

Conference

Gender, War and Culture: From Colonial Conquest, Standing Armies and Revolutionary Wars to the Wars of Nations and Empires (1650s-1910s)

UNC-Chapel Hill • February 20-22, 2014

Part 1: Chapter 6

GENDER, SLAVE EMANCIPATION, AND SOVEREIGN STATECRAFT IN THE AGE OF REVOLUTIONARY WARS

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Introduction

Historians often define “wars” within clear temporal boundaries, demarcated by an onset of hostilities and concluded with treaties (however ephemeral). The history of the transatlantic slave trade, by contrast, presents a chronology of war of *longue durée*: one that begins with European expansion and continues at least through the uneven abolition of the trade, and perhaps through emancipation itself. In contrast to episodic wars christened with proper names (e.g. War of Spanish Succession, French and Indian War, the American Revolution), the transatlantic slave trade could be interpreted as a protracted state of war.

The institution of slavery in the Americas did not end with the abolition of the slave trade; it endured in some regions—notably the U.S., Puerto Rico, Cuba, Brazil—deep into the nineteenth century. Rooted in the forcible subjection of the productive, reproductive, and sexual labor of the enslaved, the slave order was secured by the violence of masters, militias, and the power of the state. In that sense, slavery itself constituted, arguably, an ongoing state of war. Even if we limit the parameters for war to moments of open conflict between groups of armed combatants, the history of slavery suggests chronologies of war—including slave revolts and emancipatory struggles—that spill beyond the temporal boundaries of conflicts such as the American Revolution, the Napoleonic Wars, and the Seven Years War. Neither slave revolts nor slave emancipation fit readily into the timeline of the Age of Revolution, famously christened Eric Hobsbawm. In fact, as Laurent Dubois recently described, “the paradox of the Age of Revolution is that it both weakened and strengthened slavery,” overturning some slave regimes and reviving others (2011, 267). Slavery thus prompts a reimagining of the scope, chronology, and parameters of war, while the entangled histories and troubled legacies of slave emancipation and revolution disrupt classic narratives of the Age of Revolution.

If the study of slavery complicates the scholarly terrain of war, so too does the analytic of gender. Forged in the crucible of conflict, slave regimes in the Americas were gendered from their inception, and inspired struggles for sovereignty and status that exploded in revolts and revolutions that swept the Americas in the eighteenth and nineteenth centuries. Gender complicates any universal narrative of either slavery or war, for the wars of revolution, independence, and emancipation unleashed struggles for sovereignty and citizenship that were waged in gendered terms and had gendered consequences.

Historiography

The last decades have seen an exponential growth in scholarship on gender, slavery, and emancipation in the Americas, much of which is partitioned along the lines of empire, language, and discipline. Scholars of slavery and the African diaspora have shed new light on enslaved women's diverse experiences of labor, reproduction, sexual and family life. Others have turned their attention to the gendered nature of revolutionary discourse and ritual, gendered processes of emancipation, and subaltern practices of citizenship. Since the histories of slavery and emancipation are interwoven with colonial wars, slave revolts, and revolutions, war provides the context for many discrete studies of women in slave societies. Nonetheless, with some important exceptions, few have adopted both war and gender as an analytic frame for a comparative study of slavery and emancipation (McCurry, Dubois, Sheller, Paton and Scully, Colwill). Joan Dayan's *Haiti, History, and the Gods* was among the pathbreaking contributions that drew attention to the racialized and gendered violence that pervaded colonial warfare in a slave society. Recently, comparative studies of gender and emancipation, as well as narratives that trace the diaspora of freedpeople in the revolutionary Atlantic, explore terrain beyond the boundaries of a single empire or nation state (Sheller; R. Scott; Landers; Pybus). On the whole, we have become far more aware, in Jennifer Morgan's words, of how "the transatlantic slave trade produced and mobilized gendered articulations of power," including complex racialized hierarchies, structures of violence, and forms of resistance (Morgan, 2011, 138).

Research Questions

This essay asks how the study of gender and slavery alters our understanding of the parameters and chronology of war, and how the study of war through the analytic of gender enhances our understanding of slave emancipation, citizenship, and statecraft. At the heart of this study lie competing claims to sovereignty in the wars of revolution and emancipation of the late 18th and 19th centuries. Although the American, French, and Haitian Revolutions form a primary locus of conflict, the essay moves beyond their temporal and geographic boundaries, beginning instead--consistent with a more expansive definition of war--with the gendered violence of the slave trade and slave revolts. The primary focus of the essay concerns the impact of war and revolution on gendered pathways to emancipation, including maronnage, manumission, military service, marriage, apprenticeships, and "free womb" laws. Its central line of inquiry concerns the relationship between war, gender, and the timing and nature of emancipation in French, British, and Spanish Atlantic empires. Drawing upon scholarship on Spanish Florida, Latin American Wars of Independence, and the 19th century Caribbean, as well as my own research on revolutionary Saint-Domingue, it asks: How did exigencies of war and ideologies of gender enable and circumscribe the course of slave emancipation? What was the relationship of revolution, independence, and emancipation? What was at stake in gendered practices of statecraft in post-emancipation states?

States of War: Gender, Reproduction, and the Transatlantic Slave Trade

The transatlantic trade, which forcibly transported over nearly four centuries some 12.5 million souls, fed upon and fueled warfare along Atlantic coasts as it transformed social and political relationships within and among African and European states. Drawing into its net both state and non-state actors, the trade extended and transformed the substantial internal commerce in slaves in both Muslim and non-Muslim regions and the complex hierarchies of servile labor organized, explains Paul Lovejoy, on "the basis of families, communal work parties, marriage contracts, and other arrangements" (Lovejoy, 2011, 42). An important source of revenue for centralizing states (Oyo, Akan, Allada, Dahomey) along the Bight of Benin and the Gold Coast, its victims were harvested from local raids, piracy, European coastal depredations, and inter-state conflict. The transatlantic slave trade--the foundation of the African diaspora in the Americas--thus assumed as

its *modus operandus* both commercial cooperation and a state of war (Thornton, 1992; Smallwood, 2007). Mortality rates among those enslaved in the Americas lend credence to the interpretation of slavery as war. As Gad Heuman and Trevor Burnard explain, “Africans accounted for the great majority of immigrants into the Americas before 1820. However, they made up a small percentage of the total population of the Americas in 1900, their numbers swamped by huge waves of European migrants who not only moved to the Americas in great numbers from the mid-nineteenth century, but, crucially, survived and flourished demographically.” In their chilling formulation “death was the single most important feature of the slave experience in the Americas” (Heuman and Burnard, 2011, 5; Brown, 2010).

The transatlantic slave trade was gendered from its inception. Men, women, and children swept into the trade together suffered the dehumanizing process of commodification, but sellers, buyers, and middlemen considered carefully the gender balance of their human cargo. While eunuchs, followed by women and girls, brought the highest prices in the internal African trade (Lovejoy, 40), the push and pull of supply and demand meant that “Europeans brought more females to the Americas and Africans sold more males into the transatlantic trade than either buyers or sellers would have preferred” (Eltis, 46). The value ascribed to reproductive and sexual as well as productive labor of enslaved women at the point of sale, varied by region and over time, resulting on average in a gender imbalance. Yet this picture painted with such broad brush strokes masks significant variations of time and place. The significance of female labor in colonial Americas is difficult to contest: four out of five women to cross the Atlantic before 1800 were African. Furthermore, the demand for slaves in the Americas exploded in the last decades in the eighteenth century, with new slaves arriving in the Americas between 1776 and 1830 at an average of 80,000 a year (Eltis, 2011, 41-45).

While in the early colonial Americas, enslaved women of African descent might labor alongside Native Americans and white indentured servants, by the 18th century, racialized ideologies of gender and sexuality increasingly subjected enslaved women to distinct forms of servitude (Berlin, 1998). If the slippery status of colonial slavery on the frontier had offered Atlantic creoles some maneuvering room, and enslaved men and women some prospect of freedom through self-purchase, options eroded with the spread of plantation societies. By the mid-18th century, the forced labor that built the Americas relied heavily on women who worked in cities, on farmsteads, and increasingly on rice, indigo, tobacco, and plantations in Brazil, the Caribbean, and the plantation South, with the proportion of women to men in fieldwork rising after the abolition of the slave trade in 1807 (Eltis, 2010, 46). While the right to marry, testify at court, become literate, or possess property varied by region, religion, and imperial regime (Klein and Vinson 2003; Blanchard, 2008), nowhere did womanhood provide immunity for the enslaved from menial, reproductive, or sexual labor -- evidence of the “variability and contingency of regimes of gender” (eds.) explored elsewhere in this volume.

The violence at the heart of slavery involved the subjection of the productive, reproductive, and sexual capabilities to the will of master. The forms of reproductive control varied dramatically according to region and epoch. Sugar planters in 18th-century Barbados chose to trade their slaves’ reproductive capacities for cheap new slave imports, sacrificing reproduction to the pursuit of profit. A century later, 19th century British legislators would seek to ameliorate conditions of enslavement to bolster live births in their Caribbean colonies. Entanglements of love, sex, and power in liaisons between enslaved women and their masters notwithstanding, reproduction throughout the Americas remained a contested aspect of every slave regime, sexual access a master’s sovereign right, and rape a weapon of war (Garraway, 2005; Gautier; Burnard, 2004).

“Expectations regarding gender and reproduction,” Jennifer Morgan has argued, “were central to racial ideologies, the organization of labor, and the nature of slave community and resistance” (*Laboring Women*). Women’s responsibilities for reproduction spilled beyond childbearing to the forms of cultural reproduction that lay at the heart of creolization. If the Black

Atlantic, as Gilroy proposed, was the site of hybrid diasporic identities, “constantly producing and reproducing themselves anew,” then women played a vital role in cultural survival and transformation. By the eighteenth century, the codification of the meanings of enslavement in plantation societies had rooted the slave or free status of a child in the mother’s womb, converted to a vessel of “hereditary racialized slavery” (Morgan, 2011, 138; B. Bush, 1996). This act, which embedded the violence of the slave regime in women’s very flesh, laid bare the gendered foundations of slave regimes throughout the Americas.

Arming Slaves

The slave trade relied on organized acts of state-sponsored violence that provoked, in response, both armed and everyday forms of resistance. Slave revolts on shipboard plagued captains of slavers from the earliest days of the trade, with scholarship estimating that revolts occurred on one of every ten slave voyages (Sidbury, 214). Revolts continued in the form of maroon wars and uprisings: a history that extends considerably common understandings of “revolutionary wars” while it challenges the gendered traditions of military participation.

While most shipboard rebellions were reportedly led by men, women were participants and occasionally leaders in maroon wars and slave rebellions that besieged slave societies in the age of emancipation. Women appeared among the African and creole warriors who fought the Spanish in Limon, the Saramaka maroons who fought the Dutch in Suriname, and the Windward and Leeward maroons who fought the British in Jamaica (McKnight and Garofalo, 2009; Sidbury, 2011). In the latter two cases, after decades of intermittent battles with forces often composed of a mixture of white and creole planters, Native American soldiers, and slaves impressed into military service by their masters, the maroons forced their opponents to sign formal treaties that recognized their freedom and independence. Female insurgents such as Nanny in Jamaica, Solitude in revolutionary Guadeloupe, and Carlota in the rebellion in Matanzas Province in Cuba, remain today powerful symbols of resistance. This section of the essay seeks to integrate a gendered analysis of slave revolts with a broader argument concerning the significance of slave revolts to the process of emancipation in the late 18th and 19th centuries. While slave revolts rarely figure among standard military histories, the examples of Haitian Revolution and American Civil War suggest the difficulty of any definitive distinction between war and slave rebellion (McCurry, Hahn).

The relatively fluidity of women’s roles in the context of slave rebellions and maroon wars contrasts with strict gender prescription (though not always practice) in colonial wars waged by European states even before the rise of professionalizing armies. Conflicts such as the Seven Years War swept into battle the enslaved, free people of mixed descent, and native inhabitants, and provoked an ongoing search for military manpower. Free men of mixed race had long served in slave hunting forces and in militias at home and abroad, proudly wielding their military service as the foundation of claims to rights. Despite the antipathy felt by the planter classes to arming their own slaves, slaves were requisitioned by warring states, deployed as bodyguards by masters, and, eventually, commandeered into republican and royalist regiments from Argentina to the Caribbean. Wars inspired by European states’ quest for empire or elites desire for independence held the potential to become freedom fights for slaves turned soldiers (Geggus; Dubois; *Arming Slaves*; Miesel, in Landers and Robinson, 2007), as demonstrated by the emergence of the citizen-soldier in Spanish Florida, among British Loyalists in revolutionary North America, and 18th-century Saint-Domingue (Landers, *Atlantic Creoles*; Garrigus; Geggus; Brown and Morgan, eds.).

Revolutionary Wars, Independence Struggles, and Gendered Pathways to Emancipation

The institution of slavery provided the foundation of Atlantic empires riven by war in the late 18th and 19th centuries. Revolutions opened liberatory possibilities even as they foreclosed others, spawning new nations and creole identities, and redefining the nature of citizenship, warfare, and racial and gender hierarchy. Napoleon’s defeat inspired independence wars throughout Spanish

America, while a cascade of slave revolts in Brazil, and the Caribbean delivered a bloody riposte to the intensification of labor on sugar plantations. While generalizations about wars that bridge three continents, four empires, and the better part of a century are tenuous at best, throughout the Americas, gender inflected the representation, rhetoric, and practice of warfare, while war both intensified and transformed existing gender regimes, erased boundaries between home and warfront, and shaped the course of slave emancipation.

Revolutionary wars in North America and the Caribbean and the Spanish American Wars of Independence, like the later American Civil War, turned enslaved women into insurgents, spies, and fugitives; army cooks and nurses; provisioners of troops and objects of exchange. Thousands of women voluntarily left their masters to follow insurrectionary forces; others found themselves refugees against their will as homes became battlegrounds, and plantations, along with slave families' provisioning plots, were torched. One third of the runaways during the American Revolution, Gary Nash tells us, were women (Nash, 2006), a leap in female runaways that was equally dramatic in Saint Domingue. Yet for many thousands of women, war reinforced the gendered divide between military and plantation labor. From Saint-Domingue to Spanish America and the Confederacy women remained on plantations by the thousands in the context of brutal war, sustaining families and cultivating crops. (Dubois, Girard, 2009; Colwill; Andrews; Blanchard, 2008; McCurry, 2010; Fischer, 2002).

Throughout the Americas, war and revolution provided pathways to freedom through manumission, maronage, and military service. [extend this analysis] (Pybus, 200; Moitt, 2001; Bush, 1993). Yet war also inflicted upon the enslaved an experience of rupture and trauma distinct, in fundamental ways, from the wartime suffering of their masters. In the wake of the slave revolution in Saint-Domingue, for instance, colonists emigrated, selling some family members and taking others—frequently women-- across the seas in their flight. Freedwomen bore free children only to mourn their reenslavement when the warfront shifted, or when, as in Guadeloupe in 1802, imperial armies suppressed insurrectionary forces and restored the slave regime at the cost of some 10,000 lives (Dubois). Devastating mortality rates resulted in disproportionate numbers of women to adult men, and, in some regions, a decline in births among people of African descent (Blackburn, Andrews, Girard). The world of revolution was a shockingly insecure world for the enslaved, and for enslaved women, increasingly sidelined from insurgent armies as they changed from insurrectionary forces into the military hierarchy of professionalized armies.

While the causes of emancipation remain a subject of scholarly debate, much modern scholarship emphasizes the agency of the enslaved in claiming their own freedom. The specific confluence of pressures from global economic fluctuations, metropolitan legislation, missionary influence, abolition movements, the relative powers of local actors, and war and insurrection all helped to determine the character, pace, and timing of the emancipatory process in different regions. Although war alone was never a sufficient condition for emancipation, war had dramatic implications for the emancipatory process and the nature of citizenship both in newly independent states and in regions still in the colonial orbit. The next section of this essay will compare the pathways to freedom during three different wars and three distinct regions—revolutionary North America, revolutionary Saint-Domingue, and Latin America during the Wars of Independence—highlighting the gendered nature of the emancipatory processes.

1. War, Atlantic Crossings, and Emancipation from Below

The circuitous pathways of Atlantic creoles in North America against the backdrop of revolution, illustrate the agency of individuals of African descent who found in the collision of empires the opportunity to leverage their own freedom. The ability of the Colonel Whitten, his wife, and their two children to elude reenslavement multiple times, and to negotiate the shifting territorial boundaries of Spanish Florida in the 1790s is a case in point [Landers, expand]. Life under frontier conditions, without professionalized armies and rigid structures of governance, and free of the rigors

of the plantation regime, provided self-liberated women some tenuous maneuvering room. The story of men and women of African descent who abandoned their homes to cast their lot with the British, fled unwillingly to the postwar miseries of the harsh Nova Scotia coast, then founded a colony christened 'Freetown' in Sierra Leone as part of an abolitionist venture, provides another example of promises and betrayals involved in the pursuit of freedom for the enslaved (Schama, 2006; Pybus, 2006; incorporation Scott, Freedom Papers).

2) Emancipation through Revolution: the case of Saint-Domingue

The Caribbean theatre of war functioned as a microcosm of conflict rooted in the violence of the triangular trade, the rivalries of British, French, Dutch, and Spanish imperial regimes, and a diaspora of displaced peoples and revolutionary ideals. There, as in many other regions in Latin and North America, competing claims to liberty unfolded hand-in-hand with war. In Saint-Domingue—the exemplar of the revolutionary pathway to emancipation-- universal emancipation in the French Empire in February 1794 followed closely upon the heels of the massive slave revolution of August 1791. Yet even in Saint-Domingue, emancipation proceeded unevenly, in fits and starts and along gendered lines, propelled by the explosive and unpredictable course of war and slave revolution.

Although August 1791 marked a definitive rupture between slavery and freedom for many former slaves, for others, including black and mixed race leaders, slavery long remained on the bargaining table. The mission of French republican commissioners upon their arrival in 1792—their own principles notwithstanding—included, paradoxically, the suppression of the slave revolution as well as the enforcement of racial equality among free men.¹ The declaration of European war, however, fundamentally altered the nature of warfare in the Caribbean theater. By the summer of 1793, as European soldiers died by the thousands of yellow fever, and the British and Spanish competed to recruit black insurgents from French territory, the commissioners found themselves increasingly isolated from all except their allies among the *gens de couleur*. Faced with the defection or emigration of most white colonists, a desperate shortage of military manpower, and a direct challenge to their own authority by republican General Galbaud, they turned to the black majority (Popkin, 2010; Colwill, 2009).

On 21 June 1791, in a decision propelled by military necessity--as were similar decrees during the American Civil War--the French commissioners issued a proclamation that conferred freedom and citizenship on all black insurgents who agreed to fight for the French Republic. Significantly, this bid for the loyalty of the black insurgents had a broader reach: it promised to ameliorate the slave regime, and made special provisions for the improved treatment of women, including “more consideration and respect for pregnant and nursing women” (AN: Dxxv9/90, doc. 12. Proclamation, Polverel, Sonthonax, 21 June 1793). Some weeks later, on July 11, 1793, commissioner Sonthonax offered freedom to women in the North Province who married free men. Military service thus provided a pathway to emancipation for men, marriage for women. In August 1793, Sonthonax’s historic decree of general emancipation would transform the terrain of war and the nature of the French Republic, as all slaves in the North Province, male and female, became in a single stroke citizens of the French Republic. On 16 Pluviose Year II (4 February 1794), at the height of the Terror, the French Convention would extend universal emancipation throughout the French empire, but a gendered logic of citizenship and a gendered narrative of freedom would endure.

The case of Saint-Domingue also sheds new light on war, gender, and state formation. By the summer of 1794, general Toussaint Louverture had abandoned the Spanish and cast his lot with the French Republic. He rose steadily to power between 1795-1798, recruiting a massive army from the ranks of freedmen, who then expelled the Spanish and the British, brought to heel Louverture’s French republican allies and defeated his opponents in southern Saint-Domingue in the War of the Knives (Dubois, Aftershocks). In those years, Louverture engaged in a delicate balancing act:

attempting to revive the plantation export economy yet retain the loyalty of freedpeople; performing subjection to French colonial rule yet wielding power sufficient to prevent reenslavement. In sum, even prior to the independence that he did not live to see, TL was engaging in a practice of state-building—perhaps even nation-building--within empire— balancing complex problems of political allegiance. If nation-building requires a kind of cultural coalescence, rendered invisible even as it occurs, the elaboration of gendered cultural and labor practices plays a central role for it serves to naturalize the state itself. One might argue that the gendered political culture of the post-emancipation state in Saint Domingue served to bridge the competing claims of empire and nation. Indeed, Toussaint Louverture very survival depended on preserving that balance.

Revolutionary proclamations, letters, government decrees from this period document how Louverture negotiated between colonial loyalty and independence through the elaboration of gendered notions of citizenship. His promotion of marriage, Christianity, and militarism was not just a discursive strategy; it served as the foundation of citizenship, social order, and morality-- a path to economic vitality and political legitimacy (Colwill 2010) Louverture rented plantation land to high-ranking military, and imposed with force of arms a system of conscripted labor rooted in a gendered division of labor and a social and matrimonial program designed to ensure public order and economic progress (Fick, "Emancipation," 23-25; Colwill, 2010). For Louverture, the family thus conscripted in the service of the state was central to the art of statecraft.

Freedom itself, ever tenuous, had to be fought and won second time in Saint Domingue in a brutal war of shifting alliances (1802-1802) that pitted Napoleon's armies and naval fleet against troops, refugees, and civilians, divided by class, color, status, and origin, but united by their status as "free." In December 1801 "one of the largest fleets that France had ever assembled" prepared to sail under General Leclerc with the aim to suppress the threat of black independence, overturn black rule, and restore the plantation system (Girard, 2009). The war of conquest that followed, in its conflation of sex, power, violence, proved a war of extermination. Under these circumstances, the unprecedented Haitian victory and declaration of independence in January 1804 helps to explain the sacralization of the citizen-soldier in the forging of the new nation. As Mimi Sheller argued in "Sword-Bearing Citizens" (1997), and elaborated in *Citizenship from Below* (2012), the conflation of Haitian citizenship with martial masculinity had profound consequences post-independence for the gender division of labor, the distribution of land grants, and women's legal status and the militarization of society (Sheller, 1997; 2012; Colwill 2009a, 2009b).

Free Womb laws: Latin American Emancipations

Awash in a sea of slaver empires, Haiti preserved its independence and freedmen preserved the title of citizen. But in most newly independent states from U.S. to Latin American republics, neither independence nor republican revolution proved an immediate guarantor of liberty. Although the enslaved and some creole leaders during the Spanish American Wars of Independence were quick to see a contradiction between independence, republicanism, and slavery, those views were not widely shared in the governing classes. Anticolonial struggles, liberalism, and the rhetoric of natural rights were fully compatible with the elaboration of new racial justifications for slavery. While the slave trade was abolished through Central and South American—Brazil excepted— by 1830, full emancipation through most of South, though not Central, America would await the second half of the 19th century. Meanwhile, in Brazil, Cuba, and Puerto Rico, sugar exports and slavery expanded after the Haitian Revolution in a haunting reminder of the contradictions of liberty. Paradoxically, then, emancipation in some regions led to the expansion of slavery in others, while Haiti's anticolonial victory led some anxious elites to choose empire over independence.

Nonetheless, the wave of revolution that swept the Atlantic had profound effect on the course of emancipation on Spanish America. Napoleon's defeat signaled the possibility of "freedom" in all of its contradictory meanings, leading to Wars of Independence that endured for over a decade. Here as elsewhere, explains Catherine Davies, "warfare was the catalyst for

revolutionary ideas and practices” (11). In George Reid Andrews’ words, “the independence wars broke the back of colonial slavery...And as in Haiti, that blow was struck by the slaves themselves” (55). As he explains, the Spanish American Wars of Independence, like the American Revolution four decades earlier, strengthened slaves’ bargaining position, opened opportunities for escape, and eroded owners’ authority. Here, as in the North America and in Saint Domingue, military service provided a route to emancipation for thousands of male slaves who volunteered or were impressed into military forces, despite the reluctance of both rebels and royalists in both Venezuela and New Granada to risk the conversion of slaves into soldiers. For thousands of others, military participation came about through rebellions of Indian, mestizo, and enslaved, such as the Hidalgo Rebellion in Mexico of 1810 (Blanchard, 2008; Davies). Slaves thus represented a significant portion of the fighting forces during the Wars of Independence (Andrews, 57).

Those could not soldier their way to liberty sought different paths to freedom. Women abandoned their masters to follow troops, and used their military connections to advocate for their families, and took their cases to court. Soldiers, such as the black Argentine lieutenant Domingo Sosa, hoarded military wages in order to purchase freedom their wives’ freedom (Blanchard, 157, 152). Free womb laws, which granted freedom to the newborn children of slave mothers, forged a slow and gradual route to emancipation by granting freedom to newborns but not their mothers, while condemning the children to servitude until they reached the age of majority (defined variously as 18, 21, and even--in Peru-- 50 years of age). Free womb laws reflected the competing interests of liberal politicians who wished to avoid more radical steps toward emancipation, slaveholders (sometimes politicians themselves) who opposed the laws, and men and women of African descent, many of whom sought in the laws freedom and a future for their children. In Andrews’ analysis, free womb laws were “contested outcome of independence wars directed (in large part) by masters but won (in large part) by slaves.” Promulgated during the early wave of independence, “they were enacted either at the beginning of the wars, as in Chile (1811) and Argentina (1813), or at the very end, as in Colombia Ecuador, Peru, Venezuela (1821 and Uruguay (1825),” as a reward for military service (Andrews 64, 57). Free womb laws were also a central element of gradualist approaches to emancipations in the Danish West Indies (1847), Cuba (The Moret Law, 1870) and Brazil (the Rio Branca law, 1871). The Rio Branca law was passed in the wake of slave rebellions and a territorial war with Paraguay in which the government agreed to manumit slaves who would volunteer as soldiers (Kittleson, 105). In the Danish West Indies, a proposal in 1847 for gradual emancipation based on a free birth law met with full on rebellion (Paton). Robin Blackburn describes the Moret and the Rio Branco laws as designed to “stave off a great national crisis” (2011, 44).

In sum, in most regions, free womb laws were proposed or promulgated in the context of unrest, rebellion, or outright war. The reach of such laws across lines of nation, empire, and political views should give us pause. Just as the codification of colonial slavery rooted the status of a child in the status—slave or free--of the mother’s womb, so too was this new pathway to freedom rooted in the maternal body—paradoxically, the bodies of mothers who did not yet own their own persons.

Emancipation through “Amelioration” in the Caribbean

Slavery presented a dilemma not only for newly independent American states, but also for European colonial administrators who wished to retain the remnants of their American empires. In the Caribbean in particular, the shadow of the Haitian revolution influenced metropolitan policy, not least in Martinique where authorities promoted the heterosexual marriage within the “curative context of families” as the proper space in which to cultivate the right relation to work and property (Cottias, 2008, 188-89). British emancipation based on policies of amelioration read as a primer in familial rehabilitation; women were not to be flogged, but were to be schooled in Christianity, and their reproductive health protected. As Diana Paton has demonstrated in an excellent recent essay, policies of amelioration in British, Danish, Dutch, and French Caribbean had in common the desire “to shape the former slaves into a disciplined agricultural working class, committed to wage labor

and to organizing family life through monogamous domesticity and male authority” (Paton, in Palmié, 2011, 300; Sheller, 2012). Policies designed to protract colonial rule, also inspired rebellions by slaves eager to hasten the progress of freedom. Abolitionism in the Spanish Antilles, where emancipation, war, and nation-building were closely intertwined, makes a striking comparison; there too, the emancipatory process had important gendered dimensions [expand].

Conclusion

The relationship, then, between war, independence, and emancipation is complex. The Napoleonic Wars many have sounded the deathknell of empire in many regions of the Americas, but they did not signify the end of either empire or slavery in the Americas. In Brazil and the U.S., independence preceded emancipation by more than a half century. In the British Caribbean, where independence arrived late in the 20th century, emancipation occurred in stages, the abolition of the slave trade in 1808 followed by amelioration and apprenticeships. In Martinique and Guadeloupe, emancipation awaited a second French Revolution in 1848. In Cuba (1886) and Puerto Rico (1873), the Spanish-American War, coupled with the persistent threat of slave rebellion, provided the context for both independence and emancipation. In Cuba, the Executive Military Commission investigated 89 slave rebellions between 1825 and 1850 alone (Andrews, 75). Everywhere, war and the threat of insurrection underlay the concession of emancipation to the demands of the enslaved.

Gradualist approaches to emancipation during peacetime (e.g. British abolitionism) offer a striking contrast to revolutionary emancipations during war (e.g. French and Haitian Revolutions; the American Civil War). Yet those strategies, too, developed under the shadow of war and the ongoing threat of slave revolt (Blackburn, Davis). Despite striking differences in timing, regime, political philosophy and colonial status, both European metropolitan regimes and newly independent American states sought gradual approaches to emancipation through gendered policies of amelioration. In this sense, at least, “gradualist” and “revolutionary routes” to emancipation share some common ground. That the gradualist impulse was sometimes derailed by revolution and war (e.g. Haitian Revolution and the U.S. Civil War) does not negate the fact that gendered policies of amelioration were preferred by imperial states as well as aspirant elites, whether republican or royalist, mixed race or creole, across the Americas. Concern for the maternal bond, the marital couple, and reproduction was not simply an afterthought in legislation designed to preserve plantation profits, nor did such policies simply mirror European ideologies of gender. 19th-century Caribbean regions that remained within the colonial orbit as well as many newly independent states in the Americas adopted paternalist policies and a “liberalized” familial order as the foundation of modernizing labor regimes. Gendered and racialized bodies thus lay at heart and center of emancipation, just as they provided a foundation of hereditary slavery itself.

¹ They were charged with the enforcement of the French law of 4 April which granted full citizenship to all free men.