reading public in Colombia.¹³⁰ In cities and hamlets across early republican Colombia, from the Colombian and Venezuelan Caribbean to the Antioqueño highlands of Ríonegro, many such juntas manumitted “deserving” slaves and enthusiastically organized festive manumission ceremonies, as prescribed by the 1821 gradual emancipation law, for December 25–27 of each year during the newly instituted *fiestas nacionales* (national festivals), which included other public events such as theatrical productions or public contests. Readers in Bogotá, Medellín, and elsewhere were able to follow accounts of such ceremonies,¹³¹ which not only helped to construct an informed reading public, but sought, borrowing from Robert Fanuzzi’s analysis of an abolitionist public sphere in early nineteenth-century New England, to further “abolitionize” Colombia.¹³² The published reports nationalized abolition in Colombia, as individual readers were able to read themselves into disparate accounts across the nation. Such readers could imagine themselves, for example, among the packed crowd of patriotic onlookers admiring the early 1822 manumission ceremony in Santa Marta, held on the town hall’s balcony and preceded by lively music and dances, fireworks, and events.¹³³

But beyond its effects in the realm of print, the actual manumission ceremony itself played a significant role in fostering a political culture of legal emancipation and shaping a local abolitionist public on the ground. According to the *Gaceta*, the 1823 national festival in Bogotá lasted for five days. Manumission junta officials in Colombia drew on ancient Roman and revolutionary French traditions for ceremonial rituals, acts that bonded the young nation to the “great” founders of “civilization” and republicanism. For instance, officials found inspiration in the ancient

¹³⁰ A decree on the juntas passed on August 18, 1823 mandated the publication of lists of manumitted slaves in Gran Colombia’s *gacetas*. See Article 5 of September 21, 1823 decree signed by Vice President Francisco de Paula Santander, in ACC, 1823, Independencia CI-18g 1419, fol. 10v.

¹³¹ *Gazeta de Colombia*, no. 18, 17 de febrero 1821, no. 19, 24 de febrero 1821, no. 69, 9 de febrero 1821. For more examples of ceremony descriptions, see *Gazeta de Colombia*, no. 84, 25 de mayo 1823, no. 122; 15 de febrero 1824, no. 396; 18 de enero 1829.

¹³² Robert Fanuzzi, *Abolition’s Public Sphere* (Minneapolis: University of Minnesota Press, 2003), xv, xx.

¹³³ *Gazeta de Colombia*, no. 18, 17 de febrero 1822; Jason McGraw, “Spectacles of Freedom: Public Manumissions, Political Rhetoric, and Citizen Mobilisation in Mid-Nineteenth-Century Colombia,” *Slavery & Abolition* 32, no. 2 (June 2011): 275. For a description of another ceremony, see *Correo de la ciudad de Bogotá*, no. 183, 30 de enero 1823.

Roman tradition of bestowing a cap (*pileus*) upon manumitted slaves as a symbol of their new status as free people. During the radical phase of the French Revolution this tradition was popularized via the iconic floppy red Phrygian caps, which were meant to represent republican victory over the ancien régime.¹³⁴ Before an audience that included Vice President Francisco de Paula de Santander, Bogotá manumission junta officials in 1822 “placed on the head of each one of the *manumitidos* [manumitted slaves] the cap of liberty in order to show that they were now truly free.”¹³⁵ Phrygian caps were also placed on the heads of newly freed slaves in Cartagena in 1828, the ceremony taking place in the cathedral’s plaza.¹³⁶ The manumission ceremonies additionally drew on the fervent of revolutionary festivals held throughout France to commemorate slavery’s abolition in 1793.¹³⁷ As bearers of Phrygian caps and recipients of passionate speeches, manumitted slaves in Colombia became public recipients of freedom, sites of living homage linking Colombia to the “founders” of republicanism.

The main political function of these postindependence manumission ceremonies was to bind slaves and observers alike to the republic, securing their eternal devotion to the new nation. As Jason McGraw argues in his analysis of mid-nineteenth-century manumission ceremonies, the objective “was to mobilise the citizenry, not to liberate remaining slaves.”¹³⁸ “Never forget to show in all occasions your gratitude and recognition of this beneficial generosity, which allows you to be reborn with the quality of free men,” the president of a Cartagena manumission junta informed a group of slaves in 1828; “you are now instantly elevated to the sublime rank of Colombians. Yes: you are now Colombians.”¹³⁹ Previously alienated subjects, slaves liberated by the manumission juntas represented enslaved peoples’ symbolic return to the body politic, that is, to republican Colombia. Across Colombia, slaves were called upon to praise and give thanks to the new republican order’s political leadership,

¹³⁴ J. P. Toner, *Popular Culture in Ancient Rome* (Cambridge, UK: Polity, 2009); Paul R. Hanson, *Historical Dictionary of the French Revolution* (Lanham, MD: Rowman & Littlefield, 2015), 258–259; McGraw, “Spectacles of Freedom,” 278.

¹³⁵ *La Gaceta de Colombia*, no. 64, 5 de enero 1823.

¹³⁶ *La Gaceta de Colombia*, no. 396, 18 de enero 1829.

¹³⁷ Jean-Claude Halpern, “The Revolutionary Festivals and the Abolition of Slavery in Year II,” in *The Abolitions of Slavery: From L’èger Félicité Sonthonax to Victor Schoelcher, 1793, 1794, 1848*, Marcel Dorigny, ed. (Paris: UNESCO Publications, 2003), 157.

¹³⁸ McGraw, “Spectacles of Freedom,” 270.

¹³⁹ *La Gaceta de Colombia*, no. 396, 18 de enero 1829.

including figures like José Félix de Restrepo, Simón Bolívar, and the delegates of the “first general Congress of Colombia that sanctioned this Law of July 21, 1821.”¹⁴⁰ The later, mid-nineteenth-century manumission ceremonies, as McGraw finds, would serve as propaganda for Liberal Party rule.¹⁴¹ The ceremonies held earlier in the century, apart from helping establish a carefully contained, local abolitionist public throughout Colombia, promoted liberal, republican rule after the end of Spanish colonialism. After a December 1824 manumission ceremony in Cartagena, the junta president gave a speech extolling the “liberal system that rules in Colombia.”¹⁴² Years later, in 1832, the president of a Bogotá manumission junta lauded the 1821 law for “showing the benefits of a liberal government and republican institutions.”¹⁴³ Yet, apart from helping consolidate liberal rule in Colombia, the early national ceremonies often lauded slaveholders’ contributions and sacrifices, as Chapter 5 explores.

These spectacular acts of public manumission likely ruffled the anti-abolitionist counterpublic predominantly comprised of the hacienda and mine-owning elite of Popayán in the years after the 1821 law. While newspapers were the main medium for the early Colombian abolitionist public, the antiabolitionist public depended largely on the pamphlet. Some of Popayán’s aristocratic slaveholding republicans may have associated the newspaper – the printed expression of postcolonial “public opinion” – with the pro-gradual emancipation law cause. Nevertheless, there were antiabolitionist opinions circulating in Popayán-based newspapers like *El Fósforo*, though importantly Popayán was also home to the pro-law paper *El Republicano*.¹⁴⁴ Whether communicating via pamphlet or newspaper, antiabolitionist voices in Popayán did not demand a definitive repeal or rejection of the gradual emancipation law, a response that was similar to that of slaveholding Brazilian planters after the adoption of a Free Womb law in Brazil in 1871.¹⁴⁵ Instead, the Popayán faction called for a reform of the 1821 law along lines that would better serve their collective interests as slaveholders. Indeed, the Popayán elite may have for

¹⁴⁰ *La Gaceta de Colombia*, no. 64, 5 de enero 1823; no. 69, 9 de febrero 1823; no. 396, 18 de enero 1829.

¹⁴¹ McGraw, “Spectacles of Freedom,” 282–283.

¹⁴² *La Gaceta de Colombia*, no. 173, 6 de febrero 1825.

¹⁴³ *La Gaceta de la Nueva Granada*, no. 55, 1 de octubre 1832.

¹⁴⁴ *La Gaceta de Colombia*, no. 169, 9 de enero 1825.

¹⁴⁵ Castilho, *Slave Emancipation and Transformations in Brazilian Political Citizenship*, 67.

the first time organized collectively and publicly as slaveholders in their anger over the law.

The first pamphlet in a series of long-form antiabolitionist texts from Popayán to voice this anger appeared in 1822, when Gerónimo Francisco de Torres, a prominent slaveholder, aristocrat, and mine owner of the city, released *Observations of G.T. [Gerónimo Torres] concerning the Law of Manumission of the Sovereign Congress of Colombia*. As Marcela Echeverri has documented, Torres was the patriarch of Popayán's powerful Torres Tenorio family, who claimed the San Juan gold mine in Colombia's southern Pacific coast. Torres's condemnation of the gradual emancipation law was deeply rooted in his personal experience of insubordination among the captives of the San Juan mine, who in 1810–1811 revolted twice, after, respectively, rumors that a “black queen had arrived to the Americas bringing freedom to the slaves” and a declaration of slave emancipation by Popayán's royalist governor. According to Torres, after 1811 the mine's slaves had “strengthened their libertine state, affecting other slave gangs on the coast with their behavior and became an asylum for every fugitive slave.” For nine remarkable years, from 1811 to 1820, the practically free captives of San Juan exercised total autonomy, whereby they “divided the mine and hacienda among themselves.” Torres' attempt to retake the mine in 1819–1820 utterly failed. In the end, Torres was forced to abandon San Juan. The practically free black miners were able to live and work autonomously for decades, even when the Torres estate was liquidated in 1840. Without question, these experiences deeply embittered Torres, who turned to republican politics after the wars and served as a senator from 1821 to 1828.¹⁴⁶ Explicitly referencing these incidents in his pamphlet, Torres warned of the dangers of granting freedom to slaves after having personally witnessed “that after ten years of absolute freedom, they are brought to idleness, libertinage.”¹⁴⁷

The forty-two-page pamphlet sold for five reales and targeted the Free Womb law, which, he argued, deprived masters of their rightful property, namely the progeny of their slaves.¹⁴⁸ Torres compared slaveholders in

¹⁴⁶ Echeverri, *Indian and Slave Royalists*, 169–190; Pérez Morales, “Itineraries of Freedom,” 51–54, 253–260.

¹⁴⁷ Torres, *Observaciones*, BNC, 34.

¹⁴⁸ The price was noted on the final page of *Observaciones*. The pamphlet was sold at the printing press run by José Manuel Galagarza on Calle de Santa Clara in Bogotá, near today's Plaza de Bolívar. This was a relatively low price for prosperous Colombians, given that papers like *La Miscelánea* sold for one real, while “respectable dailies” like *La*

the wake of the law to farmers who were allowed to “enjoy the pending harvest of his field” but were prohibited from reaping any future yields and shepherds forced to “let go of his herd, depriving him of his right to their breeding, with the obligation of feeding and rearing it.”¹⁴⁹ He relied on images of enterprising male heads of households to elicit sympathy for the wounded slaveholders. Torres claimed that the burden imposed on masters, responsible for feeding, dressing, and educating the enslaved children until the age of eighteen, outweighed the children’s potential production. Torres even resurrected some of the Cúcuta debates by presenting his own accounting of a slave’s standard biological development. Torres identified the age of twelve as when “*el negro* begins to work, although of little profit, and even less if a female,”¹⁵⁰ differentiating production by sex. Even worse for slaveholders, when a female slave reached puberty at twelve-years old she “could have four children by the time she turns eighteen.”¹⁵¹ The master would not have legal ownership of these offspring of Free Womb children but nevertheless would be expected to care for them until their parents reached the age of majority – an extra economic burden. Torres argued that the Free Womb child,

Gaceta and *El Constitucional* cost two reales per edition. See Bushnell, “Development of the Press in Great Colombia,” 435, 445. The Popayán paper *El Fósforo* cost 3 pesos per issue. See *El Fósforo*, no. 10, 3 de abril 1823.

¹⁴⁹ Torres, *Observaciones*, 13. Similar arguments about deprivation were made against gradual emancipation laws in the northern United States, see Zilversmit, *The First Emancipation*, 197–198.

¹⁵⁰ Torres, *Observaciones*, 16. Torres began his calculations at the birth of the enslaved child, stating that they required shelter and medical attention, which cost the master 1 peso monthly for the first three months, or 36 pesos, including relief for the mother from work in order to feed and care for the child. From 3 until 10-years old, masters were obliged to “moderately” dress the child and tend to their sicknesses at a rough cost of 22 pesos per year, which amounted to 154 pesos over the course of 7 years. For the remaining eight years (10–18), they required food “for a man and other aid,” approximately worth 44 pesos a year, adding up to 352 pesos. With the additional price of 100 pesos to cover the cost of clothing from infancy to the age of eighteen, Torres asserted that the total economic burden amounted to 642 pesos. On the other hand, the child would only be able to work starting at the age of twelve (depending on their sex). From 12 to 15, they would produce 1 real a day, and 2 reales from 15 to 18, for a total of 342 reales from 12 to 18. Thus, according to Torres, the master was left with a burden of 300 pesos, given that the child’s potential output did not fully cover the costs of rearing. Torres also added that this calculation did not “include some accidents (very frequent) where they do not work for the master for part of the time.” See Torres, *Observaciones*, 16–17.

¹⁵¹ This meant that an enslaved woman was typically expected to be pregnant for four of these six years (twelve to eighteen years of age), with approximately six months to recover from each pregnancy.

whether female or male, ultimately placed an undue burden on the slaveholder of approximately 300 pesos.¹⁵² Torres also claimed that the 1821 law threatened “public tranquility” by inspiring impatience and resistance among slaves who witnessed their children and fellow slaves acquire their freedom while they remained behind in shackles.

In spite of these manifold complaints, Torres followed other antiabolitionists in not demanding a definitive repeal of the gradual emancipation law. He did propose, however, a radical remedy to the law that essentially attempted to “disguise” repressive ideas as “radical abolitionism.”¹⁵³ Specifically, Torres recommended decreeing the immediate, absolute freedom of all slaves in Gran Colombia; however, the government would be obliged to pay back to the masters the value of these slaves as a “national debt,” with an annual interest rate of 3 percent until their value was completely paid. The newly freed slaves would be considered minors, who would remain under the control and vigilance of their former masters for an undisclosed period of time.¹⁵⁴

The next wave of antiabolitionist propaganda came primarily from the formidable Mosquera family, whose massive slaveholdings across southern and southwestern Colombia spanned centuries.¹⁵⁵ An 1822 petition calling for a reform of the gradual emancipation law was published the following year in pamphlet form. The petition was composed by Popayán’s electoral assembly – of which José María Mosquera y Figueroa, the patriarch of the Mosquera family, was the secretary representative – and echoed much of Torres’s arguments, even referencing the “upheavals in the southern coast, and recently in Barbaços.”¹⁵⁶ Like Torres, the authors of the published petition argued that the Free Womb

¹⁵² In an 1822 petition from the electoral assembly of Popayán demanding reform of the 1821 law, the petitioners referenced Torres’s text, arguing that it showed “with much method and clarity the burdens imposed on the masters.” See *Respuesta documentada a la imputación hecha a la Asamblea Electoral de Popayán con motivo de la petición que dio sobre la ley de manumisión* (Popayán: Imprenta del Gobierno, por Rafael Viteri, 1823), BNC, 6–7.

¹⁵³ Pérez Morales, “Itineraries of Freedom,” 262.

¹⁵⁴ Torres, *Observaciones*, 35. Torres was also a proponent of whitening racial policies who aspired to “extinguish the black race,” see Lasso, *Myths of Harmony*, 62.

¹⁵⁵ For more on the Mosqueras, see William Lofstrom, *La vida íntima de Tomás Cipriano de Mosquera, 1798–1830* (Bogotá: Banco de la República – El Áncora Editores, 1996); Luis Ervin Prado-Arellano and David Fernández Prado Valencia, “La familia Mosquera y Arboleda y el proyecto bolivariano (1821–1830),” *Memoria y Sociedad* 14, no. 29 (2010): 55–69.

¹⁵⁶ *Respuesta documentada a la imputación hecha a la Asamblea Electoral de Popayán*, BNC, 2.

law placed an unfair burden on masters, deprived them of their rightful property, and left remaining slaves unable to “tolerate the situation of being slaves in the presence of their children and free *compañeros*.”¹⁵⁷ The petitioners suggested that, in order to avoid any “disastrous results,” Congress allow owners to sell any unruly slaves outside Colombia, which was strictly prohibited by the 1821 law, in addition to a general reform of the law itself.¹⁵⁸

A few weeks after the Popayán council meeting at which the petition was drafted, the *Correo de la Ciudad de Bogotá* published a brief but biting critique that accused the Popayán assembly of requesting an outright repeal of the law. “A horrendous resolution!” the Bogotá writers chastised as they stressed the need to keep the existing law for the “stability of the constitution.”¹⁵⁹ However, the most vocal opposition to the Popayán petition came from the Franciscan priest Joaquín Fernández de Soto, a republican delegate at the Cúcuta debates.¹⁶⁰ In November, Soto penned an editorial from Llanogrande, Antioquia, directed to “*amigos de la humanidad esclavizada*” (friends of enslaved humanity) that strongly condemned the Popayán petition and its purported calls to “repeal” the law. He personally pledged his refusal to support the petition and claimed that he would protest it along with other delegates who had attended the Congress of Cúcuta.¹⁶¹ After declaring his repugnance for slaveholders’ belief in the ethics of human property, Soto addressed one powerful argument employed by antiabolitionists: that slaveholders had more to lose with the 1821 law than those who did not own slaves. To disprove this, Soto pointed to his own experience after manumitting his own slaves during the Cúcuta debates: “And what have I lost? I shall say it in front of God, and the nation, I have lost

¹⁵⁷ *Ibid.*, 8.

¹⁵⁸ However, after Colombia’s first civil war (1839–1842), the clause banning the import/export of slaves was lifted temporarily. See Article 4 of Law of June 22, 1843 in *Codificación nacional de todas las leyes de Colombia desde el año de 1821, hecha conforme a la ley 13 de 1912* (Bogotá: Imprenta Nacional, 1912), 313–314.

¹⁵⁹ *Correo de la ciudad de Bogotá*, no. 176, 12 de diciembre de 1822.

¹⁶⁰ During the Cúcuta Congress, the Buga-based priest was one of several delegates to declare the manumission of his slaves before the Congress after Restrepo’s rousing speech. Congreso de Cúcuta, *Libro de Actas*, Act 56, Session of June 28; Christopher I. Archer, *The Wars of Independence in Spanish America* (Wilmington, DE: Scholarly Resources, 2000), 53; Martínez Garnica and Gutiérrez Ardila, *Quién es quién en 1810*, 52.

¹⁶¹ These other delegates were Dr. José Cornelio Valencia and Miguel Domínguez, the former whom publicly promised to manumit his slaves at the Congress like Joaquín Fernández de Soto. See Congreso de Cúcuta, *Libro de Actas*, Act 57, Session of June 29.

Nothing, and on the contrary I have gained much. I have gained tranquility, and the satisfaction of my conscience." In other words, Soto gained "moral capital," which, as Christopher Leslie Brown has defined it, is gained via an antislavery politics that is "employed in a way that sustains the moral prestige of the actor."¹⁶² Free from slavery's stains, Soto related that his former slaves were now "libres and happy" who "love me" and "respect me," and they now worked hard for him for a daily wage on his hacienda that had been destroyed during the war.¹⁶³

But the Popayán establishment struck back forcefully. In a letter to the editor of *Correo de la Ciudad de Bogotá* in February 1823, three influential Popayán men – including José Cornelio Valencia, whom Soto publicly cited in his letter – denounced Soto's editorial as "absolutely false" and asserted that the petition did not call for a repeal of the law, stressing instead the need for a "just compensation" for slaveholders.¹⁶⁴ Given the power of the abolitionist cause in the Colombian public sphere, antiabolitionists were constantly on the defensive, clarifying that they were not demanding the repeal of the law but simply articulating their trepidations before the court of public opinion. This was a line first pushed in print by Torres in *Observations*, where he declared it necessary "to oppose [the 1821 law] vigorously in order to give to it reflection, expression, and well-deserved public opinion."¹⁶⁵ Publics from Popayán and Bogotá battled over the law not just in the halls of government but in newspaper columns and pamphlets debated in the private quarters of Colombia's reading elite.

While this controversy unfolded, the *Correo de la Ciudad de Bogotá* printed in January 1823 an anonymous letter to the editor signed by "*Un ciudadano*" (A citizen) who claimed to be writing from Chocó. The writer's main complaint concerned the selection of the Popayán aristocrat José Rafael Mosquera as Chocó's provincial representative.¹⁶⁶ The "citizen" called for

¹⁶² Christopher Leslie Brown, *Moral Capital: Foundations of British Abolitionism* (Chapel Hill: University of North Carolina Press, 2006), 457.

¹⁶³ *El Eco de Antioquia*, no. 33, 5 de enero de 1823. Soto's letter was published in the Bogotá paper *La Indicación* in December 1822; *Respuesta documentada a la imputación hecha a la Asamblea Electoral de Popayán*, BNC, 9–12.

¹⁶⁴ *El Correo de la ciudad de Bogotá*, no. 185, 13 de febrero de 1823. The three men were Valencia, Manuel José Castrillón (future governor of Popayán), and Juan Nepomuceno de Aguilar, the latter of whom was an important jurist during the republican period.

¹⁶⁵ Torres, *Observaciones*, 9–10. The original reads: "pero es necesario oponer a la fuerza vigorosa que dan a sus refecciones su expresión y bien merecido concepto público."

¹⁶⁶ *Correo de la ciudad de Bogotá*, no. 181, 16 de enero de 1823; Victor Uribe-Urán, *Honorable Lives: Lawyers, Family, and Politics in Colombia, 1780–1850* (Pittsburgh, PA: University of Pittsburgh Press, 2000), 84, 127, 138; Jaime Duarte French, *Poder y política:*

Mosquera's appointment to be revoked because it violated the constitution. However, the writer also declared that Mosquera was an outspoken apologist of slavery. The "majority [of Chocó's inhabitants] are slaves or libertos who see their relatives suffer under slavery," the writer lamented, while Mosquera was "an owner of some thousands of slaves and a nephew of the famous don José María Mosquera, who had the audacity to say in an electoral assembly, the heart of a *pueblo libre*, that slavery was a divine right,"¹⁶⁷ referring directly to the aforementioned Popayán petition.

The following month, two responses were printed in the *Correo*, one written by an anonymous writer who signed off as an "*Amigo de la justicia y del mérito*" and the other by José Rafael Mosquera himself. In a letter titled "Vindication of J. M. Mosquera," the anonymous writer directed his attention principally to the "slanderous" attack on José María Mosquera, whom he described as a "brilliant patriot of Chocó." Mosquera had not argued for the "divine right" of slavery, the letter writer claimed; he had simply shown that the 1821 law's measures of compensation were insufficient. Moreover, the writer addressed the anonymous citizen's attack on the Mosquera family's wealth by asserting that José Rafael Mosquera was the "owner of a brilliant fortune acquired by his own constant labor."¹⁶⁸ In fact, in the transition from the late colonial period to the early republican period, aristocratic families with military connections like the Mosqueras were increasingly seen by a new generation of *notables* (educated economic elites) across Gran Colombia as "enemies of prosperity," "parasites" living entirely from inherited wealth rather than from the sweat of their brow.¹⁶⁹ Moral arguments against these aristocratic military families dependent upon slave labor were leveraged as part of a militant republican critique.

José Rafael Mosquera directly responded to the anonymous letter writer's accusations as well. Claiming to be writing from Chocó, the province from where "Un ciudadano" had written, he defended his uncle José María on the grounds that he was simply advocating reforms to the law "so that slave owners do not suffer total ruin." Critically, José Rafael Mosquera addressed the writer's attack on his large slaveholding possessions by asserting that – unbeknownst to many – he had shown bravery

Colombia, 1810–1827 (Bogotá: C. Valencia Editores, 1980), 342. In his travelogue, Charles Stuart Cochrane claimed that Rafael Mosquera was the Nóvita representative in Congress. See Cochrane, *Journal of a Residence and Travels in Colombia*, 417.

¹⁶⁷ *Correo de la ciudad de Bogotá*, no. 181, 16 de enero de 1823.

¹⁶⁸ *Correo de la ciudad de Bogotá*, no. 185, 13 de febrero de 1823.

¹⁶⁹ Díaz, *Female Citizens*, 118.

by supporting the 1821 law. According to Mosquera, he had publicly refused to support a repeal campaign called for by the local *alcalde ordinario* (chief justice) when news of the law had first arrived to Nóvita. Like other antiabolitionist slaveholding elites, Mosquera stressed that he was thoroughly opposed to outright repeal of the law but felt it his duty to highlight the need for the law's reform.¹⁷⁰

Yet the *Correo* controversy was certainly not the final word for José Rafael Mosquera. In 1824 he published a bill entitled "*Proyecto de ley sobre manumisión de esclavos, e indemnización a los amos*," which he hoped would replace the 1821 law. Like those preceding him, Mosquera in his critique focused primarily on the "injustice" faced by masters responsible for the Free Womb children. Mosquera recommended that the Free Womb captives, as well as the slaves freed by the manumission juntas, pay a monthly sum to the manumission fund controlled by their local manumission juntas. Mosquera's proposed bill did not include an age at which Free Womb bondage would be terminated.¹⁷¹

Producing and publishing antiabolitionist pamphlets was a Mosquera family tradition. Joaquín Mosquera, the son of José María Mosquera and cousin of José Rafael Mosquera, would in 1830 become the second president of Colombia. In 1825, when still a lawyer and senator, he published in Bogotá his famous *Memoria sobre la necesidad de reformar la ley del congreso constituyente de Colombia, de 21 de julio de 1821, que sancionó la libertad de los partos, manumisión, y abolición del tráfico de esclavos: y bases que podrían adoptarse para la reforma*. A carefully crafted and painstakingly argued condemnation of the 1821 law, this pamphlet lauded abolitionist projects that established public order and respected property rights as "just, . . . good, . . . and worthy from an intelligent, visionary, and enlightened policy." Mosquera argued that the 1821 gradual emancipation law was not such a project. He had three main critiques of the law: it jeopardized "public tranquility, undermining the foundation of society"; it illegally stripped property from the citizen

¹⁷⁰ *Correo de la ciudad de Bogotá*, no. 185, 13 de febrero de 1823.

¹⁷¹ José Rafael Mosquera, *Proyecto de ley sobre manumisión de esclavos, e indemnización a los amos* (Bogotá: Imprenta de Espinoza, por V.E. Molano, 1824), BNC. In January 1825, the *Comisión de Policía, Agricultura i Comercio* of the House of Representatives in Bogotá referenced Mosquera's proposed bill. The Commission argued that they would start from scratch instead of using Mosquera's proposed bill. See AGN, Congreso, SR, l. 27, fol. 239r.

“without just compensation, against the Constitution of the Republic”; and it drastically reduced the national treasury’s finances and assets. “A law that has such vices,” he stated, “is null and should not be in effect, unless these evils can be avoided.”¹⁷² In addition to his family’s published repudiations of the law, Joaquín Mosquera cited the very first Colombian antiabolitionist pamphlet referencing Gerónimo Torres’s calculations on the ultimate cost of Free Womb children and even Torres’s originary trauma as a slaveholder, “the insurrection of slaves of the Rivers of San Juan,” as an example to show the “excesses of brutal man.”¹⁷³

Joaquín Mosquera’s pamphlet circulated among Colombia’s reading publics and received condemnation from abolitionist circles. One such condemnation was published in 1826 as a letter to the editor of the Bogotá paper *El Constitucional*. Signing their letter as “*un militar*” (a soldier), the anonymous writer wrote of Mosquera’s pamphlet that “it is a shame that such claims [to slavery] are seriously held.” The letter writer urged others to arm themselves with pens to attack “this PHILANTHROPIC Senator, opposing him with a barrage of citations and texts.” The “soldier” used Mosquera’s privileged standing in Colombia to attack his alleged bravery and nationalism, claiming that Mosquera had the honor of “being in Chile, and in London, [while] we fought with the Spanish loyalists [los godos].”¹⁷⁴ Echoing the earlier attack in the *Correo de la Ciudad de Bogotá* on José Rafael Mosquera’s aristocratic wealth, the “soldier” alleged that Joaquín Mosquera’s sheltered existence and connections had allowed him to avoid honorable military combat in the republican army. During this early period of fervent republicanism, when annual national festivals roused crowds of new citizens and symbols of national unity, including monuments and libraries, were being erected, many of Colombia’s seigniorial classes were under attack. The fact that the writer used the penname “a soldier” and referenced his military service in explaining his commitment to the slaves’ freedom further reflects how for many high-ranking republican officials the 1821 gradual emancipation law became a national virtue tied to the Wars of Independence.

¹⁷² Joaquín Mosquera, *Memoria sobre la necesidad de reformar le ley del congreso constituyente de Colombia, de 21 de Julio de 1821, que sancionó la libertad de los partos, manumisión, y abolición del tráfico de esclavos: y bases que podrían adoptarse para la reforma* (Bogotá: Impreso por F. M. Stokes, 1825), BNC, 4.

¹⁷³ *Ibid.*, 10. For the reference to Torres’ calculations, see *ibid.*, 19.

¹⁷⁴ *El Constitucional*, abril 1826, Bogotá, BNC.

These printed controversies reveal the contending abolitionist and antiabolitionist publics formed in the wake of the 1821 law. A vibrant print culture became the battleground over shaping public opinion concerning the future of slavery in Colombia. The “*montaña*” of Bogotá served as the de facto, pro-law headquarters for a new generation of abolitionist republicans who would butt heads with Popayán’s slaveholding elites. However, calls to reform the law did not fall entirely on deaf ears. In January 1825, an obscure body known as the Comisión de Policía (Police Commission) announced that they were responsible for coordinating a project to reform the law. That this responsibility fell to the Police Commission suggests how the antiabolitionists’ arguments of public order and criminalization influenced the national debate.¹⁷⁵ By February 1825, the Police Commission presented its revised (and ultimately unimplemented) version of the law, which extended the age of bondage for Free Womb captives to age twenty.¹⁷⁶ A little more than a year later, another obscure body, the Comisión de Manumisión (Manumission Commission), presented five different reform proposals and petitions. These came not just from Popayán, but also from the provincial junta of Buenaventura and the municipality of Barbacoas – both located in the southwestern Colombian Pacific – as well as Panamá and even the Andean highlands of Socorro.¹⁷⁷ These reform proposals also failed. Yet the fact that a full repeal was never issued reveals the law’s hegemonic power in the early national Colombian public sphere. During the 1820s, the abolitionist public centered in Bogotá – an amalgamation of liberal and republican lawyers, jurists, military men, educators, priests, or merchants – held the upper hand.¹⁷⁸ This abolitionist public overruled the anti-law counterpublic that developed in Popayán and the southwest. However, the antiabolitionist cause would find renewed fervor in the late 1830s and 1840s, as Colombia’s first civil war set off a tidal wave of fear among Colombia’s white elite and calls to prolong Free Womb bondage. The next chapter turns to how the Free Womb law was implemented in the Pacific lowlands and explores the labyrinthine legal struggles of Free Womb captives before and after the civil war.

¹⁷⁵ AGN, 1825, SR, Fondo Congreso (FC), l. 27, fol. 234r. ¹⁷⁶ *Ibid.*, fols. 236r–237v.

¹⁷⁷ AGN, 1826, SR, FC, l. 27, fol. 251–v.

¹⁷⁸ For more on this generation of republican men in the 1820s, see Uribe-Uran, *Honorable Lives*, 71–102.

The Children of the Free Womb and Technologies of Gradual Emancipation Rule

Just a few years before the wealthy Jamaican slaveholder George Henry Isaacs would uproot his family from the frontier Pacific lowlands to move to the Cauca Valley in 1836, the master and *jefepolítico* was busy managing his enslaved properties in Quibdó. Perhaps after some backroom negotiations, Isaacs appeared before the city notary in 1833 and finalized the sale of an enslaved woman's child named Faustino, described as "thirteen (to fourteen) years old."¹ Calculating his age, the note of sale marked Faustino's birth year as either 1819 or 1820 – that is, just a year or two shy of 1821, the year after which, according to Colombia's Free Womb law, any child born to a slave would be fully freed after serving their mother's master for a period of eighteen years. By destroying the "genealogical inheritance of enslavement,"² the Free Womb law had abolished the centuries-old institution of chattel slavery in the northern Andes. But having been born before the law's promulgation, Faustino remained firmly bonded to slavery, affirmed by the note of sale and the handsome sum of 180 *pesos de plata* exchanged between Isaacs and Faustino's new lowland master, Señor Manuel Valencia, the owner of the Tutunendo gold mine.³

However, a petition filed twelve years later, in 1845, reveals a radical disruption to Faustino's enslaved fate. According to the record, Valencia launched a lawsuit against Isaacs after it was discovered that "Faustino was not a slave, but one of those included in the law of July 21, 1821, on

¹ NPQ, 1833: 134r. The record added the age "to fourteen" as an addendum, hence the parentheses within the quote.

² Cowling, *Conceiving Freedom*, 53. ³ NPQ, 1833: 134r.

the freedom of the womb, manumission, and abolition of the slave trade.”⁴ Now deemed a child of the Free Womb, Faustino would have been nearly twenty-four-years old at the time of the petition’s filing, several years beyond the required eighteen years of forced service to his mother’s master. It is likely that Faustino’s kin were the unnamed initiators of this petition that changed his fate, as many family members of Free Womb captives filed similar petitions during gradual emancipation in Colombia. Unfortunately, the archive remains silent on this. However, lawsuits from the Colombian Pacific lowlands in the 1830s and 1840s do show that Faustino’s protracted leap from enslaved to Free Womb was far from uncommon.

A subject of great contestation, the Free Womb law was riddled with paradoxes that lay at the heart of early-nineteenth-century racial liberalism, a term that refers to the racial inequality, stratification, and unfreedoms produced by Enlightenment liberalism.⁵ The law declared that Free Womb children were born “free,” but in reality fixed a term limit on their legalized captivity. Meanwhile, the law codified these children’s circulation in the Free Womb trade and made it easier for slaveholders to procure ostensibly freeborn captives. Thus while slaveholders – particularly in western Colombia, the historic stronghold of slavery in the former colony and new republic – vehemently derided the law as theft, some of them nevertheless saw the Free Womb law as a real economic opportunity to cash in on especially cheap pools of unfree labor. As one lowland slaveholder in the 1840s recounted, “A seven-year-old slave would cost 150-200 pesos. . . .Who doesn’t know that a *manumitido*” – a term that came to refer to Free Womb children whose precise implications will be examined later in this chapter – “of such an age could only be sold for sixty pesos?”⁶ One lowland official even developed an informal system of categorizing the sale price of Free Womb children, asserting that the “median price of the manumitidos younger than seven years old is thirty pesos, those between seven and fourteen, forty pesos, and those who exceed this age up to eighteen years old, fifty pesos.”⁷ With access to cheaper captives, speculating lowlanders came to have an even greater

⁴ NPQ, 1845: 109v-110r.

⁵ For more on liberalism in Latin America and racial liberalism, see Charles Hale, *The Transformation of Liberalism in Late Nineteenth-Century Mexico* (Princeton, NJ: Princeton University Press, 1989); Charles Wade Mills, *Black Rights/White Wrongs: The Critique of Racial Liberalism* (Oxford: Oxford University Press, 2016).

⁶ ACC, 1845, República JIII 8em 4026, fol. 71r.

⁷ AGN, 1845, SR, FGV, l. 105, fol. 592v.

stake in slavery through the Free Womb law, which both muddled and deepened the legal and racial distinctions between free and unfree.⁸ As a symbolic and a practical site for the contestation of black freedom, the Free Womb law granted a peculiar kind of property rights and birthed a new form of domination distinct from slavery but nevertheless bound to the institution. Yet, as we shall see, the changing legal lexicon for Free Womb children in the 1830s and 1840s suggests that the boundary between “freeborn” and enslaved captives became ever more porous.

The Free Womb law granted novel if tenuous opportunities for black mothers, fathers, and other relatives to determine the fates of their Free Womb loved ones. After 1821, the Free Womb children’s enslaved and free black kin harnessed the law’s limited protections to make powerful claims – for example, to rightful motherhood – that sometimes moved the 1821 law beyond its framers’ original intentions. Free Womb kin and their allies made these claims in multiple ways, whether through costly and winding lawsuits, which were always waged by mothers in the lowlands, or through more subtle means. As an example of the latter, an enslaved woman named María, on a somber day in 1829, laid to rest her Free Womb daughter named María Liberata – a completely unique name, meaning María “free woman,” in nineteenth-century Chocó. Perhaps the child’s name was her mistress’s attempt to differentiate between mother and daughter, who shared the same first name; alternatively, it could reflect the mother’s desire to inscribe her daughter’s freeborn status in her very name.⁹ In life and death, the Free Womb young girl was a *liberata*, a free woman. Yet as the latter part of this chapter documents, the efforts of these black lowlanders to wield the Free Womb law for freedom became increasingly tenuous into the 1840s in the face of conservative backlash. The civil war in Colombia and a florescence

⁸ On the political economy of Free Birth laws in the northern United States, see Robert William Fogel and Stanley J. Engerman, “Philanthropy at Bargain Prices: Notes on the Economics of Gradual Emancipation,” *The Journal of Legal Studies* 3, no. 2 (June 1974): 377–401.

⁹ Death record of María Liberata, February 14, 1829, *Familysearch.org*, The Church of Jesus Christ of Latter-day Saints, accessed July 24, 2017, <https://familysearch.org/ark:/61903/3:1:33SQ-G5JM-8T6?i=229&wc=QZZS-BW7%3A1044033101%2C1044097301%2C1044097302%2C1044107701%3Fcc%3D1726975&cc=1726975>, my emphasis. This interpretation of María Liberata’s name is inspired by Jennifer Morgan’s reading of an enslaved child named “Mines” in colonial South Carolina. See Jennifer Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004), 131–132. On the importance of naming among enslaved families and kin, see Turner, *Contested Bodies*, 183–189.

of reactionary policies across the Andes and British Caribbean would allow slaveholders to reform the Free Womb law in order to expand the terms of unfreedom for Free Womb captives and their families.

LEARNING AND LITIGATING THE FREE WOMB LAW

How exactly did Pacific lowlanders learn about the Free Womb law? The 1821 law mandated that it be published in Gran Colombia's provincial capitals but did not stipulate how these published versions should be disseminated. A passing remark by Chocó's governor, who surveyed the region's gold mines sometime after the national law's publication in 1821, sheds light on this. Upon visiting each mine, the governor "read to the gathered Slaves the Laws of the Sovereign Congress that apply to them"; that he "exhorted them to have recognition, affection, and submission to their Liberal Government that has procured to them benefits that they could have never imagined" suggests that the Free Womb law was likely among the laws read. Cuadrilla by cuadrilla, the governor advised enslaved lowland miners of their rights, particularly regarding the provisions they were owed and the legal limits of punishment. Notably, the governor reported that the slaves "have been alerted to pay attention to the Doors of the respective Chapels for the *Ley de Manumisión* [manumission law]." ¹⁰ In Chocó, the 1821 law was published on the wooden doors of local churches for enslaved lowlanders to see and read for themselves, almost certainly with the assistance of a literate person. Masters likely also learned about the law in this manner. Certainly, the church door was not a surprising site for the publication of the law. From the iconic image of the *Ninety-five Theses* nailed by Martin Luther to the door of All Saints' Church in 1517, to the posting of new regulations on slaves' food and clothing procurements on the "doors of the *Ayuntamiento* of the Churches of each pueblo" in the Spanish *Instrucción* of 1789, across time and geographies church doors functioned as central public bulletins alerting community members of important developments. ¹¹ This very public dissemination of the Free Womb law differed greatly from elsewhere across the Americas. In early-nineteenth-century New York state, for example, Sojourner Truth learned about changes to slavery law by eavesdropping on her masters. ¹²

¹⁰ ACC, 1822, Independencia CI-2g 6837, fol. 3v.

¹¹ On the 1789 *Instrucción*, see chapter 2 in "El original de la R.C. instrucción," 313.

¹² Gronningsater, "Born Free in the Master's House," 136.

The church thus became one of the central political institutions for the Free Womb law's execution in the northern Pacific lowlands, and the parish priest its primary executor. The church was the site not only of the Free Womb law's announcement but also of the legal act of *becoming* a Free Womb child, as Article 1 of the law instructed that the names of enslaved children born after the law was published in the provinces' capitals be recorded in the parish books.¹³ One mother of a Free Womb child articulated the emotive significance of the local church in her petition to free her son in the early 1840s. The free black mother described how "her son was baptized as a manumitido" by Llóro's priest, who "yelled in a loud voice that Juan was the first *libertino* [freedman, another term to describe a Free Womb child] he had ever baptized in this parish." Interestingly, she emphasized that the priest had proclaimed her son's Free Womb status "at the door of the church," which her lawyer later portrayed as an expression of "public joy."¹⁴ By evoking the expressive tenor of the priest's "loud voice" and evoking the church's door, where the Free Womb law would have been published, the free black mother was able to claim her son's freedom as a public, celebratory act. She very clearly recognized the political power represented by the church and priests turned state agents.

Lowlanders might have also learned about the law during public celebrations organized by local authorities throughout Gran Colombia upon publication of the new republican constitution. While there is no mention of the 1821 law in the fragmentary records for Chocó's first *fiestas nacionales*, word of the law could have arrived with the festivities, eventually trickling into the Pacific lowland black communities. The arrival of news about eventual emancipation among these black communities might have, as happened elsewhere, created quite different reactions from those held by white slaveholders.¹⁵ News of the law could have

¹³ Congreso de Cúcuta, 1821, *Libro de Actas*, Act 84, Session of July 19. Baptismal records were treated as birth certificates, since the records often specified when the child was born (i.e., "born today") or how old the child was at the time of baptism (i.e., "eight days old").

¹⁴ ACC, 1845, República JIII 8em 4026, fol. 1r, 70v.

¹⁵ On abolitionist festivals in the Atlantic World, see Mitchell A. Kachun, *Festivals of Freedom: Memory and Meaning in African American Emancipation Celebrations, 1808–1915* (Amherst: University of Massachusetts Press, 2003); Jeffrey Kerr-Ritchie, *Rites of August: Emancipation Day in the Black Atlantic* (Baton Rouge: Louisiana State University Press, 2007). James J. Gigantino II observed that the New Jersey state legislature's passage of the 1804 gradual abolition law was not accompanied by public celebrations. See Gigantino II, *Ragged Road to Abolition*, 97.

arrived to Quibdó through Bogotá-based newspapers like *La Gaceta de Colombia*, which as we have seen printed the full law in its second issue, or by word of mouth from black lowland soldiers who enlisted or were conscripted into Bolívar's forces during the Wars of Independence.¹⁶ One way or another, lowlanders became familiar with the law. As one lowland lawyer remembered in the 1840s, "The law of manumission in Colombia was such an extraordinary success that *even las bestias* [brutes, beasts] knew about it and its publication in the administrative center of each canton."¹⁷ What the attorney meant precisely by "las bestias" remains elusive – perhaps, in the calculating language of slaveholders, he intended to encompass enslaved people and animals. The overall meaning is nevertheless clear: all knew of the 1821 law.

Article 1 of the 1821 law, by deeming "free" those born after not the law's passage at the Congress of Cúcuta but its publication in Colombia provincial capitals, firmly placed control over the law's execution at the regional level.¹⁸ Thus, the date of the law's publication varied across the republic, even within provinces: reflecting long-standing administrative tensions within Chocó, the 1821 law was published in the capital of Quibdó on September 21, two months after its passage at Cúcuta, while it was published a few weeks later, on October 7, in Nóvita.¹⁹ Regional control likely led some officials (especially those with pro-slavery sympathies) to put off publicizing the law as long as possible. This appears to have happened in southern Pacific gold-mining towns such as Barbacoas, where the law wasn't publicized until July 28, 1822, just over a year after the Congress of Cúcuta passed the law; likewise, news of the law wasn't announced in Iscuandé until sometime in 1822.²⁰ Slaveholders throughout the Americas applied such stalling tactics; Cuban planters, for

¹⁶ *La Gazeta* published the entire 1821 law in the September 9, 1821 edition of their newspaper, see *La Gazeta de Colombia*, no. 2, 5–6. For more on the enlistment of slaves from Chocó, see Chapter 1.

¹⁷ ACC, 1845, República JIII 8em 4026, fol. 72r, my emphasis.

¹⁸ Congreso de Cúcuta, 1821, *Libro de Actas*, Act 84, Session of July 19.

¹⁹ AGN, 1840, SR, FGV, l. 62, fol. 527r–v.

²⁰ ACC, 1844, República JIII 8em 4029, fol. 2r, 31r. According to this record, the law was published in Cali on September 18, 1821 and in Popayán on October 11, 1821, see *ibid.*, fol. 25v. Popayán authorities argued that the law's publication in Barbacoas did not apply since it was not a provincial capital at the time, see *ibid.*, fol. 21v. For a similar argument made about the Pacific lowland town of Lloró, see ACC, 1845, República JIII 8em 4026, fol. 103v.

example, would take up these tactics after the Moret Law initiated gradual emancipation on their island in 1871.²¹

Surviving baptismal records from Nóvita confirm how lowland authorities strictly adhered to their local dates of publication. From July 21 (when the law passed) to October 6, 1821 (the day before its publication in Nóvita), all of the children of enslaved women were born into enslavement. Entering the world on October 9, 1821, the infant boy Francisco de Borja, legitimate son of the lowland slaves Juan José and María José, was the first recorded Free Womb child in Nóvita, born “*libre en virtud de la Ley de manumisión*” (free in virtue of the Law of manumission). Writing in lighter ink just above the child’s record, the priest noted that the 1821 law was published in Nóvita on October 7, 1821.²² What Francisco de Borja’s enslaved parents must have felt knowing that their son was formally born free eludes us. Still, other parents and their children suffered from officials’ exactitude in applying the letter of the law. Although the infant María Polinaria received her baptismal certificate in November 1821, a month after the law’s publication in Nóvita, she was seven-months old at the time and was thus not deemed a Free Womb child. Like her mother, a captive of Sesego mine, María Polinaria was born a slave.²³

Baptismal certificates were indispensable instruments of social policy that determined the lives of Colombia’s black youth born after the Free Womb law’s publication. This is why one Chocó slaveholder urged a correspondent to “let me know if the birth certificate . . . has arrived for Consención,” a child from the Santa Juana mine in Chocó, as he required the document to seal the young girl’s fate.²⁴ The profound importance of the recorded date of birth for sifting enslaved children from Free Womb children made the baptismal certificate function as their own versions of *cartas de ahorro y libertad* (letters of savings and freedom), the documents received by manumitted slaves securing their legal freedom.

²¹ Scott, *Slave Emancipation in Cuba*, 67–68.

²² Baptismal record of Francisco de Borja, October 10, 1821, *Familysearch.org*, The Church of Jesus Christ of Latter-day Saints, accessed July 16, 2017, <https://familysearch.org/ark:/61903/3:1:333S7-95JH-9QKT?i=511&wc=QZZS-BZ2%3A1044033101%2C1044097301%2C1044097302%2C1044100401&cc=1726975>.

²³ Baptismal record of María Polinaria, November 16, 1821, *Familysearch.org*, The Church of Jesus Christ of Latter-day Saints, accessed on July 16, 2017, <https://familysearch.org/ark:/61903/3:1:333SQ-G5JH-93PQ?i=513&wc=QZZS-BZ2%3A1044033101%2C1044097301%2C1044097302%2C1044100401&cc=1726975>.

²⁴ ACC, 1840, República CI-13mn 2975, fol. 10v.

However, baptismal certificates differed from classic freedom papers in one important sense. Manumitted slaves were required to physically produce the latter to prove their freedom. By contrast, the failure to produce a birthdate or a baptismal certificate could occasionally be a blessing for lowland Free Womb children and their parents fighting against contentious masters.²⁵

For instance, in 1844 the mistress María Antonia Álvares del Pino appealed the Quibdó manumission junta's 1841 decision to grant Free Womb status to a young man she had possessed, named Domingo or Manuel Ramos. Pino's lawyer claimed that Ramos had been born before the law's publication in the province and thus "unjustly pretends to be one of the manumitidos under the blessings of the law of 1821." "In trials of this kind," Pino's lawyer assured, "the birth certificate is the most reliable document that one should pay attention to, to bestow or reject the freedom of an individual." But by this very logic Pino's case rested on poor evidence, as Ramos's baptism was dated March 1822, and although the priest noted on the certificate that Ramos was born in 1821, he did not list an exact date. The case was eventually sent to the Higher Court of Popayán, who ruled against Pino, claiming that she had not sufficiently proven that Ramos was born before the 1821 law.²⁶ If Ramos had truly been born even a day before the law's publication, the omission of his exact birthdate on the baptismal certificate might have saved him from formal slavery.

In another such instance, María Antonia Serna initiated a freedom suit in 1843 for her son, Juan Ramón. Standing in the Lloró parish court, the free black mother demanded the freedom of her son, roughly twenty-two-years old at the time, on the grounds that he had "served more than the sufficient years decreed by the manumission law." Ramón's master, on the other hand, contended that Juan was born before the law's publication and was thus not even a Free Womb child. Yet it was eventually revealed that Juan's baptismal certificate was burned in an 1834 fire that had destroyed the parish records of Lloró. Although the master's attorney

²⁵ In this sense, baptismal certificates for Free Womb children were substantially different from the classical "freedom papers," which manumitted slaves physically required to prove their freedom. On the importance of birth certificates for Free Womb children in New York, see Gronningsater, "Delivering Freedom," 92–93.

²⁶ ACC, 1841, República JIII-8em 4027, fols. 2r–10r. The fact that Ramos had two names (Domingo and Manuel) could have reflected his mother or another kin's desire to have a separate, independent name than that assigned to him by his master. On the politics of naming conflicts for enslaved children, see Turner, *Contested Bodies*, 184–185.

accused Serna of “taking advantage of this accident,” the Higher Court of Popayán judged that the physical absence of the baptismal certificate, in addition to the fact that the majority of the witnesses attested to Juan’s birth after the law’s publication, meant that Juan’s freedom could not be denied. In a major win for the family and their loved ones, Juan was declared *libre*. Apart from crafting skillfull legal arguments, mothers like Serna could have strategically exploited extenuating circumstances such as a church fire to their advantage.²⁷ No wonder that Consención’s master, as seen above, so urgently inquired about her birth certificate.

Other factors surrounding the law’s initial implementation were appealed to by masters throughout the Pacific lowlands in defense of their interests. In the mid-1840s, for instance, a slaveholder in Barbacoas cited the southern Pacific mining town’s publication of the law – on July 28, 1822, as we have seen – to claim that two women he possessed, María Encarnación and Ana María, had been “wrongly” presented “as beneficiaries of the law of *partos libres* [free wombs].” Curiously, the slaveholder primarily pinned his claims against the freedwomen on the political circumstances of the southern Pacific coastal region during the Wars of Independence, arguing that Barbacoas was not “part of this Republic, and even less so of any Colombian province, since it was not freed from the Spanish yoke” when the law was published. Evoking Article 1 of the 1821 constitution, which professed that pueblos under Spanish rule would form part of the republic after their liberation, the conniving master contended that the 1821 law therefore did not have any legal authority in Barbacoas, still Spanish-occupied territory at the time of the law’s passage. In fact, his lawyer argued that application of the 1821 law to Barbacoas under Spanish occupation would be antidemocratic. The court did not weigh in on these arguments, the lowland master’s appeal deemed null and void due to allegedly illegal proceedings.²⁸

Another terrain of contentious struggle in the Pacific lowlands created by the gradual emancipation law’s local application was the separate sale of mother and child. As we have seen, Article 5 specifically addressed this matter of alienation, one of the markers of chattel slavery, ruling that

²⁷ ACC, 1845, República JIII 8em 4026, fols. 1r, 5v, 14r-v, 74v, 103r-104v. For more on Serna’s case, see my article, “Free Black Women, Slavery, and the Politics of Place in Chocó, New Granada,” *Revista de Estudios Colombianos* 47 (enero-julio 2016): 57–66. For a similar case in gradual emancipation Peru, see Blanchard, *Slavery and Abolition in Early Republican Peru*, 67.

²⁸ ACC, 1844, República JIII 8em 4029, fols. 2r, 29r–30v, 32r.

slaves could not be sold “outside the province in which they reside in, separating the children from their parents,” prior to the child reaching “the age of puberty.”²⁹ As discussed in Chapter 3, this article accomplished two significant measures: the legalization of the local, *intra* provincial trafficking of young (or in the law’s language, “prepubescent”) Free Womb children without their parents, and the creation of an *inter* provincial Free Womb trade for “mature” children who had reached the age of puberty.³⁰

Article 5 was fundamentally repressive, creating a marketplace in Free Womb children. However, enslaved lowland parents and sympathetic legal authorities could sometimes appeal to its terms when fighting against the children’s sale. In late 1835, for instance, an enslaved mother named Juana del Concilio verbally petitioned Quibdó’s court to return her Free Womb daughter, María Brigida, who had been sold to a different master. The slaveholder Jacinto Alvares del Pino had owned mother and daughter before they were sold to separate owners in the rural mining village of Nematá after their master’s death. The young María Brigida was sold to the mistress Mercedes Ynser along with another enslaved man named Damacio. As Ynser wrote to José Nicolas Castro, the legal representative of the Alvares del Pino estate, after the sale, she had purchased Damacio, whom she derided as a “*negro brivon*” (lazy black), “only because you were going to sell me *la negrita*,” which revealed how the young María Brigida was torn from her mother because she was the crucial bargaining chip in her former owner’s business deal.³¹ Rather than appealing to the logic of business, Concilio powerfully argued that she was exercising her right *as a mother* to retrieve María Brigida. “[I]n no way can she be separated from her daughter,” del Concilio is said to have stated to the municipal judge. The sympathetic judge was apparently persuaded by the enslaved mother’s arguments and referred to parts of the 1821 law to explain his decision. He contended that “in no way can [del Concilio] be separated from her daughter . . . considering that the *muchacha* is only about four to five years old” and “that the mother needs to take care of her daughter who is young until she reaches the age of puberty in conformity with Article 5 of the Law of July 21, 1821.”³² Concilio’s radical wielding of her claim to motherhood presaged how, as

²⁹ Congreso de Cúcuta, 1821, *Libro de Actas*, Act 84, Session of July 19.

³⁰ Article 5 also legalized the sale of enslaved parents *outside* their provinces after the children reached the age of puberty.

³¹ ACC, 1835–1836, República JIV-6cr 3845, fols. 4v, 9v–10r. ³² *Ibid.*, 5r–v.

Camillia Cowling notes in her study of women's claims-making later in Cuba and Brazil under gradual emancipation, Free Womb laws gave women new juridical and rhetorical tools for freeing their bonded children. Significantly, Cowling finds that the idea of the "right to be a mother" increased in its legal and social currency for both enslaved and free black women during the 1870s and 1880s, "a radical departure, since slavery had systematically denied enslaved men and women the right to custody of their own children, positioning slaveholders as 'parents.'"³³ Along similar lines Concilio's allusion to motherhood, as Cowling writes of Brazil and Cuba nearly fifty years later, was fundamentally rooted in the "notion that motherhood was a shared, fundamentally human trait" that consequently created parity between petitioner and petitioned.³⁴

The ultimate result of this case suggests that Concilio's appeals to motherhood worked. The estate's legal representative José Nicolás Castro also appealed to Article 5 focusing instead on its legalization of the *intra* provincial Free Womb trade, which he noted "only prohibits, explicitly and clearly, removing the libertos outside of the Province of which they are located in." Because María Brigida was sold to a master in the same province, Castro argued, he was perfectly within his legal rights, "the natural meaning of this Article being entirely clear that these [libertos] can be sold, even separated from their parents as has been seen, as long as one complies with the requirement of not removing them from the province."³⁵ Yet, the Quibdó judge did not budge on his decision. He thus ordered Castro to bring María Brigida to her mother's new master. Castro appealed to the higher authorities in Popayán, who also ruled against him, on technical grounds. We do not know what ultimately became of Juana del Concilio and her young daughter. Presumably, mother and child were reunited, given that no new lawsuits were initiated. Perhaps after conversation with his client, Castro decided to drop the case and unite María Brigida with her mother.

Curiously, though, slaveholders themselves used against other slaveholders the broader claims to parenthood marshaled by enslaved mothers such as Concilio. This is evident in an unusual case from the early 1840s involving the sale of so-called fugitive enslaved parents. Manuel José Patiño had in 1843 sold the enslaved couple Sebastián and María de los Santos from the San José mine to another lowland master, Julián Rivas. Soon after being sold to their new master, the couple fled. Rivas took

³³ Cowling, *Conceiving Freedom*, 87, also see 71–77, 199, 203.

³⁴ *Ibid.*, 77–78.

³⁵ ACC, 1835–1836, República JIV-6cr 3845, fol. 7r.

Patiño to court for fraud, claiming that he had “maliciously hid that they were *simarrones* [runaways] whose vice or defect they have from when they were sold.” As came out during the trial, Patiño had initially planned to move the enslaved couple to the Cauca Valley so that María de los Santos could serve as his son’s *sama* (wet nurse). When Patiño stopped en route in the Chocoano village of Sipí to take care of some matters, the couple fled and tried to find a new master. According to Patiño, they did so “because they believed that if they moved to a new climate, they would die”; additionally, they did not want to “leave their elderly parents and numerous [family] members” behind, including two children aged four and seven.³⁶ Article 5 of the 1821 law prohibited enslaved parents and their pre-pubescent children from being moved to separate provinces, as happened to this couple. Perhaps they ran instead of appealing to the law because they did not know what legal steps to take or could not endure the time-consuming and costly process that such a suit would entail. Whatever their reason, they seem to have chosen, like other lowland captives seeking refuge from unwanted moves, to have bet on finding a new local master.³⁷ They lost this bet, Patiño eventually apprehending the couple and selling them, without their children, to Rivas.

Defending himself in court against accusations of fraud, Patiño argued that because Sebastián and María de los Santos were only searching for new masters when they fled from Sipí, they did not qualify as runaways. Patiño’s more interesting defense, though, was that Rivas was to blame for the slaves’ flight from him because he did not purchase their two Free Womb children. Patiño claimed that he had wanted Rivas “to buy [the two children] as well so as to not separate them”; Rivas, however, failed to pay “the rightful price for [the children’s] services.” In a curious twist of logic, Patiño, who had sold the couple without their children, asked Rivas, “as *un hombre y padre de familia* [a man and head of household]” whether he had felt “a powerful motive of disgust” when he contemplated separating the couple from their children and whether “the slaves would feel the same,” causing them to flee. The slaveholding Patiño thus offered the same appeal to parenthood by enslaved mothers separated from their children. “Are there parents who with cold indifference leave their young children in orphanhood and grief?” Patiño later probed, before explicitly

³⁶ ACC, 1843–1848, República JI-18cv 965, fols. 1r, 5r, 18r, 35r–v, 53r–v.

³⁷ For cases of enslaved lowlanders running away to Quibdó or surrounding villages in pursuit of a new master, see Chapter 1.

citing Article 5, the “law that orders not to separate children from their parents until the age of puberty.”³⁸

The case was left unresolved, the enslaved couple still on the run as of 1843. While their ultimate fate remains for us unknown, perhaps before running they left their children in the care of enslaved kin at the mining camp, who may have even known the couple’s real whereabouts. Regardless, the proceedings reveal the profoundly malleable nature of the Free Womb law. Not only did enslaved lowland parents (especially mothers) wield the law’s articles against lowland masters (and vice versa) in the courtroom, but also devious masters appealed to the law’s provisions in contentious suits against other masters. In the months after its promulgation, the Free Womb law became the law of the land throughout Colombia, as province by province enslaved and free lowlanders could see and even feel the rough paper proclaiming the law nailed on the familiar doors of their spaces of worship. The law’s precise application and meaning, however, remained up for debate.

THE TRAFFICKING OF LOWLAND FREE WOMB CAPTIVES

In order to circulate as commodities a price had to be placed on the Free Womb children. The national gradual emancipation law had a mechanism for this, as we saw in Chapter 3. Article 3 stipulated that “persons not of kin,” meaning strangers or potential buyers, could “withdraw” a Free Womb child from their master by offering a “just compensation for the alimentos” – in the form of education, clothing, and food – provided by the master.³⁹ As to assigning a monetary value to the alimentos, the law specified that this would be determined either by a “private agreement” between master and buyer or by the “prudent decision of a judge.” Strictly speaking, buyers on the Free Womb market were not purchasing the very property of the enslaved human; they were buying the debt incurred by the master for the Free Womb child’s alimentos. Strictly

³⁸ ACC, 1843–1848, República JI-18cv 965, fols. 18r, 35v, 53v, 66r.

³⁹ In the nineteenth century, claims over alimentos were ubiquitous in other Spanish American republics, such as Chile and Mexico (where it actually increased). For more, see Milanich, *Children of Fate*, 111; Sarah Chambers, “Citizens before the Law: The Role of Courts in Postindependence State Building in Spanish America,” in *State and Nation Making in Latin America and Spain*, Miguel A. Centeno and Agustín E. Ferraro, eds. (Cambridge: Cambridge University Press, 2013), 360, 372; Ana Lidia García, “Madres solteras, pobres y abandonadas: ciudad de México, siglo XIX,” *Historia Mexicana* 3, no. 52 (2004): 647–691.

speaking this meant that all purchases made on the Free Womb market established relations of debt bondage. That the Free Womb child had to compensate in turn with their “labor and service” the person who had paid the cost of their previous master’s *alimentos* meant that this system in practice amounted to slave labor. As the slaveholder Gabriel Andrade emphasized to the buyer of the enslaved mother María Rosa and her two Free Womb children in 1831, the children were “under the concessions of the Law of Manumission, which is to say, that they are obliged to serve [the buyer] until the age determined by the law.”⁴⁰

Although the children’s procurement was almost always discussed in terms of debt accrued for *alimentos*, masters sometimes explicitly deployed the language of property. This happened only twice in more than twenty years of records of sale maintained by the Quibdó notary.⁴¹ In one such instance recorded in 1835 under the title “*Propiedad de una negrita libre por la ley*,” doña Rosa del Pino declared that she would “desist, renounce, and transfer the property rights of la negrita Petrona that through *alimentos* has been granted to [Pino] by the Law of Manumission.”⁴² Similarly, after receiving more than 100 pesos another lowland slaveholder transferred his “property rights granted to him over Candido according to Article 2 of the Law of Manumission of slaves declared on July 21, 1821,” which stipulated that Free Womb children would “compensate their mother’s masters” by being bound to them until the age of eighteen.⁴³ Neither Article 2 nor any other of the law’s articles officially endowed “property rights” to the master; both these slaveholders were merely making explicit what was fundamentally implicit.⁴⁴ As George Reid Andrews argues in the case of “Free Womb” children in revolutionary Buenos Aires, “In theory it was the right of patronage and the right to the *liberto*’s services that changed hands, but in practice it was a human being who was being sold, despite the fact that he might be

⁴⁰ NPQ, 1831: 45r.

⁴¹ In other records, like lawsuits, the Free Womb children are also explicitly referred to as property. For example, see ACC, 1835–1836, República JIV-6cr 3845, fol. 4r. The Free Womb children were also explicitly referred to as slaves (“*dichos esclavos*”) during the Congress of Cúcuta, see article four of Restrepo’s proposed law in Congreso de Cúcuta, *Libro de Actas*, Act 60, Session of May 28.

⁴² NPQ, 1835: 205v. ⁴³ NPQ, 1837: 81v–82r.

⁴⁴ Similar moves to treat Free Womb captives as property were evident in New Jersey as well after implementation of the state legislature’s gradual abolition law in 1804. See Gigantino II, *Ragged Road to Abolition*, 99–100.

theoretically free.”⁴⁵ The slippage in language reveals that lowland slaveholders ultimately believed Free Womb children to be chattel property.

While the Free Womb law left implicit the children’s status as property, it ultimately left ambiguous the price to be paid on the market. This is because slaveholders appear to have had different assessments as to the actual economic value of the *alimentos* to be compensated on the Free Womb market. This can be seen especially in inventories from throughout the northern Pacific lowlands containing Free Womb children. In some of these, masters and mistresses did not assign prices to the Free Womb children. In one 1828 inventory, the value of a young Free Womb child could not be assessed “because he was born under the law.”⁴⁶ Likewise, an 1831 inventory of a gold mine owned by the deceased slaveholder Antonio García y Falcón listed prices for enslaved miners but appraised the value of their Free Womb children at “0000.”⁴⁷ The same was true for an 1832 inventory from the Rspadura gold mine.⁴⁸ A later record from this mine, from 1834, clarifies the reason for this practice: the owners claimed to be unable to appraise the 113 Free Womb children because their *alimentos* could only be determined at the moment the children left their master’s dominion.⁴⁹

In other words, while the enslaved person had a more or less fixed price (a price, nevertheless, that would be affected by factors such as age and health), the value of the Free Womb child was constantly shifting.⁵⁰ Some slaveholders did appraise the children, as did the executors of the Tutunendo mine, on Quibdó’s outskirts.⁵¹ Still, the practice of not assessing Free Womb captives continued into the 1840s; in one 1846 inventory, a slaveholder noted that the Free Womb child he owned was “without appraisal for being a *manumitida*.”⁵² Only when the child reached the age of eighteen would their value fall back to zero, a phenomenon evident in the inventories of the deceased slaveholder Santiago Chaverra. Appraising his properties in 1843, Chaverra’s executors stated that they

⁴⁵ Andrews, *Afro-Argentines of Buenos Aires*, 49.

⁴⁶ ACC, 1845, República JIII 8em 4026, fol. 17r. ⁴⁷ NPQ, 1827: 1v–3v.

⁴⁸ ACC, 1832, República CI-13mn 4300, fols. 6v–11r.

⁴⁹ ACC, 1833, República CI-13mn 4316, fol. 36r.

⁵⁰ As Daina Ramey Berry notes, the “sale price [of a slave] was a different form of valuation than an appraisal. It reflected the market value of a person at a specific moment.” See Daina Ramey Berry, *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* (Boston, MA: Beacon Press, 2017), 41.

⁵¹ ACC, 1837–1840, República CI-13mn 4385, fols. 8r–10v; ACC, 1844, República CI-13mn 4366, fols. 4r–6r.

⁵² NPQ, 1846: 89r.

should terminate “the value of 226 pesos for the manumitido Chaverra, who has reached the appropriate age and is removed from servitude; [in addition to] Eulogia and Juana, who have about two months left before they leave.”⁵³ As the older children reached the age of majority, they would age out of this particular form of unfreedom, while the younger children were increasingly treated as financial assets, whose value and *alimentos* increased over time. In some ways, the Free Womb child’s financial cycle was an even more compressed version of the slave’s cycle traced in Chapter 3, whereby their value would appreciate and ultimately decline over time.⁵⁴

This aspect of the Free Womb law influenced the economic management culture of the lowland gold mines. By comparing mining inventories from the Pacific lowlands executed before and after the 1821 law, we gain a fuller picture of this shifting social dynamic. Prior to the law, lowland slaveholders exhibited only a general sense of how an enslaved captive’s age affected their value. This is evident in the informal language used to describe the different ages of enslaved miners. For example, among the thirty enslaved people listed in an 1810 inventory of doña Nicolasa Becerra, who possessed the Lombricero mine worked by thirty enslaved people, were José Cartagena, described as “de veinte y quatro años” (twenty-four-years old); Francisco “de treinta y cinco años *poco más o menos*” (*more or less* thirty-five-years old); and Juan “*como de* catorce años” (*about* fourteen-years old).⁵⁵ After the Free Womb law was adopted in 1821, lowland mines became markedly more precise in recording ages, particularly with regard to Free Womb children. This change is evident in the 1832 inventory of the Rspadura gold mine, whose auriferous rivers were worked by 161 enslaved lowlanders and 116 Free Womb captives. While the language utilized to describe enslaved people’s ages remained informal – “*como de*” (about) appears frequently – parish records were drawn on to specify the age of Free Womb captives down to the *month and day*. For example, the young enslaved María Dionicia was described as “about fourteen years old”; the Free Womb girl María Valentina, by contrast, was listed as being “11 [years old], 6 [months old], and 14 [days old].”⁵⁶ In this sense, the Free Womb law intersected with emerging

⁵³ NPQ, 1843: 99v–100v.

⁵⁴ King, *Stolen Childhood*, 51; Sanders, *Contentious Republicans*, 62.

⁵⁵ NPQ, 1810: 107v, my emphasis. For more on Becerra’s holdings, see the introduction to Chapter 2.

⁵⁶ ACC, 1832, República CI-13mn 4300, fols. 17r–22r, 25r–26v.

26

22

Lista de los Niños de la manumisión de la Ley en esta Mina de Raspadura, con arreglo al libro Parroquial de Bautismos de esta Parroquia de orden del Sr. Gobernador de Popayán el 2 de octubre del año 1832

Nombres.	Edades		
	Años	Meses	Días
Juan Gallego	5	8	15
Juan Francisco	2	3	8
Juan Rafael	2	5	20
Juan Nolasco	2	1	15
Juan Francisco	6	2	15
Juan Tomas	4	2	7
Laura	2	1	20
Luisa	2	5	3
Juan Tomas	1	6	9
Isaac	5	3	16
Juan Mateo	4	1	9
Juan Pedro	1	9	15
Juan Antonio	8	0	17
Juan Pedro	2	8	5
Juan Pedro	11		23

FIGURE 4.1 List of Free Womb children in the Raspadura mine from 1832 inventory. Note the age (*edades*) specified by years (*años*), months (*meses*), and days (*días*).

Archivo Central del Cauca, Popayán, República CI-13mn 4300.

modern business practices that emphasized planning on the micro and macro levels as well as greater precision of “asset” management, features of a capitalist culture that would intensify in Colombia in the 1840s. In other words, the Free Womb law forced slaveholders to focus more precisely on the day-to-day details of their enterprises. This more intense calculation of the years, months, and days ticking by also forced slaveholders to imagine an eventual postslavery order.⁵⁷

This awareness of time and impending emancipation also affected the terminology used to discuss Free Womb children. In Quibdó’s notarial records for Free Womb sales prior to the late 1830s, the child’s status was described in particular ways that marked their special legal condition, including “under the Law of Manumission,” “free by the Law,” “free by

⁵⁷ On the importance of precision and management practices in US Southern and West Indian slavery, see Caitlin Rosenthal, *Accounting for Slavery: Masters and Management* (Cambridge, MA: Harvard University Press, 2019), 86.

the law of manumission,” or “of the Free Womb.”⁵⁸ But beginning in the late 1830s and increasingly during the 1840s the children were referred to as *manumitidos* or *manumisos* (manumitted slaves), terms dating from the colonial period.⁵⁹ In a similar context of Buenos Aires during the age of gradual abolition, historian Paulina L. Alberto discovered that the term *liberto*, a colonial term used to designate manumitted slaves in Spanish and Portuguese America, fell out of distinction in Buenos Aires but reemerged with the adoption of the 1813 “Free Womb” law to refer to Free Womb children. As Alberto argues, the adoption of the term reflects how the revolutionary government of Buenos Aires “treated [Free Womb children] as slaves manumitted at birth.”⁶⁰ That these far older terms of *manumitido* or *manumiso* replaced references to the Free Womb law as a shorthand for the status of children born to enslaved mothers after the 1821 gradual emancipation law signals an attempt to gradually elide these children’s special legal status. The use of these terms also suggests an attempt to reframe the Free Womb child’s eventual freedom as a result not of legislation but of the generosity of the master, who gives to the slave, as Orlando Patterson famously argued, “the gift of social life,” for which the former slave was forever indebted.⁶¹ Alternatively, the term might have signaled the ways in which the Free Womb children were considered manumitted subjects of the emerging Colombian state.

Although slaveholders occasionally purchased Free Womb children by themselves, most of the time they purchased mother and child together, transforming them into a single productive unit. In the available notarial records of Quibdó from 1828 to 1851, there were eight sales of Free Womb children sold on their own, while there were seventy-eight involving Free Womb children alongside their mothers.⁶² On the other hand, it was understood that the offspring of Free Womb captives were not assets

⁵⁸ NPQ, 1828: 40r, 101r; 1833: 102r, 116v–117r; 1835: 66v; 1838: 85r, 134r.

⁵⁹ NPQ, 1838: 134r; 1840: 159r, 174r; 1842: 124r; 1843: 92r, 146v, 152v; 1845: 140v; 1846: 62v–r, 71r, 72v. In fact, by 1847, the children are solely referred to as manumitidos in notes of sale and other records, see NPQ, 1847: 65v–66r; 84r–v; 87v–88r; 148r–v.

⁶⁰ Alberto, “*Liberta by Trade*,” 620, 626.

⁶¹ Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982), 294.

⁶² The notes of sale for Free Womb children either with their enslaved mothers or alone used the same language as that of notes of sale for slaves. In contrast, Sarah Levine-Gronningsater notes that for such children in New York “the legal documents of these exchanges [used] the language of child apprenticeship contracts, not of slave sales,” as required by the 1799 gradual abolition law. See Levine-Gronningsater, “Delivering Freedom,” 97–98.

and thus did not circulate in the Free Womb market. This appears to have been an informal understanding given that the 1821 law and subsequent national legislation did not formally address the matter. In fact, there was only one instance in the Pacific lowlands in which the offspring of Free Womb captives was discussed. In an 1844 inventory of the Tutunendo mine, the assessor noted the need to “exclude from the inventory and assessment [of the mine] José Romelio, eight months old, for being informed that he is a child of a manumitida, and thus not subject to appraisal or belonging to the mine.”⁶³ This implicitly suggests that Romelio belonged to someone else, namely, his Free Womb mother. This absence of uproar over the status of Free Womb captives’ children stood in sharp contrast to the reactions in other parts of the Atlantic world under Free Womb rule. In New Jersey, for example, slaveholders in several counties vehemently complained that the state’s Abolition Act of 1804 infringed on their right to the services of their Free Womb captives’ offspring.⁶⁴ Likewise, there are documented cases of masters successfully imposing Free Womb status upon Free Womb captives’ children in Buenos Aires during the age of gradual abolition. Paulina L. Alberto has referred to these affected children as “second-generation [*libertolas*].”⁶⁵

Over time, Free Womb captives were incorporated into the everyday business practices of the Pacific lowlands, whether in wills, gifts, dowries, inventories, mortgages, or notes of sale, the definitive manifestation of their proprietary nature. By the 1830s, they began to regularly appear in slaveholders’ last wills and testaments throughout Chocó, included among a diverse set of properties. At times, they were identified alongside their mothers and siblings, as in the will of Leonarda Palacios, a single mother of four and small landholder from Quibdó in 1833. After declaring the locations of her various tracts of land, she claimed to own four slaves named Josefa, Manuel José, Feliciana, and Ramona, adding that Ramona had “*un hijo libre por la Ley*” (a child free by the Law) named Juan José, and a daughter “*mucho también libre por la Ley*” (also very much free by the Law) named Florencia.⁶⁶ The seemingly casual reference to “also very much free,” as opposed to simply “free,” may have signaled an attempt by someone (perhaps the mother Ramona) to emphasize Florencia’s Free Womb status. Fourteen years later, in 1847, doña Palacios’s revised will made no mention of the children, who might have

⁶³ ACC, 1844, República CI-13mn 4366, fol. 6v.

⁶⁴ Gigantino II, *Ragged Road to Abolition*, 109, 112.

⁶⁵ Alberto, “*Liberta by Trade*,” 633. ⁶⁶ NPQ, 1833: 35r.

purchased their freedom in the meanwhile or been transferred to a new patron. The revised will still included their mother, “a slave named Ramona, who cannot be sold or freed for more than 100 patacones.”⁶⁷

However, Free Womb youth were not always listed in wills alongside their enslaved mothers and kin. In his 1839 last will and testament, don Estevan Palacios declared that he had acquired several properties during his second marriage to a local woman. These properties included a straw house with a plot of land extending nearly twelve yards near the center of Quibdó, gold jewelry worth 60 *pesos castellanos*, seven large pigs, and a Free Womb girl named María Rosa, in addition to other implements such as a large iron pot and mining tools.⁶⁸ In 1844, the small shop owner Rufino Villanueva listed among his properties a slave named Matias, “who ran away fifteen months ago”; another slave named Ubalda; and the manumitido Casimiro.⁶⁹ The will of Carlos Salazar, from 1848, is perhaps one of the bolder examples clearly demarcating the natal estrangement of the children. Immediately after announcing his desire to be buried in Lloró’s cemetery, Salazar requested that his two “negritos manumitidos” Miguel and Juan José be sold as his property and that the money be used toward masses for his resting soul.⁷⁰

Much as they did with slaves, masters also bequeathed the Free Womb children to their own children, siblings, and other kin in last wills and testaments. Doña Barbara Polo left her daughter Margarita several hundred pesos and, along with the enslaved couple Felix and Juana, their children Pascacio and Petrona who “are free by the law.”⁷¹ Likewise, the slaveholder Mariana Trejo declared in her will that she owned two enslaved families with Free Womb children, one of which was comprised of the enslaved couple Juan and Gregoria and their “hijos manumitidos” Miguel and Elena. Trejo requested that her daughter be given the slave Juan; Juan’s wife Gregoria, along with her children, would be given to serve under doña Trejo’s son, Carlos Salazar.⁷² This was the same Salazar who, as we have just seen, sold two “negritos manumitidos” to fund

⁶⁷ NPQ, 1847: 128r.

⁶⁸ NPQ, 1839: 4v–5r. It is possible that María Rosa was the child of his slave, María Asención, who Palacios references further in his will, but this is not entirely clear, see *ibid.*, 5v. Typically, if individuals were related, especially mother and son, it was made explicit in the records, which is why it is likely that María Rosa was not the daughter of María Asención.

⁶⁹ NPQ, 1844: 78r. Similarly, it is possible that Ubalda was Casimiro’s mother, but this was not claimed in the record.

⁷⁰ NPQ, 1848: 70v–71r. ⁷¹ NPQ, 1838: 14v–15v. ⁷² NPQ, 1844: 64r–v.

masses for the repose of his soul; one of those sold was Gregoria's son Miguel. The story of Miguel, separated first from his enslaved father and later from his enslaved mother when sold to unburden his master's sins, captures the legal and emotional labyrinths by Colombia's generation of Free Womb children technically born free.

These children were actively traded as part of the emotional economy of lowland slaveholders, who gave away the youths as gifts. For "all the love and affection he professes to have for his daughter, Silvia," the vecino Juan Bautista Siguesa gave his daughter the "criada" Micaela and her two children "free by the law," José Eugenio and Doroteo, in 1841.⁷³ In a similar expression of "love," the elderly Leonor Machado presented her grandson Eliseo López, "for the respect and good services that he provides for her," with a manumitido named Ysidro, along with a total of nine cows and half a pound of gold jewelry, among other possessions.⁷⁴ The priest Manuel María Ochoa rewarded the "good services" of his loyal parishioner Manuela Valencia and her children by granting them the slave Vicitación and her "manumitido" son Domingo, whose combined value was 350 pesos, in addition to two other manumitidas, Natividad and Lorenza (assessed at 80 and 30 pesos, respectively).⁷⁵

The Free Womb children included in dowries played an important role in differentiating between two classes of Chocó's elite. Of the nine complete dowries still available in the notarial archive in Quibdó, six consisted of more than 1,000 pesos, reflecting the elite nature of this practice. The highest dowry consisted of 10,000 pesos, granted to Natividad Vidal, the *hija natural* (daughter born out of wedlock) of the prominent mistress and slave trader María Cruz de Vidal. But the young Josefa Álfaro's dowry was more indicative of the typical well-to-do Quibdó family. In 1829 Álfaro and her partner received not only a house valued at 2,000 pesos in the center in Quibdó but also five slaves.⁷⁶ Interestingly, none of the dowries worth more than 1,000 pesos included Free Womb children (or at least children explicitly identified as such). In contrast, all three dowries valued at 1,000 or below featured Free Womb children. Thus María Ambrocio Ospina's far more modest 120-peso dowry included a tract of land on the Sanmurindó River, half of a house in the village of Lloró, and two young Free Womb children, assessed at 15 and 10 pesos respectively.⁷⁷ Cheaper to acquire than chattel slaves, Free Womb

⁷³ NPQ, 1841: 59r. ⁷⁴ NPQ, 1844: 7v-8r. ⁷⁵ NPQ, 1845: 35v-36r.

⁷⁶ NPQ, 1829: 83v; 1835: 104r-105v. ⁷⁷ NPQ, 1843: 24v-25v.

children facilitated a second-tier class of mistresses. This reflected more general trends within the transatlantic slave trade, where children were at times the “chattel of choice” for less wealthy buyers unable to afford the price of enslaved adults.⁷⁸

As capital, the youth, in conjunction with their mothers or other slaves, were also used as collateral in mortgages between affluent merchants in Quibdó. In 1839, the wealthy miner Francisco F. Vetancur, son of a famous Spanish royalist official in Chocó named Don Melchor de Varona i Vetancur, owed 1,600 pesos to Nicolas Bonolí, the Italian slave-trader and merchant living in Quibdó whose small slaving empire extended from the Pacific coastal jungles of Chocó to Cartagena and Jamaica. As part of his pledge of repayment, Vetancur mortgaged the enslaved couple Marcos and María Antonia and their daughter Mercedes, “free by the law,” in addition to a woman named Ysabel and her daughter Benancia, also “free by the law.”⁷⁹ In the notarial records, the Free Womb children never appear as collateral separate from their enslaved mothers, which suggests that the children served as a commercial appendage increasing the total value of the mother. Yet, the parameters of the Free Womb children’s commercialization would expand – and their opportunities for freedom contract – in the wake of Colombia’s first civil war in 1839.

THE WAR OF THE SUPREMES AND A NEW LAW OF MANUMISSION

After July 21, 1839, a full eighteen years after the 1821 gradual emancipation law’s publication, an entire generation of Free Womb children would reach the age of majority, allowing them to legally pursue a life of freedom beyond their masters’ reach. A mere week after this date, the moderate conservative president José Ignacio Márquez (1837–1841) passed a decree reforming the 1821 law. President Márquez was especially familiar with the politics of the Free Womb law, as he was president of the congress that had established it. His new decree in general sought to effectively enforce the 1821 law while also creating new provisions to control and criminalize Free Womb teenagers.

As an instrument of administrative regulation, the decree mandated parish priests to send to their province’s manumission junta and governor

⁷⁸ King, *Stolen Childhood*, 9.

⁷⁹ 1839: 94v. For more on Vetancur’s father, see Mosquera Mosquera, *Don Melchor*.

lists of all the Free Womb children baptized in their churches from 1821 to 1824. From this information the governors would create a census of the Free Womb children that would then be forwarded to central authorities in Bogotá.⁸⁰ Prior to the 1839 decree, the government did not track population numbers for Free Womb youth in Colombia. After the decree, authorities could statistically observe this demographic's ebbs and flows. According to the first such census conducted in Chocó, in 1840, a total of 414 Free Womb children were expected to reach the age of majority by 1842.⁸¹ Paradoxically, this level of surveillance served the interests of not only the nascent state but also many of the Free Womb children and their families, who now had firmer, government-monitored claims to their Free Womb status.⁸² In this way, the state further superseded the traditional powers of Colombian slaveholders.

But in addition to enhancing the 1821 law's enforcement by producing a level of managerial monitoring, the 1839 decree also informed Free Womb youth that the recently promulgated criminal law against vagrants and theft would apply to them after emancipation.⁸³ As historian Natalia Botero Jaramillo argues, this reference in the decree to the 1836 criminal law demonstrates how lawmakers viewed the Free Womb teenagers as "potential vagrants."⁸⁴ Still, some southwestern slaveholders in 1839 sought to retain Free Womb teenagers reaching the age of majority by any means, including fraud, asking parish priests to change their birth records, force, arguing that the children owed the cost of their rearing

⁸⁰ Restrepo, "Medidas abolicionistas en la Nueva Granada," 251–253; Tovar Pinzón and Tovar Mora, *El oscuro camino de la libertad*, 46–47.

⁸¹ AGN, 1839, SR, FGV, l. 63, fol. 519r. The Colombian census tracked four categories of Free Womb children at the provincial level: children born from 1821–1824; children "that do not exist" (i.e. missing, deceased, runaway); children born in another province (monitoring the inter-provincial trade); and children expected to reach the age of majority yearly from 1839–1842.

⁸² Legal enforcement of similar Free Womb laws was largely absent in other gradual abolition states such as Rhode Island and New Jersey. See Clark-Pujara, *Dark Work*, 74–75; Gigantino II, *Ragged Road to Abolition*, 108–110.

⁸³ *Gaceta de la Nueva Granada*, no. 411, 28 de julio de 1839; Posada and Restrepo Canal, *La esclavitud en Colombia*, 373–379; Jorge Castellanos, *La abolición de la esclavitud en Popayán: 1832–1852* (Cali: Universidad del Valle, 1980), 72–73. For more on the 1836 law, see Natalia Botero Jaramillo, "El problema de los excluidos. Las leyes contra la vagancia en Colombia durante las décadas de 1820 a 1840," *Anuario Colombiano de Historia Social y de la Cultura* 39, no. 2 (jul.–dic. 2012): 52–55.

⁸⁴ Botero Jaramillo, "El problema de los excluidos," 54.

over eighteen years before they could be freed, or purposeful omission, failing to report that the teenager had turned eighteen.⁸⁵

The changes introduced to gradual emancipation rule by the 1839 decree paled in comparison to what emerged in the aftermath of the nation's first civil war, popularly known as the War of the Supremes. Beginning in late June 1839, this wave of federal rebellions and insurrections was initially sparked by the closure in early May of several monasteries in Pasto, a town in the southwestern province of Popayán, which as we have seen was a royalist stronghold during the Wars of Independence. Led by the parish priest, locals revolted in response to the decision but were quickly defeated. Their cause was soon resurrected by the popular liberal caudillo and political rival of the Márquez administration, José María Obando, who mobilized support from southwestern Colombia to counter Bogotá's centralizing policies. Obando and other high-ranking liberal officers (known as *jefes supremos*, the source of the war's popular name) bolstered their troop numbers by successfully recruiting free blacks and slaves in the region, offering the latter freedom if they enlisted. Over time, the national state racialized the insurgent army by accusing them, as historian Francisco Zuluaga noted, of fomenting "caste war" with "aspects of an anti-slavery movement."⁸⁶ In a letter from 1841, for example, the Popayán slaveholder and secretary of war Tomás Cipriano de Mosquera received word that Obando had "recruited all the *negros* capable of taking arms in the Canton of Caloto, and that he gave orders to declare war on all the owners and protect the poor."⁸⁷ Many of the

⁸⁵ Safford and Palacios, *Colombia: Fragmented Land, Divided Society*, 181.

⁸⁶ Francisco U. Zuluaga R., "La guerra de los supremos en el suroccidente de la Nueva Granada," in *Las guerras civiles desde 1830 y su proyección en el siglo XX*, Museo Nacional de Colombia, ed. (Bogotá: Ministerio de Cultura, 2001), 31. For more on Obando and the War of the Supremes, see Alonso Valencia Llano, *Dentro de la ley, fuera de la ley: resistencias sociales y políticas en el valle del río Cauca* (Cali: Universidad del Valle, 2008), 91–95; Fernán González, "La Guerra de los Supremos (1839–1841) y los orígenes del bipartidismo," in *Boletín de Historia y Antigüedades* (Bogotá), 97, no. 848 (enero–mayo 2001): 5–63; Álvaro Pone Muriel, *La rebelión de las provincias: relatos sobre la Revolución de los Conventillos y la Guerra de los Supremos* (Bogotá: Intermedio, 2003); Luis Ervin Prado-Arellano, *Rebeliones en la provincia: la guerra de los supremos en las provincias suroccidentales y nororientales granadinas* (Cali: Universidad del Valle, 2007), 140–260; María Camila Díaz Casas, *Salteadores y cuadrillas de malhechores: una aproximación a la acción colectiva de la 'población negra' en el suroccidente de la Nueva Granada, 1840–1851* (Popayán: Editorial Universidad del Cauca, 2015), 91–103.

⁸⁷ The original letter has underlined words, see ACC, Sala Mosquera, 1841, No. 71M, D. 14.0006. In the same letter, he also wrote that Obando had "all the slaves from those mines [of Caloto] with him." For a list of over 100 slaves who joined Obando's forces and

region's white elite unsurprisingly referred to the caudillo as "the monster Obando," as described by the Chocoano slaveholder George Henry Isaacs.⁸⁸ Although the rebel forces were defeated by July 1841, the uprising shook the foundations of Colombia's white slaveholding elite, especially those residing in predominantly black territories like the Pacific lowlands.

Just a few months before that final defeat, Obando's war made it to the northern Pacific lowlands. Writing in desperation to authorities in Bogotá in March 1841, Chocó's governor informed the central government that the capital of Quibdó "finds itself in great danger" because "last night, there were various reports that a solitary official and his accomplice brought many slaves under their control in order to take the barracks in the name of Obando [and] assassinate the Governor, while offering [the slaves] freedom, money, and consequently the power to do as they please in return."⁸⁹ The local army was eventually able to "catch the ringleader" of Obando's purported war in Chocó and took measures strong enough to "rapidly dissolve the groups of slaves that had positioned themselves throughout various points [of the city]."⁹⁰ In light of these events, the governor emphasized the need to monitor developments in the Caribbean given rumors of a "revolution of the slaves" that had swept Cartagena, a city with strong ties to Chocó, during the civil war there.⁹¹

Fears of caste war in the lowlands persisted after Obando's defeat. In 1842, Chocó's governor reiterated his worry that oppositional forces were "seducing the slaves with the hellish proclamations of that bandit Obando," who had attracted "*la gente rústica* [commoners] to the most wicked faction that could ever exist."⁹² The governor especially feared that "the united slave gangs would rise up in rebellion following the example of their great friend."⁹³ Authorities were severely rattled by a growing alliance of slaves and rural commoners – most likely free blacks, Free Womb youth, Indians, and perhaps poor whites – united under Obando's banner. Anxieties over potential race war in the lowlands

were later imprisoned in Cali and Buga in 1841, including a Sergeant named Ramon Cardenas and a Corporal named José Maria Arisa who were both "freed by General Obando" himself, see ACC, Sala Mosquera, 1841, No. 117, D. 15.325.

⁸⁸ ACC, Sala Mosquera, 1842, No. 281, D. 16.309.

⁸⁹ AGN, 1841, SR, FGV, l. 73, fol. 69r–v. ⁹⁰ *Ibid.*, fol. 69v.

⁹¹ *Ibid.*, fol. 98r. Fears in Chocó in 1842 may have also been compounded by memories of the unstable social aftermath of the Quibdó fire of 1839, when lowland slaves allegedly threatened newly homeless elites. See AGN, 1839, SR, FGV, l. 62, fols. 780r–784v.

⁹² AGN, 1842, SR, FGV, l. 78, fol. 839r. ⁹³ *Ibid.*, fol. 842v.

multiplied when reports arrived to Chocó of a rebellion in Jamaica, an island with close commercial ties to the lowlands as we have seen in Chapters 1 and 2. In a confidential report from 1842, the governor lamented the:

horrible and bloody attack committed by the freed blacks on the island of Jamaica this past March, slaughtering hundreds of whites. Such a vile event undoubtedly shakes all humanity, especially affecting us, the white population of New Granada, because there is no doubt that this bad example, sooner or later, shall spread to some of our settlements, principally those on the Coasts of the Republic that are inhabited largely by people of color . . . [and] there is an imminent risk that these bloody murders shall be repeated among us.⁹⁴

According to the governor, this was not an exaggeration since “a revolution of slaves, a terrifying revolution given the principles that they proclaimed,” had been attempted in Cartagena in 1841.⁹⁵ In order to prevent a massacre of whites in Chocó, the governor demanded Bogotá send a veteran garrison “commanded by white officials.” Perhaps knowing that such a request would be denied, he emphasized the need for these resources in a province “almost entirely composed of *negros* and *mullatos*.”⁹⁶ Fears over Obando’s foothold in the Pacific lowlands lasted into 1846, when government officials expressed lingering concerns that he could easily “stir up the slaves.”⁹⁷

Meanwhile, Popayán reeled in the civil war’s aftermath. At the epicenter of the rebellion, the province saw its slaveholders allegedly lose 600,000 pesos in livestock, tools, money, expropriated provisions, and fugitive captives who joined Obando’s rebel forces.⁹⁸ The financial damages and racial fears resurrected southwestern slaveholders’ calls to reform the 1821 law. In 1842, for example, an anonymous letter printed

⁹⁴ AGN, 1842, SR, FGV, l. 79, fol. 111r-v. The Governor may have been referring to the Kingston John Canoe/Jonkannu/Junkanoo Christmas Riots in Jamaica in 1840 and 1841. See Swithin Wilmost, “The Politics of Protest in Free Jamaica: The Kingston John Canoe Christmas Riots, 1840 and 1841,” *Caribbean Quarterly*, 36, no. 3/4 (September 1990): 65-75.

⁹⁵ AGN, 1842, SR, FGV, l. 79, fol. 111v.

⁹⁶ *Ibid.*, fol. 14v. Given the state’s minimal resources and Chocó’s peripheral status in geopolitical domestic affairs, the governor’s requests were likely unmet. The governor may have felt confident in requesting a garrison in 1842 due to an order declared the year before in Popayán to “issue all the rulings that are believed to be necessary to place this province [of Chocó] into a state of defense.” See ACC, Sala Mosquera, 1841, No. 25B, D. 12.566.

⁹⁷ AGN, 1846, SR, FGV, l. 115, fol. 853r.

⁹⁸ Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 48.

as a pamphlet in Popayán called for definitive reform of the Free Womb law. Reviving the antiabolitionist arguments of Torres and the Mosquera clan discussed in Chapter 3, the unnamed slaveholders who authored the 1842 pamphlet claimed that the Free Womb law violated the sacred principles of property “since we see no difference between the child of a female slave (considered a productive property) and that of a cow; or between [the child] (always considered a product) and renting out a house.” The slaveholders believed it unsound to emancipate Free Womb children at eighteen because at that age they remained “very defective in their judgment” and would subsequently “become bandits,” the latter perhaps a reference to the 1839 decree criminalizing Free Womb youth. Besides, the pamphlet’s authors argued, twenty-five was the age of majority for all other Colombians, until which “all men, women, those born free, are subjected to their paternal will, or that of the guardian.”⁹⁹

This was the context for the Colombian congress’s debate over potential modifications to the Free Womb law. The War of the Supremes had undeniably raised the political stakes; for the first time since the 1820s, when any reform to the Free Womb law would have been labeled politically blasphemous, Congress began to seriously consider extending the age of majority for Free Womb children. One early legislative proposal, in 1841, recommended bonding Free Womb youth to their patrones until the age of twenty-one, but the following year, the House of Representatives proposed extending the period of bondage to twenty-five.¹⁰⁰ There were several other unsuccessful attempts at the provincial level to extend the age of apprenticeship. For example, officials in Chocó petitioned the national congress to set the age of apprenticeship at forty years old; Cartagena authorities proposed extending the age to fifty.¹⁰¹

⁹⁹ *Cuatro palabras sobre los inconvenientes que en la práctica se le han encontrado a la “ley de la libertad de los partos, manumisión y tráfico de esclavos,” espedida por el Congreso general de Colombia en 19 de julio de 1821* (Impreso por Benito Zizero, 1842), BNC. For another petition by Popayán slaveholders in 1842 questioning the Free Womb law, see *Varios políticos de Popayán a la Honorable Cámara de Representantes, Popayán, 29 de septiembre de 1842*, as cited in Castellanos, *La abolición de la esclavitud en Popayán*, 67, and Valencia Llano, *Dentro de la ley, fuera de la ley*, 107–115, and John W. Kitchens and J. León Helguera, “Los vecinos de Popayán y la esclavitud en la Nueva Granada,” *Boletín de historia y antigüedades* 63, no. 2 (1976, no. 713): 219–239.

¹⁰⁰ See proposed extensions in Posada and Restrepo Canal, *La esclavitud en Colombia*, 404, 409. The final law also included those who had already reached the age of eighteen in 1839, meaning that they would have to return to their mother’s masters until they reached the age of twenty-five.

¹⁰¹ Liliana Fabiola Ruíz, “El estado y el concierto de los hijos de los esclavos,” *Reflexión Política* 3, no. 5 (enero–jun. 2001): 6.

The result of all these efforts was a law passed on May 29, 1842, that established for Free Womb children a system of *concertaje*, a mandatory apprenticeship program that would compel the generation of Free Womb children to work under a master until the age of twenty-five. This meant seven more years of forced labor than proposed in the original Free Womb law.¹⁰² While the system as applied to Free Womb children was new, the institution of *concertaje* had a much older history in the Andes. Adopted in the early seventeenth century as the *encomienda* system was gradually falling out of use, *concertaje* (and the equivalent term *concierto*) referred to contracts between Indians and hacendados whereby the former would be obliged to work on land for a fixed payment. These agreements practically functioned as debt peonage arrangements and, by the eighteenth century, *concertaje* was expanded beyond indigenous people in Colombia to include what Juan Carlos Jurado Jurado refers to as “socially inferior” people: poor workers, unemployed youth, vulnerable women, and other free people of color with limited opportunities.¹⁰³ The harkening to this older institution signaled how, macro-economically, Colombian policy makers envisioned Free Womb *concertaje* as yet another gradual receding of slavery. Nevertheless, the new law thus signaled a potential life sentence for Free Womb sons and daughters, as the average life expectancy in early-nineteenth-century Colombia was 26.5 years old.¹⁰⁴ Importantly, as María Camila Díaz Casas argues, the 1842 law reflected how the repressive projects of Cauca’s elite during the civil war “transcended the local and regional scale and became national law.”¹⁰⁵

Besides being shaped by the macro-economic and political consequences of Colombia’s first civil war, the 1842 law was the product of

¹⁰² For the final law, see Posada and Restrepo Canal, *La esclavitud en Colombia*, 425–431.

¹⁰³ Juan Carlos Jurado Jurado, *Vagos, pobres y mendigos: Contribución a la historia social colombiana, 1750–1850* (Medellín: La Carreta, 2004), 126–130; Roger Pita Pico, “Las condiciones laborales de las comunidades indígenas del nororiente neogranadino, siglo XVII,” *Diálogos Revista Electrónica de Historia* 19, 1 (2018): 130–157.

¹⁰⁴ For men, the average life expectancy was 25.2, and 26.8 for women. By the end of the century, it was 31. See Eduardo Posada Carbo, *Colombia: La construcción nacional (1830–1880)*, Tomo 2 (Madrid: Fundación MAPFRE, 2012), 112. This number would have been undoubtedly lower for the enslaved; however, some inventories reveal many slaves living well past the age of thirty. See, for example, ACC, 1844, República CI-13mn 4366, fols. 1v–4r; NPQ, 1827: 1r–3v. In comparison, slaves in North America had a short average life expectancy at 21 or 22-years old, compared to 40–43 years for whites. See Mintz, “Children in North American Slavery,” 334.

¹⁰⁵ Díaz Casas, *Salteadores y cuadrillas de malhechores*, 126.

domestic and international influences. New labor policies and perspectives on human utility emerged in the 1830s, particularly after Gran Colombia was dissolved in 1831. Under the Santander administration (1832–1837), officials in the newly formed Republic of New Granada began to seriously confront their country's struggling economy by mobilizing through legislation the population's human resources for "orderly" and "effective" production.¹⁰⁶ For instance, in 1834 the Colombian government created the system of *servicio personal subsidiario* (personal service assistance), a forced public works program rooted in the colonial-era system of repartimiento, that required all men from the ages of eighteen to fifty to repair roads and bridges, clear rivers and channels, and perform other necessary tasks in their municipality for a few days each year.¹⁰⁷ Most of Colombia's prisons were constructed via this workforce during this period.¹⁰⁸ It was amid these new government-created systems of forced labor that concertaje was created in 1842.

The government's desire to fully utilize and expand control over the general populace was also at play when Bogotá's main orphanage, the Casa de Refugio, transformed into a house of corrections in 1834. Its new objective was to "reform" any foundlings who passed through its doors by rearing them from infancy to age six, when they would be apprenticed to a private citizen. Like the Free Womb children prior to the 1842 law, the Bogotá orphans could only be emancipated from their apprenticeship upon turning eighteen, though at this point they also had to receive clearance from a special council on matters relating to "their honor, capacity to work, and good habits."¹⁰⁹ A new law in 1836 codified the

¹⁰⁶ For more on the economic situation of Colombia in the 1830s, see Bushnell, *Making of Modern Colombia*, 76–77.

¹⁰⁷ For more on repartimiento and its transformation over time, see David McCreery, *The Sweat of Their Brow: A History of Work in Latin America* (London: Routledge, 2016). According to the 1834 law, residents could be called for the *servicio* when there was not sufficient provincial or municipal revenue to pay for the costs. The law also specified that the site of service could not be farther than two leagues from the resident's home, and the *servicio* could not exceed more than five days annually. Wealthy residents could avoid the service by providing it "through his servants or workers or paying the daily wage of a worker, or providing another necessary service that was the equivalent to their *trabajo personal*." For more, see *Gaceta de la Nueva Granada*, no. 143, 22 de junio de 1834.

¹⁰⁸ José Wilson Márquez-Estrada, "Estado punitivo y control criminal. Cárceles, prisiones y penitenciarías en Colombia en el siglo XIX," *Revista Criminalidad*, 55, no. 1 (enero-abril): 106. The earliest reference to the use of *servicio personal subsidiario* in Chocó is from 1838. See AGN, SR, FGV, l. 56, fol. 96v.

¹⁰⁹ Estela Restrepo Zea, "El concertaje laboral de los niños abandonados en Bogotá, 1642–1885," in *Historia de la infancia en América Latina*, Pablo Rodríguez and

kinds of apprenticing relationships for foundling between the ages of seven to eighteen, specifying that males should serve under “merchants, farmers, hacendados, owners of factories or workshops” and the females under “honorable families or establishments where they could learn some trade.”¹¹⁰ This amounted to a system of concertaje that in 1842 would be expanded beyond Bogotá orphans to Free Womb children throughout Colombia. Undoubtedly, the 1842 law produced a distinct kind of concertaje for Free Womb youth. Their age of bondage was longer than that for Bogotá orphaned apprentices, and their unfree labor was racialized as black, given that Free Womb concertaje grew directly out of the system of slavery.

Colombian authorities no doubt found legal inspiration for the system of Free Womb concertaje in the various modifications to Free Womb laws and apprenticeship programs adopted by fellow Andean republics in the 1830s and early 1840s. After leaving Gran Colombia in 1830, the newly independent republic of Venezuela immediately reformed the 1821 gradual emancipation law by extending the age of bondage to twenty-one and extending the Free Womb category to include the children of enslaved mothers born before 1830. In 1840, following sharp declines in coffee prices and a labor crisis in the late 1830s, Venezuelan authorities changed their Free Womb law yet again to force children to serve their mothers' masters as apprentices until the age of twenty-five, the age eventually adopted by the Colombian congress.¹¹¹ In late 1839, Peru made its own Free Womb law, also promulgated in 1821, even more repressive, extending the age of bondage to fifty.¹¹² In 1843, perhaps inspired by Colombia and other Andean republics, Ecuador's congress increased the age of bondage for Free Womb children from eighteen to twenty-five.¹¹³

But more so than to their Andean neighbors, Colombian officials planning their Free Womb concertaje system looked to the British. As

María Emma Mannarelli, eds. (Bogotá: Universidad Externado de Colombia, 2007), 270. In a similar vein, Article 4 of the 1821 gradual emancipation law stipulated that upon turning eighteen the “character and behavior” of Free Womb children would be reported to the manumission junta. Authorities and junta officials would use this information to post Free Womb children “to useful trades and professions.” See Congreso de Cúcuta, *Libro de Actos*, Act 84, Session of July 19.

¹¹⁰ RestrepoZea, “El concertaje laboral de los niños abandonados en Bogotá, 1642–1885,” 270.

¹¹¹ Lombardi, *Decline and Abolition of Negro Slavery in Venezuela*, 51–53, 79–87.

¹¹² Aguirre, *Agentes de su propia libertad*, 25; Blanchard, *Slavery and Abolition in Early Republican Peru*, 50–51.

¹¹³ Tobar Donoso, “La abolición de la esclavitud en el Ecuador,” 19–20.

we have seen the British in the 1820s and 1830s looked to Colombia's example in crafting its own gradual emancipation law, which would later become the Slavery Abolition Act of 1833. In turn, Colombia took lessons from the apprenticeship model included in that act for Britain's Caribbean colonies, designed to oversee the "smooth" dismantling of slavery. The act established an apprenticeship program of four years for domestic slaves and six years for field slaves beginning on August 1, 1834, and immediately emancipated children under the age of six. The British government, however, was pressured to terminate apprenticeship earlier than scheduled, in 1838.¹¹⁴ The influence in Colombia of the British model was readily apparent in preliminary planning of the 1842 law, during which Congress proposed a formal "collection of legislative orders that the English government has dictated to avoid the bad consequences of the manumission of slaves in their colonies." In April 1842, diplomatic envoys in London and the Colombian consul in Jamaica began to formally request copies of the British government's acts, decrees, and regulations pertaining to emancipation.¹¹⁵

The 1842 law made masters henceforth responsible for bringing Free Womb youth upon their eighteenth birthday before the parish alcaldes, who would assign them a "useful trade, art, profession, or occupation, apprenticing them to the old masters or with another person of esteem who could educate them or instruct them." The law mandated that "the free will of the child" (*la voluntad del joven*), who was now called a *concierto* or *concertado*, would be "consulted," while the alcalde would also have to bear in mind the opinion of the "personero municipal o comunal" (municipal or community representative), the concierto's legal advocate.¹¹⁶ The inclusion of the Free Womb child's volition reveals how the new law merged older colonial notions of slaveholder responsibilities with newer, liberal ideals such as free will and individual conscience. By promoting the incremental use of their "free will," officials sought to slowly introduce the practice of citizenship to youth considered in the national political imaginary as future citizens in the making.

Despite the fact that the 1842 law extended the years of forced labor, a policy generally applauded by slaveholders throughout the country, the

¹¹⁴ Holt, *Problem of Freedom*, 66.

¹¹⁵ Article 4 in Posada and Restrepo Canal, *La esclavitud en Colombia*, 388; AGN, 1842, SR, FC, l. 16, fol. 35or.

¹¹⁶ "Law of May 29, 1842," in Posada and Restrepo Canal, *La esclavitud en Colombia*, 427.

law's inclusion of the youths' "free will" in determining their apprenticeship proved controversial. Some lowland slaveholders, as Atrato's jefe político wrote to Chocó's governor in 1843, believed that the *conciertos* should remain apprenticed to their masters regardless of what the *alcalde*, *personero comunal*, or *concierto* thought; others argued that the fates of *conciertos* should solely be determined by the *personero comunal*. However, it was the jefe político's view that *concertaje* should "be arranged in favor of the master . . . except in the case in which the master wishes to give up the *concierto*."¹¹⁷ The new law, he added, injured the interests of the master class,

by giving the *manumitidos* the will to decide their apprenticeships, the masters' interests are seriously harmed . . . [and] more and more frequently . . . [there are cases of people] who do not have slaves and cajole the *conciertos* before they are about to turn eighteen and persuade them to abandon their old masters and choose them instead, so that the *manumisos* become their apprentices, and they therefore become haughty and intolerable . . . Just when [the *conciertos*] are able to *actually* work, they snatch them away.¹¹⁸

The lowland official, interchangeably referring to Free Womb children as *manumitidos*, *manumisos*, and *conciertos*, denounced the specific article of the law requiring the consultation of the child because it potentially robbed masters of seven years of prime labor. Importantly, this official, in his anxiety over the children's ability to be "persuaded" and to "choose" their new overseers, inadvertently evinced *concertados*' ability to exercise a degree of freedom over their labor, especially as they neared the age of majority. The jefe político was haunted by the new law's aspect of "choice"; he complained that "the *manumitidos* or *libertinos* are so ungrateful that they never wish to remain apprenticed to their masters; they often choose another person who will allow them to have a loose life." In his critique of the law he attempted to disable the clause regarding "consultation," which he argued "does not mean the same thing as obedience, and the law only ordered that the will of the youth be consulted, not that it be obeyed."¹¹⁹

¹¹⁷ AGN, 1843, SR, FGV, l. 96, fol. 195r. The jefe político of Nóvita earlier sent in a complaint concerning the 1842 law in December 1842, specifically regarding confusion concerning the roles of *personeros comunales* vs. *alcaldes* in deciding the apprenticeship. See AGN, 1842, SR, FGV, l. 78, fols. 479r-480v.

¹¹⁸ AGN, 1842, SR, FGV, l. 78, fol. 195v, my emphasis.

¹¹⁹ *Ibid.*, 196r. The ambiguous nature of the Free Womb child's volition also arose in a later debate concerning marriages between *conciertos*. In 1845, the jefe político of the Atrato asked Bogotá authorities why *patria potestad* could not be lifted for married Free Womb

Attempting to reach a compromise that would both uphold the law and respond to slaveholders' grievances, the governor of Chocó passed a resolution upholding the *conciertos'* ability to determine their future apprenticeship but forbidding them from apprenticing themselves to people "who could corrupt them [*immoralizarlo*]." They could only be apprenticed to individuals of high "esteem [who] are able to educate and instruct them," which the master would determine.¹²⁰ Though cloaked as a compromise, this resolution ensured that lowland masters would legally control the Free Womb captives' last years of formal bondage.

Interestingly, though, masters and kin of Free Womb children in lowland courts did not reference the 1842 apprenticeship law in freedom suits, which suggests the lasting juridical force of the 1821 law. One exception, however, comes from a freedom suit filed in Guapi, just when final abolition was being seriously debated in Congress. In 1851, the parish's *alcalde* had declared the freedom of a Free Womb captive named Eusevio, who had labored in a nearby gold mine. But soon thereafter, the mine's female heirs (one of whom resided in the Basque country) sought to nullify Eusevio's claim to freedom on the grounds that it violated the 1842 law. According to their French lawyer, the *alcalde* infringed on a specific stipulation in Article 1 that required "the verbal audience of the master" in any claims before *alcaldes*. Eventually the heirs won, but their victory was only temporary, given that the final abolition of slavery came a few months later.¹²¹

Nevertheless, Free Womb youth continued to be bought and sold after the 1842 law. In early 1846, for example, a wealthy lowland master sold to a local slaveholder several elderly and ill enslaved people alongside a group of Free Womb captives, which included,

Torcio, old and with a fistula; Antonia, old; Rudecinda, Salomé, Polonia, old and sick; Rumigia, Beatris, sick; Francisco Antonia, syphilitic; [and] the *partos libres* or *manumitidos*, Julian, Pedro Pablo, María Ynes, Mariano, Francisca, Celestino, Celia, Sista, Juana Roberta, Juana Cristoma, Sabad, Herbana, Manuel Agustin, María Santa, Yldefonso, [and] Doroteo, including the tools from the mine ... selling the slaves and tools, and the services of the *manumitidos* ... [for] 1,708 pesos.¹²²

captives. For more, see AGN, 1845, SR, FGV, l. 105, fols. 75or-753r; AGN, 1846, SR, FC, l. 17, fol. 365r.

¹²⁰ AGN, 1843, SR, FGV, l. 96, fol. 197r-v.

¹²¹ ACC, 1851, República JIII-8em 4042, fols. 1r-14r. ¹²² NPQ, 1846: 31v-32r.

This particular note of sale reflects the shifting state of Chocó's economy of flesh in the late 1840s. Burdened by "disposable people,"¹²³ the master was selling elderly and ailing slaves who now were an encumbrance. The group of Free Womb captives included in the sale may have been part of a compromise with the buyer, who would also be receiving the dynamic, healthy labor of manumitidos in exchange for taking on the sickly and aged slaves. "While the sale of slaves in family groups kept slaves with their loved ones," Caitilin Rosenthal importantly reminds us that "it also had a pecuniary upside because it bundled the elderly and infirm with their more valuable kin."¹²⁴ The lowland mistress María Cruz de Vidal may have had this "upside" in mind when she purchased several elderly slaves and younger "Free Womb" captives in 1846 for the sizeable sum of 2,875 pesos. Vidal acquired the group of sixteen lowland captives from Dr. José Gregorio Fernández, who appeared to be liquidating his human and gold-mining estates in Chocó throughout the mid-to-late 1840s.¹²⁵

The 1842 apprenticeship law was not the only repressive legislation directly affecting Free Womb captives and the enslaved in the postwar years. Mounting pressures from southwestern slaveholders led to the 1843 law on "repressive measures of the seditious movements of slaves," whose fourth article repealed the 1821 law's prohibition of the international slave trade. Significantly, the article also legalized the international trade of Free Womb children, as long as they were not exported "against their parents' will" and their bills of sale stipulated their Free Womb status.¹²⁶ Although not explicitly stated, this new legislation was especially intended for southwestern Colombia and the Pacific lowlands. This is because throughout the 1830s the illegal export of enslaved and Free Womb captives had continued in the Pacific lowlands, particularly to Peru. To cite one case, a Spanish slave trader embarking from the southern Colombian Pacific port of Tumaco in 1835 secretly stowed on his schooner twelve slaves and three Free Womb children

¹²³ Kevin Bale, *Disposable People: New Slavery in the Global Economy* (Berkeley: University of California Press, 1999).

¹²⁴ Rosenthal, *Accounting for Slavery*, 141.

¹²⁵ NPQ, 1846: 71r-73v. After 1846, Fernández only handled business in Quibdó through legal representatives, thereby reflecting liquidation, see NPQ, 1849: 28v-29r, 1851: 19v-20r, 37v-38r, 67r, 72v.

¹²⁶ Carlos Restrepo Canal, ed., *La libertad de los esclavos en Colombia, o leyes de manumisión*, Tomo II (Bogotá: Imprenta Nacional, 1938), 3-16, 25-26.

from Guapi, who were then sold to an Ecuadorian merchant in Paita, Peru.¹²⁷ In 1837, Peruvian officials notified the Colombian government of a large sale of slaves and Free Womb children from Chocó to sugar planters in Piura.¹²⁸

Thus once the international slave trade was legalized again in 1842, such activity increased substantially. John W. Kitchens found evidence of the international sale of 272 Colombian slaves and 292 Free Womb captives between December 1844 and April 1847 (although the number was likely higher), while Carlos Aguirre discovered that a Peruvian company purchased 480 captives from Chocó in 1845.¹²⁹ Perturbed by the fact that slaves on his hacienda, La Bolsa, had revolted against him during the civil war, the Popayán slaveholder Julio Arboleda took advantage of the 1843 law and sold 99 adult slaves alongside 114 children (among them Free Womb captives) to a Lima merchant in 1847. By 1845, the Vice Council of Paita in Peru informed the Colombian government of its desires to “cut off the scandalous trade that is going on between the coasts of Chocó and this port of free Colombians.”¹³⁰ Only after domestic and international pressure (particularly from the British) was the international trade deemed illegal and abolished once again in 1847.¹³¹ For many captives and their families, the apprenticeship law and the legalization of the transatlantic trade proved that the 1821 law was not immune to repeal; uncertainty was the rule.

Other challenges haunted Free Womb youth in the mid-1840s, when the nascent Colombian state drew more and more on the labor of Free Womb captives in public works projects. State authorities had taken the first concrete steps toward fully exploiting available labor pools for public use with the adoption of *servicio personal subsidiario* and the Bogotá

¹²⁷ Blanchard, *Slavery and Abolition in Early Republican Peru*, 48–49; ACC, 1837–1838, República JIV-24cr 7123, fols. 6r–9v.

¹²⁸ John W. Kitchens, “The New Granadan-Peruvian Slave Trade,” *The Journal of Negro History* 64, no. 3 (Summer 1979): 206.

¹²⁹ *Ibid.*, 206–207, 210; Aguirre, *Agentes de supropialibertad*, 74–75; Tovar Pinzón and Tovar Mora, *El oscuro camino de la libertad*, 56–60. Also see Blanchard, *Slavery and Abolition in Early Republican Peru*, 55–57; John W. Kitchens and Lynne B. Kitchens, “La exportación de esclavos neogranadinos en 1846 y las reclamaciones británicas,” *Boletín de Historia y Antigüedades* 63, no. 2 (1976, no. 713): 239–293; Marcela Echeverri, “Esclavitud y tráfico de esclavos en el Pacífico suramericano durante la era de la abolición,” *Historia Mexicana* 69, no. 2 (2019): 627–691.

¹³⁰ Tovar Pinzón and Tovar Mora, *El oscuro camino de la libertad*, 57–59.

¹³¹ Restrepo Canal, *La libertad de los esclavos en Colombia*, 49–50.

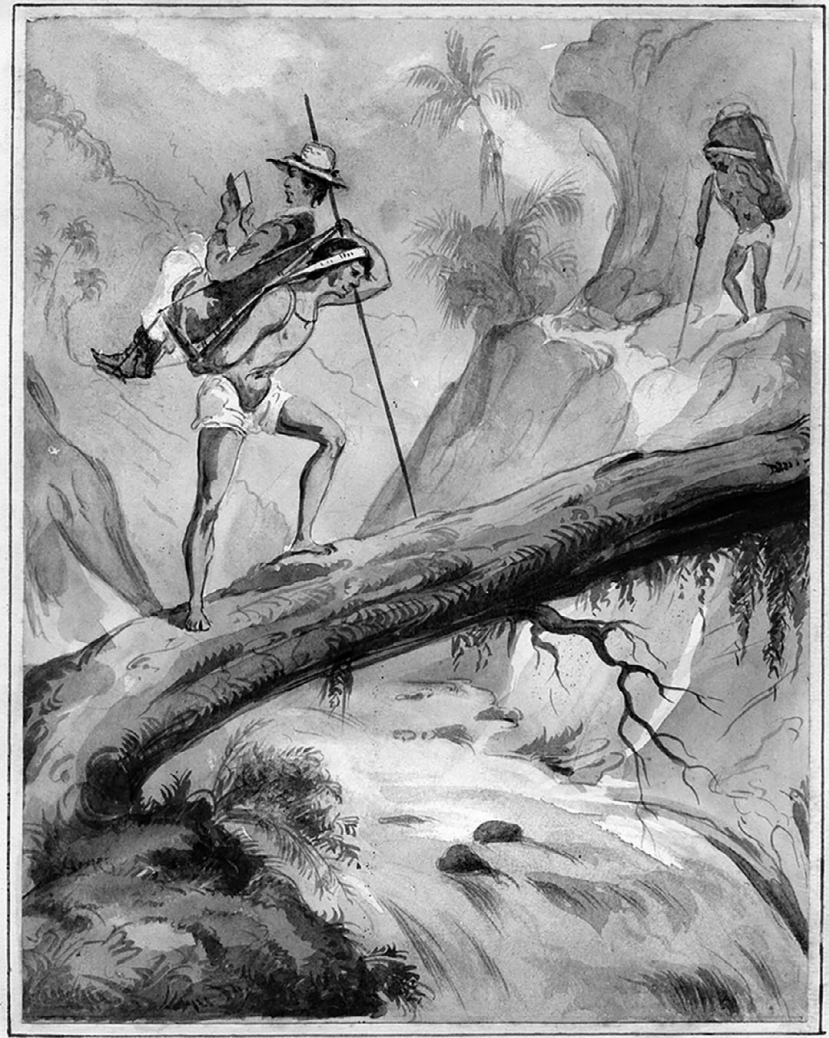


FIGURE 4.2 *Camino para Nóvita en la montaña de Tamaná* by Manuel María Paz. Ca. 1853. Watercolor.

Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

orphan apprenticeship program in the 1830s, designed to make “useless” subjects (orphans, vagrants, and beggars) into “productive” workers. In 1843 President Pedro Alcántara Herrán (1841–1845) ordered “vagrants” in Colombia’s interior to construct the Camino de Quindío,

a road project that would connect Bogotá to the southwest.¹³² In Chocó, authorities oversaw a similar project, the construction of the “Road of the Juntas de Tamañá” to connect Nóvita with the southwestern town of Cartago, through the Tamañá Mountain of the western Andean range. This was no easy task, for workers would be forced to cut through jungle and marshes and then dig a road through the Tamañá Mountain amid constant torrential downpours, fog, and dangerous exposure to the elements.

This Colombian Pacific road project was launched in 1844 with, as per the provincial governor’s command, “the labor of some of the free children of slaves who are now fully enjoying their freedom and several vagrants.”¹³³ This order indicates how in the eyes of the state Free Womb captives and “vagrants” were equivalent. The governor put the *alcaldes* in charge of recruiting Free Womb children for the project, as according to the 1842 law these officials were responsible for posting Free Womb youth to a “useful trade, art, profession or occupation” upon turning eighteen. Serving under the director of roads, forty-three male *concertados* of various ages worked the road of the Juntas de Tamañá by 1846.¹³⁴ As the project’s overseer, Chocó’s governor provided the director with specific instructions on properly managing the labor and behavior of the lowland *concertados*. His instructions were reminiscent of chattel slavery. “First,” he began, “give the *concertados* healthy and plentiful food, clothe them, and assist them in their sicknesses according to local custom.” He then outlined appropriate punishments.¹³⁵ The director was responsible for turning the *concertados* into strong men (“*hacer los concertados en personas robustas*”) and ensuring their “security . . . , taking necessary precautions to prevent their flight, immediately informing authorities,

¹³² *Ibid.*, 60–61; Estela Restrepo Zea, “Vagos, enfermos y valetudinarios. Bogotá: 1830–1860,” *Historia y sociedad* 8 (marzo 2002): 93. On the construction of the Quindío road, see Álvaro Acevedo Tarazona and Sebastián Martínez Botero, “Ambiente, nociones y representaciones en la construcción de una identidad nacional: el camino del Quindío en el Occidente de Colombia,” *Revista de Ciencias Humanas* 34 (2004): 45–73.

¹³³ AGN, 1844, SR, FGV, l. 95, 657r. *Servicio personal subsidiario* was also used to build the road, see *ibid.*, 663v.

¹³⁴ AGN, 1846, SR, FGV, l. 116, 51v. The Juntas of Tamañá project would continue well into the second half of the nineteenth century. In 1875, the Provincial Government of Cauca passed Law 57 to extend the road further inland. “Ley número 57 (de 30 de setiembre de 1875). Adicional a la 18 de 19 de setiembre de 1873, sobre apertura del camino de Juntas de Tamañá,” in *Código de leyes y decretos del estado soberano del Cauca, expedidos en 1875* (Cali: Imprenta de Hurtado, 1876), 68–69.

¹³⁵ AGN, 1844, SR, FGV, l. 95, fol. 661v.

[providing these authorities] with a copy of their description so that they can pursue [the concertados], and taking whatever remaining measures for their capture."¹³⁶ While legally free, Free Womb road workers were always potential convict laborers with a bounty on their heads. The director was to keep them under "the strictest discipline, making them obey their superiors and maintain good harmony among each other." Each night, after working the road during the day, they were to be given religious and moral instruction.¹³⁷ The concertados, along with "vagrants" and those providing their *servicio personal subsidiario*, were building the nation.

Government authorities in the 1840s harnessed the services of Free Womb captives to additional projects besides road building meant to advance the state's mid-nineteenth-century modernizing missions. In November 1843, Congress passed yet another law stipulating that any youths who failed to apprentice themselves for whatever reason would be designated "vagrants" and sent to the army.¹³⁸ A revised version of that law expanded punishment to include "form[ing] new settlements within the Republic" in addition to army service.¹³⁹ This amended law had precedent in the 1836 vagrancy law, which had punished vagrants by compelling them to establish new settlements or *caserios* (hamlets) in "deserted" places and *tierras baldías*.¹⁴⁰ In the 1840s, the government began to apply the punishment of forced settlement to other "problem" populations, such as sex workers and unruly Free Womb youth, especially women.¹⁴¹ After this new law was passed, the governor of Buenaventura asked congress to consider exporting Free Womb captives not only to "deserted" sites within Colombia like the Guajira (along the Caribbean coast), Panama, and the Andean mountains of Quindío, but also "back to" Africa. His proposition was never implemented.¹⁴²

¹³⁶ *Ibid.*, 661v–662r.

¹³⁷ *Ibid.*, 662r–662v. The Juntas de Tamaná project remained under construction into the 1870s. See "Lei 62 de 1876 (17 de Junio)" in *Leyes de los Estados Unidos de Colombia espedidas en el año de 1876* (Bogotá: Imprenta de Gaitan, 1876), 74–75.

¹³⁸ "Law of May 29, 1842," in Posada and Restrepo Canal, *La esclavitud en Colombia*, 430.

¹³⁹ Article 6 of the "Law of November 28, 1843, On Repressive Measures for the Seditious Movements of the Slaves," in Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 26.

¹⁴⁰ Botero Jaramillo, "El problema de los excluidos," 58–59.

¹⁴¹ Restrepo Zea, "Vagos, enfermos y valetudinarios," 93.

¹⁴² Galvis Noyes, "La abolición de la esclavitud en la Nueva Granada," 525.

Two lowland Free Womb women, most likely in their early twenties, were punished under this law. In 1846, the governor of Chocó forcibly expelled Matilde de Carrion and Jacoba Bejarano to the new frontier settlement of Turbo, on Colombia's Caribbean coast.¹⁴³ Along with other port villages such as Tumaco and Barbacoas, Turbo was a site of internal colonization efforts in the 1840s. In 1841, Congress passed a law conceding property rights to families who settled in Turbo for up to 150 fanegadas of tierras baldías; these families would also be exempted from various taxes and armed service.¹⁴⁴ Like most frontier villages, Turbo was not an easy place to live, described by one lowland elite as "a desert, a deadly place [that] lacks all resources, even potable water."¹⁴⁵ According to a report, Matilde and Jacoba "did not comply with their apprenticeships, to the point of flight"; the governor lamented the problem of such youth "who do not wish to be subjected to any kind of apprenticeship and just desire to live in leisure and acquire all kinds of vices," inadvertently evoking intimate scenes of everyday, vernacular freedom practiced by these women that ultimately escape the archival hold.¹⁴⁶ Both the Turbo settlement and the Juntas de Tamaná road project illuminate the Colombian state's gendered methodologies for dominating and exploiting Free Womb captives in order to advance the national project. Young male *conciertos* were deployed to build the roads in order to be refashioned into "strong men." Female *conciertos* were made responsible for establishing settlements in the national periphery, the state implicitly commanding their reproductive labor in order to produce families to populate the remote Colombian frontier.¹⁴⁷

¹⁴³ Matilde de Carrión was likely twenty-one years old when she was expelled from Chocó to Turbo. She was most likely the six-year-old Free Womb girl ("Matilde, hija, 6 de la ley") listed in a gold mine inventory from the gold mine of Murri owned by the estate of Antonio García y Falcón in 1831. As per the inventory, Matilde's parents were enslaved and she was the second of five daughters, four of which were Free Womb children. See NPQ, 1827: 31.

¹⁴⁴ "Law 27, May 29, 1841, Conceding exemptions to the inhabitants of Turbo and Tumaco, and the inhabitants of the montaña of Barbacoas," in Lino de Pombo, *Recopilación de leyes de la Nueva Granada* (Bogotá: Imprenta de Zoilo Salazar, 1845), 71.

¹⁴⁵ ACC, Sala Mosquera, 1841, No. 26C, D.12,593.

¹⁴⁶ AGN, 1846, SR, FGV, l. 115, 619r. According to the governor, both women were to be granted assistance "for their establishment and subsistence" from the provincial treasury, see *ibid.*, 683v.

¹⁴⁷ Perhaps inspired by such policies, at the Congress of 1850, an official called for the formation of *liberto* settlements, whereby each *liberto* or their family would be adjudicated a lot of land to build houses and farms on the settlements. In the end, the project was not approved. See Posada and Restrepo Canal, *La esclavitud en Colombia*, 182–183.

What eventually became of Matilde and Jacoba? Chained and spirited up the labyrinthine rivers that spiral across the Colombian Pacific, the two women were left to fend for themselves on the sandy beaches of Turbo and forced to reconstruct their lives as so-called free women, de facto conscripts of the Colombian state on the nation's periphery. Whether tirelessly digging to build roads or "peopling" remote beaches, Free Womb boys and girls, men and women were coerced into doing "their part" to construct nineteenth-century Colombian modernity.

Routes to Freedom, Gradients of Unfreedom

Testamentary Manumission, Self-Purchase, and Public Manumissions

The frontier town of Quibdó was buzzing with a special energy on Christmas day in 1839. Nearly half a year had passed since a devastating fire ripped through this lowland capital, destroying the town church, shops, and nearly eighty houses – approximately half the entire town. In the wake of the fire, Quibdó’s most prominent residents fled en masse to find asylum in nearby villages. “It is not possible to contain this emigration,” the governor of Chocó reported to authorities in Bogotá, “because it would be cruel to force these people to suffer from hunger.” Worse yet, the governor hinted at a possible slave conspiracy behind the fire, claiming that “many slaves in this [province] have revealed alarming signs, uttering threats against the whites [los blancos].”¹ The rumors of conspiracy would eventually amount to nothing; one lowland mistress, the free black woman María Cruz de Vidal, even granted freedom to her slave Felipe “for the good services and affection he has demonstrated, and especially revealed on the morning of the fifth of the month when the majority of this city was burned down.”² But the governor remained concerned and requested that his post be moved from Quibdó to Nóvita and that he receive twenty-five guards to “maintain order” amid elite fears of insecurity.³ Six months after the fire, though, the capital appeared to be returning to normalcy, no doubt aided by the philanthropic efforts of two wealthy residents who collected 500 pesos to aid those who were most affected.⁴

¹ AGN, 1839, SR, FGV, l. 62, fols. 78or, 783v–784v.

² NPQ, 1839: 75r–v.

³ AGN, 1839, SR, FGV, l. 62, fols. 78or, 783v–784v.

⁴ AGN, 1839, SR, FGV, l. 63, fol. 12r–v.

A sense of renewal descended on the lowland capital on Christmas day, the first of three designated days of fiestas nacionales in honor of Colombian independence and the republic as established by the Congress of Cúcuta in 1821.⁵ While the provincial elite enjoyed a “solemn” mass in the rehabilitated church praising the capital’s revival and the illustrious gains of the Colombian republic, two enslaved lowlanders awaited them outside in the town plaza. They were Francisco and Ynes, a married couple who had been chosen by the local manumission junta to be publicly emancipated during this year’s fiestas nacionales.⁶ As the provincial elite emptied into the plaza, the junta officials gathered together the enslaved couple and their masters to commence the ceremony. The mixed-race crowd of elite and humble lowlanders witnessed the junta’s carefully monitored emancipation of the enslaved couple, who were assessed at 375 pesos jointly. Yet while the junta publicly took responsibility for the couple’s freedom, internal records reveal that they did not pay for Francisco and Ynes’s liberation on their own. In fact, the junta offered 294 pesos from its own coffers, while the couple supplied the remaining 81 pesos.⁷ The couple’s legal freedom was thus made possible by their own resources combined with the junta’s collected funds, blurring the lines between self-purchase – the act of an enslaved person buying their freedom from their master – and the junta’s publicly financed manumissions.

This chapter explores the complex routes of legal freedom pursued by enslaved people like Francisco, Ynes, and many others under gradual emancipation rule in the northern Pacific lowlands. For enslaved lowlanders born before the 1821 gradual emancipation law, legal freedom was primarily possible through self-purchase and, to a lesser extent, testamentary manumission, or when masters through their last will and testament granted freedom to a slave to demonstrate their “gratitude.”⁸ I show how conditional requirements written into last will and testaments often forced enslaved lowlanders to buy their freedom through money, affective

⁵ The fiestas nacionales were established by Articles 13 and 14 in “Ley fundamental de la unión de los pueblos de Colombia.” See Congreso de Cúcuta, *Libro de Actas*, Acta 74, Session of July 12, 1821.

⁶ Francisco and Ynes were likely possessed by the lowland mistress Gertrudis Polo and her husband since both their names are featured in Polo’s last will and testament, see Mosquera Mosquera, *Memorias*, 216–220.

⁷ AGN, 1839, SR, FGV, l. 63, fol. 118r–v.

⁸ Freedom suits for enslaved lowlanders were rare during gradual emancipation rule. For a reference to one suit, see NPQ, 1849: 95v.

labor, or other extended services. Meanwhile, the practice of self-purchase – whereby the enslaved individual, related kin, or third party bought their freedom – that spread throughout the lowlands in the mid-to-late eighteenth century persisted into the first half of the nineteenth century. As Claudia Leal notes of the extraordinary practice of self-purchase in the Colombian Pacific, “Since self-purchase was less common in North America, the Pacific lowlands were perhaps the place in the Americas where the largest percentage of manumissions were bought rather than granted by the owner.”⁹ Under gradual emancipation rule, the families of enslaved lowlanders continued to painstakingly accumulate gold to purchase their loved ones’ freedom and navigated complicated legal and social labyrinths in order to acquire the coveted *cartas de ahorro y libertad* (letters of saving and freedom), the documents commonly referred to as “freedom papers” in the literature on slavery and emancipation in the Atlantic world. These acts of self-purchase created a complex moral economy of black freedom rooted in the lowland gold industry, an economy that at times established complicated webs of debts that were constitutive of the institution of slavery. Meanwhile, the kin of Free Womb captives utilized the 1821 law’s legal provisos to buy the Free Womb children’s freedom, a process that closely resembled the self-purchasing of enslaved captives. Through an analysis of testamentary manumissions, self-purchase debts, Free Womb self-purchases, and life-long contracts executed in the first half of the nineteenth century, I argue that gradual emancipation rule fostered a broader legal universe marked by gradients of unfreedom in the northern Pacific lowlands.

The other route to legal freedom during gradual emancipation rule, as Francisco and Ynes’s curious path to legal freedom hints, reflected the way in which the 1821 law transformed the political culture and meaning of manumission. The manumission juntas did not generate nearly as much controversy at the Congress of Cúcuta as did the Free Womb law. They were local bodies comprised of prominent townsmen and empowered by the gradual emancipation law to publicly manumit “honorable and industrious” slaves and compensate their masters through publicly funded coffers. From the national capital of Bogotá to the slaveholding frontier town of Quibdó, juntas across republican Colombia organized festive manumission ceremonies as part of the fiestas nacionales instituted after 1821. Yet despite the fact that the manumission juntas in

⁹ Leal, *Landscapes of Freedom*, 51–52.

the northern Pacific lowlands actively collected estate taxes for their funds, over the course of fifteen years (1821–1846), they only financed the manumission of seventeen enslaved lowlanders, many of whom were manumitted for service rendered in the army after their conscription.¹⁰ These low public manumission rates were common not just throughout Colombia, but other parts of the Atlantic world undergoing their own gradual emancipation rule. For example, in Brazil, less than 1 percent of enslaved people were manumitted by the national emancipation fund that was created with the adoption of the Rio Branco law in 1871.¹¹

Nevertheless, the manumission ceremonies fundamentally transformed the previously private practice of manumission between master and slave into a national good to be consumed by a patriotic public. Building on recent critical scholarship by Jason McGraw, Dolcey Romero Jaramillo, and others, this chapter furthermore reveals the complex ideological work of early republican manumission ceremonies, which preserved the moral authority of slaveholders by celebrating their professed *liberalidad* (generosity) while simultaneously erasing the role of the enslaved and their kin in securing manumission. By championing slaveholders' *liberalidad* and the fruits of Colombian independence, these early national manumission ceremonies merged colonial notions of slaveholder generosity and self-sacrifice with the new republican culture of public politics. In a contentious political context in which powerful slaveholding interests remained disenchanting with the abolitionist project, the *liberalidad* on display in public ceremonies paradoxically bolstered the rights of slaveholders, as "manumittedes remained marked as former slaves and as clients of their former masters or of the sovereign power."¹² Yet this marking, as Ynes and Francisco's account partly reveals, worked to leave unremarked the

¹⁰ The total number of lowland slaves manumitted with junta funds was calculated from the following records: AGN, 1839, SR, FGV, l. 63, fol. 556r; AGN, 1841, SR, FGV, l. 73, fol. 356r; AGN, 1842, SR, FGV, l. 78, fol. 230r; AGN, 1843, SR, FGV, l. 96, fol. 194r, 264r; AGN, 1844, SR, FGV, l. 95, fols. 952r, 954r; AGN, 1845, SR, FGV, l. 105, fols. 322r, 323r; AGN, 1846, SR, FGV, l. 116, fol. 55v.

¹¹ Celso Thomas Castilho and Camillia Cowling, "Funding Freedom: Abolitionism and Local Emancipation Funds in 1880s Brazil," *Luso-Brazilian Review* 47, no. 1 (2010): 89. In contrast to the Colombian case, local, privately sponsored emancipation funds were collected by abolitionist societies throughout Brazil in the 1880s, while manumission funds were exclusively operated by the Colombian government during gradual emancipation rule.

¹² Robin Blackburn, "Introduction," in *Paths to Freedom: Manumission in the Atlantic World*, Rosemary Brana-Shute and Randy J. Sparks, eds. (Columbia: University of South Carolina Press, 2009), 12.

work of newly freed people and their networks in obtaining this freedom, as manumission juntas in the northern Pacific lowlands continually repackaged self-purchase and private manumissions as public manumissions well in the 1840s.

TESTAMENTARY MANUMISSION AND SELF-PURCHASE IN THE LOWLANDS

Across Spanish America, testamentary manumissions were historically granted to domestic slaves (and at times their kin) who occupied positions of physical proximity to and emotional intimacy with their masters and mistresses in the sphere of the home. While several hundred domestic slaves attended to masters in Chocó's main towns and villages during gradual emancipation, the majority of enslaved lowlanders worked away from the home in the gold mines, which meant a smaller pool of those usually perceived as prime candidates for testamentary manumission.¹³ Nevertheless, lowland slaveholders did occasionally perform testamentary manumissions during the gradual emancipation years.¹⁴ Either at the notary's office or from bed (in cases of illness), lowland masters dictated their last wills before a group of trusted male kin who served as witnesses, accounting for their proprietary universes complete with furniture, kitchenware, and humans. Reflecting on the economic value of their disparate properties and the legacies they desired to leave behind, some masters included clauses manumitting their slaves upon the slaveholder's death in gratitude for their "good services."¹⁵ These "posthumous bequests of freedom," Michelle McKinley argues, "simultaneously recognised the property rights of the deceased in human beings, while validating the affective ties of loyalty and devotions spawned by the master-slave relationship."¹⁶

¹³ One record from reported 513 enslaved lowlanders working in domestic service in Nóvita and the San Juan River district in 1822. See ACC, 1822, Independencia, CI-2g 683o.

¹⁴ Mosquera Mosquera, "Los procesos de manumisión en las provincias del Chocó," 111; Leal, *Landscapes of Freedom*, 51.

¹⁵ For examples of freedom granted in wills and freedom papers after the death of a master, see NPQ, 1838: 131v; 1839: 10v-11r; 1842: 53r-53v; 1850: 14r.

¹⁶ Michelle A. McKinley, "Till Death Do Us Part: Testamentary Manumission in Seventeenth-Century Lima, Peru," *Slavery & Abolition: A Journal of Slave and Post-Slave Studies* 33, no. 3 (September 2012): 381. On the monetization of affective labor among slaves in nineteenth century Cuba, see Adriana Chira, "Affective Debts: Manumission by Grace and the Making of Gradual Emancipation Laws in Cuba, 1817-68," *Law and History Review* 36, 1 (February 2018): 1-33.

While some northern Pacific lowland masters granted testamentary manumissions without conditions, others specified that their slaves' freedom was contingent upon fulfilling specific tasks that only prolonged such affective ties. In one unusual case, the slaveholder Ventura Rentería manumitted in his 1837 will his mother-in-law's slave Rafael "under the precise condition that he pay the parish taxes and other costs related to her burial," in addition to other smaller debts he allegedly owed her.¹⁷ This testamentary manumission thus practically functioned as a self-purchase mechanism, since Rafael would be buying his way out of slavery by paying the economic burden imposed by Rentería, which itself might have been inspired by the notion that slaveholders should be compensated for the debt accrued in providing *alimentos* to Free Womb children. Another lowlander, Carlos Salazar, laid out different terms for manumitting María Gregoria, a forty-four-year-old *criada* "*de color morena*" whom he had inherited from his parents. Thanking María Gregoria for decades of "good service" to his family, Salazar stated that she was "only . . . obliged to bury me, that is, to carry my body to the burial."¹⁸ In exchange for the public act of hauling her deceased master across the town square and interring his body in the church cemetery, María Gregoria was granted freedom after a few last moments under Salazar's grip from the afterlife.

Often treated as a single unit in the Free Womb market, enslaved women and their Free Womb children in the northern Pacific lowlands were sometimes granted joint testamentary manumissions by slaveholders. Yet often, like the testamentary manumissions reviewed already, these joint manumissions were provisional. Due to the "love, affection, good service, and obedience" demonstrated by her domestic slave Gabina, María Eulalia Aguado manumitted Gabina and her Free Womb daughters in her 1837 will. The mistress also bequeathed a fairly substantial number of items to Gabina, including a gold necklace, two pairs of earrings, rings, and a trunk without a lock, items that would likely ease Gabina and her daughters' transition into full legal freedom. However, this small family's testamentary manumission was ultimately conditional. After Aguado's passing, Gabina and her Free Womb daughters were to live "under the watch, education, and care of Señor Andres Machado and his wife Paula Triana, both of whom I especially entrust with their education." This would continue until Gabina "is married or if there is

¹⁷ NPQ, 1837: 23v-24r.

¹⁸ NPQ, 1848: 70r-71v.

a very fair reason, well proven, for her to leave the house.”¹⁹ Thus even after Aguado’s death, Gabina and her daughters would be subject to her deceased mistress’s desires. Without an acceptable marriage or the approval of her new overseers, Gabina would be confined with her children (at least until they turned eighteen, given their Free Womb status) to the “house,” a racialized workspace marked by ambiguous degrees of unfreedom.²⁰ Perhaps after complaints from extended kin, the ailing mistress later entrusted Gabina and her daughters to her two sisters, María Josefa and María Luisa, instead of Machado and Triana, thereby maintaining the captive family within the mistress’s bloodlines.²¹

The lowland priest Pedro José Durán, upon his death in 1848, likewise linked his slave’s provisional manumission with that of her Free Womb children. Durán requested in his will that Ysabel and her four Free Womb children – Agapito, José María, Bernardino, and Silvestre – “remain subjected and under the dominion of Señor Dr. Nicolas Castro,” a slaveholder and once governor of Chocó, “until they marry and demonstrate good behavior and judgment” (that is, until the children turned eighteen).²² However, even this conditional freedom was subject to further conditions, given that Durán reserved the right to revoke the manumissions if he found himself reduced to “poverty.” Under these circumstances, Durán would be allowed to sell Ysabel and her children “freely before dying so that I can sustain and feed myself.”²³ As Christine Hünefeldt argues, “When the promise of freedom depended on someone else’s death . . . conditional freedom was a way to perpetuate the slave’s loyalty.”²⁴ But not even the firmest loyalty would bar the economically precarious priest from potentially selling Ysabel and her Free Womb children.

¹⁹ NPQ, 1837: 119v–120r. The original reads “hasta que se case ohaya muy justo motivo vien hacreditado para separarce de la casa.” There is little information available on Machado or Triana. The only document that exists relates to Machado, who appears to own lands on the periphery of Lloró, a nearby town south of Quibdó. See NPQ, 1835: 178r.

²⁰ Enslaved men were also confined to the house in their conditional freedom papers. For example, in his will, the prosperous mine owner Don Conto manumitted Domingo, but only “under the precise condition that he does not leave my house and cooperates,” before adding that such conditionality would demonstrate that Domingo was “grateful for my liberalidad.” See Mosquera Mosquera, *Memorias*, 64–65.

²¹ NPQ, 1837: 153r. ²² NPQ, 1848: 122r. ²³ NPQ, 1848: 118r.

²⁴ Christine Hünefeldt, *Paying the Price of Freedom: Family and Labor Among Lima’s Slaves, 1800–1854* (Berkeley: University of California Press, 1994), 73. For a similar argument, see McKinley, “Till Death Do Us Part,” 382.

However, enslaved lowlanders were freed much more frequently through self-purchase than through testamentary manumission. In fact, self-purchase was the most common method for obtaining legal freedom in the Pacific lowlands prior to the 1821 gradual emancipation law. Self-purchase became widespread in the northern Colombian Pacific during the late eighteenth century, after the decline of the gold-mining economy and legalization of “*coartación*” (self-purchase) in New Granada. This practice was only possible due to the unique, gold-rich frontier geography of the Pacific lowlands traced in Chapter 1. With their control over their slaves tenuous given the expansive jungle landscape, masters regularly granted enslaved gold miners days off to exploit the auriferous rivers for themselves. Over the span of years, enslaved lowlanders accumulated gold to purchase their freedom from their masters.²⁵ Because of this robust culture of self-purchase, a sizable free black population emerged in the northern Pacific lowlands by the late eighteenth century.²⁶ Self-purchase was the primary method of legal freedom in other late eighteenth and nineteenth century Colombian slave societies. In the southwestern capital of Popayán, 79 percent of 443 freedom papers were acquired through self-purchase between 1800 and 1851, while 77 percent of 352 freedom papers were purchased as well between 1791 and 1851 in the Caribbean port town of Santa Marta.²⁷

The lowland tradition of self-purchase continued into the nineteenth century's first half. Historian Sergio Antonio Mosquera Mosquera found 404 self-purchase records in Quibdó's notarial archive from 1808 to 1848, with the most, 242, occurring between 1819 and 1828, likely a consequence of the lowland gold mines' economic decline after the war. The number of self-purchases fell to 69 from 1829 to 1838 and to 22 from 1839 to 1848, the last year in which an enslaved lowlander purchased freedom.²⁸ During the overall time span surveyed by Mosquera Mosquera, slightly more enslaved girls and women purchased their

²⁵ As William Sharp has noted, self-purchase offered lowland slaveholders a quick recuperative solution to the problem of declining profits in the gold mines. See Sharp, *Slavery on the Spanish Frontier*, 142–144, 171–189; Leal, *Landscapes of Freedom*, 28, 45, 52; David Brion Davis, *The Problem of Slavery in Western Culture* (Oxford: Oxford University Press, 1988), 267.

²⁶ Tovar Pinzón, Tovar Mora, and Tovar Mora, *Convocatoria al poder del número*, 353–357; Sharp, *Slavery on the Spanish Frontier*, 199.

²⁷ On Popayán, see Pablo Rodríguez, “La manumisión en Popayán, 1800–1851,” *Revista de Extensión Cultural* 9–10 (1980–1981): 78. On Santa Marta, see Romero Jaramillo, *Esclavitud en la Provincia de Santa Marta*, 98.

²⁸ Mosquera Mosquera, “Los procesos de manumisión en las provincias del Chocó,” 115.

freedom than did boys and men, which reflects general trends for self-purchase across Atlantic slave societies, where women had greater opportunities for self-purchase.²⁹

Determining the price of their self-purchase was one of the first bureaucratic actions for the enslaved to take in their long journey for legal freedom. The exact price depended on a variety of factors, including age, sex, physical health, and special skills, and was ultimately shaped by the enslaved person's complex relationship and history with their masters. The price was sometimes established privately in back-room agreements, but in many cases masters or enslaved captives' relatives in the northern Pacific lowlands requested the assistance of two "experts" (*peritos*), usually local male slaveholders, to finalize a "fair price" (*justiprecio*), bearing in mind the price of slaves in the current marketplace. The master or his representative customarily named one expert, while the slave's representative selected the other.³⁰ The archive reveals occasional instances in which enslaved lowlanders were able to lower their price through negotiation. For instance, in 1838, Candida Rosas got her self-purchase price reduced to 150 patacones after she "complained about some days' wages that her [deceased] master owed her when he was alive."³¹ After paying the agreed-to amount, enslaved peoples received *cartas de ahorro y libertad*.

The acquisition of freedom papers was a public act. Enslaved lowlanders faced the notary, their master or masters, any family member or individual who paid for their freedom, two or three witnesses, and, in more contentious cases, the *procurador municipal* (municipal attorney). This office after independence had replaced the colonial office of *protector de esclavos* (protector of slaves), which had assisted slaves in their

²⁹ Of the sporadic self-purchase records that I was able to access from the notarial archive of Quidó from 1810–1819 and 1828–1851, I found that forty-two male slaves and forty-four female slaves purchased their freedom from 1810–1819, while fifty-one male slaves and sixty-four female slaves purchased their freedom from 1828–1852. On the gendered nature of self-purchase, see Marietta Morrissey, *Slave Women in the New World: Gender Stratification in the Caribbean* (Lawrence: University Press of Kansas, 1989), 69–72; Hilary Beckles, "Black Female Slaves and White Households in Barbados," in *More Than Chattel: Black Women and Slavery in the Americas*, David Barry Gaspar and Darlene Clark Hine, eds. (Bloomington: Indiana University Press, 1996), 122; Stuart B. Schwartz, "Manumission of Slaves in Colonial Brazil, Bahia, 1684–1745," *Hispanic American Historical Review* 54, no. 4 (1974): 611.

³⁰ For more on the use of experts in slave appraisals in Latin America, see Hünefeldt, *Paying the Price of Freedom*, 186; Díaz Díaz, *Esclavitud, región y ciudad*, 196.

³¹ NPQ, 1838: 107v–108r.

freedom suits and legal protests against mistreatment. Quibdó's procurador municipal essentially performed the same tasks despite the name change, requesting the appraisal of slaves in their freedom suits and assuring that freedom papers were executed.³² Almost all witnesses and procuradores municipales were elite, white men who occupied important political and economic posts in the lowlands as masters, landholders, judges, or military or church officials. The prominent white slaveholder Nicolas de Roxas, who was mayordomo of the Quibdó church in 1819 and parish judge in 1829, was regularly called on to act as a witness in self-purchases, while another prominent white slaveholder, Manuel Scarpeta, served as Quibdó's protector de esclavos in the colonial period and the town's procurador municipal in the republican era.³³ This meant that the granting of freedom papers was validated by a large swath of the lowland master class, who functioned as the central gatekeepers of legal freedom.

In the presence of their master or masters, any family member or individual who paid for their freedom, two or three witnesses, and perhaps the procurador municipal, the notary typically read word by word before the slaves their freedom papers, the content of which barely changed after the rise of gradual emancipation rule. The opening lines declared that the master's right of "property, possession, dominion, rule, and patronage" would henceforth cease and outlined the exact legal and economic rights that the enslaved would procure: the right to trade, to make dealings and contracts, to buy and sell, to appear in court on their own behalf or through their legal representatives, to grant deeds and testaments, and to everything that is "permitted to those who are born

³² For more on the protector de esclavos in colonial Latin America, see Claudia Varella, "El canal administrativo de los conflictos entre esclavos y amos. Causas de manumisión decididas ante síndicos en Cuba," *Revista de Indias* 71, no. 251 (2011): 119; Carolina González, "El abogado y el procurador de pobres: la representación de esclavos y esclavas a fines de la Colonia y principios de la República," *SudHistoria* 5 (julio-diciembre, 2012): 87, 92-93. The *protector de esclavos* continued to function in republican Antioquia, see Restrepo, "Medidas abolicionistas en la Nueva Granada," 250-251. For examples of the *procurador municipal* assisting slaves in republican Quibdó, see NPQ, 1831: 152r-v, 153r; 1832: 20r, 48r, 104v-105r, 109v-110r; 1837: 23v-24r.

³³ On Roxas, see NPQ, 1814: 12r-13r; 1818: 2r, 45r, 60r-61r; 1819: 53r; 1829: 22r; 1831: 54r-57v. The sublieutenant of the provincial garrison, Agustín Angel, was also a witness for many self-purchases during the early republican period, see NPQ, 1828: 6v-7r, 95r-96r; 1831: 84v-85r. On Scarpeta, see NPQ, 1810: 35v, 216r; 1814: 2r; 1815: 22r, 23r; 1829: 42v, 68r-69v.

free.”³⁴ Engaging in any of these activities therefore functioned as an expression of legal freedom. The final sentences of the freedom papers ensured that they could not be revoked by either the enslaved’s master or the master’s legal representatives and heirs. Authorized copies of the freedom papers were typically given to the slave “for their protection.” Because the majority of the enslaved and their kin did not know how to read or write, the witnesses often signed the papers on their behalf. Once in possession of their freedom papers, the formerly enslaved would acquire new legal identities as *libertos*, *libertinos*, or *negros libres*.

Possession of freedom papers was indispensable to some in the northern Pacific lowlands, seemingly of less import to others. For Andres Córdova, whose father-in-law was a prosperous free black slaveholder, freedom papers were essential for his livelihood. Córdova hired a lawyer in 1844 to pursue stolen wages against his employer Ramón de Diego, a former royal official, claiming that the wages should be counted “from the year that he received his freedom papers.”³⁵ The freedom papers were critical to proving Córdova’s free status and subsequent claims to wages. However, there were several enslaved lowlanders who received their freedom papers years after their self-purchase. José Joaquin Veles bought his freedom for 150 patacones in 1832 “and from then on was declared free from slavery,” but he was not granted his freedom papers until 1835, more than three years later.³⁶ Antonia Córdova spent more than fourteen years without her papers.³⁷ These cases suggest that freedom papers may have held different weight for different people in the lowlands depending on their life circumstances. These papers seemed especially crucial for those who frequently interacted with people who would doubt their free status.

The majority of enslaved lowlanders who purchased their freedom in the first half of the nineteenth century were documented by Quibdó’s notary as having paid “from their own hands,” meaning that they directly paid their master or their master’s legal representatives without a

³⁴ NPQ, 1818: 107v–108v. The original reads: “para que trate, contrate, teste, comparezca en Juicio y fuera de el, por si o por medio de sus apoderados, y practique sin intervención de nadie cuanto esta permitido a los que nacieron libres.”

³⁵ For more on Córdova, see NPQ, 1814: 76v; 1844: 109v. On Ramon de Diego, see NPQ, 1810: 203r; 1818: 59v; 1831: 99v.

³⁶ NPQ, 1835: 117v.

³⁷ NPQ, 1835: 116r. For more examples of “retroactive” freedom papers, see NPQ, 1828: 13v; 1833: 71r–v; 1835: 97r; 1836: 13r; 1838: 132r–133r; 1843: 141v–143r.

facilitating relative or third party.³⁸ The phrase should not be taken to mean that such slaves had no help in purchasing “their own” freedom. Enslaved lowlanders accumulated funds for self-purchase through their own initiative as well as by being given, borrowing, and bartering gold from family, friends, masters, and even other slaveholders.³⁹ The archive occasionally reveals the extensive family and kinships networks that made self-purchase possible. As Sergio Mosquera Mosquera notes, self-purchase through family members increased in the northern Pacific lowlands after 1821, as more enslaved mothers purchased their children’s freedom and more husbands purchased the freedom of their enslaved spouses.⁴⁰ One should not assume, however, that the family member noted in the self-purchase record acquired the requisite gold on his or her own. In some cases, certain individuals were selected to purchase their kin’s freedom because the family trusted them to interface with the notary, legal officials, or masters. In other words, one should bear in mind the many hidden layers of thoughtful negotiation behind self-purchase.

Given these networks of giving, borrowing, and bartering that lay behind self-purchase, the process spawned complex conditions of debt among lowland family and kinship networks. Consider the free black lowlander Roman Becerra, who in 1831 purchased his son Leon Lloreda’s freedom. Handing over 150 patacones to Leon’s master, Becerra explained that his son would only be free “under the precise

³⁸ Of the sporadic self-purchase records that I was able to access from the notarial archive of Quibdó from 1810–1819 and 1828–1851, 135 of the 201 (67 percent) self-purchases were noted as paid for by the slaves themselves. From 1810–1819, there were 86 self-purchases, with 33 paid by a relative or third party. From 1828–1851, there were 115 self-purchases, with 33 paid by a relative or third party.

³⁹ For examples of mothers purchasing their children’s freedom papers, see NPQ, 1810: 136r–140r; 1814: 50v; 1815: 27r–v; 1818: 49r–50r; 1819: 27r, 50v–51r, 98r; 1833: 134v; 1835: 97r. For examples of fathers, see NPQ, 1813: 19r–v, 72r–v, 122v–123r; 1814: 57r; 1818: 72r–v; 1828: 28r–v; 103r; 1829: 52v–53r; 1831: 132r; 1833: 109v–110r, 149v, 164r–166r; 1836: 133v; 1838: 54r; 1840: 73v–75v; 1846: 133r–v. For examples of husbands, see NPQ, 1819: 103v–104v; 1831: 152r–v; 1833: 128v; 1838: 138r; 1840: 18v, 73v–75v. For examples of grandparents, see NPQ, 1837: 54r–55v; 1844: 36v–37r. For examples of siblings, see 1814: 135r–136v; 1819: 86v, 105r–v; 1829: 83r; 1831: 206r. For examples of uncles, see NPQ, 1831: 144r; 1842: 139v. For examples of aunts, see NPQ, 1815: unpaginated (September 27, 1814); 1818: 102r–v; 1838: 132r–132v. For examples of in-laws, see NPQ, 1813: 129r–v; 1819: 1r, 90r–v; 1829: 83r; 1838: 26v–27r. For examples of individuals with no designated family relationship, see NPQ, 1815: unpaginated (February 11); 1828: 96v; 1833: 88r; 1838: 53v; 1842: 49v–50r.

⁴⁰ Mosquera Mosquera, *De esclavizadores y esclavizados en la provincia de Citará*, 26–27.

condition that he accompanies him and helps him work; but if [Leon Lloreda] desires to leave [his father] and go with another individual, be that who it may, he will have to pay back him the amount provided.”⁴¹ Leon’s legal freedom was thus an investment with certain expectations and obligations attached to it. Leon was likely expected to work the gold mines with his father for an unspecified time, and although Leon would not lose his freedom if he reneged on the agreement, his freedom would follow him elsewhere as a debt to be repaid to his father. Yet, by claiming control over his son’s life after slavery, Becerra was equally claiming his own freedom, given that slavery had stripped away his paternal rights over his son. The ability to form an independent family and household – which in this case entailed exercising control over the movements and actions of children – were central to the everyday practice of freedom for the formerly enslaved across the Americas.⁴²

Apart from required labor, enslaved peoples fulfilled in a variety of ways the self-purchase debts that developed between lowland kin. In 1831, Clara Eredia purchased the freedom of her sister María de la Cruz. Soon thereafter, the sisters signed a contract declaring that the formerly enslaved María owed Clara 200 patacones, the amount paid for her freedom. Acknowledging her meager resources, María claimed that “for not having properties to guarantee [the payment],” she was obliged to satisfy the debt by “laboring herself in the mines, working alongside her sister until the amount is reached” – an act of filial solidarity. Alternatively, María could repay the debt by “acquir[ing] a slave for her sister.”⁴³ In the end, María’s final choice for repayment is unknown, but it is worth emphasizing how at that historical moment, in 1831, she could have secured her freedom by enslaving another person. Moreover, the debts sustained in the course of self-purchase were not solely accrued by the newly freed. Soon after Clara Eredia claimed to owe 200 patacones “used for the freedom of her sister María de la Cruz,” to the free black

⁴¹ NPQ, 1831: 96r–97r. Roman Becerra further added that “es decir más claro que como su hijo lo compañe hasta que se ponga en estado el no tendrá que reclamar de ninguna suerte con la libertad; pero que si resulta lo contrario como ya se ha dicho antes tendrá que abonar la cantidad exhibida el que selo sonsaque.”

⁴² Elizabeth Regosin, *Freedom’s Promise: Ex-Slave Families and Citizenship in the Age of Emancipation* (Charlottesville: University Press of Virginia, 2002); Hannah Rosen, *Terror in the Heart of Freedom: Citizenship, Sexual Violence, and the Meaning of Race in the Post-Emancipation South* (Chapel Hill: University of North Carolina Press, 2009); Morgan, *Laboring Women*; Camp, *Closer to Freedom*.

⁴³ NPQ, 1831: 206r, 206v–207r.

slaveholder Pedro Eduardo Córdova, a prominent resident of the Quibdó suburb of La Troje (visited in Chapter 1). This sum was to be paid within two months, and Clara Eredia guaranteed the payment by mortgaging a *canalón*, a sluice box used to recover gold from placer deposits in the auriferous rivers.⁴⁴

In one case, self-purchase debt was repaid via military service. Indebted to Francisco Mena for 200 pesos, the amount of his self-purchase in 1838, the newly freed lowlander Juan María Mena was obliged to repay the debt by serving as a substitute for Mena's brother-in-law Juan de la Cruz Moreno, who had been "conscripted into the army in the Canton of the Atrato."⁴⁵ To ensure this agreement, Francisco made sure to stress that Juan María's newly purchased freedom was only conditional until he completed his stint in the army; if he did not serve as his brother-in-law's substitute, he would "not enjoy his freedom."⁴⁶ As elsewhere in the Americas, the republican government in Colombia allowed conscripts to forego military service if they supplied an adequate replacement. Although army service was preferable to a life of continued enslavement, soldiers in republican Colombia constantly complained about suffering from life-threatening diseases, poor living conditions, and meager governmental support.⁴⁷ In fact, a year after Juan María had been granted his conditional freedom, the governor of Chocó anxiously lamented to Bogotá that "the aversion to a military career is so great here."⁴⁸

Family members and kin were also able to purchase the Free Womb child's freedom under gradual emancipation rule. Typically, these Free Womb self-purchases were not accompanied by debts in the archival record, perhaps due to the young age of many Free Womb children. As examined in Chapter 3, article 3 of the 1821 law both legalized the Free Womb trade and made it possible for "parents, [and] relatives" to "withdraw" – in other words, *free* – the children from their master's dominion. Like slaveholders on the Free Womb market, parents and kin could acquire their children by compensating the masters for the cost of the

⁴⁴ NPQ, 1831: 207r–207v. ⁴⁵ NPQ, 1838: 48r–v. ⁴⁶ *Ibid.*, 48v.

⁴⁷ David Bushnell notes the "traditionally low respect accorded to the soldier's vocation" in Colombia after Independence, in addition to the "violent unpopularity of military service with the Colombian people, which made normal functioning of any conscription mechanism virtually impossible." See David Bushnell, *The Santander Regime in Gran Colombia* (Westport, CT: Greenwood Press, 1970), 251. This unpopularity may have been racially motivated given the military service of enslaved and free black people after 1819.

⁴⁸ AGN, 1839, SR, FGV, l. 62, fol. 709r.

alimentos provided in the course of alleged rearing. The notarial records contain eleven cases in which kin – mothers, fathers, grandmothers, and godfathers – freed Free Womb children. Although these eleven self-purchases were indisputably significant for each individual Free Womb child and their family, they were a drop in the bucket (in the macro-social sense) considering the hundreds of Free Womb children in the lowlands whose kin were unable to pursue this option.⁴⁹ It nevertheless appears that the self-purchase price of Free Womb children was markedly cheaper than the self-purchase price of enslaved children born before the 1821 law. However, it is difficult to definitively know given the lack of information regarding ages in self-purchase records of any kind, apart from other factors like the changing value of currency and other unspoken circumstances that might have influenced a specific purchase price, like debts, favors, or disabilities of the children. Some self-purchase records involving children from before and after the law nonetheless appear to show the cheaper price of Free Womb self-purchase. For example, in 1813, the father Miguel Hernández paid 50 pesos to free his enslaved four-month-old son, Victorino, while 60 pesos were paid for the freedom of the ten-month-old José Isidoro, son of the enslaved woman Anastasia in 1815.⁵⁰ Decades later, in 1844, the mother of the Free Womb fifteen-year-old child Juan Evangelista bought her son's freedom for 40 pesos, while the Free Womb girls Benedicta and Juana, both age ten, had their freedom purchased by their respective mothers for 60 pesos each.⁵¹ When compared to the price of enslaved infants from the early 1810s, it appears that the self-purchase price of the much older Free Womb children was significantly lower (especially given the depressed economy), an opportunity that these eleven kin of Free Womb children certainly understood and took advantage of.

Starting in the early 1830s, the “withdrawal” of a child from a master by his or her kin was typically discussed in terms of ceasing the masters' rights over the child.⁵² While this language was used throughout the period of gradual emancipation, a new phrase entered the legal lexicon

⁴⁹ Although it is impossible to definitively say, perhaps enslaved families did not pursue the self-purchase mechanism of their Free Womb children en masse given the (tenuous) security provided by remaining with their families on the gold mine or master's household or the possibilities afforded by vernacular and unofficial freedom in the lowlands as explored in Chapters 1 and 2.

⁵⁰ NPQ, 1813: 19v–20r, 1815: freedom papers of José Isidoro, pagination damaged.

⁵¹ NPQ, 1844: 147v–148r, 156v–157r.

⁵² See, for example, NPQ, 1835: 2v–3r, 41v–42r.

after the mid-1830s: *plena libertad* (full freedom), whereby the kin explicitly purchased the “full freedom” of the Free Womb children.⁵³ The phrase “full freedom” might have developed from several forces. Parents and kin might have introduced the phrase to emphasize the child’s complete freedom as opposed to their state of unfreedom or partial freedom under Free Womb status. Or the phrase, emerging just before the term *manumitido* gained currency in the late 1830s, might have signaled how slaveholders increasingly thought of Free Womb children as slaves. In an 1838 record deploying the phrase, the master granted “full freedom” to a young girl named María Dorotea, “the same as if she were born entirely free.”⁵⁴ This comment echoed the language used in freedom papers granted to manumitted slaves, which bestowed legal and economic rights “permitted to those who are born free.”⁵⁵ Whatever the reason for the shift in language, the acquisition of a child’s “full freedom” was undoubtedly a contentious process, deceitfully presented as neutral in the final execution of the record.⁵⁶

Occasionally, however, the antagonistic circumstances leading up to the records’ final execution appear in the archive. In the early 1830s, for example, a dispute erupted between the mistress Joaquina Campo and Ana Rosalia Córdova, who claimed to be the relative of the Free Womb child Violanta, held in Campo’s charge. According to the mistress, Córdova “tried to take away from [her] the *muchacha* Violanta, free by the law.” Allegedly, Campo claimed 90 patacones for Violanta’s alimentos, but the girl’s kin refused to pay. Both parties appealed to the municipal judge to determine the appropriate amount. The local court sided with the mistress on the premise that only she, as the child’s mistress, had the right to determine the alimentos, and so Córdova was forced to pay the demanded amount. Only after this was Violanta declared “free from the

⁵³ For examples, NPQ, 1837: 102v–103r; 1838: 110v–111r; 1843: 147v–148r, 156v–157r, 160v. This language of “full freedom” is reminiscent of similar language utilized by enslaved people elsewhere in the Americas who used the language of literal partial freedoms. For examples, see Alejandro de la Fuente, “Slaves and the Creation of Legal Rights in Cuba: Coartación and Papel,” *Hispanic American Historical Review* 87, no. 4 (2007): 659–692; Camilla Townsend, “‘Half My Body Free, the Other Half Enslaved’: The Politics of the Slaves in Guayaquil at the End of the Colonial Era,” *Colonial Latin American Review* 7, no. 1 (1998): 105–128.

⁵⁴ NPQ, 1838: 111r.

⁵⁵ For an example of this kind of record, see NPQ, 1818: 107v–108v.

⁵⁶ NPQ, 1835: 2v–3r. For a typical example of freedom papers, see freedom papers of Candida Rosa, NPQ, 1838: 108r–108v.

right conceded by Article 2 of the aforementioned Law.”⁵⁷ Over the course of the Free Womb law’s existence, some black lowlanders like Córdova managed to acquire Free Womb children’s “full freedom.”

Despite having acquired “full freedom,” however, some Free Womb children’s free status could be in jeopardy. This was the case for several Free Womb children from the Tutunendo mine in Chocó in the mid-to-late 1840s. In 1844, a free black mother named Santos paid 40 pesos to liberate her son Juan Evangelita “from forced servitude, and of concierto” at the Tutunendo mine in Chocó.⁵⁸ Similarly, when in the same year and from the same mine the free black father Bautista Arriaga freed his son Hortencio by paying a total of 70 pesos, he was now declared in “full freedom and free from forced service, and of concierto” that same year.⁵⁹ Yet, despite their “full freedom,” both Juan Evangelita and Hortencio continued to be pursued as manumitido property by their masters’ heir. One such heir filed a complaint against the mine’s administrator for executing the sale of a slave and the full freedom of five manumisos, among them Juan Evangelita and Hortencio, prior to the mine’s auction in 1845. The heir immediately initiated legal proceedings against the administrator for failing to include the slave and children, worth 562 pesos in total, in the auction. Years later, in 1849, the higher courts in Popayán finally held the administrator responsible for liquidating the holdings improperly and obligated him “to find . . . the slave and manumitidos that are being claimed” or otherwise face paying the 562 pesos himself.⁶⁰ Five years after receiving their full freedom papers, Juan Evangelita and Hortencio were hunted under the orders of the Popayán authorities. But even the heir of the Tutunendo mine considered this ludicrous given the amount of time that had elapsed, as their lawyer argued in a rather sardonic tone:

I believe that two of [the manumisos] have died. Their current whereabouts are unknown; and if we suppose that one of them is in Heaven and the other in Purgatory, who and how do we calculate the distance from those places to Buga [the heir’s hometown], so that we can fulfill the conditions under which [the heir] can execute the act for the sum of 562 pesos, which has been shown today to be liquidated? Have not those five manumitidos turned, or are about to turn, eighteen, so that they can bring themselves to my client legally?⁶¹

In their last ruling on the case, the Popayán court in 1849 upheld the earlier verdict, making the administrator responsible for returning the

⁵⁷ NPQ, 1833: 14v. ⁵⁸ NPQ, 1844: 147v–148r. ⁵⁹ NPQ, 1844: 160v.

⁶⁰ ACC, 1845, República, CI-8mn 1885, fol. 16v. ⁶¹ *Ibid.*, 17v.

captives or compensating the heir for their cost.⁶² The Free Womb youth risked losing their lives as free people if the administrator failed to pay the sum or tracked them down.

Any such purchases of freedom – or full freedom – were subject to the gradations of unfreedom further cultivated under gradual emancipation rule, as revealed by two rare lifelong work contracts signed in 1845 between enslaved lowlanders and those who purchased their freedom. In one record entitled “*contratación y obligación*,” the merchant Miguel Velasques stated that he had paid 200 pesos for the enslaved woman Natividad’s freedom. In gratitude and remuneration for his “good deed,” Natividad subsequently signed a contract that obliged her “to offer her services to Velasques and his wife *for the following days and perpetually*,” that is, without a “salary, [but] only that which is necessary for living, such as food and clothing.”⁶³ The contract’s terms forbid Natividad from breaking or denouncing any aspect of the agreement. A similar contract was endorsed between the lowland slave Salvador Ribas and a large-scale slaveholder from Quibdó, the priest Manuel María Ochoa, who paid 100 patacones for Ribas’s freedom. In “remuneration, gratitude, and recognition of this act of kindness,” Ribas “obliged himself to give his personal services to Sr. Priest Manuel María Ochoa, *daily and perpetually*,” without a “salary, [and] only that which is necessary . . . such as food and clothing.”⁶⁴ For Natividad and Salvador Ribas, legal freedom entailed permanent indentured servitude, which perhaps was preferable to a life of guaranteed poverty or kinless destitution in the lowland countryside. Although these were the only such contracts that have survived to the present day, they emphasize how the meaning of legal freedom was constantly redefined for enslaved lowlanders during the first half of the nineteenth century. With the dawn of gradual emancipation rule, a new political body, the manumission junta, further complicated the political landscape of legal freedom traversed by Colombia’s enslaved.

THE MAKING OF THE MANUMISSION JUNTA AND THE POLITICS OF LIBERALIDAD

José Félix de Restrepo proposed the formation of manumission juntas, as we have seen, at the Congress of Cúcuta in 1821, as part of the national

⁶² *Ibid.*, 13v.

⁶³ NPQ, 1845: 2v.

⁶⁴ NPQ, 1845: 46v–47r.

gradual emancipation law. They would be responsible primarily for overseeing the emancipation of Free Womb children upon reaching the age of majority and to free deserving slaves in public ceremonies through publicly administered coffers.⁶⁵ The ideology behind the juntas can be glimpsed in Restrepo's original name for these bodies in 1821, also used in the earlier gradual emancipation law that he had drafted for Antioquia: *amigos de la humanidad*. Abolitionists across the Atlantic world in the late eighteenth and early nineteenth centuries brandished the phrase "friends of humanity" to champion their universalist cause against slaving and the slave trade, and such language circulated in antislavery texts popular among Colombian revolutionaries, like the Italian Gaetano Filangieri's *The Science of Legislation* (1780) and the Spanish Isidoro de Antillón y Marzo's *Thesis on the Origin of Black Slavery* (1811).⁶⁶ The phrase *amigos de la humanidad* was dropped in the final version of the 1821 law in favor of the name *juntas de manumisión*, a revision that might have reflected political compromise with delegates hostile to the antislavery ethos of the project.

Delegates at the Congress of Cúcuta debated both the type of slaves to be selected for public manumission and when exactly to hold such ceremonies, decisions that would come to represent the national values of the early republic. Borrowing from the 1814 Antioquia law, Restrepo initially proposed that the juntas publicly manumit on Easter day "the most honorable and eldest [of slaves] so that they can enjoy, for some time

⁶⁵ As per the final 1821 law, the juntas were responsible for overseeing the emancipation of the Free Womb children upon reaching the age of eighteen. The master was obliged to inform the junta of the Free Womb child's "character and behavior . . . in order that they may be put, jointly with the government, to useful trades." See Article 4, Congreso de Cúcuta, *Libro de Actas*, Act 84, Session of July 19.

⁶⁶ For the term "amigos de la humanidad" in the Antioquia law, see Article 11 in "Proyecto de ley sobre la manumisión de la posteridad de los esclavos Africanos y sobre los medios de redimir sucesivamente a sus padres," in Hernandez de Alba, *Vida y escritos del doctor José Félix de Restrepo*, 72, and in Restrepo's proposed law, see Article 13, Congreso de Cúcuta, *Libro de Actas*, Act 26, Session of May 28. For examples on "friends of humanity" in the Anglophone Atlantic, see Miles Mark Fisher, "Friends of Humanity: A Quaker Anti-Slavery Influence," *Church History* 4, no. 3 (September, 1935): 187–202; Davis, *Problem of Slavery*, 202. On the Spanish Atlantic, see Gaetano Filangieri, *Ciencia de la legislación*, Tercera Edición, Tomo Segundo (Paris: Libreria Americana, 1836), 142–143; Isidoro de Antillón y Marzo, *Disertación sobre el origen de la esclavitud de los negros, motivos que le han perpetuado, ventajas que se le atribuyen y medios que podrían adoptarse para hacer prosperar sin ella nuestras colonias* (Valencia: Imprenta de Domingo y Mompié, 1820), 94–95. For more on Filangieri, Antillón y Marzo, and other antislavery influences in Colombia, see Pérez Morales, "Itineraries of Freedom," 103, 181–182.

and before descending to their grave, the sweetness of freedom.”⁶⁷ But elderly slaves would not receive preferential treatment in the final version of the national gradual emancipation law. Joaquín Borrero, from the province of Neiva, was one delegate who expressed reservations about the clause, arguing that such manumissions would harm the enslaved elderly because they would not be equipped to survive without their master. Due to the intervention of Borrero and other oppositional voices, the final law instead decreed that only “the most honorable and industrious” slaves would be selected for public manumission.⁶⁸ This would occur not on Easter but during the Christmas holidays, on December 25–27, which were officially designated as days “devoted to national celebrations.” The Christmas holidays undoubtedly imbued the public manumissions with the distinct aura of end-of-year patriotic festivities.⁶⁹ By publicly manumitting only “the most honorable and industrious” on national holidays, the 1821 law established the model slave of the republic while championing enslaved people’s moral diligence as a national value.

The manumission junta’s administrative structure and financial sources underwent numerous transformations as the congress debated the proposed law. In Restrepo’s original proposal, each province’s junta would consist of six officials: an *alcalde ordinario de primer voto* (a chief justice), four *vecinos* (townsmen) appointed by their government, and a treasurer “of integrity and responsibility.”⁷⁰ In the final law, the juntas were to be comprised of a *primer juez del lugar* (local chief justice), an unspecified number of *vecinos*, a treasurer appointed by the provincial governor, and a priest. The change from four to an unspecified number of *vecinos* on the juntas, in addition to a treasurer selected by the provincial governor, may point to the delegates’ desires to keep the juntas in local provincial control. An ecclesiastical official may have been included to alleviate the concerns of delegates such as Ramón Ignacio Méndez, the future archbishop of Caracas who, as we have seen, cited the epistle to

⁶⁷ Article 14, Congreso de Cúcuta, 1821, *Libro de Actas*, Act 26, Session of May 28. For the Antioquia law, see Article 12 in “Proyecto de ley sobre la manumisión de la posteridad de los esclavos Africanos y sobre los medios de redimir sucesivamente a sus padres,” in Hernández de Alba, *Vida y escritos del doctor José Félix de Restrepo*, 73.

⁶⁸ On Borrero’s and other critiques, see Congreso de Cúcuta, 1821, *Libro de Actas*, Act 63, Session of July 4. On the final law, see Article 12, Congreso de Cúcuta, 1821, *Libro de Actas*, Act 84, Session of July 19.

⁶⁹ Article 12, Congreso de Cúcuta, 1821, *Libro de Actas*, Act 84, Session of July 19.

⁷⁰ Article 13, Congreso de Cúcuta, *Libro de Actas*, Act 26, Session of May 28.

Philemon to argue that slavery was Christian and ethical.⁷¹ It is more likely, however, that priests, in charge of maintaining the local parish records, were added to assure the juntas' successful bureaucratic operation. The junta's members were collectively responsible for collecting and distributing the funds for compensating the owners for manumitted slaves. To this end Restrepo initially proposed a *montepío* (mutual aid fund) financed through multiple sources, including donations from "sensible and virtuous citizens" seeking to contribute to the law's "saintly objective" and monetary obligations on testators ranging from 2 to 4 pesos. In the final version of the law, the *montepío* was replaced by a general manumission fund financed through a tiered system of mortuary property taxes.⁷²

Across republican Colombia, membership in the manumission junta was reserved for the local elite, composed of slaveholding merchants, priests, military officers, and politicians – in other words, the men who controlled the country's political and spiritual economy.⁷³ Reports from the mid-1820s offer insight into the social composition of Chocó's manumission juntas – one based in Quibdó, the other in Nóvita – during their early years. Although the 1821 gradual emancipation law outlined an administrative structure for the manumission juntas, the local juntas ultimately decided their own configurations. For example, the Nóvita junta, whose members came from the esteemed class of local slaveholders, consisted of just three officials: Juan Francisco Saa (the junta's president), Nóvita priest Joaquín Cañarte, and José Antonio Mayolo (the junta's secretary). Born in Llanogrande, in the neighboring province of Antioquia, Saa was a slaveholder, mineowner, administrator, and merchant specializing in the foodstuff and clothing trade between the Pacific lowlands and Cali. He was one of several lowland slaveholders who had conspired against the colonial provincial governor in 1809 and later

⁷¹ Article 9, Congreso de Cúcuta, *Libro de Actas*, Act 84, Session of July 19. On Ramón Ignacio Méndez, see Congreso de Cúcuta, *Libro de Actas*, Act 56, Session of June 28.

⁷² On Restrepo's proposed *montepío* and its sources, see Article 10, Congreso de Cúcuta, 1821, *Libro de Actas*, Act 26, Session of May 28. In the final law, four tiers of estate taxes were established: (1) 3 percent levied on 1/5 of properties of "those who die leaving legitimate descendants"; (2) 3 percent levied on 1/3 of properties of "persons dying and leaving legitimate ascendants"; (3) 3 percent on the total property of "persons dying and leaving collateral heirs"; and (4) 10 percent on the total property of "persons dying leaving unknown heirs." See Article 8, Congreso de Cúcuta, 1821, *Libro de Actas*, Act 84, Session of July 19.

⁷³ Lombardi, *Decline and Abolition of Negro Slavery in Venezuela*, 66; Castellanos, *La abolición de la esclavitud en Popayán*, 54.

served in the insurgent army.⁷⁴ Father Cañarte, the slaveholding republican whose life and exploits have already been chronicled in the second chapter of this book,⁷⁵ appeared to be deeply committed to the manumission juntas, bequeathing “a great amount of his holdings” to their funds upon his death.⁷⁶ Mayolo’s surviving *hojas de servicio*, a résumé necessary for public servants’ promotion, grants access to the political world of the men who served in the manumission juntas. Beginning his career in 1811 as a judge in Nóvita, Mayolo later took on other governmental posts, including the *alcalde del cuartel* (in 1813) and the *corregidor de indígenas* (from 1815 to 1817); he also served as a volunteer teacher in a local school and as director of Nóvita’s gold starting in 1818. After the Colombian republic’s formation in 1819, Mayolo served as *procurador general* in 1821 and a member of the *junta of secuestrados* – which oversaw properties seized from royalists and their sympathizers – before finally joining the manumission junta as secretary in November 1822.⁷⁷ Service in the manumission junta fit within a larger political career arc for Colombian elite men, proof of their commitment to the new republican order and a stepping stone in the pursuit of more prestigious posts.

The central political purpose of the public manumissions was to associate, as Marixa Lasso argues, “manumission with Colombian nationalism, linking slavery to Spanish tyranny, and freedom to republican virtue.”⁷⁸ Indeed, as explored in Chapter 3, the spectacular performance of public manumission, with the manumitted slaves donned in Phrygian caps called on to express gratitude to the republic and its leaders, promoted the new political order of liberal governance and bolstered the development of an abolitionist public sphere throughout Gran Colombia in the 1820s.⁷⁹ In addition to serving as spectacles promoting Colombian

⁷⁴ Álvaro León Gómez Valderrama, Francisco Gómez Valderrama, and H. Martínez, *Historia de Cali, 1536–1986: En homenaje a los 450 años de su fundación* (Cali: Ediciones Andinas, 1985), 219; Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 140; Gutiérrez Ardila, “Una provincia contra su gobernador”; ACC, 1827, Independencia CII-19a 4916.

⁷⁵ Jaramillo Uribe, *Ensayos de historia social*, 141. For more on Cañarte, see ACC, 1827, Independencia, EI-15cap 5793; ACC, 1832, República, JII-3su 2228.

⁷⁶ *El Constitucional del Chocó*, Quibdó, no. 4, September 24, 1835, BLAA, Bogotá.

⁷⁷ ACC, 1825, Independencia CII-4h 2661. Also see, NPQ, 1831: 144f; 1837, 183r. In 1827, Mayolo continued to oversee the gold foundry in Nóvita, and his resume revealed that he received an annual salary of 534 pesos for this work in 1825.

⁷⁸ Lasso, *Myths of Harmony*, 59.

⁷⁹ McGraw, “Spectacles of Freedom,” 271; McGraw, *Work of Recognition*, 29–33; Dolcey Jaramillo Romero, “Manumisión, ritualidad y fiesta liberal en la provincia de Cartagena durante el siglo XIX,” *Historia Crítica* 29 (enero–junio 2005): 125–147; Fredy Enrique

republican rule, the first public manumissions also reinforced the private bonds of slavery by publicly extolling the liberalidad of the owners.⁸⁰ According to one report published in the *Gaceta* in 1822, local slaveholders from the Caribbean town of Maracaibo, Venezuela, joined manumission junta officials to demonstrate their “philanthropy.” The article celebrated the sacrifice exhibited by “various individuals” who came together “to manumit twenty-one slaves, with their masters greatly lowering their prices,” while the junta promised to compensate the owners once adequate funds were acquired. One enslaved woman even “received her absolute freedom without her masters asking for compensation.”⁸¹ The “generosity of some respected citizens” was also celebrated during an 1825 public manumission ceremony in the slavery stronghold of Popayán. The masters there manumitted their slaves “who for their fidelity, love for work, and other virtues, have deserved this esteem, and in a certain way their gratitude,” deploying language typically utilized by masters in testamentary manumissions.⁸² In the southwestern Colombian town of Palmira, four slaves were publicly manumitted in 1830 “thanks to the zeal of the junta” and the “generosity” of one master who “graciously manumitted his slave.”⁸³ In practical terms, these avowed acts of liberalidad allowed the juntas to perform public manumissions despite their claimed lack of funds while reinforcing the junta’s financial obligations to those slaveholders who requested compensation. Politically, the good publicity generated by such acts reinforced the rights of slaveholders.

This early republican discourse of liberalidad appeared in the bureaucratic records of the northern Pacific lowlands’ manumission juntas. According to reports drafted by the junta treasurer of Nóvita in 1826, the public manumissions administered in the province were granted “because of the livalidad [*sic*] of their masters.”⁸⁴ An enslaved man named Simón, claimed by José Indalecio Lozano, was publicly

Martínez, “La fiesta de la Libertad. Celebraciones cívicas y manumisión de esclavos en la Gran Colombia,” *Revista Colombiana de Educación* 59 (2010): 246–263. On the similar politics of the emancipatory rituals in gradual emancipation Brazil, see Castilho and Cowling, “Funding Freedom,” 98–100.

⁸⁰ McGraw makes a similar observation for public manumissions in the mid-nineteenth century in “Spectacles of Freedom,” 280–282.

⁸¹ *La Gaceta de Colombia*, no. 19, 24 de febrero 1822.

⁸² *La Gaceta de Colombia*, no. 169, 9 de enero 1825.

⁸³ *La Gaceta de Colombia*, no. 457, 21 de marzo 1830.

⁸⁴ ACC, 1826, Independencia CII-23h 6659, fol. 3v.

manumitted in Nóvita's fiesta nacional of 1825 "not in virtue of the law but because of the liberalidad of his Señor."⁸⁵ Two other slaves from the district were listed as having been "manumitted *gratuitamente*," that is, without compensation, language signaling their masters' compassion and self-sacrifice.⁸⁶ Several slaves in Quibdó were reportedly "manumitted by the liberalidad of their masters" in the fiesta nacional of 1825.⁸⁷ Among those slaveholders was the royalist turned republican priest of the gold-mining parish of Lloró, Manuel Alberto Guerrero, who publicly manumitted three of his slaves. The report for this district stated that Fermin, his wife Juliana, and Francisco de Borja, had been manumitted in Guerrero's last will and testament.⁸⁸ Indeed, the fourteenth line of Guerrero's testament indicated his decision "to free Fermin, and his wife Juliana, from slavery, and also Francisco Borja because of their good services."⁸⁹ In other words, Guerrero and his executors essentially donated his testamentary manumissions to the junta, rendering public what would have otherwise been a private act. Such public acts of generosity and charity across Colombia reinforced slaveholders' volition, allowing owners to participate in the republican manumission rituals on their own terms. By empowering owners to determine how and why their slaves would be publicly manumitted, the early public manumissions preserved the fabric of slavery, consequentially effacing a more radical abolitionist politics proclaiming the natural rights of slaves as men.

THE EVOLUTION OF THE MANUMISSION JUNTAS

In the early 1820s, as administrative questions and complaints from the newly established manumission juntas flooded the offices of provincial governors across Gran Colombia, authorities in Bogotá passed several measures to alleviate mounting confusion. Among the earliest was an 1822 decree modifying the 1821 law's clause regarding the estate taxes meant to fund the manumission juntas' coffers, but a more substantive decree was passed a year later in response to increasing administrative

⁸⁵ *Ibid.*, 11.

⁸⁶ *Ibid.*, 51. For similar reports from the manumission juntas in Toro, Nóvita and Cali, see ACC, 1826, Independencia CII-23h 6628, fol. 51.

⁸⁷ ACC, 1826, Independencia CII-23h 6659, fol. 71. ⁸⁸ *Ibid.*, 71.

⁸⁹ For the clause in Guerrero's last will and testament, see Mosquera Mosquera, *Memorias*, 225.

troubles.⁹⁰ This 1823 decree sought to “reduce various abuses” committed by the local manumission juntas by centralized management, placing them under the provincial governors’ surveillance and imposing specific deadlines on both local and provincial juntas. It also created a dedicated official in each junta responsible for collecting the estate taxes that supplied the manumission funds. According to the decree, lists of manumitted slaves were to be published in the national newspaper, which further bolstered the burgeoning national abolitionist public sphere of the 1820s. Aspects of the 1823 decree’s language also reveal how some enslaved people perceived the manumission juntas as protective bodies in their journey toward legal freedom: Articles 7 and 8 prohibited the juntas from accepting manumission petitions from enslaved people after November 10 of each year, a stipulation likely established in response to enslaved peoples’ enthusiastic lobbying across early republican Colombia.⁹¹ As Eduardo Restrepo finds, the junta of the Antioqueño town of Ríonegro received multiple manumission petitions, including a request in 1838 by two elderly enslaved people who sought to “descend into our grave as free.”⁹² After the “Free Womb” law of 1871 in Brazil established a national emancipation fund, enslaved women petitioned abolitionist societies and municipal councils in Recife and Rio de Janeiro to help pay for their manumissions throughout the 1880s.⁹³ In contrast to Ríonegro or Brazil, no such manumission petitions were found in the archives of the northern Colombian Pacific. Meanwhile, further centralization in Gran Colombia was imposed five years later, as President Simón Bolívar passed a comprehensive decree intended to forever remedy the alleged negligence of the manumission juntas.

Bolívar’s decree was made in the context of broader political power struggles. After Gran Colombia’s founding in 1819, explosive political tensions emerged between Bolívar and Vice President Francisco de Paula

⁹⁰ Bierck, Jr., “Struggle for Abolition in Gran Colombia,” 373–374. The 1822 decree ordered that 3 percent and 10 percent taxes would be imposed on properties listed in inventories of the deceased. The taxes would be collected when an estate was assessed or liquidated.

⁹¹ For the 1823 decree, see ACC, 1823, Independencia CI-18g 1419, fol. 10r; Bierck, “Struggle for Abolition in Gran Colombia,” 375–376; Restrepo, “Medidas abolicionistas en la Nueva Granada,” 245; Roger Pita Pico, “Fisuras y escollos en la institucionalización de la libertad de los esclavos: las juntas de manumisión en la provincia del Cauca, 1821–1825,” *Historia y espacio* 44 (February–June 2015): 15–16; Castellanos, *La abolición de la esclavitud en Popayán*, 34–37.

⁹² Restrepo, “Medidas abolicionistas en la Nueva Granada,” 261–264.

⁹³ Castilho and Cowling, “Funding Freedom,” 98, also see 89, 91, 103–104.

Santander, some of which can be glimpsed in their correspondence over slave conscription during the Wars of Independence, reviewed in Chapter 3. Their tensions reflected a widening split between republican proponents of greater centralization of political power, represented by Bolívar, and federalists calling for more municipal and provincial power at the federal level, represented by Santander. As this political fight over federalism and centralism intensified in the postindependence years, Santander and other high-ranking Colombian officials accused Bolívar of despotism, pointing to the 1826 Bolivian constitution that Bolívar had drafted, which instituted a lifetime presidency, as “monarchy in disguise.” Santander openly denounced Bolívar in Congress and the republican press for subverting Colombia’s institutions. Bolívar returned from Lima to Bogotá in mid-1827 to reign Santander’s growing power. Months thereafter, Santander and other congressional representatives convened in the Colombian town of Ocaña in early 1828 to revise the Colombian constitution. Yet much to their dismay, at the convention an assembly of supporters granted Bolívar dictatorial powers in June 1828 to “save the republic.” During that month, Bolívar issued several decrees reversing many of the liberal reforms implemented at the Congress of Cúcuta. He restored the monasteries, granted special privileges to the military, raised import taxes, and even brought back one of the mainstays of Spanish colonial rule, the Indian tribute system.⁹⁴

However, as David Bushnell observes, Bolívar notably refused to “water down” the 1821 gradual emancipation law, despite protests by prominent antiabolitionist critics across Gran Colombia.⁹⁵ Rather, it was during this flurry of decrees, on June 27, 1828, that Bolívar prescribed stricter central management of the manumission juntas. By the late 1820s, Colombian officials very clearly recognized that the earlier 1823 decree had not solved the severe “inefficiency” or “powerlessness” of the juntas, whether due to lack of funds and administrative resources, corruption, or slaveholders who successfully avoided the junta officials.⁹⁶ The

⁹⁴ Bushnell, *Making of Modern Colombia*, 64, 67–68; Gibson, *Constitutions of Colombia*, 72–73.

⁹⁵ Bushnell, *The Making of Modern Colombia*, 68.

⁹⁶ Margarita González, “El proceso de manumisión en Colombia,” *Cuadernos Colombianos* 2 (1974): 147–240; Jorge Castellanos, “The failure of the manumission juntas in the Colombian province of Popayán, 1821–1851,” *Michigan Academician* 14, no. 4 (1982): 427–443; Castellanos, *La abolición de la esclavitud en Popayán*, 34–39; Romero Jaramillo, *Esclavitud en la Provincia de Santa Marta*, 116; Pita Pico, “La manumisión en la costa caribe colombiana durante el proceso de independencia:

1828 decree compelled provincial juntas to convene at least once a week, with the provincial governor presiding over the meeting held in the first week of each month. When traveling outside their respective capitals, the governors were ordered to meet with the local juntas and examine their archives and registries. Junta officials faced fines of between 25 and 100 pesos if they failed to fulfill their duties. The exact responsibilities of the junta treasurer and secretary were spelled out, which was perhaps welcomed by those juntas with lingering administrative questions. Most notably, the 1828 decree reformed the article of the 1821 law that stipulated that manumission juntas should prioritize “the most honorable and industrious” slaves. The new 1828 decree gave preference to manumission of the “eldest” slaves.⁹⁷ This move allowed Bolívar to invoke long-standing notions of charitable testamentary manumission for those slaves whose age and fragility testified to their loyalty. The decree thereby positioned Bolívar as the nation’s *de facto* protector de esclavos, tending first to the frailest and most vulnerable of Colombia’s slaves and fortifying his claim as the bearer of national liberalidad.

Records suggest that Bolívar might have had the northern Pacific lowlands in mind during his quest against the manumission juntas’ negligence. According to the annual treasury report for the province of Chocó in 1826, the Quibdó and Nóvita juntas had not manumitted any slaves despite having collected 358 pesos since 1821. This prompted the superintendent of the Department in Popayán to intervene. The superintendent, to whom the junta’s treasurer reported, was irked that the 358 pesos remained unused. The official also found it “strange that there has not been one manumitido except for the sole slave” – referring to Simón, who as we have seen was manumitted with funds from his master – and demanded immediate, detailed accounts from the junta.⁹⁸ It was this demand that yielded the admission, discussed above, that all public manumissions administered in the province had been granted “because of the *liveralidad* [*sic*] of their masters,” not from manumission junta funds.

Evidence suggests that this situation changed somewhat following the national reforms to the manumission juntas. Scattered reports indicate

vicisitudes de una ilusión aplazada, 1810–1825,” *Historia Caribe* 8, no. 22 (enero–junio 2013): 60–66; Tovar Pinzón and Tovar Mora, *El oscuro camino de la libertad*, 62.

⁹⁷ For the 1828 decree, see “Decreto que dicta reglas para las juntas de manumisión,” in Posada and Restrepo Canal, *La esclavitud en Colombia*, 355–359.

⁹⁸ ACC, 1826, Independencia CII-23h 6659, fol. 2r.

that the northern Pacific lowlands' manumission juntas largely followed Bolívar's orders to prioritize the elderly. In 1829, Lino Ybarguen, Juan Lemos, and Luis José Padilla, were manumitted in Quibdó for 70, 80, and 200 pesos, respectively; that the first two men's manumission payments were below the average price of 120 pesos for an enslaved man in this town's slave trade that year reflected their somewhat advanced age.⁹⁹ The manumission juntas in Quibdó and Nóvita publicly manumitted several enslaved couples, most likely elderly given that they were manumitted as a couple, throughout the ceremonies held during the Christmas holidays in the 1830s and 1840s.¹⁰⁰ By 1845, a Quibdó junta official voiced frustration with the clause prioritizing the manumission of elderly slaves, arguing that it was detrimental to "all those robust, honorable, or industrious youth that are useful to society, when they [elderly slaves] are a true burden given that due to their age, not being able to work, they have to be beggars to survive." Quibdó junta officials particularly complained of being forced by the decree to turn down "a slave of about 30–35 years of age, robust, honorable, and hardworking," who had requested funds to help purchase his freedom for 134 pesos in favor of an elderly man "who is 60–70 years old, assessed at 100 pesos, who shall soon become a heavy burden to society, becoming a beggar so that the pueblo is forced to maintain him, and relieving the master from any obligations that he would have for taking care of him when he has aged from his service." The governor of Chocó believed that, apart from "relieving" slaveholders of their well-established duties as patrons of the enslaved elderly, the clause threatened the lowland system of generational self-purchase given that "with their labor [the younger, manumitted slaves] could free many members of their family." In light of these concerns, the governor requested "radical reform" of the 1828 decree. This was rejected by Bogotá authorities.¹⁰¹ But perhaps influenced by these complaints, President Tomás Cipriano de Mosquera revoked the elderly manumission clause in 1848, granting preference to "the youngest and most robust" slaves.¹⁰² As Jason McGraw argues, Mosquera's order sought to create

⁹⁹ AGN, 1833, SR, FGV, l. 37, fol. 811r–v. For other possible examples of elderly slaves manumitted by the lowland juntas, see AGN, 1846, SR, FGV, l. 116, fol. 303r, and AGN, 1847–1848, SR, FGV, l. 149, fol. 303r.

¹⁰⁰ AGN, 1836, SR, FGV, l. 47, fol. 414r–v; AGN, 1839, SR, FGV, l. 63, fol. 118r–v; AGN, 1843, SR, FGV, l. 96, fol. 194r.

¹⁰¹ AGN, 1845, SR, FGV, l. 105, fols. 517r–518r.

¹⁰² See Article 3 of Decree of January 31, 1848 in Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 75–77.

“a new republican ideal symbolised by the freeing of young male slaves.”¹⁰³

Surviving financial records from the northern Pacific lowlands also reveal that the manumission juntas actively collected estate taxes. From 1833 to 1847, Chocó's juntas accumulated slightly over 3,000 pesos for their coffers.¹⁰⁴ While the 1823 decree had established the position of tax collector for the manumission juntas, the duty of tax collection was often performed by the junta treasurer, who attended the assessments of a deceased resident's property in order to confirm the owed manumission taxes, a process that could span hours to days depending on the estate. For instance, over the course of nearly half a day in late 1835, the junta treasurer Gregorio Correa, a slaveholder and former parish judge of Quibdó, accompanied the local notary and assessors to evaluate the properties of the deceased Italian merchant and slaveholder Antonio Botto. Perhaps while also consoling Botto's wife, Teresa Mesa del Giovi (likely from a small Tuscan village bearing the same last name), the officials sorted through the late Italian merchant's commercial and domestic possessions, which included ninety-two dozen handkerchiefs, seven fur hats, eleven packs of playing cards, three-body length mirrors, and several enslaved people.¹⁰⁵ Unsurprisingly, tax collection was not warmly welcomed by all. Many estate assessments were listed as “pending” in Quibdó's junta's records, and some lowland executors appear to have purposely evaded the juntas, as suggested by the estates summoned to Quibdó's district's circuit court.¹⁰⁶ Two different mistresses, in 1845 and 1847, respectively, filed lawsuits against Quibdó's manumission junta over the taxes assessed on their deceased husbands' estates.¹⁰⁷ Some evading lowland slaveholders were perhaps only more angered

¹⁰³ McGraw, “Spectacles of Freedom,” 280.

¹⁰⁴ This total was calculated from the financial records of the provincial manumission junta in Chocó from 1833 to 1847 under the title “deposited funds” and “annual products.” See AGN, 1832–1833, SR, FGV, l. 38, fol. 92r; AGN, 1835, SR, FGV, l. 44, fols. 66r, 292r; AGN, 1836, SR, FGV, l. 47, fol. 709r; AGN, 1838, SR, FGV, l. 56, fol. 386v; AGN, 1839, SR, FGV, l. 63, fols. 65r, 767r; AGN, 1841, SR, FGV, l. 73, fol. 356r; AGN, 1842, SR, FGV, l. 78, fol. 230r; AGN, 1844, SR, FGV, l. 95, fol. 954r; AGN, 1845, SR, FGV, l. 105, fol. 323r; AGN, 1846, SR, FGV, l. 115, fol. 197r.

¹⁰⁵ For the Bottos' property assessment, see NPQ, 1836: 128r–132v.

¹⁰⁶ For pending collections, see AGN, 1835, SR, FGV, l. 44, fol. 66r; AGN, 1843, SR, FGV, l. 78, fol. 230r; AGN, 1847, SR, FGV, l. 129, fol. 372r. For possible examples of estate tax evasions, see, AGN, 1847, SR, FGV, l. 129, fol. 525r and NPQ, 1840: 141r.

¹⁰⁷ NPQ, 1845: 17v, 1847: 114r–v.

knowing that the portion of their assets being collected by the pesky junta tax collectors would finance emancipation.

With an average annual collection of 235 pesos from the estate taxes (below the average price of an enslaved lowlander under gradual emancipation rule, or 175 pesos), it is unsurprising that junta officials in the northern Pacific lowlands funded few manumissions. No slaves were manumitted by Quibdó's and Nóvita's juntas from 1821 to 1832; from 1833 to 1845, juntas claimed to have paid for the public manumissions of 17 enslaved lowlanders, less than 1 percent of Chocó's enslaved population of 2,149 as of 1845.¹⁰⁸ In October 1835 an anonymous republican writer chastised Chocó's juntas for the lack of public manumissions in the short-lived Quibdó newspaper, *El Constitucional del Chocó*: "Why is it that even though the [1821] law has existed for fourteen years, not more than one slave has been manumitted in the province of Chocó?"¹⁰⁹ In his 1842 report to Bogotá, Chocó's governor blamed these low numbers on the "apathy and inertia" in the province, which he described with racist undertones as "the most backward of all the other [provinces]" consisting of "semisavage settlements."¹¹⁰ Interestingly, the year after the governor's remarks, what the local juntas included under the category of "manumitted slaves" in its financial records changed. Before 1843, this category referred exclusively to slaves whose manumission was paid for by the juntas' funds. From 1843 on, the juntas expanded the category to include slaves manumitted "by the generosity of their masters," as well as those who had purchased their own freedom (*con su propio caudal o trabajo*).¹¹¹ This clever accounting inflated the numbers by repackaging both private manumissions and self-purchases as public manumissions.

The manumission juntas in Chocó prioritized compensating masters whose slaves were conscripted into the republican armies. According to an 1826 national government ruling, only masters whose slaves were

¹⁰⁸ The total number of lowland slaves manumitted with junta funds was calculated from the following records: AGN, 1839, SR, FGV, l. 63, fol. 556r; AGN, 1841, SR, FGV, l. 73, fol. 356r; AGN, 1842, SR, FGV, l. 78, fol. 230r; AGN, 1843, SR, FGV, l. 96, fols. 194r, 264r; AGN, 1844, SR, FGV, l. 95, fols. 952r, 954r; AGN, 1845, SR, FGV, l. 105, fols. 322r, 323r; AGN, 1846, SR, FGV, l. 116, fol. 55v. These low numbers, however, roughly parallel those for Popayán province, where twenty-eight manumissions were administered by the local juntas between 1835 and 1843. See Castellanos, *La abolición de la esclavitud en Popayán*, 55.

¹⁰⁹ *El Constitucional del Chocó*, no. 6, 10 de octubre 1835, BLAA, Bogotá.

¹¹⁰ AGN, 1842, SR, FGV, l. 78, fol. 918r.

¹¹¹ For examples showing this change in categorization, see AGN, 1836, SR, FGV, l., fol. 709r and AGN, 1843, SR, FGV, l. 96, fol. 264r.

conscripted after the 1821 gradual emancipation law could request compensation from the manumission funds; those conscripted before the 1821 law would form part of the national debt.¹¹² Yet despite their promises to compensate masters, the lowland juntas were constantly in debt and behind on payments. In 1833, the junta in Quibdó claimed that no slaves had been manumitted in 1831 and 1832 “due to few funds,” but the junta nevertheless assumed a debt of 500 pesos to the master of the enslaved gunsmith Mauricio Córdova, perhaps due to the master’s incessant pleading. In 1836, the Nóvita junta reported a debt of 150 pesos to the master of the slave José Antonio, conscripted into the army in 1823, in addition to a 200-peso debt to Antonio Brinson, whose slave had “presented himself to the army.”¹¹³

Yet even lowland masters whose slaves enlisted before the gradual emancipation law’s passage hounded Chocó’s manumission juntas for repayment. José Matias Saucedo, from the small riverside village of Bebaramá, was one such slaveholder. On Christmas day in 1820, twenty-five-year old Santiago Martínez had presented himself before the commanders of Quibdó’s republican forces as a “liberto, from [the village of] Certeguí.” Four feet, five inches tall, with a notable scar over his right eyebrow, Martínez claimed that he was a “worker” (*labrador*) by profession. Four years later, in 1824, Saucedo claimed Martínez as his slave, purchased in 1818 for 400 patacones. Saucedo alleged that Martínez had “fled and presented himself in the service of the Armies of the Republic.” At the time of Saucedo’s complaint, Martínez was still enlisted in the army, as his sub-lieutenant verified. Saucedo was seeking not Martínez’s return but rather compensation from the Quibdó manumission junta, who acknowledged Saucedo’s request and assessed Martínez’s price upon entering the army at 225 patacones. Saucedo failed to receive this compensation, however, and submitted a petition to Chocó’s governor fourteen years later, in 1836. He claimed that he was now a “poor old man [*pobre anciano*], attacked by various diseases,” and pleaded that

¹¹² For the 1826 ruling, see “El señor José Indalecio Lozano; deuda doméstica,” 1827, BLAA, fol. 24r-v; Bierck, “Struggle for Abolition,” 372-373; Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 60-61; Castellanos, *La abolición de la esclavitud en Popayán*, 52-53. For an example of enslaved conscripts in the lowlands forming part of the national debt, see “Reclamo que hace Francisco Martín Mosquera, para que se le devuelva el valor de los esclavos, que sacaron de su mina,” 1826, BLAA.

¹¹³ AGN, 1833, SR, FGV, l. 37, fol. 811r-v; AGN, 1835, SR, FGV, l. 44, fol. 66r; AGN, 1836, SR, FGV, l. 47, fol. 709r.

the junta “pay me from the funds of manumission, even if in installments.”¹¹⁴

After Colombia's first civil war (1839–1842), new measures were adopted that practically eliminated the manumission juntas, transferring their functions to the municipal councils.¹¹⁵ The suppression of the manumission juntas reflected a powerful antiabolitionist sentiment renewed in the aftermath of the civil war's perceived racial terror and economic destruction, as traced in the previous chapter.¹¹⁶ Yet, for reasons unknown, these measures were delayed in the northern Pacific lowlands. Only in December 1847 did Chocó's governor relay to the junta's secretaries that “in effect, the council *exercises* the duties of the old juntas *as a council*, and moreover no changes will be made in their personnel.”¹¹⁷ In late January 1848, President Mosquera fully abolished the manumission juntas and empowered the municipal councils to publicly manumit slaves on holidays.¹¹⁸ However, as the next chapter shows, the manumission juntas would be reinstated in 1850 and acquire renewed political power with the rise of the Liberal Party and the electoral victory of the Liberal president José Hilario López in 1849. The last and final chapter turns to this tumultuous period of the 1840s and 1850s, which would witness drastic changes in Colombia and the Pacific lowlands with the final abolition of slavery and gradual emancipation rule in 1852. It would be after this that all the routes of freedom traced in this chapter would culminate in the ultimate destination of final abolition – which itself brought new forms of control and unfreedom.

¹¹⁴ AGN, 1836, SR, FGV, l. 47, fols. 565r–575r.

¹¹⁵ Tovar Pinzón and Tovar Mora, *El oscuro camino de la libertad*, 62. See Article 18 of “Ley de 25 de Junio de 1842 estableciendo varias reformas en la Administración Central,” in Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 2. The law also ordered that only one individual, the District Treasurer, was empowered to oversee funds relating to matters of manumission when convening with their respective municipal council.

¹¹⁶ See Law of November 28, 1843, in *La libertad de los esclavos en Colombia*, Tomo II, 25–26 and Galvis Noyes, “La abolición de la esclavitud en la Nueva Granada,” 486.

¹¹⁷ AGN, 1847–1848, SR, FGV, l. 149, fol. 473v. Similar confusion was articulated by local authorities in Veraguas, see Tovar Pinzón and Tovar Mora, *El oscuro camino de la libertad*, 62.

¹¹⁸ McGraw, “Spectacles of Freedom,” 274. For the 1848 decree, see “Decreto de 31 de enero sobre el modo de proceder los Concejos Municipales en la manumisión de los esclavos,” in *La libertad de los esclavos en Colombia*, Tomo II, 75–77.

PART III

FINAL ABOLITION AND THE AFTERLIFE OF
GRADUAL EMANCIPATION

Final Abolition and the Problem of Black Autonomy

The American engineer John C. Trautwine had a most disagreeable experience during a brief stop in the small Colombian Pacific village of Baudó in 1852. Several weeks had passed since arriving to the lowlands from the Caribbean Gulf of Urabá, in search of gold and a potential canal route across Colombia's Pacific lowlands. Although Trautwine was quite irritated by the constant bites from *yavis*, which were "microscopic insects of a red color," and the seemingly interminable tropical rain, it was not until his visit to Baudó that he felt truly rattled. All started as usual, with Trautwine being greeted by a handful of local elite residents, as he had at other lowland towns and villages. Among the greeters at this remote northwestern Colombian Pacific hamlet consisting of a church and nearly a dozen cane huts were a Frenchman and a local priest. According to Trautwine's account, the group of esteemed white men brought their guest into a house to chat together when a "strapping, naked black fellow very unceremoniously entered the room, and without as much as a 'by your leave,' lay down on a table a few feet from us, to take a snooze." "Under ordinary circumstances," Trautwine reflected, "this incident would probably have passed unnoticed as an every day occurrence." But his hosts were deeply bothered and delivered a "sharp lecture on the impropriety of his conduct." The accused black man, however, did not take the blow to his personhood lightly. He retorted that he "considered himself a true citizen, and thoroughgoing 'Democratico,' and as such, did not choose to inconvenience himself by any squeamish respect for the Priest, the strangers, or any one else."

He then brandished his guns at the group of white men. Trautwine and his local guides were stunned.¹

Seemingly unbeknownst to the American engineer, much had changed in Colombia and the Pacific lowlands in particular by the time he arrived to the region in 1852. Early that year, chattel slavery and gradual emancipation rule were finally abolished in the republic of Colombia under the administration of President José Hilario López, the Liberal Party leader. We will never know the anonymous black man's legal status, whether he was formerly enslaved, a former Free Womb captive, or one of the many free black men who resided among the historically free black villages along the auriferous lowland rivers. The formal destruction of slavery unquestionably shaped his bold response and his claim to genuine citizenship in the Colombian polity, whatever his status. Even more, the man's proud self-identification as an absolute "Democratic" likely referred to his allegiance to or participation in the Democratic Societies, political clubs that spread throughout the country in the 1840s to propagandize on behalf of President José Hilario López and the nascent Liberal Party. The poor and laboring free Afro-Colombians were among the devoted members of the Democratic Societies of Cali and Cartago, two Cauca Valley cities with economic and political connections to the lowlands, who in the late 1840s enrolled in programs of political education that included courses on democracy, the constitution, and the rights and obligations of Colombia's citizens. Military service and participation in the Democratic Societies were often closely linked, as members in some local clubs were obliged to enroll in the National Guard.² By publicly asserting himself a "true citizen" and a gun-carrying democrat, the man not only established his political contribution to the republic but also represented the arrival of a new era in mid-nineteenth-century Colombia. Trautwine himself, it should be noted, was also part of the new post-emancipation landscape of the Pacific lowlands, for Americans did not arrive to the region in significant numbers until after 1852. After news broke of the California Gold Rush of 1849, thousands of prospecting Americans made their way via sea to the Isthmus of Panama, which had become the most popular route for those seeking the fastest travel between the eastern coast of the United States and California.³ Some, like Trautwine, eventually ventured south of Panama to the Colombian

¹ Trautwine, *Rough Notes*, 57–58. ² Sanders, *Contentious Republicans*, 67–68.

³ For more, see McGuinness, *Path of Empire*.

Pacific lowlands, chasing gold and visions of an interoceanic canal route that never came to be.

This chapter charts the transformation of Chocó and the greater Colombian Black Pacific in the 1840s and 1850s, an era that offered new economic and political opportunities for the armed black “Democratic” and the prospecting white American engineer alike. After José Hilario López’s electoral victory in 1849, a movement for final abolition, fueled by the liberal press, mass lobbying by Democratic Societies, and electric public manumission ceremonies, gripped Colombia. Promulgated on May 21, 1851, the final abolition law set slavery’s end date as January 1, 1852, and instituted a compensation program for slaveholders across Colombia. With this, gradual emancipation rule and the regime of slavery were legally terminated. Yet through government-sponsored “manumission bills,” by which compensation money was provided to slaveholders, formerly enslaved Colombians continued to finance the livelihoods of former masters. Despite bureaucratic challenges, former masters and mistresses in Chocó actively utilized the manumission bills to preserve their wealth and privilege in the wake of their human forfeitures, all while peddling the influential white myth that abolition finally destroyed the lowland gold-mining economy.

This chapter also reveals the contending racial geographies and economies that emerged in the Pacific lowlands after final abolition. After 1852, the everyday lives and customs of black Pacific lowlanders came under intensified attack. Not unlike their peers across the postabolition Atlantic world, white stakeholders in the Colombian Pacific targeted black lowlanders’ access to natural resources and social traditions of self-governance. Former slaveholders in Chocó attempted to privatize the lowland forests and rivers for the first time, while frontier authorities and foreign explorers and prospectors demonized free black families’ long-standing practice of independent gold mining and subsistence living. In the wake of slavery’s destruction, a diverse group of white authorities envisioned postemancipation mechanisms of control, from policing laws to white immigration, to restrain black lowlanders’ mobility (and right to immobility) in what had long been – and would remain – a fiercely autonomous region.

A NEW ERA IN COLOMBIA AND THE PACIFIC LOWLANDS

Quibdó gradually expanded as a capital of the Colombian Pacific in the 1830s into the 1840s, as schooners like *La Nueva Chocosena* made their

way up the Atrato River from Cartagena delivering jugs of sweet wine, vinegar, and other luxury goods. By the early 1850s, nearly 90 more straw-thatched houses had been added to the 110 already dotting the enterprising streets of Quibdó in 1826.⁴ Also around this time gold-seeking Americans en route to California began to explore the lowlands in steamers like the *Benedetti*, which anchored on the banks of the Atrato in 1856.⁵ “Nearly every house” of Quibdó, one traveler noted, “is a shop, in which the systems of selling and bartering extend to every imaginable object” – much of it imported from Cartagena – “that can be procured to sell or barter.”⁶ The blare of trumpets and flutes on *días de fiesta* (holidays) would have captivated visitors and locals alike as the smell of smoke and *aguardiente* steamed out of Quibdó’s sole billiard hall operated by the female slaveholder Josefa Martínez. Shooting pool provided a welcome break for many of the province’s miners, *gañánes* (farmhands), and other workers who ventured in and out of town.⁷ The slender boats operated by enslaved and free black bogas ran along the banks of calle primera, which by 1848 was referred to as *calle del Puerto* (street of the Port), likely in recognition of Quibdó’s established riverine business traffic.⁸

Amid this modest urban bustle, a more intensified capitalist culture began to take hold, just as the institution of chattel slavery came under renewed criticism. From 1845 to 1849, under President Tomás Cipriano de Mosquera, one of Cauca’s largest hacendados and slaveholders, the Colombian government invested in national economic and financial development. These years witnessed the expansion of steamboat navigation on the Magdalena River from the Caribbean, a new, national accounting system, and free trade reforms, among other modernizing measures.⁹ It was amid these transformations that critiques in favor of

⁴ NPQ, 1833: 69v; AGN, 1854, SR, FGV, l. 197, fol. 327v.

⁵ AGN, 1856, SR, FGV, l. 195, fol. 839r. ⁶ Trautwine, *Rough Notes*, 37.

⁷ Authorities counted 12 musicians, 30 tenderas de licora (liquor shopkeepers), 300 cigarreros (cigar makers/vendors), 200 mineros (miners), 500 gañánes (farmhands), and 300 costureras i modistas (seamstresses and tailors) in the 1846 census. See AGN, 1846, SR, FGV, l. 116, fol. 185r.

⁸ NPQ, 1848: 91r.

⁹ Antonio José Rivadeneira Vargas, *Historia constitucional de Colombia* (Bogotá: Editorial “El Voto Nacional,” 1962), 78–79; Jorge Orlando Melo, *Nueva historia de Colombia: era republicana*, vol. 2 (Bogotá: Planeta, 1989), 156; Carlos Alberto Murgeito, *Las reformas liberales en el Cauca: abolicionismo y federalismo, 1849–1863* (Cali: Programa Editorial, Universidad del Valle, 2011), 12–13; William P. McGreevey, *An Economic History of Colombia, 1845–1930* (Cambridge: Cambridge University Press, 1971), 117–118.

wage labor over slave labor first began to appear in the lowlands. In his 1846 report, for instance, Chocó's governor, Juan Antonio Calvo, decried the "unprofitable" use of slave labor in the province's gold mines, asserting instead that a "system of salaried or wage workers" should be introduced in the mines, which "would be a great benefit for the businessman, given that there is no doubt that the labor of a free man [*hombre libre*] produces more than that of a slave."¹⁰ The region's rapidly dwindling enslaved population – 2,149 by 1845 – largely as a result of self-purchase may have influenced the governor's remarks.¹¹ Hailing from Cartagena, which was a majority free black province by the late eighteenth century, Governor Calvo may have been more receptive to a non-slave economic system than other provincial authorities.¹² Moreover, the provincial slave market had slowed markedly during this period: while fifty-nine people had been sold in Quibdó in 1835, thirty-one people had been sold in 1846, eight in 1847, nine in 1848, three in 1849, and one in both 1850 and 1851.¹³ Some government officials in the Colombian Pacific moreover had experiences with mixed-labor work gangs during gradual emancipation rule. For example, the road de Rubén in the southern Pacific lowlands was constructed by both enslaved and wage laborers in 1824.¹⁴

The critique appeared amid larger social and economic transformations underway in the Colombian lowlands, at this time particularly in the spheres of work, policing, and finance, that reflected the further growth of capitalist culture. New measures were taken to impose and codify an entrepreneurial ethos in the province. In 1845, for example, Quibdó's municipal council issued a decree lifting the prohibition of work on holidays due to concerns that "mining and industry are being lost one more day of each week." Besides, the council reported, the prohibition was "observed only by those who are mostly in the view of the police and violated by everyone else," a remark revealing that working lowlanders had long been laboring as they pleased in spite of the ban.¹⁵ In the spirit of secular formalization, a provincial ordinance was issued in 1849 that regulated labor relations between concertados (Free Womb captives) who worked in domestic service and their patrones in Chocó. The new

¹⁰ AGN, 1846, SR, FGV, l. 115, fol. 56v. ¹¹ AGN, 1845, SR, FGV, l. 105, fol. 592v.

¹² For more on Calvo after his governorship in Chocó, see McGraw, *Work of Recognition*, 26, 40, 47, 52–58.

¹³ See Table 2.2. ¹⁴ ACC, Sala Mosquera, 1825, No. 17, D. 1901, fols. 11–2v.

¹⁵ AGN, 1845, SR, FGV, l. 105, fol. 523r–v.

ordinance obliged concertados to sign official contracts stating the duration of the apprenticeship and terms of compensation before their district mayor, the latter an especially radical shift in Free Womb policy in the lowlands reflecting increasingly capitalist modes of work and remuneration.¹⁶ Still, however, another article of the ordinance upheld the repressive apparatuses of slavery by mandating police to “capture and apprehend” any domestic concertado who fled from their patron’s home.¹⁷ New policing measures further consolidated this economic transformation. In 1847, police in Quibdó began to punish anyone with a pigpen under their home.¹⁸ The decree amounted to the racialized criminalization of everyday lowlanders, given that, as we saw in Chapter 2, working and poor free black and indigenous peoples had raised pigs for household consumption and the communal bartering economy for centuries. Another provincial ordinance the following year prohibited artisans and workers from gambling during workdays, an attempt to clamp down on working people’s leisure and impose a work ethic modeled on the time principles of capitalism.¹⁹

The northern Pacific lowlands partook in the formation of new financial institutions across the nation in the 1840s. The first savings bank (*caja de ahorros*) was established in Bogotá in 1846, and soon thereafter one appeared in Chocó.²⁰ The savings bank provided lowlanders with the

¹⁶ Article 2 specified that “this contract shall be entered in a registry managed by the Alcaldes, expressing within it the length of time of the concierto, and the amount and payment that should be given for the service, whose proceedings shall be signed, aside from the Alcalde and the contracting parties, two witnesses who are vecinos from the parish district, of integrity and honor.” See “21 de septiembre de 1849, sobre concierto de domestico libres,” in *Ordenanzas de la Provincia del Chocó, expedidas en el año de 1849* (Imprenta de Nicolás Hurtado, por Ramón Luna 1849), 4–5, BNC. Citing records from officials in Barbacoas and Buga in 1851, James Sanders also notes that concertados were “paid (but far, far below the market rate), the contract system basically ensured that forced labor would continue.” See Sanders, *Contentious Republicans*, 62–63.

¹⁷ See article 9 in “21 de septiembre de 1849, sobre concierto de domestico libres,” in *Ordenanzas de la Provincia del Chocó, expedidas en el año de 1849* (Imprenta de Nicolás Hurtado, por Ramón Luna 1849), 4–5, BNC.

¹⁸ AGN, 1847–1848, SR, FGV, l. 149, fol. 258r–v.

¹⁹ See *Ordenanzas de la Provincia del Chocó, expedidas en el año de 1848* (Imprenta de Ancizar y Prado, 1849). For earlier and similar measures to control popular recreation in 1830s Cali, see Valencia Llano, *Dentro de la ley, fuera de la ley*, 74–77.

²⁰ AGN, 1846, SR, FGV, l. 116, fol. 57r. For more on the Caja de ahorros in Bogotá, see David Sowell, “La Caja de Ahorros de Bogotá, 1846–1865: Artisans, Credit, Development, and Savings in Early National Colombia,” *Hispanic American Historical Review* 73, no. 4 (November 1993): 615–638; María del Pilar López Uribe and Diana Marcela Güiza, “La Caja de Ahorros: una aproximación a los patrones de ahorro en

ability to safeguard and invest their savings and thereby participate in capitalism's everyday development in the region. By 1848 there were 1,823 pesos in the savings bank of Chocó, which included 77 pesos deposited by two enslaved people. During one month, an enslaved person deposited 202 pesos, money perhaps accumulated for the future freedom of themselves or their kin.²¹ These deposits by enslaved lowlanders, alongside domestic concertado contracts, reveal the interrelation of slavery and the rise of capitalism in nineteenth-century Colombia – what scholars call “slavery’s capitalism,” or the mutual relations between enslaved, slaveholding, and nonslaveholding agents in the making of the modern economy.²²

These socioeconomic developments mirrored greater national political transformations. New, formidable political forces emerged in Colombia after President Mosquera's term ended in 1849. Although the alignments that would eventually coalesce into the Liberal and Conservative Party, which grew out of the political splits between Bolívar and the federalists and Santander and the centralists in the 1820s as discussed in Chapter 5, were evolving in the early 1840s during the War of the Supremes, they would not be formalized until midcentury. Founded in 1848 by formally educated, professional young men inspired by the tumultuous European revolutions of that year, the newly established Liberal Party rose to national power in 1849 under the presidency of the Popayán-born José Hilario López, a general, diplomat, and former governor of Cartagena province. Among the most powerful vehicles of popular political mobilization for López and the Liberal Party were the Democratic Societies,

Bogotá, 1846–1865,” *Ensayos sobre política económica* 30, no. 67 (2012): 130–173; Germán Rodrigo Mejía Pavony, *Los años del cambio: Historia urbana de Bogotá, 1820–1910*, Second Edition (Santa Fe de Bogotá: Pontificia Universidad Javeriana, 2000), 452–453.

²¹ AGN, 1848, SR, FGV, l. 139, fols. 897, 898. Across Colombia, enslaved peoples deposited savings into the caja de ahorros. For an example in Cartagena, see *El Fanal*, no. 1, 4 de enero de 1849, no. 4, 25 de enero de 1849.

²² Sven Beckert and Seth Rockman, eds., *Slavery's Capitalism: A New History of American Economic Development* (Philadelphia: University of Pennsylvania Press, 2016); Edward Baptist, *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2016); Calvin Schermerhorn, *The Business of Slavery and the Rise of American Capitalism, 1815–1860* (New Haven, CT: Yale University Press, 2015); Rosenthal, *Accounting for Slavery*; Daniel W. Tomich, *Slavery and Historical Capitalism during the Nineteenth Century* (Lanham, MD: Lexington Books, 2017); Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, MA: Harvard University Press, 2017); Eric Williams, *Capitalism and Slavery* (Chapel Hill: University of North Carolina Press, 1944).

political clubs with origins in Bogotá's artisan societies of the 1830s that expanded across Colombia in the late 1840s and early 1850s. The Democratic Society of Cali, one of Colombia's most active clubs, was formed in 1848 to promote López; it continued to grow after the elections, attracting a base of poor, landless, and laboring Caucanos, many of them Afro-Colombian, who through the club were educated in the tenets of liberalism, republicanism, and democracy by middling and elite liberals.²³

Amid this liberal political renaissance across Colombia's cities and towns in the late 1840s, different political formations were crystallizing in the rural Pacific lowlands of Chocó. While the first Democratic Society was being formed in Cali in 1848, a group of thirty-five men led by Nicomedes Conto, a slaveholder, established in November 1848 Chocó's second political association, a cross-class "patriotic society" called the Academia de Leyes (Academy of Laws). The academy's charter stated that their principal goal was "the study and faithful execution of laws by the Congresses of Colombia"; several other secondary objectives included charity, road construction, "love for public order and work, religious morality, political tolerance, [and] the harmony of families and whatever leads to the well-being and progress of the inhabitants of the Province."²⁴ Among the group's thirty-five members were Quibdó's slaveholding elite, including the famed romantic poet César Conto. The Academy of Laws was thus an association of propertied white men, nothing like the popular liberal clubs sweeping the Cauca Valley at the time. The Academy of Laws more resembled the Instituto Caldas, a national society established under the Mosquera administration in each provincial capital to advance technical training and "efficiently promote popular instruction, the conservation of moral Christianity, and the development of Granadian industry" and included members from across the political spectrum.²⁵ Based on industrial societies formed in New York, the Instituto Caldas "embodied New Granada's cross-party pan-regional republican project" with a "civilizing" moral mission.²⁶ A local institute was established in Nóvita in March 1848, the first formal

²³ Sanders, *Contentious Republicans*, 65–68; McGraw, *Work of Recognition*, 24; Valencia Llano, *Dentro de la ley, fuera de la ley*, 135–157.

²⁴ AGN, 1848, SR, FGV, l. 139, fol. 88or.

²⁵ *La gaceta oficial*, no. 942, 2 de enero de 1848; del Castillo, *Crafting a Republic for the World*, 85–88. For more on the rise of the Instituto Caldas, see del Castillo, *Crafting a Republic for the World*, 160–177.

²⁶ del Castillo, *Crafting a Republic for the World*, 163.

political association in Chocó's history, and included members of the town's slaveholding class, among them the parish priest.²⁷ Like other associations established across Colombia at the time, such as the Instrucción Popular and Fraternidad Cristiana, the elite, male associationism typified by the Academy of Laws reflected a bipartisan slaveholding republicanism in the Pacific lowlands driven by a "love for public order and work."²⁸ Despite the political zeal of this generation of white lowland men, sweeping political changes across the nation would radically transform the future for them and the people they sought to control.

FINAL ABOLITION AND THE POLITICS OF COMPENSATION IN COLOMBIA

Soon after the 1849 election of José Hilario López as president, the Colombian nation underwent a wholesale economic, political, and social restructuring that dismantled many of the country's colonial legacies. The majority-liberal Congress in 1850 abolished the centuries-old tobacco monopoly, placed provincial assemblies in control of liberalizing the resguardos, and granted nearly complete autonomy to provincial and district officials. The legal and penal system were radically reformed: the death penalty for political crimes was abolished in 1849, bail was established for almost all crimes in 1850, and a nationwide jury system was put in place in 1851. To the horror of many Conservatives, on May 21, 1850, President López ordered the expulsion from the country of the Jesuits, who had returned to Colombia in 1842 under the new Conservative order after having been banished from the Spanish empire by the Bourbons in 1767.²⁹ As during the revolutionary moment of the early 1820s, when

²⁷ *La gaceta oficial*, no. 942, 2 de enero de 1848; *La gaceta oficial*, no. 966, 26 de marzo de 1848, 197; AGN, 1848, SR, FGV, l. 139, fols. 893r-894v.

²⁸ Societies like Instrucción Popular and Fraternidad Cristiana opened up in Bogotá, Tunja, Santa Marta, Cartagena, Cali, Popayán, and other cities. See Jorge Castellanos, "Julio Arboleda y la revolución anti-abolicionista de 1851," *Revista Historia y Espacio* 6 (1980): 78. The first Democratic Society in Chocó was established in March 1851, some time after José Hilario López's ascendancy to the presidency in 1849. See AGN, 1851, SR, FGV, l. 166, fol. 556r. However, most Democratic Societies were formed in Colombia in 1851. According to David Sowell, sixteen were founded in 1849, twenty-one in 1850, sixty-six in 1851, and nine in 1852. See David Sowell, *The Early Colombian Labor Movement: Artisans and Politics in Bogotá, 1832-1919* (Philadelphia, PA: Temple University Press, 1992), 47.

²⁹ For more on the reforms, Jay Robert Grusin, "The Revolution of 1848 in Colombia" (PhD dissertation, University of Arizona, 1978), 106-110, 172-176, 181, 198-200; Bushnell, *Making of Modern Colombia*, 105-106.

Colombia's gradual emancipation law was established, slavery was likewise in the crosshairs of the young, liberal "Generation of the 40s," who by this time derided the institution as a colonial relic.³⁰ The dwindling enslaved population may have reinforced these political and philosophical objections to slavery: with nearly 47,000 slaves in Colombia in 1825, roughly 4 percent of the national population, by 1850, only 17,000 remained enslaved, less than 1 percent of the national population.³¹

Nearly thirty years after the rise of a gradual abolitionist public sphere in the 1820s, a robust final abolitionist public emerged in Colombia's major cities and towns by the midcentury powered by the liberal press, congressional lobbying and petitions, new enthusiasm for staging manumission ceremonies, and pressure from abroad.³² In sharp contrast to the gradual emancipation debates of the 1820s, which started from the assumption that the total extinction of slavery was impossible, the campaigns of the late 1840s and early 1850s called for the final and complete abolition of slavery as the "true" manifestation of the liberal ideal. Recently founded by young radical Liberals, the Bogotá newspaper *El Siglo* railed against slavery in April 1849, a month after President López's victory. One article, titled "No More Slavery," reminded readers of the calls during the Wars of Independence for both "freedom" and the preservation of slavery, which remained intact even until "the mid-century and in the heart of our nation [Bogotá]," which the article deemed a "monstrous" contradiction.³³ Across Colombia, provincial bodies and Democratic Societies sent petition after petition to the capital urging

³⁰ One of López's secretaries was Manuel Murillo, who unsuccessfully petitioned Congress in 1847 to acquire a loan of two million *pesos* from England to abolish slavery with compensation to holders. See Hernández de Alba, *Libertad de los esclavos en Colombia*, 68; Castellanos, *La abolición de la esclavitud en Popayán*, 88.

³¹ McGraw, *Work of Recognition*, 25.

³² This new generation of abolitionists acted within a fundamentally different political landscape than their 1820s ancestors, with the Liberal Party leading national politics and the newly created French Second Republic gripping international headlines when it abolished slavery in its colonies in 1848. Several articles in *El Siglo* were devoted to the French Revolution of 1848 and noted the abolition of slavery. See, for example, *El Siglo*, no. 3, 15 de abril de 1849; no. 21, 19 de agosto de 1849.

³³ *El siglo*, no. 2, 8 de abril de 1849. As in the 1820s, editors pointed to the economic insufficiencies of slavery, referring to the work of French liberal economist Jean-Baptiste Say. Along with this criticism of slavery as insufficient, editors critiqued its impact on the work ethic of the free black population. According to the editors, *libres* (free blacks) associated work with slavery, which they found to be "dishonorable and degrading," and were thus only interested in "enjoying the fruits that the land abundantly produces." Thus, this critique of slavery also entailed a critique of independent, subsistence living of many free black communities.

immediate action.³⁴ The House of Representatives for the south central province of Neiva forwarded one such petition in October 1850, calling on the national congress “to dictate a law extinguishing in one blow and without delay slavery in the entire Republic.”³⁵ A petition from the Democratic Society of Palmira, which claimed to be endorsed by “thousands of members” of the society, urged final abolition as the fulfillment of the liberal triumph represented by President López’s victory.³⁶

In addition to Liberal press campaigns and petitions, festive manumission ceremonies animated a nation-wide abolitionist politics. As explained at the end of the previous chapter, Mosquera had abolished the manumission juntas as president in 1848. Amid the liberal mobilization that followed his presidency, however, the Colombian congress passed an “additional law of manumission” in June 1850 reinstating the manumission juntas among other measures “for the gradual abolition of slavery” in Colombia. In contrast to the 1821 law, which had established the manumission juntas as a separate body with its own officials, the June 1850 law empowered current municipal officials to staff the juntas, thus weaving these bodies into the fabric of government institutional life. A local manumission junta consisted of the district’s jefe político, the district judge, the president of the local municipal council, the parish treasurer, and the secretary of the district’s político jefatura (political head office), who served as the junta’s secretary.³⁷ “Today,” López announced in the *Gaceta Oficial*, “we are trying to increase [the juntas’] power.”³⁸ The June 1850 law still advised selecting for public

³⁴ Some governmental bodies took matters into their own hands. In his annual speech to the provincial House of Representatives in early 1850, the governor of the province of Chiriquí in Panama informed Congress that his province would institute a free soil policy once the thirty-two existing slaves in his province were freed. See *La gaceta oficial*, no. 1,101, 17 de febrero de 1850, 59.

³⁵ For the petition, see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 87–89. Earlier in January 1850, the governor of Neiva affirmed his “desire” for the “abolition of slavery” in his annual report to the provincial House of Representatives. See *La gaceta oficial*, no. 1,096, 20 de enero de 1850, 18.

³⁶ Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 91–94, 97–101. The Palmira Democrats stressed the example of emancipation in the British Caribbean: “Yes, citizens, end it, and you shall join the glories deserved to the English Government, with the example they have given to stimulate the African race.”

³⁷ In the capital of each province, a junta was formed consisting of the governor, treasurer, personero (government representative) of the province, and secretary of the government, who would serve as the junta secretary. For the full law of June 22, 1850, see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 69–74.

³⁸ *Gaceta oficial*, no. 1,054, 17 de junio de 1849.

manumission “the most honorable, hard-working, and useful and those who have shown most loyalty to their masters,” but the new law added a new preference for manumitting slaves with their families.³⁹

Manumission ceremonies performed by the juntas across Colombia after 1850 maintained their original political objective of displaying obedience and patriotic reverence to the republic before audiences of citizens and vecinos. The López administration sought to further this objective via a July 1850 decree requesting that juntas perform manumission on “solemn days, like the anniversary of our Independence.”⁴⁰ In Neiva province, the manumission junta freed several slaves on July 20–22, 1850, in celebration of the “great anniversary of our independence.”⁴¹ Months later, on December 30, two masters in Nóvita manumitted an enslaved man named Nicolás during the fiestas nacionales traditionally associated with public manumission, “in honor of the heroes of independence and as a gift to the Liberal Administration that has so decidedly protected the cause of liberty, justice, and reason.”⁴² Equally important, though, remained the display of slaveholders’ liberalidad. Under the headline “LIBERALIDAD,” one writer for the *Gaceta Oficial* hailed the “act of generosity” demonstrated in a Mariquita slaveholder’s decision to manumit his thirty-four-year-old esclava and her Free Womb children.⁴³ In April 1851, the lowland slaveholders Mauricio Díaz and María Cruz de Vidal manumitted one slave each, “inspired by the spirit of philanthropy of the century and the humanitarian ideas professed and practiced by the Government of the Republic.”⁴⁴ Commemoration of

³⁹ Ibid. According to Article 2 of the law, second preference for public manumissions went to “those who prove that with their work they have legitimate means of subsistence; third, those who contribute with some sum to facilitate their manumission.” In an earlier version of the law, the House of Representatives appears to have proposed giving manumission preference to slaves who could contribute with their own savings. In May 1849, López sent a letter to the House arguing against this provision, claiming that it was “clearly contrary to the holy principles of philanthropy and charity which is the b of manumission and freedom of the slaves.” He argued that granting preference to those slaves who could contribute with their own savings would “probably awaken in the slaves the thirst and perhaps the inclination to rob.” For more, see *Gaceta oficial*, no. 1,054, 17 de junio de 1849.

⁴⁰ See Article 23 of Decree of July 20, 1850, in see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 79–85.

⁴¹ *Gaceta oficial*, no. 1142, 4 de agosto de 1850.

⁴² *Gaceta oficial*, no. 1195, 13 de febrero de 1851.

⁴³ *Gaceta oficial*, no. 1026, 11 de febrero de 1849.

⁴⁴ *Gaceta oficial*, no. 1226, 21 de mayo de 1851.

sacrifice both national and private continued to permeate public manumission ceremonies.

But with López's presidential victory in 1849, the manumission ceremonies increasingly served as demonstrations of loyalty to the Liberal Party now consolidating power. Jason McGraw argues that the manumission ceremonies in midcentury Colombia should be understood as "rituals of civic participation, symbols of egalitarian citizenship, rhetoric of republican virtue, and propaganda for Liberal Party rule."⁴⁵ Both McGraw and Dolcey Romero Jaramillo note how the fifty-plus manumission ceremonies that took place across Colombia between January 1850 and December 1851 – in addition to their long-standing aim of mobilizing audiences of engaged, patriotic Colombian citizens (and soon-to-be citizens) in the nationalist, republican project – provided opportunities for Liberal Party supporters to publicize and propagandize their commitment to the party.⁴⁶ The Democratic Society of Mompox paid for the manumission of three enslaved men with funds accumulated by members on March 7, 1850, in honor of "the anniversary of the election of the President of the Republic."⁴⁷ Manumissions were staged across Popayán, Neiva, and Panamá in President López's name, specifically citing "his democratic principles and ... his progressive Administration."⁴⁸ Some lowland slaveholders actively participated in these spectacles of the manumission, publicly freeing their slaves in gratitude to Liberal leaders. In early August 1850, one mistress in Nóvita, Señora Joaquina Arboleda of the famed slaveholding Arboleda family, requested that her local junta manumit a woman whom she possessed named Barbara "in commemoration of the Presidency of Citizen General José Hilario López, illustrious soldier, humane philosopher, who after having consecrated his youth to liberty and independence of his patria, stretches out his protective hand today to the *granadinos* [Colombians] who still moan under slavery."⁴⁹ Liberal leaders sought to publicly attest their fervor through these celebrations as well. In August 1850, for

⁴⁵ McGraw, "Spectacles of Freedom," 271.

⁴⁶ McGraw, *Work of Recognition*, 29; Romero Jaramillo, "Manumisión, ritualidad y fiesta liberal," 125–147.

⁴⁷ *Gaceta oficial*, no. 1120, 5 de mayo de 1850.

⁴⁸ McGraw, "Spectacles of Freedom," 282; *Gaceta oficial*, no. 1296, 13 de diciembre de 1851, 844. As McGraw cites, one junta in Veragua manumitted a slave "in the name of Citizen General José María Obando," another liberal leader and future President of Colombia after López. See McGraw, "Spectacles of Freedom," 282.

⁴⁹ AGN, 1850, SR, Fondo Manumisión (hereinafter FM), l. 1, fol. 328r.

example, José María Obando and other officials asked López to deduct 4 percent from their salaries toward manumission instead of the required 1 percent as mandated by the June 1850 law, thanking the president for the “decisive ideas that you have for the general good of our beloved patria.”⁵⁰ The mass, public tributes to President López and the Liberal Party reveals the political evolution of the manumission ceremonies.

However, there is at least one instance from the Pacific lowlands of the manumission ceremony serving as a public stage to voice political discontent. In August 1850, a Nóvita master named Pedro Pablo Murillo presented an enslaved woman named Salvadora before the local manumission junta. Yet, instead of paying tribute to President López, Murillo decided to free Salvadora “in honor of the illustrious, liberal, and progressive administration of Citizen-General Tomás Cipriano de Mosquera,” the former president.⁵¹ According to Murillo, Salvadora had been placed in public auction when his mine, called El Suego, was liquidated, but he was moved to manumit her without asking for compensation. A few days after Murillo’s public sacrifice to Mosquera, the manumission junta issued Salvadora’s freedom papers but noted that she had obtained her freedom “thanks to individuals who previously had been slaves,”⁵² likely her formerly enslaved kin – and thus not as a result of Murillo’s alleged kindness and politicking. Nevertheless, Murillo’s commemoration of Mosquera shows how some lowland slaveholders may have used the manumission ceremony for their own political ends – in this case, to challenge López’s claim to liberal antislavery hegemony.⁵³

In spite of such exceptions, the main thrust of these public manumission ceremonies, with their tens of thousands of citizen-spectators, was to help fuel an electric atmosphere of public abolitionist politics.⁵⁴ International political pressure helped further foment national final abolitionist policy. In October 1849, the Parisian abolitionist society L’Institut d’Afrique, committed to the “Christian deed launched by generous men around the World for the complete abolition of slavery and the

⁵⁰ *Gaceta oficial*, no. 1145, 15 de agosto de 1850. Obando was likely referring to Article 1, Clause 9 of the 1850 law, see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 68.

⁵¹ AGN, 1850, SR, FM, l. 1, fol. 327r.

⁵² *Ibid.*, fol. 326r. doña Joaquina Arboleda likewise received payment for Barbara’s freedom from “particulares.”

⁵³ For a similar example of the contentious politics of emancipation ceremonies in gradual emancipation Brazil, see Castilho and Cowling, “Funding Freedom,” 94.

⁵⁴ McGraw, *Work of Recognition*, 29.

slave trade,” informed López of his election as honorary president. In March 1850, the *Gaceta Oficial* published López’s acceptance of the honorary position, in which he affirmed his “true interest in abolishing the scandalous and cruel traffic of human flesh and emancipating the miserable wretches who endure the yoke of slavery.”⁵⁵ Fueled by these national and international campaigns, a “broad antislavery consensus across the political spectrum”⁵⁶ took hold in Colombia by the early 1850s. In his report to Congress in 1850, the secretary of exterior relations noted the intense fervor of “public opinion, which . . . pronounces each time with more determination and vigor in the popular assemblies and in numerous publications of newspapers and the press the absolute and immediate abolition of slavery.” The secretary echoed this consensus, calling “for the immediate and total abolition of slavery in New Granada.”⁵⁷

Southwestern slaveholders responded in different ways to the mounting pressures to finally abolish slavery. Amid the mobilizations, some of the Colombian Pacific’s most powerful slaveholders actively schemed to export their enslaved and Free Womb possessions, including to Panama province where the captives would work under the Panama Railroad Company of New York City. By midcentury Panama quickly became the international hub of gold-prospectors on their way to California and the site of the world’s first transcontinental railroad when it was finished in 1855. Facing an unreliable pool of workers when construction began in 1850, the Panama Railroad Company contracted former president Mosquera to bring enslaved workers from his southern Pacific gold mines. In part, slaveholders like the Mosqueras jumped at the opportunity because they knew their days were numbered.⁵⁸ Mineowner Vicente Javier Arboleda also moved quickly to sell 135 enslaved people and 126 Free Womb captives from Chocó to Panamá in 1850, noting that the Free Womb captives would be purchased at a special, lower price in

⁵⁵ For the letter and response, see *La gaceta oficial*, no. 1,114, 14 de abril de 1850.

⁵⁶ McGraw, *Work of Recognition*, 27.

⁵⁷ *La gaceta oficial*, no. 1,118, 28 de abril de 1850, 198.

⁵⁸ McGuinness, *Path of Empire*, 59. According to McGuinness, Mosquera’s enslaved laborers worked briefly unloading supplies from the railroad company’s ships, but “the directors of the company rejected any further use of slavery, possibly because of fear of the political repercussions in New York, where the company was incorporated.” For letters and legal documents pertaining to the Mosquera estate’s sale, see ACC, Sala Mosquera, No. 20M, D. 26.857, fol. 2r–2v, D. 26.867, fol. 1r–1v, D. 26.868, fol. 1r.

accordance with their alimentos.⁵⁹ In 1850, the lowland mistress María Cruz de Vidal wrote to Mosquera that she was “moved by the best feelings of patriotism and public interest regarding the construction of the railroad in the Isthmus of Panamá,” but was sorry to inform him that it was “impossible” for her to sell any of her slaves for the railroad.⁶⁰ By February 1850, Javier Arboleda received word that “los negros are becoming agitated with the ideas of freedom” in his gold mines and feared that they would refuse to be exported to Panamá.⁶¹

While some slaveholders moved to export their captives as a nationally coordinated movement for final abolition spread across Colombia, an antiabolitionist force was brewing in southwestern Colombia. In early 1851, a powerful group of proslavery hacendados began to organize a rebellion against the López administration. This opposition was partly motivated by a Cauca Valley revolt of formerly enslaved and poor peoples against the conservative landholding class that had erupted a few months earlier, in late 1850. The seeds of this revolt were planted in 1848, when a municipal court ruled that several powerful hacendados possessed legal claims to lands historically considered *tierras ejidales*, communal, public lands utilized by the Caucaño poor for generations.⁶² The revolt, which would later be referred to as the *zurriago* or *perrero*, began in December 1850 in Cali, when nearly a thousand disgruntled plebeians, including women, destroyed fences that had closed off access to these public lands. More than a local revolt against the privatization of the commons, the *zurriago* signified a moment of reckoning for Cali's black and working poor, who reportedly whipped Conservatives in the streets at night and assaulted the residences of Cauca's most powerful.⁶³

⁵⁹ ACC, Sala Mosquera, No. 1A, D. 27.340, fol. 1r. For more on enslaved and Free Womb captives sold from Chocó to Panama, see ACC, Sala Mosquera, No. 2A, D. 27.374, fol. 1r.

⁶⁰ ACC, Sala Mosquera, No. 4C, D. 27.438, fol. 1r.

⁶¹ ACC, Sala Mosquera, No. 1A, D. 25.341, fol. 1r.

⁶² According to J. León Helguera, more than 1,000 residents of Cali signed a petition demanding reforms to the ejido system in April 1848. See J. León Helguera, “Antecedentes sociales de la revolución de 1851 en el sur de Colombia (1848–1849),” *Anuario Colombiano de Historia Social y de la Cultura* 5 (1970): 55–56; Valencia Llano, *Dentro de la ley, fuera de la ley*, 198.

⁶³ The local Democratic Societies, who were actively recruiting members among Cauca's poor and pushing for abolition at the national level, were blamed for the *zurriago*. While liberal powerbrokers attempted to take control of the unstable political atmosphere, only a few individuals were ultimately apprehended. Sanders, *Contentious Republicans*, 80–82; Murgeito, *Las reformas liberales en el Cauca*; León Helguera, “Antecedentes sociales,” 54–56.

Facing mounting fears in the zurriago's aftermath, in early 1851 Julio Arboleda Pombo, a prominent slaveholder of the Popayán aristocracy, began to organize an armed revolt against López and the Liberal Party, which he deemed an assemblage "of murderers or *democráticos rojos* [communist democrats]." ⁶⁴ The antiabolitionist rebellion raged for several months, from April to July 1851, before being crushed by progovernment forces. ⁶⁵

An additional cause of the antiabolitionist rebellion was likely the imminence of final abolition, momentum for which had reached its zenith right before and during the proslavery hacendados' last stand. As opposed to his 1850 annual message to Congress, in which President López expressed his desire to "recommend a project to end slavery in New Granada quickly," by 1851 the president was telling Congress that "it is now time to give a final blow to this institution." ⁶⁶ Congressional debate on a final abolition law began in March 1851, and a final abolition law was passed on May 21.

With the outright opponents of final abolition being crushed in the Cauca Valley, the remaining points of contention regarded the exact

⁶⁴ *El Misóforo*, no. 1, 13 de junio de 1850, 4. *El Misóforo* was a Popayán-based conservative paper launched by Arboleda to counter the newly empowered liberals. For more denunciations against López and the Liberal Party, see *El Misóforo*, no. 7, 17 de octubre de 1850. Also see Alonso Valencia Llano, "La guerra civil de 1851 en las provincias del Cauca," in *Las guerras civiles desde 1830 y su proyección en el siglo XX* (Bogotá: Museo Nacional, 2001), 21. According to a letter written by Arboleda in 1842, his family suffered a steep decline in profits that placed the estate in a "state of complete ruin." See Castellanos, "Julio Arboleda y la revolución anti-abolicionista de 1851," 72. The growing demands for abolition amid increasingly politicized plebian classes loomed apocalyptically over the Arboleda estate.

⁶⁵ Sanders, *Contentious Republicans*, 83; Castellanos, "Julio Arboleda y la revolución anti-abolicionista de 1851," 80–81; Valencia Llano, "La guerra civil de 1851 en las provincias del Cauca," 22–25. Despite being a historic stronghold of slavery, slaveholders in Chocó do not appear to have participated actively in this pro-slavery revolt. Far more threatening for Chocoano officials was the federalist revolt led by the former conservative presidential candidate and Independence veteran Eusebio Borrero in Antioquia beginning on July 1, 1851, just as the southern revolt was definitively put down. On the Antioquia revolt, see Juan Guillermo Zapata Ávila, "La reacción conservadora: procesos y referentes ideológicos de la oposición conservadora al reformismo liberal," *Revista de Historia Regional y Local* 3, no. 6 (julio–dic. 2011): 100–119; Juan Carlos Jurado Jurado, "Guerra y Nación. La guerra civil colombiana de 1851," *Revista de Historia Regional y Local* 7, no. 14 (julio–dic. 2015): 109–112; Valencia Llano, "La guerra civil de 1851 en las provincias del Cauca," 8–9.

⁶⁶ Gustavo Arboleda, *Historia contemporánea de Colombia (desde la disolución de la antigua república de ese nombre hasta la época presente)*, vol. 3 (Cali: Editorial América, 1933), 162; Hernández de Alba, *Libertad de los esclavos en Colombia*, 72.

terms of final abolition, with the specifics of slaveholder compensation serving as the largest point of contention. As in the majority of slaveholding societies in nineteenth-century Latin America and the Caribbean, compensation to slaveholders was by far the most popular policy in midcentury Colombia among those supporting abolition. Even the radical Liberal editors of Bogotá's *El Siglo* proposed indemnification to owners with a 6 percent annual interest rate back in 1849.⁶⁷ When Santa Marta's governor, who was also president of the abolitionist Sociedad Filantrópica, sent a petition to Congress in 1850, he argued for slaveholder compensation as "the last sacrifice of this Nation to atone for slavery."⁶⁸ In April 1850, a law proposed by three moderate congressmen to abolish slavery on July 20, 1860 included a program to compensate slaveholders with funds from the manumission juntas and by distributing 500,000 fanegadas of tierras baldías, a broader source of compensation than envisioned by most officials.⁶⁹ Yet not all Colombian liberals endorsed compensation in any form. For instance, in April 1849, the Santa Marta city paper *El Churiador* called for immediate abolition without compensation and even proposed a 25-peso fine on slaveholders for each day that they failed to present their slaves to the designated authorities.⁷⁰

The overall preference in Colombia for abolition with compensation, however, was undoubtedly influenced by the consensus among elite powerbrokers in the region. After 1838, when the British crown finally abolished slavery in their Caribbean colonies, nearly 20 million British pounds were paid to former masters with claims to over 770,000 enslaved people.⁷¹ In Uruguay, a country with a small resident enslaved population, slavery was abolished with compensation for owners in 1842.⁷²

⁶⁷ *El Siglo*, no. 2, 8 de abril de 1849.

⁶⁸ Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 55–57; McGraw, *Work of Recognition*, 27–28. Petitioners from the House of Representatives in Neiva also called for compensation. For their petition, see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 87–89.

⁶⁹ The proposal also stipulated an order of preference for slave manumissions with abolition. Those slaves who proved to be "more honorable, hard working and useful and who have shown the most loyalty and adhesion to their masters" were the first to be manumitted. For the full proposed law, see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 57–65.

⁷⁰ *El Churiador*, no. 8, 8 de abril de 1849, 1.

⁷¹ Claudius K. Fergus, *Revolutionary Emancipation: Slavery and Abolitionism in the British West Indies* (Baton Rouge: Louisiana State University Press, 2013), 183–184.

⁷² Slavery was formally abolished on December 12, 1842 in Uruguay. See "Ley declarando que no hay esclavos en todo el territorio de la República, etc." in P. V. Goyena, ed. *La*

The French Revolution of 1848 terminated slavery in the country's Caribbean colonies with compensation to former masters totaling 6 million francs.⁷³ In the wake of the 1848 revolutions throughout Europe, final abolition with compensation would sweep across the Andean republics, including Ecuador (in 1852), Argentina (in 1853), Venezuela (in 1854), and Peru (in 1854). Indemnification would also be preferred when by the end of the century and under threat of anticolonial insurgencies, Spanish officials initiated a program of gradual emancipation in Puerto Rico and Cuba, where slaveholders were provided 12,000,000 and 120,000,000 pesos of compensation, respectively.⁷⁴

In Colombia's final abolition law, the process for emancipating slaves was bound up with the process of slaveholder compensation. Slavery would be finally abolished on January 1, 1852, after which all enslaved people would henceforth "enjoy the same rights and have the same obligations that the Constitution and laws guarantee and impose on the rest of Granadinos." Emancipated slaves would receive this assurance in the form of a *carta de libertad* (freedom papers, similar to the *cartas de ahorro y libertad* acquired by slaves who purchased or were granted their freedom by their owners as explored in Chapter 5) delivered by manumission junta authorities, who would also perform a final assessment of the emancipated person's sex and age. Former masters would receive certificates of these assessments verifying the requisite amount of compensation owed (*certificados de presentación y avalúo*) that could later be exchanged for *vales de manumisión*, or promissory notes issued by the government for compensation (without interest).⁷⁵ The law allowed for

legislación vigente de la república oriental del Uruguay, Tomo I (Montevideo: Imprenta de El Uruguay, 1874), 75.

⁷³ Patrick Rael, *Eighty-Eight Years: The Long Death of Slavery in the United States, 1777–1865* (Athens: University of Georgia Press, 2015), 182.

⁷⁴ Rafael María de Labra, *La abolición de la esclavitud en las Antillas españolas* (Madrid: Imprenta a cargo de J. E. Morete, 1869), 46.

⁷⁵ Out of all the proposals, the Cartagenero representative Juan José Nieto's project served as the main blueprint for the final law. Nieto's proposal recommended the final abolition of slavery on January 1, 1852 and the creation of documentos de crédito, or credit bills, that would be given to holders until future payment from the manumission funds. Among other proposals was a law authored by the Liberal Secretary of Exterior Relations, Victoriano de D. Paredes, who called for abolition on March 7, 1852, the anniversary of López's victory the following year, and compensation for holders up to 800 reales per slave with an annual 6 percent interest rate. This project was rejected. See Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 104–108, 109–111. D. Paredes's proposal mandated that holders be paid eight days after abolition. Like Paredes, Nieto proposed a 6 percent annual interest rate against manumission funds. See

selling and buying these vales in public auctions, thereby creating a stock market of emancipation. The economic historians Jorge Andrés Tovar Mora and Hermes Tovar Pinzón claim that the Colombian treasury invested nearly 2.5 million pesos in compensating former owners for the 16,468 slaves recorded in Colombia as of 1851. This was no small investment: the national budget in 1845 was 2.8 million pesos.⁷⁶

The final abolition law also addressed the status of elderly slaves and fugitive slaves. Slaves over the age of sixty were freed without compensation, and the value of runaways could not be assessed before their apprehension.⁷⁷ In other words, despite abolition, enslaved fugitives continued to be recognized as “runaways,” their bounty now an eventual vale de manumission. Two “fugitive” men in their early forties were brought before the municipal council of Nóvita for their final assessment in 1853 and 1854, respectively. The forty-three-year-old Pedro, from the gold mine of San Pablo, was valued at 1,600 reales, while the forty-year-old Antonio, from the mine of Santa Ana, was assessed at 1,500.⁷⁸ By June 1855, promissory notes had not yet been received for the two men.⁷⁹

Regarding Free Womb children, the final abolition law did not address their emancipation but specified that slaveholders could not receive indemnification for the children of the Free Womb because according to the 1821 law they “cannot be sold,” resurrecting the thirty-plus-year debate on the fungibility of Free Womb captives.⁸⁰ The absence of an emancipation clause for the Free Womb children might explain

AGN, 1851, SR, FC, l. 2, fol. 85r; Castellanos, *La abolición de la esclavitud en Popayán*, 101. For different proposals studied by the commission, see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 113–157. Debates on the law continued until the end of May, when President López signed the final version of the abolition law on May 21, 1851 securing compensation to holders. See AGN, 1851, SR, FC, l. 2, fol. 71 and l. 1, fol. 375r; Castellanos, *La abolición de la esclavitud en Popayán*, 102.

⁷⁶ However, Tovar Mora and Tovar Pinzón state that the actual amount of compensation was more than likely about 3 million pesos if unaccounted slaves are included. See Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 99–100.

⁷⁷ For the final abolition law, see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 163–167. According to the law, no slave younger than 45 would be assessed for more than 1,600 reales if male and 1,200 if female, while no slave older than 45 would be assessed for more than 1,200 reales if male and 800 if female. The source of compensation was likewise outlined in the law, which increased junta funds collected from taxes on religious and ecclesiastical institutions, civil and military pensions, and other sources.

⁷⁸ AGN, 1853 and 1854, SR, FM, l. 3, fols. 854–855; Tovar Pinzón and Tovar Mora, *El oscuro camino de la libertad*, 66–67.

⁷⁹ AGN, 1855, SR, FM, l. 2, fol. 495.

⁸⁰ As specified in Article 13 of the final abolition law, see Restrepo Canal, *La libertad de los esclavos en Colombia*, Tomo II, 166.

slaveholders' resistance to releasing them. Some even continued under the tutelage of their mothers' former masters after final abolition. Various officials tried to argue that the final abolition law did not affect Free Womb captives. Declaring that there was "no particular order in the law of May 21 of last year" concerning Free Womb children, the governor of Popayán instructed that several manumisos be returned to their mothers' masters.⁸¹ The Free Womb captives thus remained in juridical limbo, which lasted until April 1852, when Congress approved the "Additional Law of Manumission and Freedom of Slaves" after receiving complaints. This new law's first article stated unequivocally that the "children of slaves born free . . . have been exonerated from January 1 to the present year of all obligations of service or special concierto that previous laws of the Republic imposed on them."⁸² As James Sanders importantly finds, the law ending Free Womb captivity was a product of the protests of Afro-Colombians and their Liberal Party allies, some of who argued that such legislation would "strengthen public opinion."⁸³ Only after April 1852 was the Free Womb generation legally emancipated from the servitude forced on them by gradual emancipation rule.

Disparate archival records collected in the "Fondo Manumisión" held at the Archivo General de la Nación in Bogotá provide harrowing insight into the monetary compensation afforded to slaveholders after 1852 across Colombia, including in the northern Pacific lowlands. These records reveal both the former master class's faith in the government-backed manumission promissory notes and, even more importantly, the financial afterlives of slavery in Colombia, the formerly enslaved continuing to bankroll the postslavery order. According to these records, 336 owners from Chocó province requested compensation for a total of 1,464 slaves in 1851–1852, representing about 9 percent of Colombia's total enslaved population. The compensation amounted to nearly 286,000 pesos, about 10 percent of the national compensation budget. Of the 1,464 emancipated slaves, 806 were women, reflecting national statistics.⁸⁴ Of the 336 slaveholders, about a third (110) were

⁸¹ Castellanos, *La abolición de la esclavitud en Popayán*, 82.

⁸² *Gaceta de la Nueva Granada*, no. 1349, 24 de abril de 1852.

⁸³ As quoted in Sanders, *Contentious Republicans*, 77. For more, see Sanders, *Contentious Republicans*, 76–77.

⁸⁴ The sex of fifty-six slaves was unreported. Tovar Mora and Tovar Pinzón found that 58 percent of the emancipated population was female. See Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 91. These overall findings on compensation to Chocó's holders come primarily from dispersed records labeled "Chocó" in the "Fondo

women.⁸⁵ On the eve of final abolition, slaveholders in Chocó owned an average of three enslaved people each, though 165 owners (49 percent) possessed just one enslaved lowlander. There were, however, outliers such as Napoleon Lozano, who claimed compensation for 200 slaves, the largest number of slaves held by a single owner in the province. The majority of enslaved people in Chocó were emancipated during two periods: 859 slaves (59 percent of the province's enslaved population) were emancipated on June 9–15, 1851, or soon after the law was passed; and 437 slaves (30 percent of the population) were finally liberated on January 1–2, 1852, when slaveholders were legally obligated to forfeit their slaves.⁸⁶ The remaining 11 percent of the province's enslaved population were likely emancipated sporadically between June 1851 and January 1852. Not all slaveholders, however, made the legal deadline for emancipating their enslaved captives. Some blamed geographical factors for their failure to emancipate on time. For instance, in the province of Medellín, neighboring Chocó, various slaveholders in the town of Nordeste claimed that they had failed to present their slaves and collect their certificates during the allotted time because they lived too far from the capital.⁸⁷

Much to slaveholders' frustrations, the system of compensation did not function flawlessly. According to the final abolition law, the district-level manumission juntas were responsible for sending a registry of all emancipated slaves to the provincial manumission junta, which would then compile and send the data to the national secretary of exterior relations. However, a decree issued on December 1, 1851 declared that slaveholders would have to present their certificates supplied to them by the

Manumisión" at the AGN in SR. See AGN, SR, FM, l. 1, fols. 620–660, l. 2, fols. 470–511, and l. 3, d. 5–19.

⁸⁵ This finding also matches national averages. As Tovar Mora and Tovar Pinzón state, the majority of owners in Colombia were men (70.5 percent) while women constituted 29.5 percent of holders during final abolition. See Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 136.

⁸⁶ The governor of Chocó reported that 969 slaves of both sexes were freed in the first eight months of 1851. See Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 141. Tovar Mora and Tovar Pinzón claim that 1,308 slaves were emancipated in Chocó from 1850–1852, but I found that the number was actually higher (1,464), though my sources only cover 1851–1852. According to Jorge Gamboa, hundreds of enslaved lowlanders were presented to the juntas between June 15, 1851 and November 1852. See Jorge Gamboa, "La manumisión de los esclavos del Chocó, 1821–1851," in *Construcción territorial en el Chocó*, vol. I: Historias regionales, Patricia Vargas, ed. (Bogotá: ICAN-PNR-Obapo, 1999), 102.

⁸⁷ Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 119.

manumission juntas instead to the secretary of treasury in Bogotá.⁸⁸ The national treasury would then provide the vales de manumisión, renamed *billetes de manumisión* (manumission bills) in a subsequent law passed on April 17, 1852. This latter law established a distinction between first- and second-class manumission bills. First-class bills, which received priority in terms of compensation, were issued to former masters who had freed their slaves before publication of the final abolition law, while second-class bills were issued to those who emancipated their slaves after the law's publication. But between former masters and their coveted manumission bills stood an inefficient bureaucracy lacking coffers. Former slaveholders were forced to wait upon the secretary of treasury in Bogotá to issue the manumission bills after giving his office the certificates that had been compiled by the provincial juntas. Only after receiving the manumission bills could former slaveholders claim compensation from their district's manumission juntas, which, as under gradual emancipation rule, lacked sufficient funds.⁸⁹

These difficulties as experienced in the northern Pacific lowlands are reflected in a series of complaints filed by Chocó's governor in the months and years after final abolition. In early March 1852, the governor sent to the treasury in Bogotá 140 certificates that were to be exchanged for second-class manumission bills amounting to nearly 133,000 pesos.⁹⁰ Several months later, the governor's office had not received the manumission bills. Writing to Bogotá in early November 1852, the governor urged the national treasury to send the bills immediately because the former slaveholders "endlessly bother me about it."⁹¹ A few days later, he implored the treasury again "with insistence to send me those first- and second-class manumission bills," an "urgent" matter "because apart from not having paid the slave owners, they cannot even negotiate their credits against their income: there cannot be a more fateful situation than theirs."⁹² Months later, in February 1853, the governor found himself

⁸⁸ Castellanos, *La abolición de la esclavitud en Popayán*, 121, 124. Article 8 of the law of April 17, 1852 also mandated that the manumission juntas continue to exercise their functions six months after publication of the law. The juntas were officially dissolved on October 24, 1852.

⁸⁹ Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 99, 108–109.

⁹⁰ AGN, 1852, SR, FGV, l. 13, fol. 427r.

⁹¹ *Ibid.*, fol. 445r. The treasurer in Bogotá responded that he was unable to send the bills because the holders did not sign the receipts.

⁹² AGN, 1852, SR, FGV, l. 13, fol. 450r–v. The treasurer in Bogotá responded that his office was going to send the second-class manumission bills and not first-class bills because his office did not receive the latter group's certificates.

petitioning the treasury's office yet again, slightly more than a year after final abolition.⁹³

By mid-December 1853, the governor of Chocó had had enough: "Many times I have complained to the General Treasury regarding the distribution of the manumission bills The creditors of this Province are desperate, and they speak poorly of the Government because they have not changed their documents." The political problem faced by the governor was accentuated by the fact that many former slaveholders were forced to sell their properties to pay their debts in cash instead of utilizing their manumission bills. Concerned about the "outrageous sacrifices" of former masters, the governor proposed temporarily using for payments of debts the certificates issued by the manumission juntas instead of waiting upon the manumission bills. The governor even requested that the treasury return the original 140 certificates sent to Bogotá since former masters could not officially claim their compensation from the state without the certificates.⁹⁴ Complaints continued to flow from the northern lowlands to the national treasury up until early May 1854.⁹⁵

Manumission bills appear to have been processed and sent to provincial juntas across Colombia between 1852 and 1856.⁹⁶ For example, one former slaveholder from Chocó, Francisco Javier Vetancur, received his manumission bill for the large sum of about 128,000 reales in April 1856.⁹⁷ According to Tovar Mora and Tovar Pinzón, it is almost impossible to know for certain whether the bills were paid in full, but these economic historians argue that the treasury likely fulfilled its obligation of compensation, given that former slaveholders would have revolted in the case of nonpayment. In his memoir, the radical liberal leader Salvador Camacho Roldán claimed that compensation took up to twenty-five years, while other archival evidence suggests that the bills were largely repaid within ten years of final abolition in 1852, as records show that manumission taxes continued to be collected from the salaries of government officials, pensions, and estates up until 1859.⁹⁸ A rare balance sheet

⁹³ AGN, 1853, SR, FGV, l. 15, fol. 47. According to the letter, the Treasury was supposed to have sent the manumission bills in late December 1852.

⁹⁴ AGN, 1853, SR, FGV, l. 15, fols. 52r-53v.

⁹⁵ AGN, 1854, SR, FM, l. 3, fol. 602. The governor reiterated that the former owners continued to "bother me endlessly to change their certificates for bills."

⁹⁶ Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 112.

⁹⁷ AGN, 1851 and 1852, SR, FM, l. 2, fol. 487.

⁹⁸ Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 110-113; Salvador Camacho Roldán, *Memorias* (Bogotá: Editorial Bedout, 1973), 208.

from Chocó in September 1857 shows that about 11,500 pesos were available in the manumission funds (4 percent of the net compensation paid out by the province).⁹⁹ Meanwhile, individual slaveholders pressed the national treasurer for their manumission bills into the late 1850s. In 1858, Antonio Rentería begged the national treasury to send his manumission bill for the amount of 1,500 pesos, the value of three enslaved men and five enslaved women.¹⁰⁰

Finally receiving manumission bills did not end some slaveholders' problems in finally receiving compensation. For instance, in June 1858 Chocó authorities complained to the treasury about the manumission bills issued to three ex-owners; the bills in question listed the wrong names and assessments of their slaves.¹⁰¹ But some former lowland masters were able to successfully endorse their manumission bills. In January 1855, one ex-master from the mining town of Bebará mortgaged a first-class manumission bill for the amount of 7,900 reales to pay off a "considerable" debt to María Cruz de Vidal.¹⁰² Later that year, the couple Manuel Asprilla and Teresa Castaño from Nóvita transferred to another ex-master their manumission bill for 100 pesos, the value of an enslaved woman they once possessed named María Martina.¹⁰³ Manumission bills were also featured in former owners' last will and testaments after 1852. Despite declaring herself "to have always been in poverty," the former mistress Ramona Andrade included among her properties in 1854 a compensation certificate worth 2,000 reales, which she hoped her executors would convert into manumission bills. Another ex-mistress and widowed slaveholder who resided on Quibdó's *calle del Puerto* declared three first-class manumission bills worth 19,000 reales total in her 1854 will.¹⁰⁴ Former slave owners in the lowlands continued to invest in the bills for several years after this. In October 1860, for example, one ex-master sought to repay his wife for a manumission bill worth 1,875 pesos that he had invested.¹⁰⁵

⁹⁹ AGN, 1857, SR, FGV, l. 202, fol. 352r. The 11,462 pesos were divided into two: 4,740 pesos for first-class bills and 6,372 pesos for second-class bills.

¹⁰⁰ AGN, 1858, SR, FGV, l. 21, fol. 24r.

¹⁰¹ The document stated that the slaves, owned by Antonio Rentería, Ciriaco Rentería, and Magdalena Rentería, had similar names. See AGN, 1858, SR, FGV, l. 21, fol. 251r-v.

¹⁰² NPQ, 1855: 71-10r. For another similar example, see NPQ, 1858: 14v.

¹⁰³ Tovar Mora and Tovar Pinzón, *El oscuro camino de la libertad*, 117. Tovar Mora and Tovar Pinzón cite a similar case in Raposo when a former mistress Mercedes Micolta transferred her manumission bill to a local man in 1855, see *ibid.*, 119.

¹⁰⁴ NPQ, 1854: 1871-v; 202v-205v. ¹⁰⁵ NPQ, 1860: 97r.

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Relativo de las Certificaciones que han sido compradas por el Estado de Chocó, por medio de la orden del Chocó, de 9 de octubre de 1851, en virtud de la orden del Gobierno, de 29 de Julio, de 1851, en virtud del pago que se le presentó relativo a compra de la misma.

Primera Clase **Asabor**

SEILO 6.º
Val. Vale tres cuartillos.

1851

Año económico de primera de Septiembre de mil ochocientos cuarenta i ocho treinta i uno de agosto de mil ochocientos cuarenta i nueve.	<i>Nombres de los dueños</i>	<i>Nombres de los esclavos</i>	Valor
	<i>M. Vergara Sotomayor</i>	Manuel	1000
	<i>A. Maldonado</i>	Juanito Servicio	9200
	<i>Ramon Miller</i>	Amador Salazar	2500
	<i>La misma</i>	M. de Jairo	2000
	<i>La misma</i>	M. de Jairo	1800
	<i>La misma</i>	M. de Jairo	2000
	<i>La misma</i>	M. de Jairo	1920
	<i>La misma</i>	Abraham Murillo	1500
	<i>La misma</i>	Maria tin nombre	2000
	<i>La misma</i>	La misma	2000
	<i>La misma</i>	La misma	2000
	<i>La misma</i>	Maria de la Cruz	2000
	<i>La misma</i>	Manuel Hernandez	1920
	<i>La misma</i>	Barb Salazar tin nombre	2000
	<i>La misma</i>	La misma	2000
	<i>La misma</i>	La misma	1620
	<i>La misma</i>	La misma	2000
	<i>La misma</i>	La misma	2000
	<i>La misma</i>	La misma	2000
	<i>La misma</i>	La misma	2000
	<i>La misma</i>	La misma	2000
	<i>La misma</i>	La misma	2000
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	<i>La misma</i>	La misma	2000
	<i>La misma</i>	La misma	2000

FIGURE 6.1 First page of compensation records from Chocó. The record is arranged by class (beginning with first-class or primera clase bills), slaveholders’ names (*nombres de los dueños*), slaves’ names (*nombres de los esclavos*), and value (*valor*). Archivo General de la Nación, Bogotá, 1851, Sección República, Manumisión, Legajo 3, D. 5, fol. 193r.

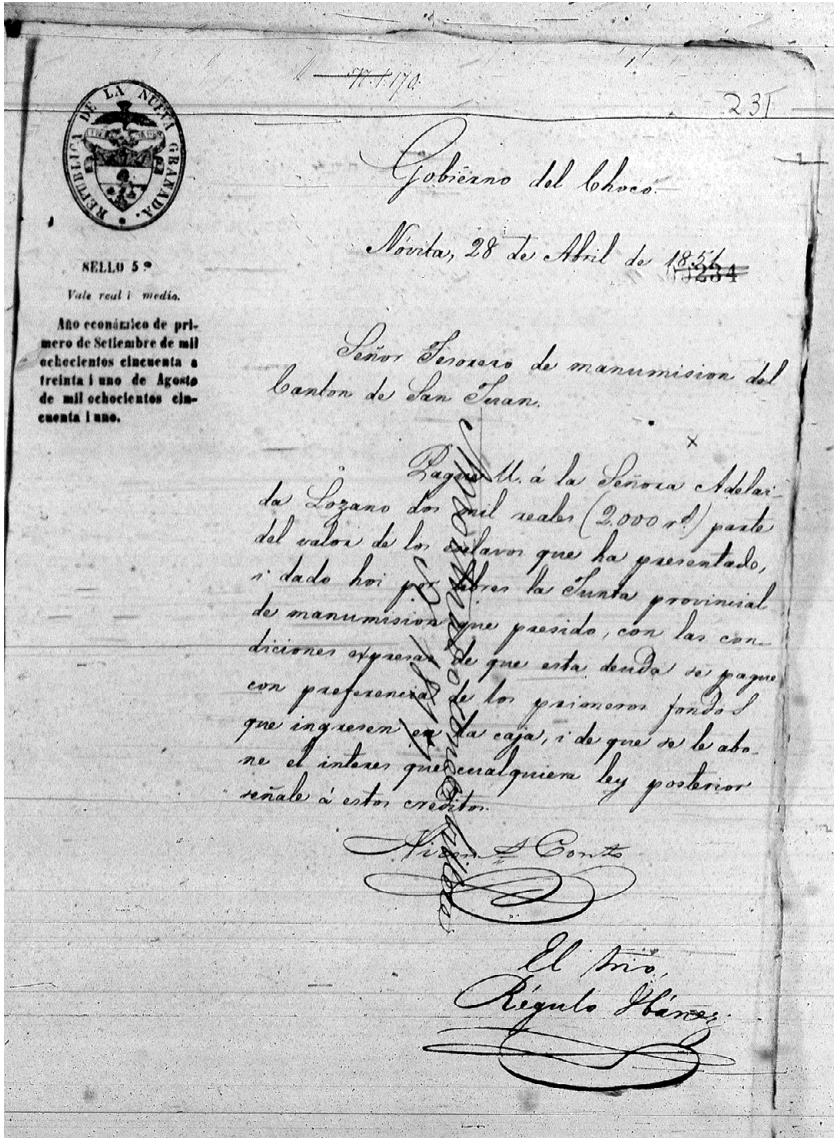


FIGURE 6.2 Example of a first-class manumission bill from Chocó. This bill is for the slaveholder Señora Adelaida Lozano in Nóvita for the amount of 2,000 reales, the value of one of her former slaves. Archivo General de la Nación, Bogotá, Sección República, Manumisión, 1851, Legajo 3, D. 5, fol. 231r.

Although enslaved people constituted roughly 3 percent of Chocó's total population in 1851, the myth that final emancipation destroyed the Pacific lowlands' economy became widespread among elites and officials after 1852.¹⁰⁶ Writing to former President Mosquera from the town of Tadó in Chocó in late 1852, the former slaveholder Francisco María Mosquera lamented "the state and sad situation" produced by the final abolition "law that freed the slaves," given that slavery was "the only thing we relied upon for our survival."¹⁰⁷ When authorities in Bogotá imposed a compulsory loan on the provincial treasury during the 1854 civil war, where the national government was overthrown by a military coup, the governor of Chocó cited the province's depressed economy after abolition in trying to avoid the payment: "The abolition of slavery destroyed mining and the little agriculture that existed in Chocó," the governor replied; "the same with the owners and their fates."¹⁰⁸ Others blamed former slaveholders for the depressed state of the economy by arguing that they had inculcated poor cultural habits among the formerly enslaved.¹⁰⁹ Authorities trafficked the convenient political fiction that 1852 brought final disaster for hardworking families across Colombia who had built their fame and fortune upon chattel slavery. While former slaveholders lamented the end of their dominion, formerly enslaved people in the Colombian Pacific determinedly claimed their citizenship and full legal equality. In 1852, a group of formerly enslaved people in San Juan, in the southern Pacific lowlands, expressed gratitude to the congress for abolition, stating that they now "enjoy the precious possession of liberty, so long usurped, and with it all the other rights and prerogatives of citizens."¹¹⁰

Facing this fundamental break in the social order brought by final emancipation, former slaveholders and their allies envisioned new methods to control black lowlanders. Lines of segregation were codified. In 1853, for example, a group of men from the towns of Iró and Condoto

¹⁰⁶ This calculation of the enslaved population in 1851 is based on the number of slaves that ex-holders sought compensation for in 1851 and 1852 (1,464 slaves) divided by the total regional population (43,897) according to the 1851 census, see AGN, 1855, SR, FGV, l. 191, fol. 410r.

¹⁰⁷ ACC, Sala Mosquera, 1852, No. 13M, D. 28.495, fol. 11.

¹⁰⁸ *Union Chocoana*, no. 22, 20 de mayo de 1855. For similar arguments blaming abolition, see *El Neo-Granadino*, no. 285, 1 de diciembre de 1853, 443.

¹⁰⁹ *El Neo-Granadino*, no. 285, 1 de diciembre de 1853, 442.

¹¹⁰ As quoted in Sanders, *Contentious Republicans*, 45. For more on black citizenship claims in the southwest and Pacific lowlands after 1852, see *ibid.*, 46–47.

in Chocó requested the creation of a new parish just a few miles north of them in Tadó. According to the petitioners, their large, dispersed settlement made “spiritual and even political administration impossible.” They proposed creating a new parish in Tadó that would consist of two settlements of 3,000 inhabitants each. But this rezoning was more than

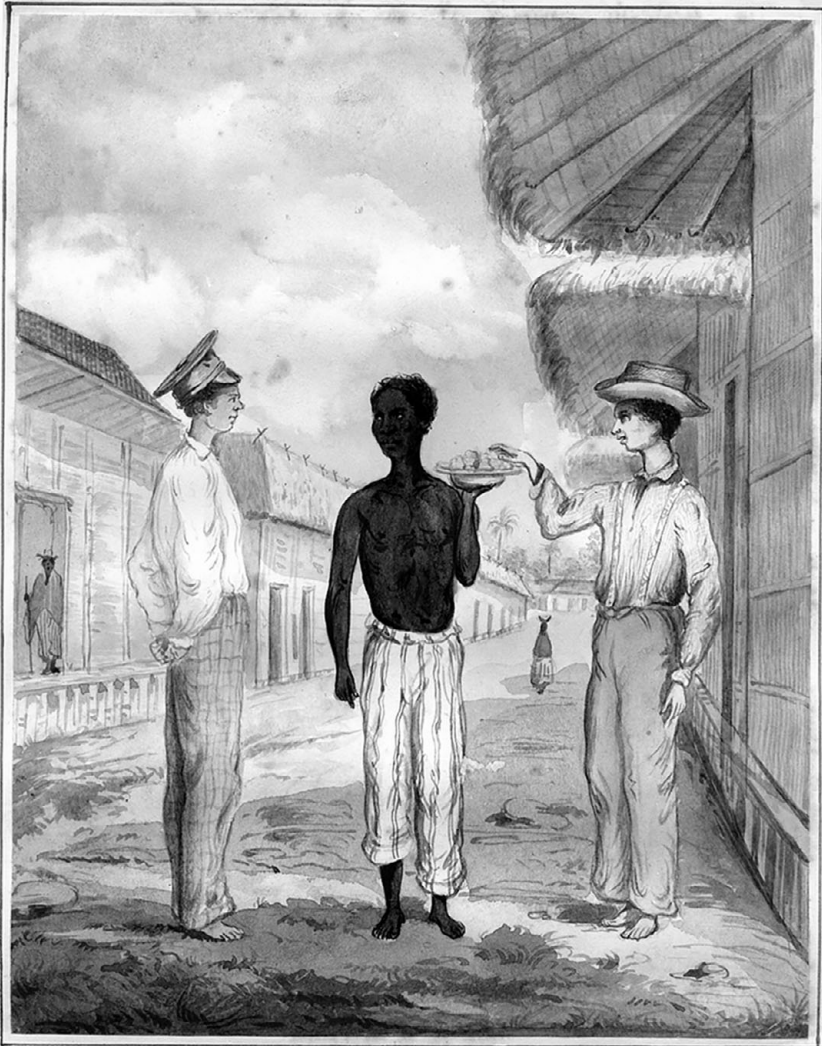


FIGURE 6.3 *Vista de una calle de Quibdó* by Manuel María Paz.
Ca. 1853. Watercolor.
Biblioteca Digital de la Biblioteca Nacional de Colombia, Bogotá.

simply a matter of making municipal administration more efficient: the petitioners claimed that “slavery having been destroyed, it is necessary for a priest to daily teach Evangelical morality to [these new] settlements, inspiring the love and fear of God, and respect and obedience to the authorities.”¹¹¹ In other words, these petitioning vecinos sought to create a separate settlement for themselves and others for free black lowlanders. But, as we’ll see, lowland white elites would encounter resistance in the historically autonomous Colombian Black Pacific.

POSTEMANCIPATION GEOGRAPHIES AND THE PROBLEM OF BLACK AUTONOMY

A little over two years had passed since the final abolition of slavery when the former master Francisco García Carrión entered the Quibdó notary’s office in January 1854 to authorize a document unlike any other produced before in the northern Pacific lowlands. The son of one of Chocó’s largest slaveholders and mineowners, Francisco was no stranger to the safe, calculated bureaucracy of the local notary. For generations, the office had protected his family’s claims over people. In 1830, Francisco’s father bequeathed him a black child named Esteván de los Ángeles, while Francisco’s sister received two young girls, Rosalía and María del Loreto.¹¹² Two years later, his widowed mother accepted 80 patacones toward the alimentos of two Free Womb children born from an enslaved woman she owned.¹¹³ But after the legal destruction of slavery and gradual emancipation rule in 1852 – that is, after the notary could no longer safeguard his family’s dominion over humans – former masters like Francisco García Carrión attempted to shift their spheres of control from *people* to *places*. Perhaps reflecting on the state of his family’s future fortunes as the New Year commenced in 1854, García Carrión granted power of attorney to a local businessman to take

¹¹¹ AGN, 1853, SR, FGV, l. 185, fol. 583r-v. Although the racial identities of the petitioners from Tadó are unknown, their leadership likely included white, former slaveholders who were active in the creation of a new association established in Tadó in 1852 called la Sociedad protectora de los derechos del pueblo, a liberal society composed by former slaveholders and a local parish priest. See AGN, 1855, SR, FGV, l. 191, fols. 418r-420v.

¹¹² NPQ, 1831: 122r-v. Francisco’s father was Antonio García y Falcón, a slaveholder and owner of one of Chocó’s largest gold mines, and his mother was slaveholder María Concepción Carrión.

¹¹³ NPQ, 1832: 104v-105r. On the slave and Free Womb trading business of Francisco’s mother, María Concepción Carrión, see my article, “Gendering Mastery,” 9–10.

“charge of the forests of the Giguamiandó, Torriquitado, Uraudo, Urada, and Tamboral Rivers, which are the properties of García Carrión and his family, so that no person takes, makes use of, or touches or uses anything from those jungle forests [dichas bosques selvas]” – a reference that, including both jungle and forest territory, seemed to attempt to encompass the entire natural landscape.¹¹⁴ For the first time in the history of the northern Pacific lowlands, the notary recorded an attempt to privatize Chocó’s communal rainforests and rivers. Why was García Carrión suddenly invested in securing his family’s forests and tributaries at this particular moment in time?

This sudden investment was in direct response to the new popular economies that had emerged in the midcentury and had expanded after the abolition of slavery in 1852. As Claudia Leal documents in *Landscapes of Freedom: Building a Postemancipation Society in the Rainforests of Western Colombia*, the economy of the independent “rainforest peasantry”¹¹⁵ comprised by black lowlanders expanded beyond small-scale gold mining to include the collection of rubber, in response to a global demand beginning in the 1840s for rubber products, including tires, hoses, and waterproof boots and apparel. Before the infamous Amazon rubber boom at the end of the nineteenth century, the Colombian and Ecuadorian Pacific was one of the few places in Latin America where black rubber could be extracted. The lowland rubber economy thrived from the 1850s to the mid-1870s, when business began to decline. During those years, black rubber gatherers searched the lowland forests for the towering, 100-foot-tall *Castilla elastica* trees scattered across the region.¹¹⁶ After 1852, entire families migrated beyond the established riverine settlements in search of these forest products.¹¹⁷ García Carrión sought to control this popular economy on his family’s estate “so that without permission of the owner no one can extract rubber . . . or other kinds of vegetal production of any sort that is found

¹¹⁴ NPQ, 1854: 33r. I thank Nathaniel Dominy for this observation regarding forests and jungles.

¹¹⁵ Leal, *Landscapes of Freedom*, 12.

¹¹⁶ *Ibid.*, 69–87; Quentin R. Skrabec, Jr., *Rubber: An American Industrial History* (Jefferson, NC: McFarland, 2004), 32–35. As Leal shows, in addition to rubber extraction, by the 1850s black lowlanders, especially those residing in the Tumaco region and southern Pacific coastal region, collected tagua (vegetable ivory seeds or nuts) dispersed across the rainforest floors that were mainly used to construct buttons in the nineteenth century. On tagua in the lowlands, see Whitten Jr., *Black Frontiersmen*, 75.

¹¹⁷ González Escobar, *Quibdó: contexto histórico*, 62–64.

in those forests or jungles.”¹¹⁸ That García Carrión included in his power of attorney contract all “kinds of vegetal production,” explicitly mentioning roaming pigs and blackberries, reveals how he was targeting the larger subsistence economy of the lowlands.

Perhaps inspired by García Carrión’s efforts, several months later fellow ex-master Felipe Santiago granted power of attorney to another former slaveholder to “prevent all people [a toda persona] whom he sees or has heard about [tenga noticias] from extracting rubber resin from the corresponding lands.”¹¹⁹ Both men attempted to police black lowlander’s growing economic possibilities in the rubber economy, curtail their mobility, and privatize the region’s rich forests, jungles, and rivers. In Santiago’s case, the ex-slaveholder aspired to create a force that would monitor for unauthorized rubber collection “a toda persona” – a blanket prohibition that seems to suggest that black lowlanders of all genders and ages may have been *caucheros* (rubber collectors).¹²⁰ Although the consequences of these prohibitions are unknown, they show the Colombian Pacific’s contentious postabolition economic and physical geographies as black and white lowlanders wrestled over the region’s future.

As part of this fight, the moral economy of subsistence gold mining historically practiced by free black lowlanders came under attack. As explored in the first chapter, a vibrant tradition of free black mazamoreros existed in the region since at least the late eighteenth century. Much of this independent gold mining supplemented subsistence agriculture, fishing, and hunting, practices whose products maintained working free black families for decades. As in other postslavery societies across the African diaspora, in Colombia local authorities and those with vested business interests in areas where these traditions were practiced now saw them as obstacles to the region’s prosperity after emancipation.¹²¹ In the northern Pacific lowlands, home to a majority, independent free black population since the early nineteenth century, white elites deemed the challenge not just what historian Thomas C. Holt, writing on Jamaica, famously called the “problem of freedom . . . understood as the task of socializing ex-slaves to respond to the work incentives of freedmen.”¹²² Rather, these elites also deemed the challenge to be the problem of black

¹¹⁸ NPQ, 1854: 33r. ¹¹⁹ NPQ, 1854: 161r-v.

¹²⁰ As Leal notes, the historical record says little about the organizational structures of the *caucheros*. See Leal, *Landscapes of Freedom*, 75.

¹²¹ Appelbaum, *Mapping the Country of Regions*, 91.

¹²² Holt, *Problem of Freedom*, xxii.

autonomy – that is, of compelling historically freed peoples (and their recently freed kin) to abandon their independent traditions and labor as subordinate workers in the mines.

Gold-mining subsistence was especially condemned by European and American prospectors, whose travelogues and reports offer the only detailed, on-the-ground ethnographic accounts of the Colombian Pacific lowlands in the years after abolition. Although the first stream of non-Spanish European foreigners arrived to the region in the 1820s, it was not until midcentury that they appeared in greater numbers, in the wake of the California Gold Rush, as discussed at the beginning of the chapter. Visions of an interoceanic canal connecting the Atlantic and Pacific Oceans through the Isthmus of Darién in Chocó developed in the early nineteenth century, when the Spanish monarchy commissioned the famed Prussian geographer Alexander von Humboldt to chart the physical geography and riches of its empire.¹²³ By 1852, one official described the Atrato River as “wide, deep, and with a slight current . . . better than any other for the fast navigation of steamships” between the two coasts.¹²⁴

Serious exploration for potentially building a canal in the northern lowlands began in the 1850s, with individuals like the Manx poet and engineer William Kennish. In 1850, Kennish surveyed Chocó for the Hope Association of New York and purchased gold-mining lands in Andagueda, near the town of Lloró, for 4,200 pesos, a hefty sum in 1853.¹²⁵ Kennish must have believed that the region had real financial opportunity since in 1855 he purchased two additional mining lands on the Andagueda River with an American captain named Norman Rude for

¹²³ According to Humboldt, who spent time surveying New Granada, there were five principal points for the construction of a potential canal: The Isthmus of Tehuantepec, the Isthmus of Nicaragua, the Isthmus of Panama, the Isthmus of Darién, and the Canal of Rispadura (off the San Juan River in Chocó). See “On the Advantages and Practicability of Forming a Junction between the Atlantic and Pacific Oceans. In Letters from Dr. Hamilton, of Plymouth, to S. Banister, Esq.,” in *The New Monthly Magazine and Humorist*, vol. 89, W. Harrison Ainsworth, ed. (London: Chapman & Hall, 1850), 365, 371.

¹²⁴ AGN, 1852, SR, FGV, l. 185, fol. 24r. For an earlier governor’s report discussing the possibilities of opening a canal in Chocó, see AGN, 1845, SR, FGV, l. 105, fol. 314r–v.

¹²⁵ William Kennish, *The Practicality and Importance of a Ship Canal to Connect the Atlantic & Pacific Oceans* (New York: G. F. Nesbitt & Co, 1855); NPQ, 1853: 44v–48v. The record of purchase states that the original owners were “allowed to work [the land], extracting gold from it, barring any other foreign person [besides Kennish] from working the lands under any pretext.”

an even larger sum, 13,000 pesos.¹²⁶ Like Kennish, Rude had found his way to the lowlands in the early 1850s. Flying a tattered American flag, Captain Rude's steamer *La Esmeralda* docked in Quibdó's port on a gold-hunting expedition in 1853 after a twenty-one-day voyage from Cartagena. Supposedly, Captain Rude believed that the Atrato River held "excellent" potential for steamboat navigation – an observation that inspired Chocó's governor to proclaim that "a new era for the province" would be coming.¹²⁷

Yet local authorities and new prospectors also claimed that any such future prosperity was arrested by the autonomous living and working traditions of everyday black lowlanders, a critique similar to the one lodged against freedpeople who formed "free villages" in Jamaica after the final abolition of slavery in 1838.¹²⁸ The American engineer John C. Trautwine, whose travels through the village of Baudó opened this chapter, was troubled by the world of the independent mazamorreros: "Each one hunts for himself, and a calabash or wooden bowl comprises the inventory of his machinery," a reference to the batea, a mining implement whose portability and versatility rendered impossible any attempts at top-down management in all aspects of working lowlanders' life; apart from mining, the batea was also utilized to wash clothes and bodies, shuck beans and cacao, and carry loads of clothing from the rivers.¹²⁹ "Aiming at nothing more than barely to supply the absolute necessities of his vagabond existence," Trautwine continued, "it may well be imagined that his exertions are light, and their result correspondingly insignificant." Based on findings from an unpublished report, in 1854 the *London Quarterly Review* described the black residents of Chocó as "not distinguished by energy or industry," people whose "indolence" stemmed from "the facilities they possess of obtaining

¹²⁶ The first mining property was named "Anacura" and sold for 7,000 pesos, see NPQ, 1855: 28v–31v. The second was named "Santa Barbara" and sold for 6,000 pesos, see NPQ, 1855: 32v. In 1855, Rude also purchased another gold mine named "Chadó" on the Río Andagueda with a different American named Robert Grant Jameson for 6,000 pesos, see NPQ, 1855: 63r–v. In 1856, Kennish sold a mine named "Caciedo" to a prospector from Jersey City, New Jersey named Aaron Cose, see NPQ, 1860: 36r–37r.

¹²⁷ AGN, 1853, FGV, SR, t. 185, fols. 647r–649r; Trautwine, *Rough Notes*, 4.
AGN, 1845, FGV, SR, l. 105, fol. 313r.

¹²⁸ Holt, *Problem of Freedom*, 143–149, 154–161.

¹²⁹ Trautwine, *Rough Notes*, 37; Whitten Jr., *Black Frontiersmen*, 59. Moreover, Nina S. de Friedemann interestingly described the batea as a *canoita* (small canoe), given its everyday and spiritual importance as a mode of transport. See de Friedemann, *Criele, criel son. Del Pacífico negro: arte, religión y cultura en el litoral Pacífico*, 45.

wealth.” As the paper explained these “facilities,” “A peasant who has to pay an account, or to make a purchase, walks to the banks of the Atrato, or one of its tributaries, and washes the sand until [he] finds a sufficient quantity of gold-dust to dismiss his creditors, or to supply his wants.” The paper reported that these lowlanders did not create savings of gold, instead living off “an abundance of vegetables” and hunted game.¹³⁰ Even into the 1870s, American prospectors like engineer Robert B. White, who explored Chocó in 1870 and 1878, was troubled by the local population’s desire to independently mine for gold “with the sole object of providing for their daily needs” – that is, to only accumulate “enough to pay for their clothes and aguardiente.” Echoing the lamentations of provincial officials after 1852, White believed that slavery’s abolition was to blame for the province’s plights: “This country might be rich to-day, if the emancipation of the slaves had not cut the vital nerve of gold mining and left it with its wealth buried and in the state of primitive barbarism that characterizes it. This mortal blow to the operations of mines upon any large scale was struck in 1851.”¹³¹

Among the foreign explorers and prospectors alarmed about lowland autonomy was the Italian military officer Agustín Codazzi, hired by the Colombian government to survey the nation and “create a general map of [the] Republic and a chorographic map of each of its provinces” in the early 1850s.¹³² Constituting what would become the famed Chorographic Commission, one of the most ambitious geographic surveys in Latin America, Codazzi and his team of surveyors traveled across the multiple provinces of Colombia producing local and regional maps, watercolor scenes of everyday life (some of which we saw in Chapter 1), and detailed reports on the state of the individual provinces.¹³³ Winding down the Atrato River on a boat commanded by bogas, Codazzi arrived to Chocó in 1853, a year after final abolition had been decreed. Over thirty years had passed since Codazzi’s first trip to the region in 1821, and his reports to the provincial governor stressed his apprehensions about certain changes that he observed. Of particular

¹³⁰ *The London Quarterly Review*, vol. II (London: Partridge, Oakey, and Company, 1854), 560.

¹³¹ As cited in Restrepo, *Estudio sobre las minas de oro y plata de Colombia*, 62.

¹³² *Gaceta oficial*, no. 1,106, 14 de marzo de 1850, 103–104. On Codazzi’s military and administrative work with the Colombian government prior to the Chorographic Commission, see del Castillo, *Crafting a Republic for the World*, 90–91.

¹³³ For an analysis of Codazzi and his team’s social and racial observations in the Pacific lowlands, see Appelbaum, *Mapping the Country of Regions*, 81–105.

concern was a “growth in the population of the African race that today populates the banks of the rivers, which in that epoch [when he had first visited] were largely deserted.” In this remark, Codazzi was likely commenting on the expansion of free black villages since the early nineteenth century, settlements that undoubtedly grew as formerly enslaved lowlanders joined their families after 1852. The allegedly overwhelming growth of Chocó’s black population was accentuated by the disappearance of the small residential white elite from some of the province’s towns after final abolition. According to Codazzi, for example, Nóvita owed “its decline to the departure or death of various industrious men, who dedicated themselves to the large-scale exploitation of the rich minerals that abound in these lands,” an observation repeated again and again by regional authorities.¹³⁴

What, then, was the destiny of Chocó in the face of this “white flight”? Codazzi believed that without these purportedly “industrious men” in frontier towns like Nóvita, the region would fall captive to “indolent” black peasants whose needs were fulfilled by fertile lands that “produced enough food . . . to satisfy daily consumption.” Like other foreign explorers and prospectors, Codazzi criticized the purported simplicity and freedom of lowland living:

The man lives naked and the woman wears but a simple *paruma* or *guayuco*, or a piece of cloth tied to their waist, from the nearby palms, they make their miserable chozas, and the bark of the *damagua* trees is their bed, and a blanket of grass keeps them warm at night. If a family wants a change of clothes, they go to the many gold-rich rivers or streams, and with the bateas in hand they dive down to bring up gravel or get it from the banks and wash it until they’ve got the *castellanos de oro* they think necessary for their purchases, later going home to enjoy sweetmeats, smoke, talk, and sleep, and sometimes for pleasure a man goes into the forest hunting *zainos* and *tatabros* while the women get into a canoe to visit their *comadres*.¹³⁵

This problem of black autonomy, understood as a lack of capitalist spirit among historically freed lowlanders, was not isolated to Chocó; officials thought it a problem of the greater frontier lowlands of Colombia’s Black Pacific. In the southern lowland town of Barbacoas, for instance, Codazzi noted that the local black inhabitants lived:

in absolute independence on the banks of the rivers, planting some shrubs of plantains, some of corn and others of sugar, whose products, along with the abundant fishes of the rivers, and the *zainos* and mountain pigs that live in the

¹³⁴ *Gaceta oficial*, no. 1,519, 22 de marzo de 1853, 383.

¹³⁵ *Ibid.*

jungle, gives them a rough but secure food source. As they live almost naked, with a simple loincloth for the men, and the women with a yard of cloth tied to their waist, if they wish to change their clothing in order to present themselves in the pueblo, they go to the beaches of the rivers to wash some gold-laden sands, and in a few hours they have what is necessary.¹³⁶

Yet according to Codazzi, there was something even more troubling than black lowlanders' autonomy in the wake of slavery's abolition: the specter (and in some cases reality) of black lowlanders refusing to work for whites. "It could happen well," Codazzi warned, "that the few whites who reside in Quibdó and Nóvita . . . will not find anyone to bring them firewood or plantains, or those who would help them in their domestic tasks."¹³⁷ It is difficult to confirm Codazzi's premonition, but given the absence of complaints of these kinds in the provincial government's reports, it is unlikely that such a work strike occurred. However, an 1854 contract between two former slaveholders in Quibdó may hint at some kind of small-scale refusal. In the record, the priest and ex-master Manuel María Ochoa was hired by an ex-mistress to construct a house for her "covered in straw and [with] a wooden floor." Interestingly, the former mistress added that "in case there is no one to saw the logs" for the house, the priest turned construction manager "shall build it out of palm."¹³⁸ This clause, while seemingly inconsequential, may be indicative of local conflict, perhaps even a work strike against the former mistress. According to the 1846 census of Quibdó, there were thirty-eight practicing sawyers or loggers in the city, a rather large number that casts doubt on the mistress's claim that such workers might be unavailable.¹³⁹ Cutting thick trees for logs in the lowland rainforests was hard, skilled work, dominated no doubt by free black working people, whereas it was generally easier to find someone to cut down the thinner palm trees. Although there exists an array of possible reasons for the ex-mistress's addendum, it might have reflected black laborers' newfound autonomy as well as racialized tensions in the wake of abolition.

But work refusal in the lowlands was more than a looming threat; according to Codazzi, lowlanders were already "refus[ing] work, under the excuse of being free."¹⁴⁰ According to one Popayán official in June 1852, "with the loss of slaves Chocó has become perfectly ruined because

¹³⁶ *Gaceta oficial*, no. 1,576, 2 de agosto de 1853, 638.

¹³⁷ *Gaceta oficial*, no. 1,519, 22 de marzo de 1853, 384.

¹³⁹ AGN, 1846, SR, FGV, l. 116, fol. 185r.

¹⁴⁰ *Gaceta oficial*, no. 1,519, 22 de marzo de 1853, 384.

¹³⁸ NPQ, 1854: 149r.

los libertos do not work now, not even to eat . . . Chocó is finished.”¹⁴¹ Similar fears were articulated by former slaveholder Joaquín Mosquera in the Cauca Valley who was alarmed that the formerly enslaved refused to work for their former masters or leave their owners' land.¹⁴² The problem appeared to be especially grave in the southwestern Pacific lowland gold mines of Barbacoas, where “perverted or ill-intentioned agitators had infused in that ignorant and uncouth people the idea that they should not work for whites, and the lands of the latter ought to be divided amongst them.”¹⁴³ Elite anxiety about the future of Barbacoas must have been particularly high given rumors that black lowlanders were responsible for having recently set the town on fire.¹⁴⁴ Likewise, there were reported disputes over land in the southern lowland village of Micay in 1853.¹⁴⁵ Concerns over land expropriation in the Pacific lowlands may have been motivated by black allegiance to the Liberal Party, which was strongly supported by Afro-Colombians and formerly enslaved people, and José María Obando, who led the War of the Supremes and served as President of Colombia from 1853–1854. Some lowland mineowners and landholders were fearful that Obando would oversee the “distribution of privately-owned lands” and feared a “future communist distribution [of land]” under his watch.¹⁴⁶

In the face of this recalcitrance, Codazzi argued that all black lowlanders were now slaves to a new master: “Ignorance, on the one hand, laziness on the other, a misunderstood pride because today they are free [un orgullo mal entendido porque hoi son libres] makes it so that they will always be (what they are in reality) slaves to their lack of need.”¹⁴⁷ Similar sentiments were echoed by the Liberal Party member and future president of Colombia Santiago Pérez, who briefly joined the Codazzi Commission in the Pacific lowlands in 1853. By “becoming suddenly free,” Pérez decried,

¹⁴¹ ACC, Sala Mosquera, 1852, No. 1A, D. 28.275, fol. 1r–v.

¹⁴² Posada and Restrepo Canal, *La esclavitud en Colombia*, 83–85.

¹⁴³ *Gaceta oficial*, no. 1,576, 2 de agosto de 1853, 638.

¹⁴⁴ *El Neo-Granadino*, no. 290, 29 de diciembre de 1853, 484.

¹⁴⁵ Sanders, *Contentious Republicans*, 45.

¹⁴⁶ AGN, 1855, SR, FGV, l. 191, fol. 512r–v; Applebaum, *Mapping the Country of Regions*, 91. Support for the Liberal Party in Barbacoas is also reflected in the fact that hundreds of formerly enslaved people from Barbacoas wrote a letter of thanks to President López, the leader of the Liberal Party, in 1852. See Sanders, *Contentious Republicans*, 45.

¹⁴⁷ *Gaceta oficial*, no. 1,519, 22 de marzo de 1853, 383.

from leaving the state of slavery to become owners of themselves, without preparation, without habits of freedom, without virtuous customs, without desires of commodities that they do not know nor imagine, [the formerly enslaved] have transformed from being slaves of men [siervos de hombres] to slaves of vice [siervos de vicios]; they are free, but have the soul and heart of slaves; they have confused independence with pride; the freedom to choose work with the freedom not to work; equality of rights with equality of misery; dignity of man with the insolence of despots.¹⁴⁸

Both Codazzi and Pérez recast all black lowlanders, regardless of prior legal status, as slaves to the subsistence customs that undergirded their relatively autonomous lives in the Pacific coastal frontier. By reformulating slavery as subsistence-based autonomy, these elite men transformed the meaning of slavery to suit their visions of a more perfect white, capitalist future for the postslavery Colombian Pacific.

Like other officials in postemancipation Cuba, Jamaica, and other societies across the African diaspora, Codazzi believed that the solution to the problem of black autonomy was twofold: policing and vagrancy laws, and white immigration (domestic and foreign).¹⁴⁹ “In order that the province may progress at the same rate as other industrialized countries,” Codazzi noted from Chocó, “it would be necessary for the laboring class to be obligated to work by a well-coordinated police law.” Codazzi called on “patriotic” authorities to, “starting now, before vagrancy becomes chronic, come up with methods to oblige men and women to dedicate themselves to work,” especially since, he claimed, black families required one or two of their members to work to provide for the entire family. With these new laws, Codazzi argued, the other family members who did not work could “be signed up as workers, with a wage corresponding to their service, under penalty of being considered vagrants.”¹⁵⁰ A resentment that slavery could no longer compel entire black families to work lay at the core of Codazzi’s vexation. He could not see such reliance on only one or two working family members as potentially a claim to freedom, black families now able to determine for

¹⁴⁸ *El Neo-Granadino*, no. 285, 1 de diciembre de 1853, 442. For an analysis of Pérez’s observations in the Pacific lowlands, see Appelbaum, *Mapping the Country of Regions*, 24, 85, 91–100.

¹⁴⁹ On vagrancy and immigration in postemancipation Cuba, see Scott, *Slave Emancipation in Cuba*, 213–221. On Jamaica, see Mimi Sheller, *Democracy after Slavery: Black Publics and Peasant Rebels in Haiti and Jamaica* (Gainesville: University of Florida Press, 2000), 54–55.

¹⁵⁰ *Gaceta oficial*, no. 1,519, 22 de marzo de 1853, 384.

themselves what kind of labor should be performed by specific family members.¹⁵¹

Codazzi offered a similar solution to the problem of black autonomy among the free peoples of the southern lowlands of Barbacoas: "We should . . . find measures to exploit the mines, forcing them to work them as wage workers through severe laws." If the black laborers of Barbacoas then failed to work, they would be considered vagrants. In addition to this policing law, which he had also prescribed for Chocó, Codazzi additionally prescribed for Barbacoas a "good police force, formed of the most intelligent, active and official among the blacks, well paid."¹⁵² Codazzi believed that while the "healthy" white inhabitants of Colombia's interior highlands would achieve progress through better schooling, the Pacific lowlands' "indolent" black populations would only achieve "modernity" through coercion. As Nancy Appelbaum writes, Codazzi believed that the lowlanders "required a different kind of schooling: a violent regime relying on passbooks, vagrancy statutes and a beefed-up police force to teach them to be workers and consumers."¹⁵³ A briefly worded request in 1853 by Chocó's governor to force lowland prisoners to work outside the prison walls points to how lowland officials turned to the carceral alternatives advocated by Codazzi in the immediate postabolition years.¹⁵⁴

In addition to a new criminal and labor regime, Codazzi and government officials prescribed white immigration.¹⁵⁵ This was by no means the first time that a whitening policy had been proposed for Colombia or the Colombian Pacific. As discussed in Chapter 2, the Colombian government granted the London-based Colombian Agricultural Association fifty thousand fanegadas of land to colonize Chocó with European immigrants. However, nineteenth-century Colombian officials failed to foment large-scale European immigration to Colombia in contrast to contemporary South American governments like Argentina or Brazil. Facing these failures, many Colombian politicians instead turned inward and sought the domestic migration of white settlers from Antioquia. By the

¹⁵¹ For example, after the British Slavery Abolition Act of 1833, which fully freed enslaved people's children under the age of six, formerly enslaved parents in Jamaica refused to voluntarily apprentice their children to their ex-masters. See Holt, *Problem of Freedom*, 68, 151, 163.

¹⁵² *Gaceta oficial*, no. 1,576, 2 de agosto de 1853, 638.

¹⁵³ Appelbaum, *Mapping the Country of Regions*, 104.

¹⁵⁴ AGN, 1853, SR, FGV, l. 185, fol. 519r.

¹⁵⁵ The governor called for two ordinances "to develop the immigration of foreigners" in January 1853, see AGN, 1853, SR, FGV, 1. 185, fol. 522r.

mid-nineteenth century, the myth that Antioquia was comprised of a white, hardworking populace with patriarchal families spanning generations had solidified in Colombia. As Nancy Appelbaum has documented, officials in Cauca actively endorsed and supported white Antioqueño migration into the predominantly indigenous regions of Cauca.¹⁵⁶

Like these officials, Codazzi identified the Antioqueño as the “active and industrious” model inhabitant for the Pacific lowlands. Codazzi claimed that “the Antioqueño, always enterprising and active, will not remain still, and will pass over the cordillera to dedicate himself to the cultivation of foodstuffs and take advantage of a great market.” The Antioqueño was portrayed by Codazzi as the heroic Colombian frontiersman, whose presence and colonizing activities would attract “wealthy men” to Chocó. Once colonized by the Antioqueños, the northern Pacific lowlands would be flocked by foreigners: “first, the Antioqueños, and the foreigners afterwards, shall come to exploit.” This would lead to a “new era” in Chocó.¹⁵⁷ As in Cauca, the province’s future was in the hands of white, Antioqueño settlers. Codazzi’s prescription may have also been motivated by reports of already-existing settlements of Antioqueños in Chocó during the late 1840s. According to an 1850 report, the new settlement of Carmen (most likely referring to today’s El Carmen de Atrato, where the Atrato River begins) was formed “by a colony of Antioqueño miners and farmers” in 1848.¹⁵⁸ Situated in the far eastern jungles of Chocó, the settlement of Carmen was practically Antioqueño territory given that it straddled the borders between both provinces.

Others shared Codazzi’s racist belief that the Antioqueños could lift Chocó from its cursed misery. Writing from Medellín to British investors in early 1851 on the potential for an interoceanic canal in Chocó, the Swedish engineer Karl de Grieff emphasized the importance of Antioqueños for the success of such a project: “I believe that in Chocó and Carthagena [*sic*], men fit for this kind of labour are not to be met with. The only resource in the country is to be met with in Antioquia and the Provinces of the Cauca.” Once Antioquia’s residents came to build the canal, they would further contribute to Chocó’s wholesale transformation: “There is no doubt that upon the opening of interoceanic communication ... a multitude of industrious Antioquenians will flock

¹⁵⁶ Appelbaum, *Muddied Waters*, 13–16, 34–35, 52–56, 151; Wade, *Blackness and Race Mixture*.

¹⁵⁷ *Gaceta oficial*, no. 1,519, 22 de marzo de 1853, 384.

¹⁵⁸ ACC, Sala Mosquera, 1850, No. 27, D. 27.905, fol. 1r.

there, both to labour personally in the undertaking, and to form patches of cultivation of all sorts." De Grieff envisioned remaking entirely the wet northern Pacific lowlands by introducing "horned cattle by the thousands," essentially transporting the industry of Antioquia to the labyrinthine rainforests of Chocó. Such transformation, de Grieff advised the investors, meant that Antioqueño workers could deserve "four times what is paid in the other provinces, they being intelligent and hardworking."¹⁵⁹ De Grieff's missive reflects the serious efforts being made to connect Chocó with Antioquia in the early 1850s. In 1852, for example, three businessmen from the Cauca Valley and Antioquia formed a company to construct a road from Chocó to Antioquia; they sought investment from the London-based *Compañía Anglo-Granadina*.¹⁶⁰

These were not the only Colombians to seek foreign investment in the northern Pacific lowlands. Indeed, prominent statesmen looked outside their country for shareholders to invest in a new Colombian Pacific. Two former presidents (and ex-slaveholders), Tomás Cipriano de Mosquera and Pedro Alcántara Herrán, established the House of Mosquera and Company in New York City in 1852, in an effort to attract "respected Americans" to invest and exploit the Colombian Pacific coast's gold mines. What more than anything made this project urgent was the final abolition of slavery:

In consequence of the freedom recently granted to all the slaves that were in New Granada, the main mineowners of the provinces of Barbacoas and Chocó have decided to introduce a new system to exploit the mines . . . Before slavery was going to be completely abolished in New Granada, it was necessary to continue the system that for a long time existed in those mines that were exploited with slaves, because it was impossible to establish a mixed-system of slaves and free men [hombres libres]. Neither the environment nor the type of work impeded free men to work the mines alongside slaves; it was because no free man, not even those of the African race, had wanted to be seen associated with slaves for any type of work.¹⁶¹

¹⁵⁹ New Granada, Letter. Atrato Route (M. de Greiff), April 17, 1851, The National Archives (henceforth TNA), Kew, Foreign Office Papers, FO 881/288. de Grieff was also granted 8,000 fanegadas of tierras baldías in Antioquia, Medellín and Córdoba in 1853, and was responsible for populating the lands with "European or North American individuals" within three years. He was also planning on opening a road between Antioquia and Chocó. See *Gaceta oficial*, no. 1,588, 24 de agosto de 1853. For more on de Grieff's perspectives on the Antioqueños, see Appelbaum, *Muddied Waters*, 34.

¹⁶⁰ NPQ, 1852: 111–v112r; Appelbaum, *Muddied Waters*, 55.

¹⁶¹ ACC, Sala Mosquera, 1852, No. 14M, D. 28.523. For an example of prominent white lowlanders and former masters seeking to sell mining lands outside of Colombia, see NPQ, 1853: 152v–154r; 1854: 40r–v, 58v, 84r–v; 1855: 61v.

Building a “mixed-system of slaves and free men” was deemed “impossible” during slavery precisely because free black lowlanders refused to be associated with enslaved labor (and, specifically, large-scale mining projects such as those operated by Tomás Cipriano de Mosquera). Consequently, small-scale, independent mining – described in disgust by Codazzi, Trautwine, and other foreign surveyors – became linked to black freedom.

Now that slavery was abolished, Mosquera and Company sought to reconfigure their power over the Colombian Pacific with the help of American capital that was still tied to slavery in the United States, instantiating the bonded fates of slavery and postslavery capitalisms in the larger Americas. In their charter, the company spelled out its plan to rejuvenate mining in the Pacific lowlands, which included land concessions “for the establishment of industrious emigrants” and an exclusive privilege to extract gold from the rivers running through the southern Pacific coastal province of Barbacoas “with machines and ingenious devices that have never been introduced into this country.” Mosquera and Company also proposed investments in rubber production, “given that the tree is produced in abundance,” and pearl fishing.¹⁶² During this time, Mosquera also signed an agreement with the New York businessman James E. Smith to examine the gold mines of Timbiquí, Cotege, and other southern Pacific properties belonging to his estate. Upon receiving a positive report, Smith agreed to organize a company with Mosquera to “work the gold, carbon and other metal or mineral mines, form colonies, establish commerce, obtain Indian rubber, dyewood, in construction and valuable woods, etc.”¹⁶³ By the mid-to-late 1850s, former lowland slaveholders like Francisco García Carrión also had their eyes set on coal mining in Turbo, north of Quibdó on the coast of the Gulf of Urabá.¹⁶⁴ This speculative interest in gold, rubber, coal, pearl fishing, and other

¹⁶² ACC, Sala Mosquera, 1852, No. 14M, D. 28.523. For more references to rubber speculation by the Mosquera estate, see ACC, Sala Mosquera, 1851, No. 12M, D. 28.082, fol. 1r; ACC, Sala Mosquera, 1851, No. 12M, D. 28.086, fol. 1r. In 1852, Tomás Cipriano de Mosquera also signed an agreement granting exclusive rights to a French engineer named Lambert Alexandre to exploit “gold and other precious metals, pearl fishing, or other extractions of treasures, values, objects at the bottom of the waters, rivers, lakes, and oceans of the republic of New Granada.” See ACC, Sala Mosquera, 1852, No. 23, D. 28.605, fol. 1r-v.

¹⁶³ ACC, Sala Mosquera, 1852, No. 23, D. 28.603, fol. 1r.

¹⁶⁴ NPQ, 1859: 101r; ACC, Sala Mosquera, 1856, No. 22 U-W-Z, D. 24.922, fol. 1r.

natural resources points to the multiple sites in the Colombian Pacific that former slaveholders sought to monopolize at the midcentury.

How did these plans to manage the autonomous lives of Pacific lowlanders after abolition unfold? It is difficult to fully know, given that archival records offer little to nothing about the implementation of such visions of social control in the first half of the 1850s. But what we do know suggests that white stakeholders in the Pacific lowlands were waging a losing battle, coming nowhere close to imposing the rigid methods like sharecropping that forced freedpeople into wage labor in postabolition plantation societies like Barbados or parts of the southern United States like South Carolina.¹⁶⁵ For example, in one rare record, an official in Quibdó reported that as of 1855 the national laws against vagrancy were still not in force.¹⁶⁶ By the mid-1870s, landholders in the Cauca Valley were still complaining about the absence of an effective vagrancy law, which was put into effect and repealed due to the political pressure of ordinary Afro-Colombians.¹⁶⁷ This failure to control the Pacific lowlands, however, also means that, in contrast to the postemancipation records produced in the British Caribbean by “elites’ obsessive documentation of black people’s labor and public comportment,”¹⁶⁸ the post-1852 archives for the Colombian Pacific are relatively silent about black working lowlanders’ quotidian lives. Perhaps it was less feasible for the postabolition Colombian government to track the everyday lives of working black lowlanders without the technologies of slavery and gradual emancipation rule. Yet, as Marisa J. Fuentes urges, it is crucial to “productively [mine] archival silences”¹⁶⁹ for the ontological possibilities for experience by people of African descent in the wake of slavery’s final destruction. The work of black resistance, perhaps the archival silence, amid the great expanse of jungles and rivers that long provided “a secure refuge of independence” for fugitive lowlanders, speaks to, as Greg L. Childs writes, “the conscious attempts on the part of black and

¹⁶⁵ Hilary Beckles, *Great House Rules: Landless Emancipation and Workers’ Protest in Barbados, 1838–1938* (Kingston: Ian Randle Publishers, 2004); Julie Saville, *The Work of Reconstruction: From Slave to Wage Laborer in South Carolina* (Cambridge: Cambridge University Press, 1994).

¹⁶⁶ AGN, 1855, SR, FGV, l. 191, fol. 405r.

¹⁶⁷ Mateo Mina (Michael Taussig and Anna Rubbo), *Esclavitud y libertad en el valle del Río Cauca* (Bogotá: Fundación Rosca de Investigación y Acción Social, 1975), 64–66; Sanders, *Contentious Republicans*, 114–115.

¹⁶⁸ Lightfoot, *Troubling Freedom*, 13. ¹⁶⁹ Fuentes, *Dispossessed Lives*, 5.

nonwhite subjects to avoid what Derrida refers to as the ‘violence of the archive.’”¹⁷⁰

Nevertheless, Claudia Leal’s landmark study *Landscapes of Freedom* reveals how former slaveholders and regional authorities failed to monopolize the terms of labor in the Pacific lowlands after final emancipation, especially with regard to gold mining. As Leal shows, mineowners who remained in the lowlands after 1852 were able to maintain their profits through renting out their mines instead of hiring wage workers. Indeed, according to Santiago Pérez of the Chorographic Commission, only a “few blacks” worked with former mine owners as wage laborers.¹⁷¹ The ubiquity of rent, Leal argues, “partly reflected the scarcity of labor, and therefore the bargaining power of free blacks, who gained control over mining.” Without former masters compelling them to work, free black lowlanders were able to organize their own work teams, determine their own rules, and make decisions about how to structure their time.¹⁷² Working black lowlanders, Leal remarkably notes, “achieved a level of control over the means of production hardly matched by any other sizeable group of rural Afro-descendants”¹⁷³ after the abolition of slavery. Their extractive economies expanded beyond gold mining to include rubber, ivory nuts, and other rainforest products. This state of labor affairs in the postemancipation lowlands contrasts sharply with that of the Cauca Valley, where former slaveholders like the Arboledas instituted mixed racialized labor systems on their haciendas, which included white migrant sharecroppers, black *terrajeros* (land renters) and wage workers, and large-scale tenants who rented out hundreds of acres of land.¹⁷⁴

Apart from renting out gold mines from former slaveholders, some black lowlanders owned their own plots of mining land, constituting another means of control over mining after 1852. As documented in Chapter 2, middling free black slaveholders legally claimed *tierras de minas* since the late eighteenth century, when free black settlements were formed on the outskirts of Quibdó and Nóvita. Despite this history, frontier authorities were largely silent about black landownership, instead

¹⁷⁰ Greg L. Childs, “Secret and Spectral: Torture and Secrecy in the Archives of Slave Conspiracies,” *Social Text* 125, 33, no. 4 (December 2015): 51.

¹⁷¹ *El Neo-Granadino*, no. 285, 1 de diciembre de 1853, 443.

¹⁷² Leal, *Landscapes of Freedom*, 64. In 1854, a local man also rented out mining lands on the Andagueda River to an American prospector, see NPQ, 1861: 155v–157v.

¹⁷³ Leal, *Landscapes of Freedom*, 11. ¹⁷⁴ Mina, *Esclavitud y libertad*, 66–67.

lambasting informal or “illegitimate” land possession.¹⁷⁵ Yet, Juan de S. Ulloa, a member of the Chorographic Commission in Chocó, who claimed to have consulted formerly enslaved lowlanders in his report, related a more sinister process of landownership that was unfolding in the postemancipation northern lowlands. According to Ulloa, former owners were allowing their former captives to take possession of lands “that they previously possessed as slaves” – referring to the small mining lands that were granted to enslaved lowlanders under slavery and gradual emancipation rule.¹⁷⁶ Once former captives established and started to exploit their small mines, former owners threatened to evict and dispossess them – that is, unless they bought the land. The catch, however, was that the land they were forced to purchase were *tierras baldías*.¹⁷⁷ In other words, in their desperate efforts to recoup on their alleged losses, former lowland slaveholders were actively swindling and dispossessing an unknown number of formerly captive lowlanders by selling them public property.¹⁷⁸

While it is impossible to quantify black landownership of any legality during this period, it was not unusual to come across lowlanders such as Señor Cayatáno, a black freeholder whom the American engineer John C. Trautwine became acquainted with during his journey across Chocó: “He owns extensive tracts of levee along this portion of the Atrato, and his buildings, cultivation, and improvements generally, evinces a degree of intelligence and energy in striking contrast with the almost brutal apathy of his neighbors.”¹⁷⁹ Yet, as impressive as the American engineer found Cayatáno, the free black frontiersman ultimately did not fit into visions of Chocó’s future held by Codazzi and other elites. After the final abolition of slavery, the problem of black autonomy in the Colombian Pacific was encapsulated not simply in the unruliness of independent bogas and miners on the republic’s frontier but also in the troubling orderliness of black property owners who failed to fit Colombian officials’ white ideal.

¹⁷⁵ Agustín Codazzi, “Informe sobre los baldíos del Chocó, 1853,” in *Geografía física y política de la confederación Granadina*, 105–106.

¹⁷⁶ Jiménez Meneses, *El Chocó: un paraíso del demonio*, 90; Sharp, *Slavery on the Spanish Frontier*, 133.

¹⁷⁷ Juan de S. Ulloa, “El modo como se adquirieron propiedades en el Chocó, i mi opinion acerca de ellos,” March 9, 1853, AGN, Sección Colecciones, Guido Cora, rollo 4. I sincerely thank Nancy Appelbaum who shared a copy of this microfilm with me.

¹⁷⁸ Formerly enslaved people elsewhere in Colombia faced similar fraudulent acts, as in the town of Caloto in the Cauca Valley where officials forced “unfair duties and taxes” upon them. See Sanders, *Contentious Republicans*, 44.

¹⁷⁹ Trautwine, *Rough Notes*, 20.

Epilogue

“The Precious Gift of Freedom”

According to the governor of Chocó, Nicomedes Conto, it was an “abominable crime” that required the swiftest and strictest of penal sanctions. After an attempted robbery in Nóvita in early 1852, a storekeeper named Carlos Guzmán was murdered in broad daylight. His alleged murderers were two black men, Francisco Rivas and Manuel Rivas, who were likely related given their shared surname. Reportedly acceding to public demand, Conto ordered the beheading of Francisco and Manuel. Yet more than acquiescence to popular will was at play in the governor’s decision. Francisco and Manuel were products of the recently terminated project of gradual emancipation, the former once a Free Womb captive, the latter emancipated by a local manumission junta. Together, they represented the twin pillars of gradual emancipation rule. “They, who have received the precious gift of freedom,” Conto relayed, “as a consequence of two philanthropic laws, repaid society this inestimable good by killing a young person who was not of their race with the most detestable malice, premeditation and cruelty.”¹ Beyond demarcating appropriate racial parameters in the postabolition Pacific lowlands, the governor’s decision served as a condemnation of the 1821 law. For the former slaveholding governor and many other officials like him across Colombia, the fruit of gradual emancipation rule was the fulfillment of not “the precious gift of freedom” but rather freedom’s dangerous excesses.

It’s unknown whether Francisco and Manuel were eventually executed – the paper trail begins and ends with the governor’s resolute

¹ AGN, 1852, SR, FGV, l. 181, fol. 20v.

June 1852 report. Critically, the governor noted that Cauca authorities would soon weigh in on the matter (with the possibility of commuting the sentence). Until that report arrived, however, Francisco and Manuel remained in deathly limbo.² If they were indeed executed, Francisco and Manuel would not be the last black men in the Pacific lowlands to be put to death at the hands of the Colombian state. A half century later, in 1907, a black judge named Manuel Saturio Valencia would become known as the last person to be (officially) executed in Colombia, after he was convicted of attempting to burn down Quibdó. Denounced as an “anarchist” by lowland authorities, Valencia has been memorialized in the region, his very being challenging the small white elite who continued to control the northern Pacific lowland capital well into the early twentieth century.³ Although they faced distinct legal ruses and structures of unfreedom, Francisco Rivas, Manuel Rivas, and Manuel Saturio Valencia all lived through the vicious afterlife of slavery and gradual emancipation rule.

Under the twilight of racial liberalism, the meaning of freedom remains ever vexing, ever elusive. *Freedom's Captives* explored the rise of one particular mode of liberal freedom, gradual emancipation rule, and how enslaved people, Free Womb captives, and free black lowlanders in the Colombian Pacific experienced and navigated its legal labyrinths and social entrapments. I argue that the kind of freedom produced through gradual emancipation rule functioned as a rhetorical and legal form of racial governance over enslaved people and their kin during the new Colombian republic's uneasy construction. Certainly, as this book demonstrates, some everyday black lowlanders, especially free black and enslaved women, took crucial advantage of the legal openings afforded by the 1821 law, whether by freeing their Free Womb children or purchasing their own freedom with the supplemental monetary resources of the manumission juntas. These instances were few and far between, however. Gradual emancipation rule prolonged chattel slavery for those born before the 1821 law's publication while at the same time birthing Free Womb captivity, a mode of being that sought “to extend [slavery's] state of capture and subjection.”⁴ In the northern Pacific lowlands, the

² *Ibid.*, 20r.

³ For more on Saturio Valencia's legacy in the region, see Claudia Leal, “Recordando a Saturio. Memorias del racismo en el Chocó (Colombia),” *Revista de Estudios Sociales* 27 (August 2007): 76–93. For the telegram reporting Valencia's alleged actions and execution, see AGN, Fondo Ministerio de Gobierno, SR, Tomo 592, fols. 313–319.

⁴ Sharpe, *In the Wake*, 12.

local slave and Free Womb trade remained vibrant into the early 1840s as enslaved women, who undergirded the provincial gold mining economy after the Wars of Independence, became prized commodities. The replacement of enslaved laborers with Free Womb captives troubled large-scale mineowners in Chocó, who struggled to produce large outputs of gold in the independence wars' aftermath, but did not shut down their operations. Extending the age limit for Free Womb bondage from eighteen to twenty-five in 1842 legally extended even further this "state of capture." Handfuls of gold collected over years by free and enslaved lowlanders, especially women, offered the only sure way for enslaved and Free Womb lowlanders to obtain legal freedom. Only after the final abolition of slavery and gradual emancipation rule in 1852 was the white establishment's licit chokehold on captive black lowlanders meaningfully released. Other forms of deadly antiblackness followed in its wake.

Yet this book has done more than recount liberal freedom's ensnarement of enslaved lowlanders and their kin. It also posited the existence of other modes of freedom that troubled white governance in Chocó and the Colombian Black Pacific frontier. Free black and enslaved bogas exercised vernacular freedoms as guardians of this extraordinary region's intricate rivers; black women and children sifted through the gold deposits in its riverbanks and sandbars. At the dawn of gradual emancipation rule, free black and captive people of the Pacific lowlands exercised remarkable degrees of independence at the margins of the modern Colombian nation. "In no other place" in the country, one white lowland official recounted in the early 1830s, "are there villages, including about eleven let's say, of free blacks with false and unruly ideas of civil freedom, and are therefore disposed to disrespect the authorities, and beyond them, they are mixed with a considerable number of slaves who are encouraged at times to the temperament of revolution."⁵ While the kind of revolution dreaded by the official never came to fruition in Chocó, the everyday, vernacular freedom exercised by bogas and black women miners – "civil freedom," in the language of the official – constituted small-scale, ordinary revolutions in the face of Colombian white supremacy. They did not fundamentally disrupt the logic of gradual emancipation rule, but they surely troubled the institution's attempt to monopolize the meaning of freedom. After the end of slavery and gradual emancipation forced white slaveholders to relinquish their power in the Pacific lowlands, this riverine, subsistence-

⁵ ACC, 1827–1832, República JI-6cr 2730, fol. 73r-v.

based gold mining culture of “civil freedom” transformed into the problem of black autonomy. The material and territorial-based struggles of black lowlanders both under and after gradual emancipation rule force historians of nineteenth-century Colombia and the Atlantic world to examine other sites of social transformation beyond the crucial but now well-documented spheres of popular politics and liberal citizenship.

And if we can speak of the “afterlife of slavery,” in the words of Saidiya Hartman, then what of the afterlife of gradual emancipation rule? What conditions and worlds did those who lived after its time inherit? Condemned to death in its immediate aftermath, Francisco and Manuel Rivas remained explicitly marked by the system’s peculiar brand of subjection. But they were the last individuals in Chocó’s postabolition archives to be unambiguously referenced as gradual emancipation subjects. Some scholars are able to trace the legal afterlife of gradual emancipation rule to specific legal codes or indentures: Paulina L. Alberto, for example, points to the “clear remnants” of the Argentine Free Womb law of 1813 in the country’s Civil Code of 1869 concerning domestic child labor, and Marília Bueno de Araújo Ariza has shown how ex-slaveholders in postabolition São Paulo sought to make use of Orphans’ Courts to bind former Free Womb children through tutelage agreements.⁶ These “clear remnants” are more difficult to find in the archives of Colombia, especially for the Pacific lowlands, where the problem of black autonomy was exacerbated by the Colombian state’s weak presence. Investigating the afterlife of gradual emancipation rule requires a more extensive analysis of persistent “racial thinking and practices.”⁷ The Free Womb law further codified the long-standing racist idea, rooted in chattel slavery, that black people, regardless of age, would always be “children,” or “*niños*,” incapable of exercising rational adulthood.⁸ But more fundamentally, the very essence of gradual emancipation rule – that is, the notion of graded, scheduled “progress” amidst an ongoing state of racial terror – remains alive in today’s Colombian Black Pacific.

⁶ Alberto, “*Liberta* by Trade,” 117; Marília Bueno de Araújo Ariza, “Bad Mothers, Labouring Children: Emancipation, Tutelage and Motherhood in São Paulo in the last decades of the Nineteenth Century,” *Slavery & Abolition* 38, no. 2 (2017): 409–413.

⁷ Melish, *Disowning Slavery*, 285.

⁸ In some ways similar to the racist pejorative of “boy” as applied to black men in the United States, the term “niño” (and “niña”) is sometimes used today in Colombia in a racist and classist manner to address poor and working people of color.

This paradoxical state of progress and terror is nowhere more evident than in the current state of Chocó and the Pacific lowlands, the most marginalized and impoverished region in Colombia, with record levels of displacement and violence against civilians. During the early 1990s, as the civil war between the Marxist guerrilla group Revolutionary Armed Forces of Colombia (FARC), the Colombian military, and drug cartels aided by right-wing paramilitary groups raged on, the Pacific lowlands became the site of mass social transformation after a national constituent assembly was formed in 1991 to write a new constitution for the country. In the late twentieth century, amid the adoption of controversial neoliberal policies, crises of political legitimacy, and mobilizations from social movements, various Latin American governments, including Brazil, Ecuador, and Bolivia, implemented ethnic-based constitutional reforms. After the 1991 assembly, for the first time in its history, Colombia had a constitution that officially recognized the nation's cultural and ethnic diversity. In a country where the ideology of *mestizaje* (mixing between indigenous and Europeans) as a form of racial whitening had long been championed, this was no small detail.⁹

The constitutional recognition of Afro-descendant Colombians did not stop there, however. After powerful organizing efforts and mobilizations, including the occupation of Quibdó's cathedral and the Haitian embassy in Bogotá in 1991, Transitory Article 55 (AT 55) was added to the constitution to specifically "recognize the black communities [las comunidades negras] that have come to occupy public lands [tierras baldías] in the rural riverine zones of the rivers of the Pacific Coast."¹⁰ Indeed, these very communities are the descendants of the black lowlanders chronicled in this book. In 1993, AT 55 was codified into Law 70, more commonly known as the Law of Black Communities, which legalized the "historic and ancestral settling of Black Communities in lands for their collective use" in the Pacific lowlands.¹¹ Thus would be born the autonomous, collective black territories of today's Colombian Pacific. Chocó remains the epicenter of ancestral black territorial claims making with

⁹ Paschel, *Becoming Black Political Subjects*.

¹⁰ Barragan, "To End 500 Years of Terror"; For AT 55, see Disposiciones Transitorias, Capítulo 8, Artículo Transitorio 55 in "Constitución Política de Colombia 1991": www.corteconstitucional.gov.co/inicio/Constitucion%20politica%20de%20Colombia.pdf.

¹¹ See chapter 1, Article 2 on "Collective Settlement" in Law 70 of 1993: www.wola.org/sites/default/files/downloadable/Andes/Colombia/past/law%2070.pdf.

over 3 billion hectares of collectively owned black territories, the most of all departments in the greater Pacific lowlands, as of 2014.¹²

Many of these territorial claims, however, remain paper claims to this day. This is because just as thousands of *comunidades negras* were claiming their hard-won political rights to ancestral territories under Law 70, the civil war was quickly and drastically changing the Pacific lowlands. Although the FARC and other smaller guerrilla formations had maintained a presence throughout the Pacific coast since the 1970s, the war would take on a new radical direction with the arrival of right-wing paramilitaries in the late 1990s and early 2000s. By then the Colombian Pacific, historically recognized as a gold-mining enclave, was being increasingly viewed as a geostrategic and biodiverse “hotspot” for military intervention and global investment. With the assistance of the US-backed Plan Colombia, designed to combat drug cartels and guerrilla forces in the country, Chocó and the Pacific lowlands became ground zero for the civil war’s next phase. Well-funded military campaigns eventually engulfed the entire Pacific coast, often with the support of right-wing paramilitary groups, under the pretext of exterminating the FARC and the drug cartels.

The first wave of mass violence against Pacific lowlanders during this new phase began in 1996, when the Colombian army and paramilitary forces launched Operation Genesis in Chocó. On December 20 of that year, paramilitaries came to the town of Riosucio bearing lists with the names of suspected guerrillas to be assassinated. They broke down doors of homes as part of their search, and indiscriminate murders followed one after the other, supposedly all in the name of destroying the FARC. Bombings and terror campaigns were implemented in Chocó by February 1997. More than 27,000 Afro-Colombians fled the department that year – the beginning of the massive displacement that would later become a fact of life for poor black and indigenous Chocoanos. This new phase of the civil war was directly tied to the emergence of the new biofuel and alternative energy economy that had been championed by the Colombian government as a lucrative weapon in its war against narco-trafficking. As reported by the Washington Office on Latin America

¹² See Anexo No. 2 in Ministerio del Interior, “Pautas para el diseño, la integración y el funcionamiento del espacio nacional con el cual se consultarán, en adelante, las medidas de amplio alcance que puedan afectar a las comunidades negras, afrocolombianas, raizales y palenqueros”: https://dacn.mininterior.gov.co/sites/default/files/pautas_para_el_diseño_9_dic.doc.

(WOLA) in 2014, "Operation Genesis formed part of a larger paramilitary political effort to displace Afro-Colombians from their territories to facilitate the entry and expansion of oil palm plantations throughout the department of Chocó." Riosucio resident and founder of the National Association for Displaced Afro-Colombians (AFRODES) Marino Córdoba confirmed that paramilitaries and companies took over his community's ancestral territory and received financial credits from the government to cultivate palm oil. In 2014, the Inter-American Court of Human Rights found the Colombian government guilty of failing to prevent Operation Genesis, which included the brutal murder of Marino López Mena, dismembered alive by paramilitaries in front of his loved ones.¹³ Other forms of deadly antiblackness followed. On the morning of May 2, 2002, while trading fire with paramilitaries, the FARC launched a gas cylinder full of explosives and shrapnel into the Church of San Pablo Apóstol, in the town of Bojayá. Fleeing families had taken refuge inside the church, hoping that its cement walls could resist the explosions and gunfire. One hundred and nineteen villagers, among them many children and elderly, were murdered on that single day.¹⁴

"*Hace 500 años / sufrimos este gran terror. / Pedimos a los violentos / no más repetición*" (For 500 years / we have suffered this great terror. / We ask the violent ones / no more repetition).¹⁵ These are the lyrics of a song composed by a group of Afro-Colombian women survivors from Bojayá, performed at the historic and final peace signing ceremony between the FARC and the Colombian government in September 2016. After decades of failed peace accords, this final peace agreement was ratified in December 2016 – but only after it had been voted down in a plebiscite in October. Ground zero of the civil war, the Pacific coast overwhelmingly voted in favor of the peace agreement. And yet, despite

¹³ "Court's Ruling on Operation Genesis a Leap Forward for Justice for Afro-Colombian Victims," *Washington Office on Latin America Statement*, January 9, 2014, www.wola.org/analysis/courts-ruling-on-operation-genesis-a-leap-forward-for-justice-for-afro-colombian-victims/.

¹⁴ On the Bojayá massacre, see Paco Gómez Nadal, *Los muertos no hablan: Edición Bojayá, una década (2002–2012)* (Medellín: Editorial Nuevo Milenio, 2012); Paco Gómez Nadal, *La guerra no es un relámpago: Bojayá habla de guerra y de paz en Colombia* (Bogotá: Icono, 2016); Aurora Vergara-Figueroa, *Afrodescendant Resistance to Deracination in Colombia: Massacre at Bellavista-Bojayá-Chocó* (New York: Palgrave Macmillan, 2018).

¹⁵ "El alabao de Bojayá: el himno del Sí antes del plebiscite," *La silla vacía*, September 30, 2016, <https://lasillavacia.com/historia/el-alabao-de-bojaya-el-himno-del-si-antes-del-plebiscito-58138>.

the agreement, the war continued for Afro-Colombians and land rights activists in the Pacific coast and throughout the country as paramilitary groups moved into and expanded their territorial claims over formerly FARC-controlled areas. In 2018, 115 human rights defenders and activists were murdered in this newest phase of the civil war.¹⁶

These are the stakes. Five-hundred years of “great terror.”

Five-hundred years of “great terror” that includes the time of gradual emancipation rule – the time of racial “progress,” slavery, deadly anti-blackness.

Five-hundred years of “great terror” that condemned Francisco and Manuel Rivas to death, that tortured Magdalena and her unbroken body. Their descendants.

This book dreams with them.

¹⁶ “Colombia: ‘Terrible trend’ of rights defenders killed, harassed; UN calls for ‘significant effort’ to tackle impunity,” *United Nations News*, May 10, 2019, <https://news.un.org/en/story/2019/05/1038281>.

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 SR Sección República

 FC Fondo Congreso

 FCE Fondo Consejo de Estado

 FGV Fondo Gobernaciones Varias

 FM Fondo Manumisión

 FPS Fondo Peticiones y Solicitudes

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