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BETWEEN SLAVERY AND FREE LABOUR:
EXPERIMENTS WITH FREE LABOUR AND PATTERNS OF
SLAVE EMANCIPATION IN BRAZIL AND CUBA c.1830-1888

by

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ABSTRACT

This thesis is divided in two main parts. The first part compares and contrasts early experiments with non-slave labour in Cuba and São Paulo. The second part considers projects for the gradual abolition of slavery and the transition to free labour. The objective is to examine how Cuban and Brazilian planters solved the problem of labour supply triggered by a rapid growth of plantation exports during the nineteenth century. At this time sugar and coffee plantations came to characterize economic development in the two areas. Continued expansion was threatened by international pressures to end the trans-Atlantic slave trade. Challenged by international demands to terminate the "African trade" Cuba and Brazil sought to solve the labour problem by means of immigration. From the mid-century until the end of slavery in the 1880s, planters would experiment with several labour systems, involving a variety of labour relations. Besides slaves, Europeans, Chinese, Mexican Indians, Canary Islanders, and free domestic workers (white and coloured) would be employed on the plantations. Substituting "free" labour for slave labour was not a simply matter of labour supply. For Cuba there was the question of the relationship with Spain and its consequences for the defense of slavery and the impact on immigration. For Brazil there was the question of forging a national identity. What would be the place of slaves, freedmen and immigrants in the new nation. In both regions these considerations had a racial dimension. Also planters were anxious to secure a cheap disciplined workforce. What labour system would best meet these requirements?

As this thesis demonstrates this was a time of experimentation. From the first, in Brazil alternative supplies of labour were regarded as a means of transition to free labour. In Cuba new supplies of workers were viewed as complementing slavery. But the first experiments with non-slave labour affected the processes of the abolition of slavery and the transition to free labour while the meaning of "free labour" and "transition" also changed over time.

To my parents:
Joaquim and Lourdes

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Abbreviations Used in the Notes

Material Relating to Cuba

AGI	Archivo General de Indias, Seville
AHN	Archivo Histórico Nacional, Madrid
	Ultramar Sección de Ultramar
ANC	Archivo Nacional de Cuba, Havana
	GSC Fondo Gobierno Superior Civil
	RCJF Fondo Real Consulado y Junta de Fomento
	ME Fondo Miscelánea de Expedientes
	CA Fondo Consejo de Administración
leg.	legajo (bundle)
exp.	expediente (file)

Material Relating to Brazil

AI	Arquivo Histórico do Itamarati, Rio de Janeiro
<u>APB</u>	Anais do Parlamento Brasileiro
APESP	Arquivo Público do Estado de São Paulo, São Paulo
BN	Biblioteca Nacional, Rio de Janeiro
	Manuscritos Seção Manuscritos
IHGB	Instituto Histórico e Geográfico Brasileiro, Rio de Janeiro

CHAPTER 1

INTRODUCTION

In the nineteenth century Cuba and São Paulo were transformed from relatively diversified agricultural economies into plantation economies. Sugar and coffee plantations came to characterize economic development in the two areas. Continued expansion based on this model was, however, threatened by international pressures to end the trans-Atlantic slave trade. With a relatively scarce population and vast stretches of vacant land, both regions depended on external supplies of labour and were now confronted by the problem of finding a way of replacing slave labour or at least supplementing it so as to sustain labour-intensive plantation production. As Cuba and Brazil became the last supporters of slavery in the New World, Cuban and Brazilian planters had to face two interrelated issues. How to find a new source of labour to replace slaves and how to end slavery and reorganize labour relations efficiently without disrupting production.

As soon as pressures to cut the supply of African slaves began, Cuba and Brazil sought to solve their labour problems through a series of strategies. From the mid-century until the end of slavery in the 1880s, planters would experiment with several labour systems, involving a variety of labour relations. Besides slaves, Europeans, Chinese, Mexican Indians, Canary Islanders and free white and coloured domestic workers would be employed in sugar and coffee plantations. Political-ideological questions, such as the maintenance of colonial ties (for Cuba), the constitution of the nation and racism affected choices and attitudes regarding the options available. Costs, discipline and efficiency were also related concerns.

At the beginning of the 1870s, Cuba and Brazil started a relatively successful process of gradual abolition of slavery, with

the approval of Free Birth laws in Spain in 1870 and in Brazil in 1871. Despite fears that the abolition of slavery would destroy the plantation system, in the event abolition did not seriously interrupt the near continuous growth in plantation production. Slavery was finally abolished in Cuba in 1886, and in Brazil in 1888. A few years later Cuban sugar production peaked at around one million tons of sugar a year. São Paulo, with a growing production was able to meet more than 60% of total world coffee demand. In both areas, production would finally be sustained by the arrival of European immigrants engaged in special labour relations and new patterns of land use.

The first part of this study compares and contrasts early experiments with non-slave labour in the Spanish colony, Cuba, and in the Brazilian province, São Paulo. The second part compares and contrasts plans and policies for the gradual abolition of slavery and the transition to free labour. The objective is to examine how Cuban and Brazilian planters solved labour problems posed by a rapid growth of plantation export production in response to increasing world demand during the nineteenth century. As the study will show, early experiments with non-slave labour greatly affected the processes of abolition of slavery and transition to free labour. The use of labour contracts, or workers under contract, reinforced by draconian regulations, provided plantations with a cheap labour force at a time when the price of slaves was rising, particularly after the 1850s with the ending of the trans-Atlantic slave trade. These experiments with non-slave labour influenced concepts of "free labour" which crystallized in the debate about the "social question". They influenced the formation of alternative patterns of labour relations which were devised both as a substitute for slavery and to complement it. They also had an impact on post-abolition society.

There is a vast literature about experiments with non-slave labour and about the abolition of slavery and the transition to free

labour in Brazil and Cuba. Approaches to the problem of explaining the abolition of slavery in these countries have emphasized the role of demographic, (international and national) economic and social changes. They have also stressed the political-ideological effects of legislative debates, the role of slave protests and the pressure of the antislavery movement.¹ This thesis will take the view that early experiments with non-slave labour influenced formal attempts that aimed to devise a framework for the gradual abolition of slavery. The evolution of free labour relations was inextricably linked to the issue of the future of slavery. Attempts of gradually transforming slaves into free labourers, without political and

¹ On the abolition of slavery in Brazil, E.V. da Costa (Da Senzala à Colonia 2nd ed., São Paulo: Livraria de Ciências Humanas, 1982) argues that the contradiction between capitalism development and slavery (as described by E. Williams in Capitalism and Slavery (London: Deutsch, 1964)) undermined the "peculiar institution". Viotti emphasizes the key role of a structural "crisis" provoked by the decreasing profitability of slavery with the development of capitalism in the process of determining the course of abolition. Viotti latter added a variety of other factors (capital accumulation, technology, transport improvements, creation of a internal market, growth of national population, antislavery movement and parliamentary initiative) which contributed to undermine slavery and to create the conditions within which transition could take place (see preface to 2nd. ed. op.cit.). R.E. Conrad, The Destruction of Brazilian Slavery (Berkeley: University of California Press, 1972) stresses demographic changes and parliamentary debates, and R.B. Toplin, The Abolition of Slavery in Brazil ((New York: Atheneum, 1972) emphasizes slave initiatives. Others such as P. Beiguelman, Formação Política do Brasil. Teoria e ação no pensamento abolicionista (São Paulo: Pioneira, 1967) underline immigration policies. On the abolition of slavery in Cuba, M. Moreno Fragnals, similar to Viotti, emphasize "structural crisis" and contradictions between slavery and the development of capitalism, in his El Ingenio. Complejo económico social cubano del azúcar 3 vols. (Havana: Editorial de Ciencias Sociales, 1978); see also Fragnals articles "Abolición ó desintegración" and "Plantaciones en el Caribe: el caso de Cuba, Puerto Rico y Santo Domingo" (1860-1940) in La historia como arma, y otros estudios sobre esclavos, ingenios y plantaciones (Barcelona: Crítica, 1983). A.F. Corwin, in Spain and the Abolition of Slavery in Cuba, 1817-1886 (Austin: University of Texas Press, 1967) places greater stress on the political and legislative process carried out in Spain. R.J. Scott, Slave Emancipation in Cuba. The Transition to Free Labor (Princeton: Princeton University Press, 1985) examines links among various kinds of pressures and on the interactions between masters, slaves, rebels and administrators to understand the dynamics of the process of emancipation and transition to free labour.

economic disruption, and the search for alternative labourers and systems of labour lay at the crux of the problem of organizing a transition to free labour in Brazil and Cuba.

In writing on Cuba or Brazil, some authors have made reference to the experience of one or more other countries in order to demonstrate the peculiarities or common characteristics of their case study. But to date there has been no systematic attempt to compare and contrast processes of transition in Brazil and Cuba. From the literature on early experiments with non-slave labour in individual countries, several common themes may be identified. Amongst these, controversial schemes applied in Cuba and São Paulo stand out, notably the condition of early sharecroppers who were contracted to work on Paulista coffee estates and the importation of coolie labour in Cuba at the middle of the nineteenth century. Were sharecroppers and coolies manifestations of free labour or did these systems represent a new form of slavery?

The growing diversity of the workforce on nineteenth century Brazilian and Cuban plantations — estate slaves, leased slaves, **emancipados**, Asian, Mexican or Europeans employed under various arrangements — and the effects of these distinct forms of labour on the gradual abolition of slavery and the transition to free labour has also been considered by various authors. Most agreed that this heterogeneous labour force which gradually emerged during the period of the decline of slavery eased the final abolition and helped the transition to free labour. The most frequent explanation is that the importation of thousands of immigrants lowered the cost of labour, allowing planters more flexibility in adjusting to new conditions. For instance, focusing on Cuba, Sidney Mintz pointed out that the importation of many thousands of Yucatecan and Chinese contract workers "eased the transition from slavery to freedom for the plantation owners by lowering the market price of free labor; thereby they took the burden of the transition upon their own

backs".² With respect to São Paulo, according to Stolcke and Hall, experiments with various labour arrangements in the coffee plantations — sharecropping, hired labour, and *colonato* — made possible a relatively non-violent transition to free labour. The arrival of great number of Italian immigrants from the 1880s lowered wages and helped to create a free labour market.³

In the literature on Cuba, the diversity of the workforce is often cited as evidence of the dissolution of the slave system. The main argument is that the adoption of more advanced technology in the 1870s, to meet international beet sugar competition, required a changed composition of the workforce. Slavery was incompatible with technology.⁴ At the centre of this debate stands the role and nature of the various experiments with non-slave labour, and specially the "coolie system". The literature that examines the importation of Chinese contract workers to Cuba has focused on the trade and the living and working conditions of coolies on the sugar plantations. The resemblance with plantation slavery is immediately suggested by the nature of trade and conditions stipulated in the contracts and labour legislation. The question is further complicated by the fact that in Cuba — as distinct from other areas at that time — coolies were traded and employed while the international slave trade to the island was still flourishing and slavery remained the

² S. Mintz, "Foreword" in R. Guerra y Sánchez Sugar and Society in the Caribbean. An Economic History of Cuban Agriculture. Transl. by Marjory M. Urquidi (New Haven: Yale University Press, 1964) p.XXV.

³ V. Stolcke and M.M. Hall "The Introduction of Free Labour on São Paulo Coffee Plantations" *Journal of Peasant Studies* 10:2 (1983) p.170, p.182.

⁴ See M. Moreno Fragnals, *El Ingenio*, *op.cit.*, I, pp.220-221; see also his articles "Plantaciones en el Caribe: el caso Cuba-Puerto Rico-Santo Domingo (1860-1940)" in *La historia como arma*, *op.cit.*, pp.55-117 esp. p.75, and "Migraciones Asiáticas a Cuba, 1849-1859" also in *La Historia como arma*, pp.118-144, esp. p.136. The "essential conflict" between slavery and technological advancement" (amongst other political and social influences) in the process of "internal desintegration" of the institution of slavery is also expressed in J. Le Riverend, *Historia Económica de Cuba* (Havana: Editorial de Ciencias Sociales, 1985) p.333.

dominant form of plantation labour. The Cuban historian Juan Pérez de la Riva, who has written extensively on aspects of the coolie trade and coolie life, refers to the system as "esclavitud china". Examining the legal status of coolies in Cuba, he detects a "espíritu esclavista" in the formulation of the legislation, contrasted to official declarations that colonos were free.⁵ He also points out that Cuban planters, Spanish traders and their allies wanted to convert the coolie into a "permanent slave".⁶ José Jiménez Pastrana, another Cuban historian who has also examined the issue points out that the terms of the contract and practices on the plantations reduced the Chinese to the category of slaves.⁷

The debate over the status of the "coolie system" underlines the broader discussion about the ending of slavery and "transition to free labour". Was it a new system of slavery, semi-slavery, or a real capitalistic form of wage labour. How compatible was it with the process of transition to free labour, or proletarianization. The foremost historian of Cuban sugar production, Moreno Fraginals,

⁵ J. Pérez de la Riva, "La situación legal del culí en Cuba" in *El Barracón. Esclavitud y Capitalismo en Cuba* (Barcelona: Editorial Crítica, 1978): pp.111-140 esp. p.125; this idea also permeates his articles, "Demografía de los culies chinos en Cuba (1853-1874)" in *El Barracón, op.cit.*, (pp.55-87) and "Aspectos Económicos del tráfico de culies chinos a Cuba (1853-1874)" in *El Barracón, op.cit.*, pp.89-110. Note the term colono (colonist) in Spanish to describe the Chinese and other contract labourers in Cuba. Sharecroppers in São Paulo were also called "colonos". Warren Dean observes that Vergueiro, who first introduced sharecroppers onto coffee plantations in Brazil, called the workers colonos "blurring the distinction between indentured and freeholding settlers", W. Dean, *Rio Claro. A Brazilian Plantation System, 1820-1920* (Stanford: Stanford University Press, 1976) p.90. Note also that the term colono in Cuba would be used to refer to a sugar cane grower as well (under the colonato system). And in Brazil the term also described the worker engaged in the system of colonato, a complex combination of daily, annual, and piece-work wage remuneration, combined with non-monetary benefits, arrangement that prevailed in São Paulo until 1950s.

⁶ J. Pérez de la Riva, "La situación legal" in *El Barracón, op.cit.*, p.126.

⁷ J. Jiménez Pastrana, *Los chinos en las luchas por la liberación cubana (1847-1930)* (Havana: Instituto de Historia, 1963) p.30.

observed that Chinese made possible the first steps in sugar industrialization.⁸ The Chinese were miserably paid wage-workers, cheaper than slaves, who made the mechanized mill a viable proposition. Friginals considers that the Chinese constituted a shift from slave to wage labour. They provided the skilled, free labour force essential to mechanization and industrialization.⁹ The argument rests on the belief that technological progress requires a highly skilled and legally free work force.

Rebecca^c Scott in her study of the gradual abolition and the transition to free labour in Cuba criticised Friginal's assertion that technological advance necessarily required a free and skilled labour force and therefore that "it is misleading to place great weight on their [Chinese] formal status as wage labourers in an explanation of how they could help plantations mechanize".¹⁰ Scott suggests that in Cuba, far from being incompatible with capitalist industrialization, slavery was sustained by modern plantation agriculture. Chinese workers performed unskilled, agricultural tasks just like slaves and advanced mills used both slave and coolie labour interchangeably. She points out that "in theory planters could have treated the Chinese as free wage workers operating under long-contracts. Instead most treated them as virtual slaves".¹¹ In her view Chinese contract labour "was an odd form of 'wage labour' in which the worker had almost the same effective legal status as a slave, and in which twice as much was spent on the purchase of his contract and on foregone interest on that investment as was paid in wages. Of course, maintenance and foregone interest were part of the real wage cost. The point here is that, like slavery, the employment of Chinese indentured laborers involved fixed investment and fixed

⁸ M. Moreno Friginals, *El Ingenio*, op.cit., I, p.221.

⁹ M. Moreno Friginals, *El Ingenio*, op.cit., I, pp.308-309. Friginals also observed that in the advanced mills Chinese were treated as wage workers and that those working for small Jamaica-train mills did so under the same conditions of slaves.

¹⁰ R.J. Scott, op.cit., p.35.

¹¹ R. Scott, op.cit., p.32.

maintenance costs".¹² The economic motivations of planter and Chinese contract labourer were not substantially different from those of master and slave. But Scott does not regard the Chinese as equivalent to slaves. Despite the way Chinese were treated, they stood in an intermediate position in the labour hierarchy, a third category between free and slave.¹³ Chinese were also on occasion perceived as especially suited to work with machinery. And "once this perception existed _ either owing to racism or to belief that they really were "free workers" _ then masters might take steps to change the circumstances of the Chinese in ways that made them likely to behave differently".¹⁴

In addition, Scott remarks that careful consideration must be given to the argument that the diversity of forms of labour was indicative of a desintegration of Cuban slavery. She observes that slaves in receipt of bonus or being granted provision grounds was a feature far from being exclusive of this period. She calls attention to the fact that this mixture of labour forms was brought together without the abandonment of slavery. According to Scott, "that the men who ran these mixed plantations in many cases continued to be opposed to emancipation is further evidence of the difference between perceiving 'contradictions' within slavery and identifying the forces actually driving abolition forward".¹⁵ Scott suggests further that free labour and indentured labour were economically complementary to slavery: "indentured Chinese workers often dealt with the centrifuges while slaves handled other tasks; white woodcutters on contract would relieve the plantation of direct responsibility for providing fuel; the employment of free workers during the harvest diminished the problem of year-round maintenance of all workers".¹⁶ Flexibility in the process of adaptation and an

¹² R. Scott, op.cit., pp.30-31.

¹³ R. Scott, op.cit., pp.31-32 and pp.109-110.

¹⁴ R. Scott, op.cit., p.32.

¹⁵ R. Scott, op.cit., p.108.

¹⁶ R. Scott, op.cit., p.109.

acceptance of the gradual way of abolition, had unforeseen effects on the social structure necessary to sustain forced labour. And in the end continued improvisations finally undermined slavery.¹⁷

Laird Bergad, focusing on the principal Cuban sugar district of Matanzas, suggests that planter attempts to change the labour basis of sugar production was a reaction to external threats to the end of the trans-Atlantic slave trade "rather than to any lack of economic viability of slave labor or to any real possibility of fomenting a broadly based labor market in Cuba".¹⁸ Bergad points out that "it is impossible to argue that Chinese labor represented the beginning of a transition to free labor and that dependence on forced labor decreased".¹⁹ Chinese labour may have heralded a shift away from a total reliance on slave labour but that does not imply that it was a step towards free wage labour. The composition of coerced labour altered but the importation of Chinese did little to foster the growth of wage labour or to decrease the dependence of Matanzas planters on external labour supplies. The utilization of Chinese represented a continuation of forced labour in another form. Thus Bergad concludes that Chinese contract labour represented little more than the maintenance of old forms of labour-force organization.²⁰

This study will contribute to the debate about Chinese coolie labour and the solution of the labour problem in Cuba in many ways. Most importantly, it identifies two distinct historical moments

¹⁷ R. Scott, *op.cit.*, p.109; Scott discusses the arguments of the "internal contradiction" of slavery, incompatibility between slavery and technology and the effects of the diversity of the work for abolition of slavery in her article "Explaining Abolition: Contradiction, Adaptation, and Challenge in Cuban Slave Society, 1860-1886" Comparative Studies in Society and History 26:1 (January 1984) pp.83-111.

¹⁸ L.W. Bergad, *Cuban Rural Society in the Nineteenth Century. The Social and Economic History of Monoculture in Matanzas* (Princeton: Princeton University Press, 1990) p.254.

¹⁹ L.W. Bergad, *op.cit.*, p.253.

²⁰ L.W. Bergad, *op.cit.*, p.254.

within which these issues should be considered. Thus, at mid-century the searching for alternative labour schemes was a response to the external threats to the end of the trans-Atlantic slave trade and to the acute labour demand. The analysis of the experimentation with several labour arrangements, of the conditions of the coolie trade and contract labour conditions demonstrated that Chinese coolies came to be viewed as the best of several possible alternatives to diminishing slave imports. The scheme guaranteed a cheap, disciplined workforce and was unlikely to disrupt the existing system of slavery. In addition, importing Chinese workers became a profitable enterprise. Although the arrangement was not designed to substitute slavery nor to effect a "transition to free labour", the Chinese were then perceived as a an "element of transition" _ a free man under coercion during the fixed-term contract. When the debate about gradual abolition started in the 1860s contract labour came to be perceived differently. Chinese and other contract labourers were then envisaged as the only means compatible with a so-called "period of transition", namely an orderly, safe process of gradual abolition of slavery. Contract labour would provide a new form of labour organization able also to accommodate former slaves. The contrast with Brazil will give a new dimension of the role of these other forms of coerced labour within the process of framing a "gradual abolition and transition to free labour", and thus qualifying and sometimes extending issues raised by the literature about Cuba.

As in Cuba, the debate about the role and nature of early arrangements with non-slave labour in Brazil is concerned about its relationship with the end of slavery and the transition to free labour. However, major studies on experiments with free workers on São Paulo coffee plantations have focused in the main on the character and dynamics of the various arrangements with immigrants workers in an attempt to explain the labour regime prevailing in twentieth century Brazilian agriculture. The preoccupation is not so much with the early sharecropping scheme but with its later manifestation, the colonato, which survived on São Paulo coffee estates until 1950s and with other traditional labour arrangements

with poor or landless Brazilians. Given the peculiarities of these labour schemes authors have argued about the feudal, non-capitalist and/or capitalist nature of Brazilian agriculture.²¹ The point of reference is wage labour as the typical capitalist form of surplus extraction. Some interpretations (mainly those of the capitalist thesis) try to highlight the broader economic structure into which Brazilian agriculture is inserted and have attempted to identify those schemes with wage labour. Their thesis is based on the argument that those labour schemes were more productive than wage labour. Others of the same school attempted to show the functional (and contradictory) interaction between an agriculture based on pre-modern labour relations and industry. The system favoured capital accumulation and a transfer of funds to manufacturing.²² This debate had greatly affected the views about the transition to free labour in Brazil which has become identified as a "transition to capitalism". The assumption being that the desired or necessary end result would be a switch to free wage labour. This is ahistorical and ignores the complexity of contemporary discussions in Brazil during the 1860s and 1870s.

Yet other authors, dealing narrowly with early experiments with European sharecroppers in São Paulo, have identified in the system features of indenture labour or "disguised slavery", a mixture of pre-capitalist feudal labour and capitalist wage labour. Sharecropping was first introduced in the province by the planter Nicolau Vergueiro at the end of the 1840s. The initial debt incurred by the immigrant _ to cover transport costs and subsistence

²¹ On the feudal, and non-capitalist, position see the traditional influence of A.P. Guimarães, *Quatro Séculos de Latifúndio* (São Paulo: Fulgor, 1964); C. Prado Júnior, *A Revolução Brasileira* (São Paulo: Brasiliense, 1966); see also J. Gorender, *O escravismo colonial* 5th ed (São Paulo: Atica, 1988), and same author *A escravidão reabilitada* (São Paulo: Atica, 1990).

²² See, for instance, F. de Oliveira, *Economia brasileira: crítica à razão dualista* (São Paulo: Cebrap, 1972); S. Silva. "Agricultura e capitalismo no Brasil". *Contexto* 1 (1976) pp.23-32. J.S. Martins considered these arrangements as a "capitalist production of non-capitalist relations", in *O cativo da terra* (São Paulo: Ciências Humanas, 1979).

advances _ led the contemporaneous and current literature to identify similarities between the scheme introduced by Vergueiro and debt peonage and indentured labour.²³ As in Cuba, there are those who view early experiments with sharecropping as representing a "slavery mentality" or a "mentalidade escravista".

Despite some superficial similarities between the early sharecropping schemes in São Paulo and the condition of coolie labour on Cuban sugar plantations, as this thesis will reveal, the processes were quite distinct. In the final analysis, and notwithstanding the efforts of some planters to promote contract labour recruitment, indentured labourers were not introduced to Brazil on a large-scale. Vergueiro's original experiments with sharecroppers did not result in a flow of immigrants under contract similar to those applied to the Chinese in Cuba. Rarely does the literature about early sharecropping on São Paulo coffee plantations, deal with the "trade" in European workers and planter

²³ The idea is expressed in S.B. de Holanda, "Prefácio do Tradutor" in Thomas Davatz, *Memórias de um colono no Brasil* 2nd. ed. (São Paulo: Martins, 1951) p.18; E.V. da Costa "Sharecroppers and Plantation Owners: An Experiment with Free Labor" in her The Brazilian Empire, Myths and Histories. (Chicago: The University of Chicago Press, 1985) pp.94-124; W. Dean, op.cit., chapter 4; V. Stolcke and M.M. Hall, argued against the idea that the initial debt, burden imposed on colonos to cover the cost of their passage to Brazil, was indicative of debt peonage. They observe that if "we define debt peonage in its strict sense as being the intentional burdening of labourers with a debt to tie them to a property, this interpretation is inappropriate for the case of São Paulo". The primary aim planters pursued in charging immigrants with transport costs and food advances was to recover their initial investment. Stability of labour on the plantations was a welcome by-product, "The Introduction of Free Labour on São Paulo Coffee Plantations" Journal of Peasant Studies 10:2 (1983) pp.170-200 esp. p.193, fn.40. But this assertion is controversial. Aspects of the sharecropping scheme that could reinforce its similarities with indentured labour have not yet been researched. This involves issues such as the role and expectations of the companies involved in the trade in colonos. These immigration companies dealt in labour contracts which were bought and sold in a manner not dissimilar to the trade of the Chinese coolie in Cuba. And what of planters? How did they regard labour contracts? Did they differentiate between slave, and debt-burdened colono and free worker? This thesis will provide some evidence to answer these issues which have been surprisingly ignored in the existing literature.

attempts to deal in sharecropper contracts. Most authors have centred their attention on the "failure" of the sharecropping system, thereby ignoring the implications of planter attempt to establish a trade in sharecroppers. Usually the literature makes only passing reference to the trade which is superficially described as signalling that planters viewed colonos as slaves and that this was responsible for the "failure" of early experiments with contract colono labour. It has been variously suggested that planters either attempted to make free labour as profitable as slave labour or that due to their long tradition as slaveholders, resorted to forms of coercion which were unacceptable to the European immigrants. Planters, it has been argued, showed themselves incapable of accepting a contractual relationship and immigrant workers rebelled or deserted.²⁴ Verena Stolcke and Michael Hall criticized this approach and emphasise that the conditions in which this system of free labour was introduced explain its failure.²⁵ According to them, the failure of the scheme cannot be attributed to its lower productivity. Only the most forward-looking planters experimented with sharecropping. Planters knew that they had to find an alternative form of free labour or abandon coffee cultivation. Modernizing planters viewed labour as a cost of production and saw sharecropping as a more flexible, cheaper form of labour recruitment than slavery. They were also aware that slavery was not a permanent institution that could be relied on to provide an adequate supply of labour indefinitely. In switching to sharecropping these planters were not seeking to replicate slave labour conditions. On the contrary, sharecropping was more economical and yielded higher returns to the planter than slavery or a straight wage labour scheme. The failure of early sharecropping was due fundamentally to

²⁴ The early difficulties with immigrant workers attributed to the unprofitability of the schemes in comparison to slaves is discussed in E.V. da Costa, "Sharecroppers and Plantation Owners, An Experiment with Free Labor", op.cit.; W. Dean, op.cit., chapter 4; S. Buarque de Holanda, op.cit.; J.S. Witter, Ibicaba, uma experiencia pioneira 2nd ed. (São Paulo: Arquivo do Estado, 1982). These authors lists several factors that contributed to the abandonment of sharecropping system; differences in arguments are appointed in chapter 4 of this thesis.

²⁵ V. Stolcke and M. M. Hall, op.cit.

the absence of one essential prerequisite, a surplus population of free labour that would have kept wages low and workers subject to exploitation. "Under these circumstances, neither the economic incentives contained in the sharecropping contract, nor the resorts to frauds and occasional coercion succeeded in assuring a profitable and reliable labour force (...) The permanent problem of labour productivity and discipline was only resolved in the 1880s when the state began to subsidise mass immigration and thus lay the foundations for an effective capitalist labour market".²⁶ For Stolcke and Hall, the absence of a surplus population of free labour rather than traditional social attitudes led planters to resort to coercive measures, though they accept that it was the use of coercion that explains the "failure" of the sharecropping.

As this thesis will emphasise the supply of European sharecroppers was only disrupted after the failure of these experiments. But the idea that plantation labour was only possible under coercion survived. This is confirmed by the methods employed by planters to recruit domestic free labour in place of European colonos. Planters attempted to secure various sources of non-slave labour, under a regime in which discipline and productivity could be assured through tight contracts and coercive legislations. In this sense, from the perspective of planters, what seems to have failed was the project for European immigration and not the contract system *per se*. Planters would continue their search for contract labour, changing contract conditions to reflect new circumstances, devising draconian legislation and turning to a more suitable labour force — Brazilians, former slaves and Chinese — who could be made to accept to these conditions. Thus it was the consequences of the failure of projects to attract European colonos under contract, not those projects themselves, which permit comparison to be made between Cuba and Brazil.

How these experiments helped to facilitate a gradual abolition of slavery and transition to free labour can be better understood if a

²⁶ V.Stolcke and M. M. Hall, *op.cit.*, pp.188-189.

direct connection is made between the process of gradual abolition and perceptions of free labour implicit in the first experiments with these early labour arrangements. In the past century the use of contract labour _ in Brazil and in Cuba _ was described as a "means of transition" and was explicitly linked to the idea of a gradual ending of slavery and thereby facilitating a switch to free labour.²⁷ As was mentioned above, attempts in Brazil did not result in a flow of migrants under contract such as the Chinese to Cuba. However, the idea of controlling labour through contracts pervaded most of the policies devised to solve the labour question. In addition to explicit attempts to import contract labour from Africa and Asia, the main target would be domestic labour, free Brazilians and former slaves. As will be shown contract labour was closely connected to a policy of gradual abolition of slavery and a controlled transition to free labour. This provides another interesting point to compare and contrast the Cuban and Brazilian cases.

Contemporaries applied the term "transition" to refer to a labourer, or a system of labour _ distinct from slave and slave labour _ to be employed during the period of a gradual abolition of slavery. The term covered the process of transforming slaves into freedmen, the new position of these freedmen in the labour hierarchy and the employment of either domestic or immigrant contract labourers. It also embraced modes of reorganizing labour that were devised either to support slavery while delaying final abolition, or to constitute forms of labour after abolition.

The idea of transition is ambiguous and has several connotations. Only by identifying the first and second phases of the process is

²⁷ Stanley L. Engerman observes that the basic function of contract labour was to provide labour for plantation work. A side effect was to keep down the wages of workers already there. Nineteenth century movement of contract labour include migrants from low-income countries, almost exclusively non-whites, exchanging transport costs for labour services, destined for specific type of work on plantations in tropical areas, "Contract Labor, Sugar, and Technology in the Nineteenth Century" *Journal of Economic History* 43:3 (Sep. 1983) pp.635-659.

possible to refer to a "transition period"; and it is important to know what the second phase _ the end of slavery _ implied. In the language of the time or in modern usage the terms usually employed in the debate about transition are "slavery" and "free labour". Nowadays, the phrase "free labour" has often been displaced by "wage labour", the principal characteristic of capitalist extraction. And the term "transition" is viewed as representing the period in which the bases for a free labour market were set up. But in the nineteenth century it might be that "transition" was employed in a different sense, a time in between two systems or possibly as a near permanent condition, given that the gradual abolition of slavery was expected to take a very long time in Brazil and Cuba.

Scott suggested that "abolition" and "transition to free labour" in Cuba were distinct processes. The abolition process was legal and institutional. Planters accepted free labour in Cuba but did not accepted abolition. Scott also suggested that the concept of gradual abolition had special connotations. It was seen not as an alternative to the indefinite preservation of the institution but rather as a means of avoiding sudden emancipation. "Adherence to gradual abolition thus reflected both a strategic acceptance of an eventual transition to free labour and a tactic to delay that transition".²⁸

The literature for Brazil and Cuba identifies the period of "transition" as the decades of the 1870s and 1880s, when the legal and institutional process of gradual abolition took shape and alternative labour arrangements were forcefully created. This study, however, focuses on new forms of organizing free labour that were attempted largely before this period. Although considered by contemporaries as "means" or "elements" of "transition", the existing literature has found it difficult to incorporate these systems of labour and associated debates within the general discussion about the creation of a "free labour market", a process which in Brazil and Cuba is usually identified with the

²⁸ R. Scott, *Slave Emancipation in Cuba*, op.cit., p.40.

transformation of the system of plantation production by means of technology advances and of the colonato and immigration. The point this study intends to emphasise is that these early experiments — with coolies in Cuba and European sharecroppers in mid-nineteenth century Brazil and with various other forms of contract labour — influenced the process of gradual abolition and set the parameters for the "transition to free labour" as perceived by contemporaries. And, as the thesis will demonstrate, the period between one phase of transition and another included distinct attempts to implement that transition. It will also be clear that a "free labour market" might not have been the final end envisaged by nineteenth century planters.

Finally, this thesis touches upon another controversial issue that is worth remarking: the role and function of laws in the organization and transformation of slave societies. During the nineteenth century Cuba and Brazil experimented an enormous absolute growth in laws regarding labour and working conditions.²⁹ Current research has identified this phenomenon as a result of the development and strengthening of the capitalist plantation production. Slave working conditions were shifted towards a more rigid and coercive system.³⁰ This thesis will focus on laws and

²⁹ In nineteenth century Brazil, the great majority of the laws regarding slaves were issued after 1850, see D.R. Fenelon, "Levantamento e sistematização da legislação relativa aos escravos no Brasil". Anais do VI Simpósio Nacional dos Professores de História: Trabalho Livre e Trabalho Escravo. 3 vols (São Paulo: Revista de História, 1973) II, pp.199-307. In Cuba, new detailed slave regulations were issued in 1842, see the "Reglamento de Esclavos" in Bando de Gobernación y Policía de la Isla de Cuba expedido por el Escmo. Sr. Dr. Gerónimo Valdés. (Havana: Imprenta del Gobierno, 1842), and there were several amendments during the next decades.

³⁰ According to F. Knight "Slavery, Race and Social Structure during the nineteenth century" in R.B. Toplin (ed.) Slavery and Race Relations in Latin America (Westport: Greenwood Press, 1974), p.208 the sugar revolution in the nineteenth century Cuba created new forces and strains on the conventional structure and institutions of the society. The system became more rigid and more coercive. Also, according to R.K. Aufhauser "Slavery and Technological Change" The Journal of Economic History 34 (March 1974) pp.36-50 esp.47-48, "The coming of the sweet plant shifted the real wage, the length of the

regulations regarding "free labour"; slave regulations also will be examined but only to the extent that they point to a changed status, to emancipation and "freedom". The assumption is that law is an important historical factor, an active force (re-) shaping roles and relationships.³¹ Defining a framework for the transition from slavery to "freedom" was a difficult task. It required more than changing the legal status of slaves. It involved re-shaping attitudes to work and mechanisms of social control embracing all workers.³² Repeated attempts to legislate over labour reveals the intent to achieve greater control of labour and hence of the whole process of reorganizing labour relations.

According to Genovese, comparative history is a treacherous field. Scholars have to learn to recognize its pitfalls and understand its

working day and the distribution of income to the detriment of all workers, free or slave". Frederick Cooper suggested similar patterns to other areas and crops as South Carolina, South Brazil and Zanzibar, producing rice, coffee and clove respectively. Regarding Zanzibar the author observes that development of regulated, close supervised labour reveals the extent to which the organization of society was responding to the dictates of the market. Plantation Slavery on the East Coast of Africa (New Haven: Yale University Press, 1977) and same author, From Slaves to Squatters. Plantation Labor and Agriculture in Zanzibar and Coastal Kenya, 1890-1925 (New Haven: Yale University Press, 1980).

³¹ E.P. Thompson, Whigs and Hunters. The Origin of the Black Act (London: Penguin, 1977) chap.10, regards law as not merely an expression of class interest, but it mediates class relations and for its effectiveness as "ideology" it shall display and "independence". Examining the role of laws on U.S. southern slave societies, E.D. Genovese, Roll, Jordan, Roll. The World the Slaves Made. (New York: Vintage Books, 1976) also suggested that "the law must be viewed as an active, partially autonomous force, which mediated among the several classes and compelled the rulers to bend to the demands of the ruled"(p.26).

³² F.Cooper points out that the experience of Great Britain in Zanzibar and Coastal Kenya makes clear that free labour implied the submission of workers to a uniform code of laws, to the rigors of the market, and to internalized discipline, in contrast to the personal control and coercion of the slave master. He also observes that the elimination of slave labour would require more than changing slave's legal status and paying them wages. It required the reshaping of attitudes to work and mechanisms of social control. From Slaves to Squatters, op.cit., pp.2-4.

limits.³³ By contrasting and comparing experiments with non-slave labour, and the institutional and legal processes of abolition and transition in Brazil and Cuba, this thesis does not intend to argue that the pattern and process was the same for both areas. On the contrary, the purpose is to allow comparison and contrast to shed light on aspects and questions which might not be evident within the framework of a single national study.

On embarking on this research, it initially appeared that the similarities between Cuba and São Paulo were obvious. Both were transformed in the nineteenth century from relatively diversified to plantation economies. The rapid growth of plantation production was threatened in both areas by external pressures against the slave trade. From the beginning both sought to solve a growing labour demand by importing immigrants. As a way of securing immigrant workers for the plantations both resorted to contract labour regulation and draconian legislation. Several experiments took place in order to accommodate planters expectations of costs, discipline and profitability of new alternative forms of labour.

Cuba and Brazil were also the last areas to abolish slavery in the New World and São Paulo was one of the Brazilian provinces where slavery persisted until the eve of abolition. In addition, Cuba and Brazil embarked on a successful process of gradual abolition at the same time. In both cases the antislavery movement was weak and late to develop. When abolition finally came, there had already been major changes in the organization of production and labour relations.

There were other important similarities in terms of patterns of population. São Paulo and Cuba had a growing and large free population, further increased through immigration. For most of the

³³ E.D. Genevose, "The comparative Focus in Latin American History", In *Red and Black: Marxian Explorations in Southern and Afro-American History* (London: Penguin, 1971) pp.375-391.

period, the free population outnumbered slaves. In both areas major conflicts _ such as the Ten Years War (1868-1878), the abortive struggle for independence in Cuba and, in Brazil, the Paraguay War (1864-1870) _ provoked social changes that helped accelerate the process of abolition of slavery.

At the beginning it was also obvious that there were differences. Cuba was a colony and São Paulo a province of an independent country. This could make for major differences. The crops, sugar and coffee, were different and required distinct forms of labour control and discipline. Sugar, like coffee, was labour intensive and needed abundant and reliable labour. However, while coffee needed labour throughout the whole season, labour inputs for sugar ~~was~~^{were} much more critical at some points of the productive cycle than others. Also major technological changes, for instance in transport, occurred earlier for sugar and change in sugar processing _ industrialized milling _ had no equivalent in coffee. It was also clear that although implementing similar immigration policies, Chinese contract workers had been one of the main suppliers of labour for Cuban sugar plantations but not for São Paulo coffee plantations where families of European sharecroppers or tenants predominated.

However, as the research developed, so the distance between Cuba and Brazil narrowed and the points of contrast became even more pronounced. It became clear that Cuban planters were aware of what was happening in Brazil and vice versa. Planters kept themselves informed about circumstances in the other region for most of the period. They paid particular and precise attention to their shared problems: first, how to resolve labour scarcity in the face of attacks on the trans-Atlantic slave trade; later, how to abolish slavery, delaying for as long as possible the final end in order to avoid anticipated disruption of production. Each area was aware of strategies applied by the other, weighing for its requirements, the costs of immigration, the efficiency and productivity of new labour regimes and future of slavery itself.

But in the final analysis, similarities were out-weighed by differences. The contrasts were much more striking. Some of the differences turned out to be decisive. For instance, the colonial status of Cuba. At the beginning it had appeared that the governor of Cuba had extraordinary faculties to deal with all the problems of the island and that Cuba could have experienced a kind of relationship with Spain _ respecting the issue of labour supply _ that resembled that of the province of São Paulo with the Imperial government of Brazil. But Cuban ties with Spain were much more complex. The status of Cuba and more especially the condition of Spain affected decisively labour and immigration policies as well as the processes of abolition and transition to free labour. Spanish foreign policy considerations and an anxiety to retain economic control of Cuba limited planter scope for manoeuvre. In Brazil, the solution to the labour problem, notably that of the abolition of slavery, was not exclusive to São Paulo and the distinct interests of the various provinces were clear crystallized in disputes that occurred within the centralized system of Imperial government. That São Paulo at the end managed to turn the government to its side and successfully resolved bitter disputes with other provinces in its favour, was due to the growth of coffee profits and their importance for the national exchequer. Further, concerns of the young nation about its future population and wealth gave the debate about slavery, labour and immigration a distinct character in Brazil. The development of the labour question was also sharply conditioned by differences in coffee and sugar production and by the distinct timing of plantation expansion as well as by the pace of technological change in sugar. These points of difference and their importance will become clearer in the thesis.

The thesis is divided in two main parts. Part I compares and contrasts policies to promote immigration to Cuba and São Paulo. The settlement of white immigrants _ designed first to populate the regions and to counteract the growing slave population _ constitutes the starting point of the discussion on both areas. But

the rapid growth of plantation production, requiring an increasing number of workers and changing patterns of landholding, thereafter defined a different course of action in Cuba and São Paulo. The first sections of chapters 3 and 4 explain those differences. Subsequent sections in these chapters examine the quest for new supplies of labour and associated problems of labour recruitment and control.

Part II compares and contrasts plans and policies for gradual abolition of slavery and for the transition to free labour. Chapter 5 examines early plans on the issue and explores changing concepts of slave emancipation and of free labour. Chapter 6 compares and contrasts the emancipation policies embodied in the gradualist legislation implemented from the 1870s in both areas.

The material used in the thesis is derived from a variety of manuscript and printed sources. The rich documentation produced by the Spanish colonial office and the administration in Havana provided a great deal of the material used in Chapter 3. The extensive material of the *sección de Ultramar, Fomento de Cuba*, in the *Archivo Histórico Nacional* (Madrid) — official correspondence, reports and minutes — was a valuable source. Some of this material, which showed views and concerns of the Spanish government over policies on immigration, slavery and emancipation has not been consulted before. Other documents have been analyzed in a new light. The problems emanating from the colony reached the colonial office through reports and statements produced by the Cuban authorities, various semi-official bodies and private associations. This material provided a rich debate about policy and appropriate courses of action. The collections of the *fondos Real Consulado y Junta de Fomento, Reales Ordenes and Miscelánea de Expedientes* in the *Archivo Nacional de Cuba* (Havana) proved most useful for the study of schemes to promote immigration in the period between ^{the} 1840s and 1860s. Planter reports, labour contracts, legislation and legal cases files provided insights into working conditions on the plantations and conflicts between planters and workers.

For Brazil, legislative debates and official reports were very useful in tracing views on labour supply and immigration. The Reports of the Ministry of Agriculture contain^{ed} details about immigrant colonies in the various provinces. Presidential reports were also valuable and point^{ed} to the specific problems of São Paulo. Attached to these reports are planter reports on regional development and police reports about life and conditions on the colonies and plantations. Nineteenth century reports and accounts, more preoccupied with immigrant workers, often passed over Brazilian workers. Information on their life and labour conditions had to be gathered from sporadic mention in a variety of sources. The collection of documents included in the section "Colonies", Arquivo Público do Estado (São Paulo), contain previously underworked documents about immigrant and (especially underworked) Brazilian workers on São Paulo plantations during the 1850s and 1860s. Although scattered, this material provides^d data on^{the} location of colonies, labour arrangements, origin of workers, wages and conflicts with planters. In addition, chapter 4 also draws on these sources and on information from travellers' reports, police enquiries and collections of laws.

As it will be seen, laws and regulations constitute ~~one of the~~^a ~~main~~^{or} source of information for this study. Chapters 3 and 4 use laws, projects-of-law and related parliamentary debates, as well as labour regulations to obtain information on immigration policies,^{or} labour arrangements, and to point to issues of discipline and control within plantations and conflicts between planter and worker. Chapter 5 uses mainly legislative projects, draft proposals and decrees relating to slave emancipation extracted from legislative debate and from a variety of books and pamphlets. Equally, for chapter 6, the main sources are gradualist legislation, the legislative debate in the Brazilian Houses of Parliament and Spanish Cortes and official reports.

Although it is said that laws can provide a false picture of a situation, given the discrepancy between theory and practice, they can be a valuable indication of changing conditions and attitudes.

Most of the criticism about the use of laws and statutes as an historical source relates to the problem of effective application especially in slave societies and within plantations where the weakness of the state apparatus or the strength of planters often prevented their enforcement. By consulting various texts and formal expression of norms and rules (such as laws, projects-of-laws, labour regulations and contracts) this study will not focus primarily on their enforcement but rather on the meaning of their content and circumstances of formulation. A sanctioning of a law, in spite of obstacles to its enforcement, is a significative fact. First, it creates the possibility of its enforcement. Second, the content of a new law usually refers either to a previous or a prospective experience. This provides the possibility of assessing change over time and can actually signal change or attempts to consolidate earlier processes. As argued by a Brazilian member of Parliament, opposing the revocation of the 1879 labour law, which had been scarcely executed, "to evaluate the efficiency of a law, it is not enough to consider the events it address, but the events it prevents, and to best consider the preventive effects of the law at issue, it is important to consider what would have happened if it had not been promulgated".³⁴

³⁴ APB, session of July 10, 1884, p.98.

CHAPTER 2

CUBA AND SAO PAULO: AN OVERVIEW

In the first half of the nineteenth century Cuba and São Paulo were transformed from relatively diversified to plantation economies producing as main staples sugar and coffee respectively. The Cuban sugar mill (*ingenio*) and the Brazilian coffee estate (*fazenda*), large, well stocked agricultural units based on servile labour came to characterize economic development in both areas. Replacing other crops, the production of sugar and coffee to supply increasing world demand would change utterly patterns of population distribution, land tenure and labour use, affecting the whole life of Cubans and Paulistas.

This "overview" identifies relevant changes in the economic and social structure of Cuba and Brazil that have a bearing upon the "labour question". At the beginning of the century, the surge in slavery was a key feature in the shift to a mono staple producer. Mounting external pressures to end the trans-Atlantic slave trade made the search for alternative labour sources another distinctive feature from the mid-century. The changing composition of population, technological developments and regional differences shaped a shared concern in Cuba and Brazil to devise a framework for the gradual abolition of slavery and transition to free labour.

2.1. The making of a sugar colony. Cuba slowly evolved into a prosperous sugar colony after the middle of the eighteenth century.¹

¹ H. Thomas, "Cuba from the middle of the eighteenth century to c.1870" in The Cambridge History of Latin America. From Independence to 1870 (Cambridge: Cambridge University Press, 1985) 3 pp.277-296, p.281; see also R. Guerra y Sánchez, Sugar and Society in the Caribbean. An Economic History of Cuban Agriculture. Transl. by M.M. Urquidi (New York: Yale University Press, 1964) p.45; R. Guerra y Sánchez, Manual de Historia de Cuba. 6th ed. (Havana: Editorial Pueblo y Educación, 1985) chapter XI; M. Moreno Fragnals, El Ingenio. Complejo económico social cubano del azúcar (Havana:

Before this time, the colony had a distinct society, people, and culture. Sidney Mintz observed that, for over two centuries, Cuba was able to build its society slowly, without continued disturbances from the outside. The economy rested heavily on small-scale agriculture. Some products such as tobacco and coffee were processed and exported. Others like stockraising provided domestic food as well as export items such as hides and tallow. The appearance and success of large numbers of substantially self-sufficient cultivators and small-scale producers over the centuries was almost unique in Caribbean according to Mintz.²

Several important events conspired to change this pattern of diversified small-scale farming and associated urban activities into one based on the mono-product sugar plantation. The capture of Havana and its occupation for one year by the English in 1762 facilitated free trade with British ports and its colonies triggering a rapid growth in imports and Cuban exports. There was also a surge in slave imports during British occupation. The destruction of Haitian sugar and coffee wealth in 1790 increased the demand for Cuban sugar: sugar prices rose to fabulous heights. The independence of the United States of America, creating a great free market near Cuba, and Spanish colonial reforms which lifted many of the old bureaucratic restraints on trade, also contributed to draw Cuba out of the isolation into which it had been forced by previous Spanish merchantilist monopoly practices. The activities of forward looking men, of whom the creole Francisco de Arango y Parreño was a prime example, was also fundamental. The report Arango sent to Madrid in 1792 on how Cuban agriculture should be developed so as to take advantage of events in Saint Domingue resulted in a constructive response from the Spanish government. By permitting slavers of all nationalities to bring their cargoes to Cuba and by

Editora de Ciencias Sociales, 1978) I, chapter II; J. Gilberti, Cuba: From Primitive Accumulation of Capital to Socialism (Toronto: Two Thirds Editions, 1981) chapter IV; J. Stubbs, Tobacco on the Periphery. A case study in Cuban Labour History, 1860-1958 (Cambridge: Cambridge University Press, 1985) p.15.

² S. W. Mintz, "Foreword" in R. Guerra y Sánchez, Sugar and Society, op.cit., p.xxii.

reducing the duties on imported slaves, the metropolitan government eased the flow of labour into the island. Another concession was the abolition of import duties on machinery, a step which enabled planters to follow advice they were receiving from Saint Domingue refugees on how best to modernize their mills and purging houses. Abolition of taxes on coffee exports and the removal of all legal impediments on trade between Cuba and foreigners in 1818 stand among other concessions resulted from Arango's report.³

By 1830, sugar plantations — using the term to apply to the combination of land and mill⁴ — were already replacing coffee estates. The abundance of natural resources, forests for fuel and building timber, the natural fertility of the soil, an open frontier into which the industry could expand, and the resulting relatively cheapness of land, all made the start-up cost of a plantation comparatively low. These factors contributed to the expansion of sugar plantations. The demand for sugar combined with access to markets justified the investment of massive amounts of capital to bring the Cuban industry up to the highest technical standards of the 1820s.⁵

Mechanization of the sugar industry began early in the nineteenth-century. According to Humboldt, the greatest changes in sugar cane cultivation and processing took place between 1796 and 1800.⁶ A great impulse was provided by the arrival of French

³ The influence of these events is discussed in R. Guerra y Sánchez, Sugar and Society, op.cit., p.45; R. Guerra y Sánchez, Manual de Historia, op.cit., chapter XI; M. Moreno Fragnals, El Ingenio, op.cit., I, chapter II; J. Gilberti, op.cit., chapter IV; H. Thomas, op.cit., p.277-284.

⁴ R.J. Scott, Slave Emancipation in Cuba. The Transition to Free Labor, 1860-1899 (Princeton: Princeton University Press, 1985) p.20.

⁵ J.H. Galloway, The Sugar Cane Industry. An Historical Geography from its origins to 1914 (Cambridge: Cambridge University Press, 1989) p.164.

⁶ A. Humboldt, Island of Cuba. Transl. by. J.S. Thrasher. (New York: Derby and Jackson, 1856) p.284.

planters refugees from Saint Domingue, who brought with them many useful techniques for the cultivation and processing of sugar. But fiscal encouragement by the Spanish government was also essential as well as the entrepreneurial initiative of a class of landowners interested in developing their land and promoting wealth. The interests and aspirations of these modernizing planters was manifest in several societies that they helped to create, namely the Economic Society (*Sociedad Económica de Amigos del País*) (1792) and the Royal Advisory Board for Agriculture and Commerce (*Real Consulado de Agricultura y Comercio*) (1795).⁷ Steam engines were introduced in the refining mills as early as 1820, and railway construction from the Port of Havana to the interior sugar cane fields began in the early 1830s, only a few years after the opening of first passenger railway of the world in England in 1825. By 1845 modern sugar mills were all linked by private railway to Havana.⁸ The wealthier planters began to buy vacuum pans in the 1830s and centrifuges after 1850s. By 1846, 20% of the mills used steams power.⁹ Twenty years later 78% were steam powered.

Work on sugar plantations involved elements of both field and factory. Sugar production divides into three stages: the cultivation and harvesting of sugar cane, the extraction of the juice from the cane and the conversion of the juice to crystalline sugar. Planting fields of cane is labour-intensive work, but one plant usually gives several crops of cane. Cane takes from twelve to eighteen months to

⁷ H. Thomas, *op.cit.*, pp.282-285; R. Guerra y Sánchez, *Manual, op.cit.*, p.212.

⁸ H. Thomas, *op.cit.*, p.291; on the impact of railways for Cuban sugar production see M. Moreno Friginals, *El Ingenio, op.cit.*, I, chap. 4; see also O. Zanetti Lecuona and A. García Alvarez, *Caminos para el azúcar* (Havana: Editorial de Ciencias Sociales, 1987) chap. 3 and 4.

⁹ The vacuum pans date from 1813. Pressure is used to lower the boiling point of the cane juice and thus economize on fuel. Centrifugal force was first used in the 1840s for beet sugar. Until its invention, the separation of the molasses from the crystals was based on the method of natural drainage. Besides greatly speeding the process of separation, the centrifuge yielded a drier sugar. J.H. Galloway, *op.cit.*, pp.135-7.

mature depending on the variety and the environment. The harvest season lasted for several months and was the period of peak labour demand. This specific period of time must be coordinated with the processing of cane, for the cane had to be cut when the proportion of sucrose in the juice was highest and above all the juice had to be extracted very fast to prevent spoilage. Cane must be milled within twenty-four to forty-eight hours of the harvesting. To manufacture sugar, some sort of press or mill is required along with a boiling house or factory where the juice can be converted into raw sugar. Because cut cane deteriorates rapidly and also because it is bulky and hence expensive to transport, the mills and factories are placed within easy reach of the cane fields. It is raw sugar that enters international trade; the refineries are close to where sugar is to be consumed.¹⁰

Over ninety percent of the sugar produced in Cuba during the nineteenth century came from the Western and Central departments. The rest of the island had a non-sugar economy. Yet, sugar gave a distinctive character to the whole Cuban economy and society. Data taken from the 1846 census illustrate the different level and composition of the agricultural wealth of the three departments (See Table 1, Appendix). Henceforth, the marked differences between the areas would become more evident. The Western and Central departments had the largest number of sugar and coffee plantations and *sitios de labor* (small farms predominantly devoted to subsistence cultivation). In the Central department, *potreros* (stock-raising ranches) predominated, accounting for about 50% of the total number on the island. In the Eastern department, tobacco plantations predominated (46%), followed by coffee plantations (35%) and stock-raising ranches (33%). Sugar production was concentrated in the western and central areas, where 79% of all sugar estates were located.

At mid-century, virtually all Cuban sugarmills were integrated units, combining the growing of cane and the manufacture of raw

¹⁰ J.H. Galloway, *op.cit.*, pp.13-17; R. Scott, *op.cit.*, p.24.



Cuba, showing provincial divisions of 1878

sugar.¹¹ According to Friginals, of 1,318 sugar mills in 1860, 359 (27%) were animal-powered, 6 (0.5%) were water-powered, 889 (67.05%) were semi-mechanized using steam engines, and 64 (5%) mechanized, using steampower and more advanced processing technology. Animal-powered mills had an average production capacity of 113 tons per grinding season, semi-mechanized mills some 411 tons and mechanized mills 1,176 tons per grinding season. The semi-mechanized and animal-powered mills were responsible for 84.71% of 1860 production (the animal-powered alone were responsible for only 8%) and mechanized mills, despite their greater capacity, were responsible for only about 15%. Friginals suggested that "there was an enormous underutilization of installed capacity as a result of labour shortage".¹²

The compilation by Carlos Rebello, Estados relativos a la producción azucarera de la Isla de Cuba, undertaken in 1860 provides according to R. Scott the most reliable set of data on Cuban sugar and gives a vivid idea of the conditions of sugar cultivation and production on the island.¹³ See Tables 3 and 4 in Appendix. The salient differences between the departments is evident from Rebellos's tables. The production of sugar was much more dynamic in the western area than in the eastern. From 1,365 sugar mills listed, 1,065 were located in the Western department, of which 78% were operated by steam power. In the Eastern department there were only 300 mills, of which only 40% were steam powered (Table 4). Of all the sugar mills listed, about 38% (401) were located in the jurisdictions of Cárdenas, Colón and Matanzas (region latter included in the province of Matanzas), of which 92.2% were operated by steam power. The area under cane in this part of the island corresponded to 45% of total cultivated land in the Western

¹¹ R.Scott, op.cit., p.24.

¹² M. Moreno Friginals, op.cit., I, pp.171-173.

¹³ Carlos Rebello, Estados relativos a la producción azucarera de la Isla de Cuba, formados competentemente y con autorización de la Intendencia de Ejército y Hacienda (Havana: n.p.,1860); this document is carefully examined in M. Moreno Friginals, op.cit..

department.¹⁴ By the end of 1850s the zone was already producing 56% of the island's sugar.¹⁵ Matanzas and Santa Clara, with the largest number of sugar mills (61%) also had the largest number of steam powered mills (68%). They accounted for 70% of the areas under cane on the island, the largest number of mills with vacuum apparatus (81.8%), the largest average output and the largest number of slaves (67.6%). It was not surprise that these two provinces produced over three-quarters of total Cuban raw sugar.(Table 4, Appendix).

Between 1840 and 1868, Cuban sugar production increased from 161,248 to 720,250 metric tons or more than 300% (See Table 2, Appendix). In 1840 Cuba produced about 20% of the cane sugar reaching the world market; in 1868 the island produced more than 40%.¹⁶ This was the time when planters were most exercised by an acute labour crisis. This was also the time that international pressure to end the trans-Atlantic slave trade mounted dramatically. Solutions to the problem of labour supply would entail broader considerations about Cuban society and ties with Spain.

Labour for Sugar. Just as the expansion of sugar production got under away, pressures on Spain to abolish of the slave trade began. Humanitarian and economic motives fuelled European pressure for the abolition of the trans-Atlantic slave trade and had an impact on all slave societies in the Americas at the beginning of the nineteenth-century. This pressure encouraged new views about the efficiency and profitability of free labour in contrast to slave labour and provoked the search for new forms of labour organization and discipline. The future of slavery, for centuries an essential element of sugar production, looked bleak.

In the Treaty of Madrid signed in July 5, 1814, the Spanish and British monarchs agreed that the slave trade was inhuman and unjust.

¹⁴ Resumen del Departamento Occidental in C. Rebello, op.cit., p.83.

¹⁵ M. Moreno Friginals, op.cit., I, p.141.

¹⁶ M. Moreno Friginals, op.cit., III, pp.36-37.

Accordingly, the King of Spain promised to prohibit Spanish subjects from supplying other possessions with slaves and to consider the means of abolishing the trade.¹⁷ In 1817 the Spanish king prohibited Spanish subjects from engaging in the slave trade on the coasts of Africa "north of Equator". Captains and masters of the ships engaged in the illegal trade could be imprisoned for ten years in the Philippine Islands and their slave cargoes declared free (Treaty of September 23, 1817). Two years later, another treaty (May 20, 1820) forbade Spanish subjects to engage in the slave trade on the coast of Africa "South of Equator", under the same penalties. It also provided that British government would pay Spain £400,000 as compensation.¹⁸ The indemnity was paid in London in 1818. Yet the trade continued. In June 20, 1835, another agreement declared the Spanish traffic abolished in all parts of the world. Warships were granted rights of search and punishment for shipowners, captains and crew were made more severe.¹⁹ However, following this treaty, the imports of slaves seemed to have increased. According to the British consul Tolmé, from 1835 until 1840 slave imports averaged approximately 14,000 and 15,000 a year. In the early 1830s imports had averaged only 11,000.²⁰ At the beginning of the 1840s, the great importation of slaves and the activities of British abolitionists raised fears about the composition of the island's population: the growth of the black population provoked a general sentiment against the continuation of the slave trade. Thus, in 1845 the Spanish government fashioned the "Law of Abolition and Repression of the Slave Trade". This law actually provoked a temporary decline in the imports of African slaves. But the trade would soon recover and continue at even higher levels than the peaks of the late 1830s. The trade would only end with the passage in 1866 of yet another Law for

¹⁷ A. F. Corwin, Spain and the Abolition of Slavery in Cuba, 1817-1886 (Austin: University of Texas Press, 1967) p.25.

¹⁸ A.F. Corwin, op.cit., pp.28-29.

¹⁹ A.F. Corwin, op.cit., p.61.

²⁰ D.R. Murray, Odious Commerce. Britain, Spain and the abolition of the Cuban slave trade (Cambridge: Cambridge University Press, 1980) p.111: British consul Tolmé's estimate of slave landings in Cuba, 1830-1838.

the Suppression and Punishment of the Slave Trade. The factors that contributed to the continuance of the trade are intricate. The prosperity of sugar production and the acute shortage of labour gave Cuban proprietors reasons to continue to patronize the trade in slaves. Slave merchants and slave buyers enjoyed the protection of colonial officials who often greatly profited from the trade. And finally, there was the ambiguous attitude of the authorities in Madrid, weighing international opposition against colonial interests. Spain believed that the way of preserving colonial ties with Cuba was to maintain the island as a prosperous slave economy. In the absence of a domestic source of slaves such as in the United States of America, this implied a steady supply of imports. The real intentions of the Spanish government can be noted, for instance, in legislations designed to repress the trade. Both the 1845 and 1866 laws for the repression of the trade provided only heavy fines and imprisonment for those involved in the traffic. In spite of international pressures, and the criticism of Spanish abolitionists, the trade was not declared to be piracy as in Brazil and elsewhere, and thus subject to capital punishment. In addition, both the 1845 and 1866 laws continued to prevent colonial officials from carrying out inspections of slave movements on the island or on the plantation.

Nevertheless, the threat of the abolition of the slave trade stimulated much debate in Cuba. Anxiety was expressed about the "insolent and abusive" British intervention in Spanish affairs and fears that the end of the slave trade might also provoke demands for the abolition of slavery itself and even threaten colonial ties with Spain. There were several economic and political interests involved in the issue of eliminating the African slave trade. The justification for the continued imports of African slaves was of course the great demand for labourers to support the rapid growth of plantation export production. And the prosperity of the colony and the revenues from sugar production were important reasons for Spain's refusal to co-operate with the international movement against the trade. Stripped of most of her Empire in the early nineteenth century, Spain was now determined to secure its most

promising colony by not hurting planter and slaver interests within the island.

In the end, the issue of abolition of the slave trade, and subsequently of slavery, was closely connected with the colonial status of the island. It (they) were exploited by sections of Cuban society seeking autonomy from Spain and anxious to resist foreign pressures from Britain and the United States of America. Until the 1860s, the survival of slavery in the U.S.A also provided some Cubans with arguments for closer integration with their powerful neighbours. British pressures to end the trade were viewed variously as a strategy to destroy the competitiveness of sugar production, given the decadence of its West Indies colonies after the abolition of slavery, or simply as an excuse to invade the island and take possession of its wealth. The growing importance of United States of America as a market for Cuban sugar, its proximity and manifest interest of acquiring the island also made Spain very cautious when considering means to end the African trade. The weak, ambiguous response of Spain in the face of the British campaign against the slave trade and slavery had raised some sympathy within the island for closer links with the neighbouring slave nation, as the most effective means of guaranteeing the continuation of slavery in Cuba itself. During the 1840s and 1850s some planters made plain their view that annexation by the United States was the only solution. This hope would continue until the victory of the north in the American Civil War.

Above all, the abolition of the trans-Atlantic slave trade and slavery became associated with the general sentiment for independence from Spain. Whether in pressing for annexation by United States, given the economic and political weakness of the Spanish metropolis, or in declaring that African slaves stood in the way of political liberty for creoles, Cubans were placing the issue of independence firmly on the political agenda. Spain's strategy would be to manipulate the issue according to circumstances. She would argue that with the great increase in black population and dangers of the "Africanisation" of the island made continued

colonial rule essential. Alternately, Spain would seek to alarm planter opinion and secure their loyalty by warning that slavery would surely be abolished if colonial ties were broken. Only Spain could "defend" slavery in the island and secure order.

Pressures to end the trans-Atlantic slave trade confronted Cuban planters and Spanish government with the problem of finding alternative supplies of labour to sustain the growth of sugar production. New sources of labour were needed to replace or supplement expensive slaves who continued entering the island in spite of a temporary decline of the trade. Table 5 gives an estimative of the number of slaves imported into Cuba between 1840-1867. According to figures published by the Foreign Office, the total reached almost a quarter of a million. Annual imports reached a peak at the end of the 1850s and beginning of the 1860s, following a steady growth of sugar production. Average slave prices, 1845-1879, is shown on table 6. As can be seen in the early 1860s and again in the mid-1870s, nominal prices peaked, standing at respectively three and four times their level in the late 1840s.

Continued imports of slaves, however, stimulated a general debate about the best means of responding to the growing demand for labour. The increase of slaves although considered the basis of the prosperity of sugar production was also viewed as a threaten to security. Although meeting plantation needs, the increase of the black population produced other problems which shaped views and policies on the matter of labour supply. An analysis of the changing composition of Cuba's population illustrates concerns about the racial balance in the island. Table 17 provides data on Cuba's population between 1817 and 1862. According to Corwin, 1817 was the first time the black population, free and slave, outnumbered the white.²¹ At this point, blacks accounted for about 54% of total population. The proportion of blacks had increased sharply since the last decade of the eighteenth century. The main reasons were, of course, Cuba's development as a major sugar producer and the ease

²¹ A.F. Corwin, op.cit., p.44.

with which slaves could be imported. Humboldt observes that the slave trade in the fifteen years following 1790 was so great that more slaves were bought and sold in that time, than in the previous two and a half centuries. These activities were redoubled when Spain agreed with England that the trade should be suppressed north of the Equator in 1817.²²

In 1846 the black and coloured population still outnumbered the whites, although one can see a slight decline in its portion of total population: in 1827 it corresponded to about 56% and in 1846 to 53%. Although the free population always outnumbered the slave population, slaves corresponded to 36% of total population in 1817, 41% in 1827, 36% in 1846 and 27% in 1862. In spite of continued imports it has been argued that the growth in Cuba's slave population ceased completely by the middle of the 1850s.²³ And from 1846 to 1862 the balance of population shifted markedly in favour of the whites. Whites accounted for about 54% of the total population in 1862. Most of this increase was due to immigration and natural growth. But the coloured population (including slaves, Asian, liberated Africans and Yucatecans) in 1862 still represented 46% of global population.

Although within the coloured population slaves still predominated, the number of free persons of colour grew rapidly from the 1850s. These included descendants of slaves liberated generations earlier as well as those recently manumitted. The majority lived in the Western department, where they usually worked as artisans, domestics and day labourers in towns and cities. A great number also lived on small farms in the east of the island producing food staples, cattle and tobacco.²⁴ The Cuban elite and Spanish government debated the question of employing free coloureds in sugar production. But planters and colonial officials were

²² A. Humboldt, *op.cit.*, pp.217-218.

²³ K.F. Kiple, *Blacks in Colonial Cuba: 1774-1899* (Gainesville: The University Press of Florida, 1976) p.80.

²⁴ R.J. Scott, *op.cit.*, p.8.

apprehensive about mixing free blacks and slaves on the plantations. In the 1840s there were legal restrictions against the presence of free blacks in plantation areas and their movement within the island was strictly.²⁵ New demographic patterns had contributed to diminish anxieties about the black population in the 1860s. Nevertheless, the historian Pezuela, writing in the mid-1860s, observed that although statistics showed there were a great number of free coloureds employed in urban and rural activities, most were employed in non-essential tasks and that it would be "dangerous, imprudent and impolitic" to use them on sugar plantations.²⁶ Despite prohibitions, a few free blacks were employed in administrative and supervision tasks. But it may have been that the harsh conditions of plantation labour and its association with slavery as well as the availability of land in frontier zones made it difficult _ as it would be with Spanish free workers _ to bind free blacks to the plantations.

Until mid-century, field labour was the exclusive domain of slaves, who often worked also as blacksmiths, coopers, carpenters and masons. The use of freemen as labourers was marginal. Gangs of free workers were commonly hired to clear frontier lands of forest or brush. Free wage labourers were also employed in administration and supervision tasks, or as cattle tenders.²⁷

With the dramatic concentration of resources in sugar production, the mass of slave imports appeared to have been drawn to sugar estates. In 1822 the British Commissioner estimated that there were about 155,000 slaves on sugar plantations, 54,000 on coffee farms, 36,000 on minor estates such as tobacco fincas, small farms and cattle ranches, with a further 20,000 employed in household

²⁵ F.W. Knight, "Slavery, Race and Social Structure in Cuba during the Nineteenth Century" in R.B. Toplin (ed.) Slavery and Race Relations in Latin America (Westport: Greenwood Press, 1974) pp.204-227, p.212.

²⁶ J. de la Pezuela, Necesidades de Cuba (Madrid: Imprenta del Banco Industrial y Mercantil, 1865) pp.114-115.

²⁷ L.W. Bergad, Cuban Rural Society in the Nineteenth Century. The Social and Economic History of Monoculture in Matanzas (Princeton: Princeton University Press, 1990) pp.245-246.

services.²⁸ In 1841, there were 240,263 slaves in the fields (campos) and 196,232 in villages and towns (poblaciones); in 1860 there were 311,245 slaves in campos and 65,539 in poblaciones.²⁹ According to R. Scott most Cuban slaves in the 1860s lived in the countryside, and the largest group (47%) lived on sugar estates.³⁰ Table 8 shows the distribution of slave population by place of residence in Cuba in 1862, Appendix. Rural slaves who were not employed in sugar production worked on coffee plantations and tobacco vegas, or other small farms and ranches.

Table 9, based on a census of 1860, shows the distribution of the population within the island. The great majority of slaves (86%) was concentrated in the Western department where sugar production prevailed. In the Western department, slaves corresponded to about 29% of total regional population, free coloured were 13% and whites 59% of total regional population. In the Eastern department slaves accounted for only 20%, free coloured about 33% and whites 47%. A substantial part of the white population was not directly inserted in the sugar economy. In 1862 about 236,000 whites lived on sitios de labor and estancias predominantly devoted to the raising of food crops and another 75,000 on potreros, stock-raising ranches. Some 311,000 whites lived in the cities and towns, and fewer than 42,000 on the sugar plantations.³¹ The free population of colour was concentrated in the western part of the island, in urban areas. In the eastern area it had a rural character. Of 84,500 free persons of

²⁸ A.F. Corwin, *op.cit.*, p.45.

²⁹ H.H.S. Aimes. A History of Slavery in Cuba, 1511 to 1868. 1st ed. 1907, New York: Octagon Books, 1967. p.179.

³⁰ R.J. Scott, *op.cit.*, pp.10-11. For a distinct view see H.S. Klein, Slavery in the Americas. A Comparative Study of Virginia and Cuba (London: Oxford University Press, 1967, p.151, where he argued that because Cuba had a diversified economy, sugar employed only a minority of slaves even in the 1860s.

³¹ "Distribución de la población en los pueblos y fincas de la isla", Noticias Estadísticas de la Isla de Cuba en 1862 (Havana: Imprenta del Gobierno, 1864); R.J. Scott, *op.cit.*, p.8; Información sobre reformas en Cuba y Puerto Rico (New York: Imprenta de Hallet y Breen, 1867) I, pp.177-178.

color in the eastern districts, some 23,700 lived on *estancias*, while another 15,500 lived on tobacco farms and 7,400 on ranches and stock-raising farms.³²

Although these figures can throw light on the size, composition and location of the labour force available to the Cuban sugar plantations, by themselves they do not explain the whole situation. The problem of "scarcity of labour" was not merely a demographic matter and the task of defining policies attempting to increase or replace labour supply involved political and economic matters. A variety of reasons and circumstances affected choices and attitudes to the problem of finding alternative sources of workers, recruited either externally or domestically. The choice of a particular labourer involved economic calculations such as costs while political circumstances, such as maintenance of colonial ties, racial balance and external pressures raised other problems. For planters, profits and discipline were the main practical issues.

Initial attempts to solve the "labour problem" involved the promotion of white settlement. The feeling that this was the most desirable form of immigration would be expressed repeatedly throughout the period. The promotion of European immigration would help meet the demand for labour while "whitening" the population and so facilitate control of blacks and coloureds within the island. "Whiteness" and control of blacks and coloureds were also connected with questions of autonomy and the constitution of an independent nation and not simply related to fears of slave rebellions and racial conflicts. Nevertheless, plantation conditions necessitated "cheap labour". After unsuccessful attempts to import Spanish workers, Cuban planters started looking at other potential sources of supply. Proposals would include Asians, Mexican Indians, Canary Islanders, free Africans and former slaves.

In 1847 the first Chinese were introduced on a contract-labour basis for a period of eight years, subject to voluntary renewal if

³² Noticias Estadísticas, *op.cit.*; R.J. Scott, *op.cit.*, p.8.

desired. In 1849 the first contingent of Yucatecan Indians arrived in Havana, brought by the merchant Carlos Tolmé. It is estimated two thousand Yucatecans were imported during the next decade.³³ But Chinese contract workers proved to be answer to planter demands for cheap field hands. Between 1847 to 1874 some 125,000 Chinese were brought to Cuba (See Table 10, Appendix). Chinese workers entered Cuba at the same time as slaves continued to be imported. Indeed for most of this period the slave trade was notoriously buoyant. But the scale of Chinese worker imports rose markedly after the end of the slave trade in the mid-1860s; about 50% of the total number of coolies was imported after the end of trans-Atlantic slave trade. The organization of the trade in Chinese was very similar to that of slaves: terms of engagement, transportation, sale of contracts, discipline on the plantations and the profits yielded to the traffickers were similar. Chinese labour contracts were sold for a period of eight years at four pesos a month, plus food, shelter and two changes of clothing a year, a price far below the standard wage of free workers. Increasing slave prices made cheaper Chinese contract workers very appealing. The majority were taken to sugar plantations in the jurisdictions of Matanzas, Cárdenas and Colón, then the most dynamic sugar areas. Table 11 shows the distribution of the Chinese population in Cuba between 1861 and 1877.

Preparing conditions for free labour. The 1860s witnessed a series of great transformations in the Cuban sugar industry. The crisis of Spanish colonialism, the powerful presence of ^{the} United States, rapid developments in science and technology, the universal increase in population and new systems of communications were among the causes that set the scene for new forms of production and commerce of sugar.

The new industrial plantation, the central or centralized factory as it came to be known, would require distinct types of workers and a very large capital investment. The replacement of old manual machines by relatively sophisticated plant required new buildings

³³ D.C. Corbitt, "Immigration in Cuba" Hispanic American Historical Review 22 (May 1942) pp.280-308, p.302.

and a new system of plantation organization. The new central had a greater grinding capacity and a higher rate of sugar extraction and depended on a more skilled work force than the old ingenio. In 1860 1,318 mills produced some 515,000 metric tons of sugar: by 1895 the number of mills decreased to 250 while production was up to almost one million tons. According to Friginals, the new factories could extract almost twice the amount of sugar from the same amount of cane as the old mills.³⁴

Hundreds of thousand of agricultural workers were required by the modern industry in addition to skilled mills hands. Friginals observes that the technology of the agricultural sector of the sugar industry (planting, cultivation, and harvesting) lagged behind processing. Methods of cultivation and harvesting remained largely traditional. Therefore, the amount of cane required by the central demanded more land devoted to sugar and a greater number of workers, especially cane-cutters. This intensified problems of seasonal unemployment outside the three to four months cane harvest season. The gap between the agricultural and industrial sector also created problems of amortization and optimal utilization of expensive new industrial equipment.³⁵

In the 1860s, Cuba supplied about 60% of sugar consumed in the United States of America and the importance of Cuba in the U.S market was growing rapidly. At this time the island exported over 250,000 metric tons to U.S.A; in 1880 it exported over 500,000 metric tons to U.S.A., more than 80% of its sugar exports.³⁶ Correspondingly, competition from beet sugar reduced Cuban exports to Europe in the last decades of the nineteenth century. "In 1870 Cuba exported to Europe (excluding the Spanish home market) some

³⁴ M. Moreno Friginals, "Plantation Economies and Societies in the Spanish Caribbean, 1860-1930" in The Cambridge History of Latin America, 1870-1930 (Cambridge: Cambridge University press, 1986) 4: pp.187-231, p.188.

³⁵ M. Moreno Friginals, "Plantation Economies", op.cit., pp.189-190.

³⁶ M. Moreno Friginals, El Ingenio, III, pp.70-71.

260,000 tons of sugar amounting to 37 per cent of total exports. In 1880 the figure had fallen to 50,000 tons, some 8.54 per cent: and in 1890 exports to Europe were a mere 4,702 tons or 0.72 per cent of total Cuban sugar exports".³⁷ By the 1880s the island was selling virtually all its sugar to U.S.A through a single firm, the American Sugar Refining Co.³⁸

In 1862, 79% of the population residing on *ingenios* was constituted of *emancipados* and slaves. Free blacks represented 2%, and whites and Orientals the balance of 19%.³⁹ In spite of the low numbers, the growing participation of whites attracted particular comment. A "growing" number of whites were "... employed in various tasks of sugar cultivation, sometimes as mere day labourers, tenants and colonos".⁴⁰

Although slaves remained the most important element in sugar production, the composition of the workforce varied from estate to estate. Large plantations appeared to rely more heavily on slave labour than small ones. In 1873 the workforce for cultivating and processing sugar at the *ingenio* "España" of Julián Zulueta, in the jurisdiction of Colón, was made up of 19 whites, 530 slaves and 86 Asian. By this time, diversity of labour force was the main characteristic of most plantations. This implied workers engaged under a variety of conditions and terms of remuneration. Chinese already made up an important portion of the workforce. At the *ingenio* "Las Cañas" of Don Juan Poey, in Matanzas, of a total of 707

³⁷ M. Moreno Fragnals, "Plantation Economies", *op.cit.*, pp.194-195.

³⁸ *Ibid.*, p.207.

³⁹ F. Iglesias Garcia, "The Development of Capitalism in Cuban Sugar Production: 1860-1900" in M. Moreno Fragnals, F.M. Pons and S.L. Engerman (ed.) *Between Slavery and Free Labor: The Spanish-Speaking Caribbean in the Nineteenth Century* (Baltimore: John Hopkins Press, 1985): pp.54-75, p.60. See Table 8, Appendix.

⁴⁰ *Información sobre reformas en Cuba y Puerto Rico* (New York: Imprenta de Hallet y Breen, 1867) I, p.171.

workers, 27 were whites, 450 slaves and 230 Asian.⁴¹ According to Bergad, in 1859, the Diago family estates (Tinguaro, Santa Elena and Ponina) utilized a workforce totalling 1,580, of whom 583 were Chinese. The Arieta estate of Flor de Cuba had a total workforce of 643, of which 30% were Chinese. Bergad also observed that on smaller, less capitalized mills, the proportions of Chinese were sometimes higher.⁴² Although a great variety in the labour supply and systems of labour — free whites and blacks, Chinese and contract labourers from Yucatan, soldiers, *coartados* and distinct forms of relations with the slaves themselves — was encountered on estates, sugar production continued to depend on coercive labour arrangements. And as late as 1877 more than 70% of sugar production was based on slave labour.⁴³

From 1868 to 1878 Cuba experienced the Ten Years War; the first large-scale struggle for independence. This important event would produce great changes in patterns of labour control, especially for the black population. The Moret Law starting the gradual abolition of slavery was approved in the midst of the war. In addition, many slaves were freed or fled during the conflict. And in 1874 the last shipload of Chinese contract workers would arrive in Cuba. The Patronship law of 1880 led to final abolition of slavery six years late. Between 1862 and 1877 the slave population declined from 368,550 to 199,094. The main sugar regions of Matanzas and Santa Clara held a large and steady number of slaves for most of the period, contrasted to the urban area of Havana, where slave population gradually declined. (See Table 12, slave population between 1862-1877).

The western part of the island, where the most sophisticated central mills were located and which produced over 80% of Cuban

⁴¹ F. Rosillo y Alquier, Noticia de dos ingenios y datos sobre la producción azucarera de la Isla de Cuba. (Havana: Imprenta El Iris, 1873).

⁴² L.W. Bergad, op.cit., p.252.

⁴³ M. Moreno Fragnals. "Plantation Economies", op.cit., p.205.

sugar, did not suffer greatly from the war. But changes were visible even there. In parallel, and as a response to the system of central factory, a new form of organizing cane cultivation developed. This was the so-called colonato system. According to Galloway, the first colonos appeared in significant numbers during the 1870s and already by 1887 a third to two-fifths of Cuban sugar was grown under the colonato system. It included two categories of colonos: tenants who leased land on condition they cultivated sugar cane to send to the landowner's mill or central factory and landowners who contracted to supply their cane to a central factory. Cuban colonos did not constitute a uniform class. Many were independent landowners, ranging from owners of small farms to large estates employing large numbers of workers. Renters might include former slaves (who had been granted land or leased small plots in order to discourage them from leaving the estate) tenants with long leases and entrepreneurs contracted a on annual basis to supply a specific mill. Rents were paid in cane, cash or a combination of both. The arrangements linking different types of colonos to sugar processing also varied.⁴⁴ By leasing land to colonos, a mill or factory owner could increase the area of cane cultivated on his estate without incurring additional labour costs himself. The increased production could justify the capital expense of technological improvement in milling and manufacturing.

Galloway observed that as a means of organizing cane cultivation, the colonato system was a success. It accommodated the needs of central factory owners, mills' owners unable to repair war damaged estates or unable to finance new equipment, and owners of a few acres who wished to participate in the cultivation of a cash crop. However, it did not attract many former's slaves. By the end of the period, the system applied almost exclusively to white owners and tenants.⁴⁵

⁴⁴ J.H. Galloway, op.cit., pp.165-166; L.W. Bergad, op.cit., pp.208-213.

⁴⁵ J.H. Galloway, op.cit., p.166; R.J. Scott, op.cit., p.241.

2.2. The making of a coffee province. Like sugar in Cuba, coffee would change the economy and society of nineteenth-century São Paulo. By setting up new patterns of production, landholding and labour relations it changed the physical geography and rural and urban life of the province. At the beginning of the century, the province had a relatively diversified production _ alongside sugar and **aguardente**, appeared cotton, manioc, corn, meat, bacon, cheese and animals. Some of these products were exported to other provinces but most were consumed locally.⁴⁶ During the 1810s and 1820s sugar expanded continuously and started to change the character of the province.⁴⁷

In 1825 coffee had reached second place on the list of exports through the port of Santos.⁴⁸ By this time, drawing on coffee produced in other provinces, coffee exports from the port of Rio de Janeiro were also increasing steadily. They rose from 318,032 **arrobas** in 1817 to 1,304,450 **arrobas** in 1826.⁴⁹ The growing demand from the United States of America and from European countries stimulated the planting of coffee. In 1820, with the rise in coffee prices, innumerable **cafezais** appeared around Rio de Janeiro.⁵⁰ Until the mid-century, the Paraíba Valley was the principal area of cultivation. The suitability of Paraíba land for coffee cultivation contributed to its spread from the coast around Rio de Janeiro up the Valley to the highlands of the province of São Paulo. By the

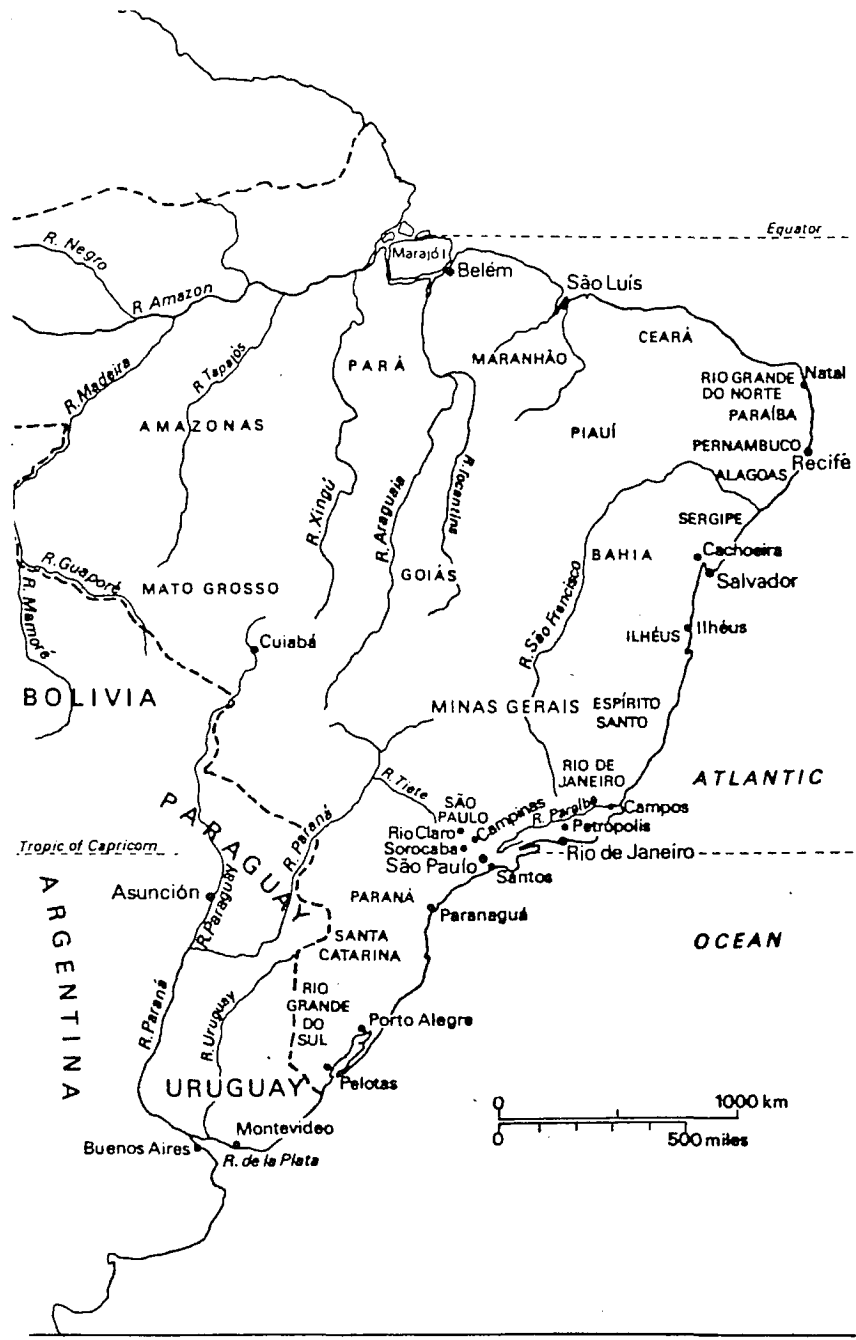
⁴⁶ A.E. Taunay, História do Café no Brasil (Rio de Janeiro: Departamento Nacional do Café, 1939), II, p.306.

⁴⁷ On the development of sugar production in São Paulo see S.R.R. de Queiroz, "Algumas notas sobre a lavoura do açúcar em São Paulo no período colonial" in Anais do Museu Paulista (São Paulo 1967) 21, pp.109-277; M.T.S. Petrone, A lavoura canavieira em São Paulo. Expansão e declínio (1765-1851) (São Paulo:Difusão Européia do Livro, 1968); see also W. Dean, Rio Claro. A Brazilian Plantation System, 1820-1920 (Stanford: Stanford University Press, 1976) chapters 1 and 2.

⁴⁸ A.E. Taunay, op.cit., II, p.329.

⁴⁹ A.E. Taunay, op.cit., II, p.331; one **arroba** equals 14,40 kilogram or 31,7 pounds.

⁵⁰ A.E. Taunay, op.cit., II, p.196.



Brazil in 1830

mid-1830s coffee cultivation reached the fertile lands of Campinas, in the west of São Paulo. There had been some experiences with coffee planting before.⁵¹ But whether due to fears of frosts or due to the great distance from, and cost of transport to, the ports or simply due to high profits from sugar, these early experiments with coffee generally failed. Nevertheless, by 1838 the president of the province commented in his annual report on the lack of good roads to transport coffee from the plateau to the littoral, and stressed the need to improve existing roads in the areas of Bananal, Angra dos Reis and Ubatuba.⁵² Another report of 1838 pointed out how proximity to the ports and difficulties of transport affected the distribution of products in the province. At this time, the north produced much more coffee than any other area of the province. There coffee outnumbered the sugar plantations: in Bananal there were 82 coffee fazendas and 8 sugar mills and coffee was despatched to Rio de Janeiro for export.⁵³ But sugar had expanded to the south and west and within the province still predominated. The number of sugar mills in Campinas had increased from practically zero in 1770 to 95 in 1829.⁵⁴

Most commercial transactions were made in Rio de Janeiro. The greater development of coffee production in Rio de Janeiro was evident. In 1838 Rio was producing 2,948,378 arrobas of coffee and

⁵¹ A.E. Taunay, *op.cit.*, II, p.323.

⁵² Discurso que o Excmo. Sr. Presidente da Provincia de São Paulo dirigio a Assembleia Legislativa da Provincia em 7 de janeiro de 1838 (São Paulo: Typ. do Governo, 1838).

⁵³ D.P. Müller Ensaio d'un Quadro Estatístico da Provincia de S. Paulo, ordenado pelas leis provinciais de 11 de abril de 1836 e 10 de março de 1837 (São Paulo: Typ. de Costa Silveira, 1838), reprint. Secção de Obras d'o "Estado de S. Paulo", 1923, pp.130-132; A.E. Taunay, *op.cit.*, III, pp.104-107.

⁵⁴ Slave population in Campinas increased in this period from less than one hundred to 4,890, surpassing the number of free people, Peter L. Eisenberg, "Açúcar e mudança social no Brasil: Campinas, São Paulo, 1767-1830" in his Homens esquecidos. Escravos e Trabalhadores Livres no Brasil . Séculos XVIII e XIX. (Campinas: Editora da UNICAMP, 1989) pp.343-368, p.344; for the development of sugar in Campinas until 1830, see same work, part IV.

in 1855 production reached its peak with 9,369,107 **arrobas**, nearly 80% of Brazilian coffee production. But coffee production in São Paulo was expanding fast. By the end of the 1830s, São Paulo exported through port of Rio de Janeiro some 842,917 **arrobas** of coffee, and in 1855 this had increased to 1,562,477 **arrobas**.⁵⁵ There were already signs of a great transformation in the province. Changes in the structure of landholding, the great circulation of thousand of mules, muleteers coming from the southern provinces, and the improvement of roads, animal sheds, and commerce, all reflected the development of sugar and coffee cultivation.⁵⁶ Smallholders were expelled from traditional subsistence plots. Existing on the edge of the frontier, squatters were transformed into nomads, **agregados**, freemen and non-renting-paying tenants. Smallholders lost their former independence from the plantation sector. Now they became a marginal element of the plantation economy, dependent on the planter for access to land granted in exchange for labour and other services. In a report of 1831, the president of the province observed that "the labouring classes" (meaning slaves) and the free population were growing in number.⁵⁷

Table 14 shows the evolution of the São Paulo free and slave population from 1819 until 1886. As Cuba, São Paulo experienced an absolute growth in both the free and slave population, but the proportion of slaves declined almost continuously. In 1819 the population of the province numbered 238,323 inhabitants, of whom about 67% were free and 33% enslaved. Thirty five years later, total population had increased considerably (57%): free population constituted over 70% of total population and the proportion of slaves had decreased to about 28%. This was a small proportion if compared to the slave population of other provinces such as Rio de Janeiro, Bahia or Pernambuco. However in terms of absolute numbers slaves had increased considerably from 77,667 in 1819 to 117,238 in 1854. The great majority of slaves were imported in the 1830s and

⁵⁵ A.E. Taunay, op.cit., III, p.20 and see Table 13 in Appendix.

⁵⁶ A.E. Taunay, op.cit., III, p.78.

⁵⁷ A.E. Taunay, op.cit., III, p.78.

1840s, immediately before and after the trans-Atlantic trade was declared illegal.

At this time, the growing number of slaves entering the province was a matter of concern for both government and the free and white population. In his Ensaio Daniel Pedro Müller criticized the "habit" of buying slaves instead of looking for better methods of production and labour saving devices. In his view, efficient, small scale agriculture employing free labour was preferable to large landholdings cultivated by slaves.⁵⁸ The increase in slave numbers raised fears about the "blackening" of the population, a concern rooted in the experience of slave rebellions in other provinces and in the broader discussion about the constitution of the recently created nation. Slave revolts in Bahia and other parts of the country rekindled fears of the Haitian experiences. These anxieties appeared to be well founded in São Paulo. The province was not well-populated: in 1837, for instance, there was less than 1 person per square kilometre. The lack of good roads and the scarcity of free population at the disposal of the government would make it very difficult to repress any slave revolt in the hinterland. The constant fear of travelling in underpopulated areas and roads infested of runaway slaves exercised merchants, muleteers and travellers. In 1848, in his report to the Assembly, the provincial president Domiciano Leite Ribeiro, reported that there had been some anxiety among planters of Campinas, Itu and Piracicaba about the possibility of a general slave rebellion and that panic was spreading among Indaiatuba planters causing them to abandon their houses and estates.⁵⁹

Although a highly profitable enterprise, coffee cultivation was reported to be difficult, hard work. The backwardness of techniques of coffee growing and processing were mentioned repeatedly. It was stated that all tasks were performed with most rude tools. Before

⁵⁸ D.P. Müller, op.cit.; A.E. Taunay, op.cit., III, p.102.

⁵⁹ Fala proferida pelo presidente Domiciano Leite Ribeiro, por ocasião da abertura da Assembleia Legislativa em 25 de junho de 1848. (São Paulo: Typ. do Governo, 1848).

coffee cultivation could begin, the virgin forest had to be cleared. This was a dangerous task and planters often substituted free labour, in the form of landless squatters, for that of valuable slaves. After clearing and selecting hardwoods to be used to construct the main buildings, the land was fired. But clearing and planting was just the beginning of the seasonal cycle that continued with successive weeding, harvesting, drying, storing, and milling of the mature coffee beans. Carlos Taunay in his Manual do Agricultor observed that the harvest was carried out manually, and that "women and children were the most suitable for picking coffee, even amongst six foot high coffee bushes".⁶⁰

At this time, Brazilian coffee had a very bad reputation in European markets. According to Carlos Taunay it was considered "the last one among commercial kinds".⁶¹ Some contemporary observers attributed the bad quality of Brazilian coffee to the method of drying. The drying terrace (*terreiro*) at this time was of earth, and the beans acquired a bad taste. Carlos Taunay advised in his Manual that "the method of drying coffee on terraces, besides the intensive nature of the work, was prejudicial to the quality of beans". Exposed to the elements, the beans deteriorated rapidly.⁶² He also observed that there were some planters who used to dehull beans by hand. This was a time consuming task. Grinding was also performed by hand. Taunay observed that on modern plantations, the hulling, cleaning, drying and grinding processes were mechanized as the scale of production increased.⁶³

At mid-century sugar was still the main staple in the province. But coffee was becoming more and more important. Coffee prevailed in the north, while in the central districts of Campinas and Itu sugar continued to be the main cash crop. José Thomaz Nabuco de Araújo,

⁶⁰ C.A. Taunay, Manual do Agricultor Brasileiro 2th ed. (Rio de Janeiro: Villeneuve e comp., 1839) p.38.

⁶¹ C.A. Taunay, op.cit., p.38.

⁶² Ibid.

⁶³ Ibid.

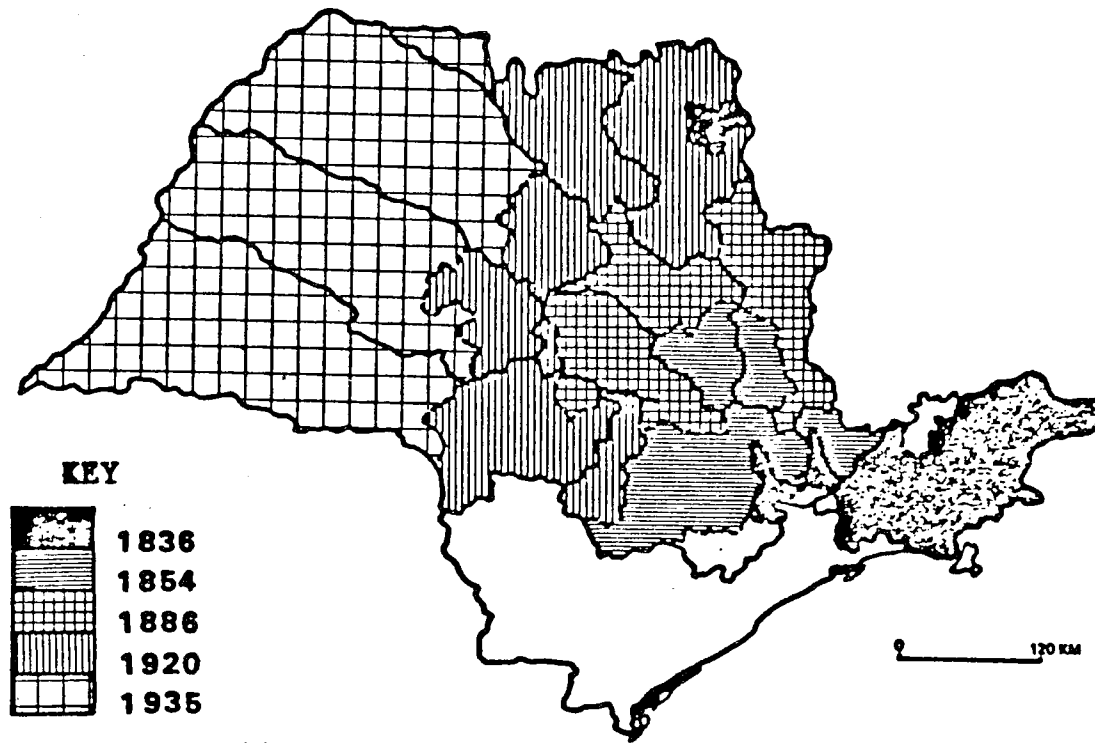
president of the province in 1852, reported 466 sugar plantations and 395 coffee plantations. He observed that coffee cultivation was increasingly prosperous and had started replacing sugar. Coffee cultivation now being described as easier and more lucrative than sugar, in part because the crop was less affected by the bad conditions of roads in the province.⁶⁴

Table 15 shows the evolution of São Paulo coffee and sugar exports in the 1850s; Table 16 shows the increasing importance of coffee within São Paulo export products during the 1860s and Table 17 shows the improvement in coffee prices between 1845-1872. According to a 1854 report of Machado de Oliveira, coffee employed a greater number of workers, and its production was worth more than that of sugar. Only in terms of area under cultivation was coffee second to sugar.⁶⁵ Consistently better prices encouraged planters to shift from sugar to coffee or to move from subsistence commodities such as corn, beans, rice and manioc into coffee. Given the greater profitability of coffee, planters preferred to buy subsistence products, rather than to divert potential coffee land to other production. In 1860 the high price and scarcity of food products was the object of a study carried out by Sebastião Ferreira Soares, a mathematician and government official. Soares observed that the crisis in food supplies in coffee producing areas was mainly provoked by the greater profitability of the staple, which now incorporated land and labour previously devoted to subsistence

⁶⁴ "Mappa das fabricas agrícolas de S. Paulo" in Discurso com que o Ill.Excmo.Sr. Dr. José Thomaz Nabuco de Araújo, presidente da provincia de São Paulo abriu a Assembléa Legislativa Provincial no dia 1 de maio de 1852 (São Paulo: Louzada Antunes, 1852) appendix, pp.36-37.

⁶⁵ "Quadro estatístico de alguns estabelecimentos ruraes da provincia de São Paulo", organizado pelo Brigadeiro José Joaquim Machado de Oliveira in Discurso com que o Sr. José Antonio Saraiva, presidente da provincia de São Paulo, abriu a Assembleia Legislativa da Provincia de São Paulo, no dia 15 de fevereiro de 1855; A.E. Taunay, op.cit., III, pp.134-135.

The Expansion of Coffee Production in São Paulo



Source- S.Millet

crops.⁶⁶

By the middle of the century, the importance of coffee production for the Brazilian economy was evident. The main coffee producing areas were in the provinces of Rio de Janeiro, São Paulo and Minas Gerais. Table 13 demonstrate the volume of coffee export through the port of Rio de Janeiro between 1850 and 1872. The province of Rio de Janeiro was in the lead but as data in Table 18 (coffee exports through port of Santos) indicates, São Paulo was rapidly overtaking decadent coffee regions around Rio de Janeiro. At the end of the 1860s, the opening of the railway linking Santos to the edge of the coffee zone would increase considerably coffee exportation through this port, as well as furthering the expansion of Paulista coffee cultivation.

Table 19 shows the value of coffee and sugar exports and their share in total Brazilian exports. During the 1830s coffee had overtaken sugar as Brazil's leading export and by 1850 coffee accounted for nearly half of all Brazilian export earnings. From this time on, the importance and profitability of coffee sharpened differences between the northeastern sugar provinces and the southern coffee provinces. Besides the specific needs of both crops, the increasing regional differences, resulting from a relative stagnation of sugar production and the greater profitability of coffee would greatly affect perceptions of the labour problem in the two areas and, of course, the means devised to resolve that problem.

Labour for coffee. Like sugar in Cuba, the expansion of Brazilian coffee plantations coincided with external pressures to end the trans-Atlantic slave trade and the spread of antislavery ideas.

When the Portuguese regent, D. Joao VI, and his Court arrived in Rio de Janeiro in 1808, fleeing from Napoleon's forces, he had already committed himself to abolishing the slave trade. That was a

⁶⁶ S.F. Soares, Notas Estatísticas sobre a Produção Agrícola e Carestia dos Gêneros Alimentícios no Brasil. Reprinted (Rio de Janeiro: IPEA/INPES, 1977) p.19.

condition imposed by the English for escorting him from Portugal to Brazil. There followed a series of treaties between the two governments for the abolition of the slave trade to Brazil. In 1810 the Portuguese government agreed to cooperate with the British government in the gradual abolition of the trade and to prohibit trade with no-Portuguese territories on coastal Africa. In 1815, still under pressure, D. Joao VI accepted the prohibition of the trade north of the Equator and in 1817 agreed with partial measures to abolish the trade to Brazil. Far from reducing the trans-Atlantic traffic, these agreements actually resulted in a swift growth in its volume as well as in the appearing of the contraband slave trade. In 1826 Great Britain obtained promise from the government of the recently independent state of Brazil to make the slave trade illegal in three years time. After 1830 the traffic would be considered and treated as "piracy". Thus, for Brazilians legal trans-Atlantic slave traffic should end on March 13th, 1830. A parallel measure declared free all slaves entering the country after March 1830. However, despite the threat of severe punishment against both importers and smugglers, the traffic grew. Only in the early 1850s, under stronger British pressure and with the enforcement of the Eusébio de Queiroz law (September 4, 1850) would the trans-Atlantic slave trade finally end for Brazil.⁶⁷

Table 20 shows the volume of slaves disembarked in Brazil during the critical period 1820-1855. The increasing number of slaves landed in the southern provinces is striking. In the south most of these slaves were directed to the coffee provinces of Minas Gerais, Rio de Janeiro and São Paulo. Many also stayed in the capital Rio de

⁶⁷ After the abolition of the trade the Brazilian consul in Spain was instructed to observe and report about movement of slaves in Cuba; there was also a vice consul in Havana with the obligation to report on the issue, see AHI, Repartições Consulares Brasileiras, Correspondência Geral Barcelona, 239/1/6 and 239/1/7. On the abolition of the trans-Atlantic slave trade to Brazil see Leslie Bethell, The Abolition of the Brazilian Slave Trade. Britain and the Slave Trade Question, 1807-1869 (Cambridge: Cambridge University Press, 1970); Robert Conrad The Destruction of Brazilian Slavery: 1850-1888 (Berkeley: University of California Press, 1972) chapter 2 and same author, World of Sorrow: The African Slave Trade to Brazil (Baton Rouge: Louisiana State University Press, 1986).

Janeiro. The coffee planters in Rio de Janeiro, Minas Gerais and São Paulo could afford the high prices prevailing during the illegal trade and provisioned themselves with the required work force. The great number of slaves concentrated in these three provinces can be appreciated from Table 21, which shows Brazilian slave population by province between 1864 and 1887. In 1864 the centre-south of Brazil accounted for over 40% of Brazilian slaves. The three coffee provinces alone concentrated about 37% of Brazilian slave population. Added to newly imported slaves came others transferred from urban to rural areas and moved from one sector of production to another. The number of slaves entering northern sugar provinces was visibly smaller and declined considerably during the years immediately before the end of the trans-Atlantic trade. Northeastern sugar planters instead of buying preferred to sell their slaves, attracted by high profits in southern slave markets.⁶⁸ The practice of selling slaves to the southern coffee plantations which started by this time continued for about three decades after the abolition of the international slave trade. While fulfilling the needs of the expanding coffee plantations, the internal trade contributed to ^{the solution of} solve financial problems confronting northern sugar and cotton cultivators. From the 1870s the greater concentration of slaves in the southern coffee area was evident. This would greatly affect the balance of power within the country, enhancing the influence of coffee planters in the government and defining attitudes towards the solution of the labour problem.

⁶⁸ The higher prices of slaves in Rio de Janeiro than, for instance in Pernambuco, the main northern sugar province, is illustrated by tables and graphs covering the period after the abolition of the trans-Atlantic slave trade in S.J. Stein, Vassouras. A Brazilian Coffee County, 1850-1900 3rd ed. (Princeton: Princeton University Press, 1985) p.229, and P.L. Eisenberg, The Sugar Industry in Pernambuco. Modernization Without Change, 1840-1910 (Berkeley: University of California Press, 1974) p.153. Although slave prices in Pernambuco rose 50% in the 1860s, and almost doubled during the next decade, in the province of Rio de Janeiro they rose even more and by the end of the 1870s reached four times values in the 1850s. In the coffee district of Vassouras slave price reached its peak in 1877, a value of 1:925\$000; in Pernambuco the average nominal price of a 20-25 years of age slave at this time was 644\$000. There was a tax for exportation of 200\$000 mil reis after 1859 and this might have increased contraband.

Table 22 gives details of the São Paulo regional free and slave population after the end of the trans-Atlantic slave trade; Table 23 shows the registered increase of slaves in São Paulo brought about by the internal slave trade and the contrast with the other coffee provinces. During the period when the trans-Atlantic slave trade was illegal, the total slave population of São Paulo grew by nearly 50%. The Mogiana Paulista area had its slave population increased by about four and a half times. In the central area the increment was only 24%, but in the mid-1850s the region held the largest slave population — about 40% of the total in the province and more than twice the proportion of any other areas. During this period, the internal slave trade accounts for about 24% of the increase in the slave population of São Paulo. Most of these slaves seemed to have gone to the Paraíba Valley, the central districts and the Mogiana Paulista areas. These regions witnessed the largest absolute increases in slave population and still contained the largest number of slaves on the eve of the abolition of slavery in 1888. By 1874, in the main coffee districts of Mogimirim and Rio Claro located in the Mogiana Paulista region, there were 5,006 and 3,935 slaves respectively; in the centre, in Campinas, there were 13,685 slaves while in the east and Paraíba Valley, in the districts of Bananal, Guaratinguetá, and Taubaté there were 8,281, 4,352, and 4,122 slaves respectively.⁶⁹

In 1874, from a global population of 855,364 inhabitants in the province of São Paulo, 680,742 were free and 174,622 slave. Thus, 20,4% of the population was enslaved. In the 1872 census about 57% of the São Paulo slave population was classified as agricultural workers.⁷⁰ Although slaves predominated in the coffee plantations, there is evidence that coffee estates also employed free immigrant and domestic labourers. It is estimated that in the period between 1875 and 1880, slaves represented five-sixths of the workers in the

⁶⁹ R. Conrad, The Destruction of Brazilian Slavery, op.cit., table 14, p.295..

⁷⁰ R. Conrad, The Destruction, op.cit., table 20, p.300.

coffee fields.⁷¹ However, this seemed to represent more the situation of certain sections of slaveholding provinces, such as Rio de Janeiro and Minas Gerais, or old areas of coffee cultivation in São Paulo. In the new expanding coffee areas of the centre-west of São Paulo, there was an increasing incorporation of free workers. In 1854, according to Machado de Oliveira, there were 2,618 coffee fazendas in São Paulo, employing 4,223 agregados, 2,159 colonos and 55,834 slaves.⁷² In the 1870s, after the approval of Rio Branco Law, starting the gradual abolition of slavery, and with increasing prices of slaves, individual planters drew large numbers of free domestic and immigrant workers to their plantations.

As soon as pressures for the abolition of the trans-Atlantic slave trade mounted in the 1840s, São Paulo coffee planters, predicting a catastrophic labour crisis, started to look for alternative sources of labour. Domestic free labourers had always participated in coffee production, although only in special tasks and by special agreements. In 1847 the first European immigrants arrived to work on coffee plantations, engaged in a sharecropping scheme. Under the terms of earlier sharecropping contracts, the planter financed transportation from the immigrant's country of origin to the port of Santos, advanced the cost of transport from Santos to the plantation, as well as the foodstuffs and tools the immigrant needed. Immigrants were assigned a certain number of coffee bushes to be tended and harvested. Immigrants were also allotted a subsistence plot where they could grow their own food. Their remuneration consisted of half the net profit from coffee cultivation and from the food crops. According to Stolcke and Hall, there were about 3,500 immigrant labourers working on 30 plantations in the province by 1855.⁷³

⁷¹ R.B. Toplin, The Abolition of Slavery in Brazil (New York: Atheneum, 1972) p.35.

⁷² "Quadro Estatístico" in Discurso...Sr. Saraiva, 1855, op.cit.; A.E. Taunay, op.cit., III, p.134.

⁷³ V. Stolcke and M.M. Hall, "The Introduction of Free Labour on the São Paulo Coffee Plantations" Journal of Peasant Studies 10:2(1983) pp.170-200, p.172.

The experiment with immigrant workers on São Paulo coffee plantations would be an example to other provinces in Brazil. These experiments would be regarded as "progressive" — an indication of Paulista innovation. But a series of conflicts, rebellions and complaints raised by the immigrant workers led to a generalized planter sentiment against the sharecropping scheme. The repercussion in Europe of the bad conditions on São Paulo coffee plantations led European governments, mainly Prussia and Switzerland, to take severe measures against colonizing agencies directing emigrants to Brazil.

Disenchantment with these first experiments with immigrant sharecroppers led planters to look for other ways of solving their problem of a "scarcity of labour". Besides increasing their number of slaves by means of good treatment and the internal trade, they focused on measures to stimulate the employment of Brazilian free workers as well. Immigrant sharecropping contracts were then gradually replaced by a labour leasing scheme. Instead of a share of the production, workers were paid a pre-established piece rate for each measure of coffee produced. Chinese contract workers would also be an alternative repeatedly under consideration though little employed.

From the abolition of the trans-Atlantic slave trade until the sanctioning of the Rio Branco Law, Paulista coffee planters experimented with several forms of labour relations. In some plantations slaves and free workers laboured side by side. Some tasks were executed almost exclusively by free labour, such as those considered to be dangerous for expensive slaves. Free workers also served in positions of administration and supervision. And one could find Brazilian and European free workers working in the fields.

Preparing conditions for free labour. In 1856 coffee cultivation was reported to be "the same as it was a hundred years earlier"; first clearing, then firing and planting.⁷⁴ But the larger plantations had already introduced a few innovations in coffee processing. When the

⁷⁴ Cf. A.E. Taunay, *op.cit.*, III, p.140.

Swiss representative Von Tschudi visited São Paulo at the beginning of the 1860s, he observed drying terraces (*terreiro*) laid with dark tiles which improved the level of heat, dryness and cleanliness.⁷⁵ He also observed that hulling machines were beginning to appear in the western part of the province. But only large estates were able to afford them.⁷⁶ In the Vassouras area of the Paraíba Valley, the most advanced machine used at the time was the heavy crushing mill (*engenho de pilões*), which removed the hull and pith of the beans.⁷⁷

It is only from the 1870s that these changes became more apparent. Coffee processing was improved with the use of driers, hullers, and cleaning machines. In 1871, the president of the province reported that the plantation owners of São Paulo were no longer as backward as in previous years; they had improved their methods of coffee cultivation and processing by adopting and adapting new techniques. The employment of the plough was reported to be common. According to the provincial president, plantation owners knew that mechanization was the best means of saving labour, which was scarce and expensive. In his view, the progressive utilization of machinery was a result of the impossibility of increasing labour supply, and of the need to improve coffee processing in order to achieve higher prices in the market. And the evidence of that — the president pointed out — was the introduction and widespread employment of American Lidgerwood machines, the high costs of which was compensated by the better

⁷⁵ The purpose of the terraces was to provide coffee with air and heat. This phase of coffee production was very important and requires a great care. The lays of coffee had to be mixed many times during the day and immediately removed in case of rain. Tschudi also observed that there has been attempts to cover terraces, replacing sun for artificial heat. J.J. von Tschudi, *Viagem às Províncias do Rio de Janeiro e S. Paulo*, transl. E. de L. Castro (São Paulo: Martins, 1953) pp.42-43.

⁷⁶ J.J. von Tschudi, *op.cit.*, p.43.

⁷⁷ E.V. da Costa, "Sharecroppers and Plantation Owners. An Experiment with Free Labour" in *The Brazilian Empire, Myths and Histories* (Chicago: The University of Chicago Press, 1985) pp.94-124, p.113.

prices of the final product.⁷⁸ In 1883, a traveller who visited the coffee estates in São Paulo, wrote that on many of them, the coffee beans were pounded, hulled, sorted, polished and sacked mechanically.⁷⁹

Alongside the progressive utilization of machinery, the construction of a railway network represented a major change. Prior to the construction of railways, planters relied on mules, which required a large number of workers. The poor roads and the deplorable condition of tracks in the Serra do Mar had occasioned repeated protests from planters. In 1867 the São Paulo railway, linking the port of Santos to the edge of the coffee zone, Jundiaí, was opened. Continued railway building over the next decades helped to cut costs and risks and facilitated a saving in labour engaged in the transport of coffee. The rapid expansion of coffee production in São Paulo evolved as a function of the steady westward movement of the agricultural frontier permitted by railway construction.⁸⁰ Following railway construction in the 1870s, coffee exports from Santos rose from an annual average of 22,300 tonnes for the triennium 1866-68 to 35,900 tonnes in 1872-74 and to 44,300 tonnes in 1875-77.⁸¹ But if from the 1870s, improvements in machinery and transport of coffee helped in the first instance to ease the labour problem, in the long run by helping to incorporate new areas and expand coffee cultivation it provoked and exponential growth in the

⁷⁸ Relatorio apresentado à Assembleia Legislativa Provincial de São Paulo pelo presidente Excmo. Sr. Dr. Antônio da Costa Pinto Silva, em 5 de fevereiro de 1871 (São Paulo: Typ. Americana, 1871); also A.E. Taunay, *op.cit.*, III, pp.222-223.

⁷⁹ E.V. da Costa, "Sharecroppers and Plantation Owners", *op.cit.*, p.116.

⁸⁰ C.M. Lewis, Public Policy and Private Initiative. Railway Building in São Paulo, 1860-1899 (London: Institute of Latin American Studies, 1991) p.13 and pp.19-20; on the development of railways in São Paulo see also O. Nogueira de Matos, Café e ferrovias: a evolução ferroviária de São Paulo e o desenvolvimento da cultura cafeeira (São Paulo: 1974).

⁸¹ C.M. Lewis, *op.cit.*, p.15.

demand for labour.⁸² Concerns about labour scarcity grew throughout the period preceding the final abolition of slavery in 1888.

The approval in 1871 of the Rio Branco Law provoked fears of an imminent labour crisis. This law was approved in the face of strong opposition by coffee planters. By this time, regional differences between the northeastern sugar and southern coffee provinces were apparent. At the middle of the century slaves represented about three quarters of the labour force of sugar plantations. With the end of the trans-Atlantic slave trade and the high price of slaves, sugar planters started to draw upon the large free population available and to sell their slaves for a better price to the coffee areas. In 1872, in the sugar areas, free labourers surpassed slaves in all categories of activities; the importance of slavery had been dramatically reduced.⁸³ Meanwhile, nationally the slave population had been increasingly concentrated in the south and was the most important contingent of labour supply for the expanding coffee plantations. At the end of the 1870s, fearing that the increasing distinct interests of the sugar and coffee areas over the issue of slavery would undermine national support for the institution, coffee planters started to press for the end of the internal trade. This was the time when São Paulo coffee planters were most concerned about the problem of labour supply. Slavery was expected to be abolished gradually, but a growing antislavery movement might result in an earlier end. Slave protests were mounting and had been expressed in the form of flight and violent crimes. Promotion of European immigrant workers had been frustrating and immigrants already engaged in coffee cultivation had been restive; strikes and rebellions were often reported. Brazilian workers had been incorporated but were traditionally regarded as lazy and unreliable. Chinese contract workers had been considered but remained a very controversial alternative and former

⁸² C. M. Lewis, op.cit., p.19.

⁸³ P.L. Eisenberg, The Sugar Industry in Pernambuco. Modernization Without Change, 1840-1910. (Berkeley: University of Carolina Press, 1974) p.181.

slaves were not expected to continue performing field work in the plantations.

Two factors would contribute considerably to re-direct the attention of São Paulo coffee planters during the next decade: the encouragement of Italian mass immigration by the provincial government at the beginning of the 1880s; and the spread of a peculiar labour arrangement called the *colonato*. Both were a response to the great labour demand provoked by the dramatic expansion of coffee and urgent questions posed by the increasingly active abolitionist movement. By the late 1860s, after the first unsuccessful experiments with European immigrants, gradually the planters introduced further adjustments in the labour contract. From these experiments the *colonato* appeared. It was a new scheme of remuneration, a mixed task and piece-rate system. This arrangement, appearing on coffee plantations from the 1880s, was to prevail in São Paulo until the 1950s. Between 1884 and 1914, some 900,000 subsidised immigrants arrived in São Paulo, mostly as cheap labour for the coffee plantations. The figure for newly arrived immigrants in 1887 exceeded the estimated 50,000 slaves who were being used on coffee plantations in 1885.⁸⁴ In 1880 Brazil was producing more than a half (57%) of total world coffee production. Eight years later, the year of abolition of slavery, the country supplied 62% of world coffee production. In 1891, it reached almost 65% of world production. See Table 24 for numbers of immigrants arriving in São Paulo in the last decades of the nineteenth century. See Table 25 for World Coffee Production by region, 1880-1891, in Appendix.

⁸⁴ V. Stolcke and M.M. Hall, *op.cit.*, p.182.

PART I

EXPERIMENTING WITH FREE LABOUR

Introduction

At first glance, parallels can easily be traced between initial experiments with free labour in Brazil and Cuba. Following the course of initiatives taken as a result of growing external pressures to end the trans-Atlantic slave trade, it is possible to find similarities in general policies. Thus, during the first decades of the nineteenth century, white immigration was promoted both to populate Cuba and São Paulo with a class of small landholders and to counterbalance the growing slave population. Further external pressures to stop the trans-Atlantic slave trade, especially during the 1840s, prompted both areas to intensify their search for new sources of field hands to work in the expanding plantation economy. By this stage earlier policies to stimulate immigration were considered expensive and inefficient for plantation requirements. Accordingly Cuba and São Paulo started experimenting with a variety of sources of labour supply and labour systems. Suggested sources of labour included Europe, Asia and embraced also American Indians, free Africans and free coloureds. By mid-century, Europeans, Chinese and Indians from Yucatan were brought to Cuba as contract labourers. In São Paulo this was the time when Nicolau de Campos Vergueiro, a reformist coffee planter, initiated experiments with Europeans contracted as sharecroppers to work on his coffee estates. The recruitment of workers from several sources reflected different purposes and working relations.

The dependence on external labour supplies and the easy availability of vacant land led to attempts to strengthen ties binding workers to the plantations — essentially by means of labour contracts and repressive legislation. Prejudice clearly played a part in the coincidence of policies. For instance, Europe was considered the most desirable source of labour in both areas. Europeans were viewed as settlers, potentially industrious independent smallholders who would populate the country. They were also viewed as a prospective element of the nation and as a means of counteracting a growing black population. Chinese and Africans were an option but only subject to the control of repressive legislation

and tight contracts, as "labour machines" and as a temporary solution — a means of easing the transition to free labour. Despite numerous attempts, however, free white immigrants would not constitute a real alternative to slave labour until the 1880s.

Despite these similarities, there were also profound differences. It was the nature of these differences that shaped the contrasting experience with free labour and gave a distinct dynamic to these early experiments. If forecasts of the imminent end of the trans-Atlantic slave trade and of the collapse of slavery were influential in defining alternative labour supply policies, so too was the role of the metropolis, in the case of Cuba, and concerns in Brazil about the constitution of the nation.

The slave labour supply crisis provoked by external pressures on the African trade affected Cuba and São Paulo in different ways. In the Cuban case, British opposition to the trade was modulated by Spanish and by North American interests in it. Spain had always been reluctant to terminate the trade, believing that the end of the slave trade meant the end of slavery, the end of the prosperity of the island and hence a reduction in fiscal revenues. Fears about the loss of planter support and thus of control of Cuba also made Spain very cautious when approaching the strategic issues of the abolition of the trans-Atlantic slave trade and the abolition of slavery. Thus, the effective end of the trade occurred earlier in Brazil, at the beginning of 1850s. In Cuba it was not over until the mid-1860s. As a result, Cuban sugar production, although reinforced by alternative labour sources, would rely heavily upon slave labour until the end of the system in the 1880s.

There were also differences in the timing of rapid plantation expansion. In Cuba the great expansion of sugar production in the 1840s and 1850s helped bring on the crisis in labour supply. In São Paulo, coffee production expanded dramatically only after the end of the trans-Atlantic slave trade. At mid-century, Paulista coffee plantations were well stocked with slaves illegally imported during the years immediately before the final end of the trans-Atlantic

slave trade. In addition, Paulista planters could draw upon internal supplies of slaves. It is no coincidence that the internal trade in slaves grew substantially during and after the 1850s. These factors eased initial adjustments to the end of the supply from Africa. From the 1870s a growing free population would be available for potential plantation work.

Cuba and São Paulo began experiments with alternative forms of labour at about the same time in the 1840s. Nevertheless, as the labour shortage was more acute in Cuba, and influenced by British experience in the Caribbean, a greater range of experiments with non-slave labour developed more rapidly in the island. In Cuba, most of these experiments were designed primarily to address the general problem of labour supply, provoked by the great expansion of sugar plantations. In Brazil they were viewed as a substitute for slaves and _ for a while _ they engendered hopes of an early end of slavery itself. However, the final abolition of slavery was still far off. Factors promoting the transition from slavery to free labour were different in each case but some unity was given to the process by the homogenizing influence of world pressure. In addition, increasing awareness after the 1860s that Cuba and Brazil were the two remaining areas where slavery survived meant that each kept itself informed about attempts by the other to manage the transition.

Part I compares and contrasts policies to promote free labour in Cuba and São Paulo. The settlement of white immigrants _ designed first to counteract a growing slave population, and later to provide alternative labour supplies _ constituted the starting point in both areas. The need for labour on expanding plantations, however, took precedence. The first sections of chapters 3 and 4 contain an account of this shift. The subsequent sections examine further problems faced by both areas concerning labour recruitment and control.

CHAPTER 3

CUBA

By the time Vergueiro's sharecroppers were arriving on São Paulo coffee plantations, Chinese and Yucatecan Indians were landing in Cuba as contract labourers. For the next two decades there would be a multiplicity of experiments with different workers and labour systems. This was a period of experiment in both areas.

This chapter is an attempt to reconstruct the circumstances surrounding the initial introduction of "free" workers in Cuba. It seeks to explain changes in contracts and labour systems as well as motives determining the choice of various groups of workers and attitudes towards them. In Brazil initial experiments with non-slave labour were carried out by farsighted planters who envisaged the speedy end of slavery with the break in the African trade. European sharecroppers were viewed as a feasible alternative to slave labour. In Cuba experiments with contract workers were an attempt to address the acute labour shortage and supplement slave labour which continued to be supplied by the trans-Atlantic slave trade. The late end of the African trade, the role of Spain and the trade in workers made solutions to labour problems in Cuba very different from the Brazilian experience.

3.1. Initial attempts: establishing an immigration policy

During the first decades of the nineteenth century there were many attempts to attract white immigrants as smallholders to Cuba. Increasing imports of slaves were a major concern. Exercised by the example of slave revolt in Haiti, the Economic Society (*Real Sociedad Económica de Amigos del País*) advised in 1794 that "although for the general development of the island the introduction of slaves should be favoured, it is necessary to proceed carefully (...) in order that the number of Negroes may not only be prevented

from exceeding that of whites, but that it may not be permitted to equal that number". Two years later, in 1796, the Royal Advisory Board for Agriculture and Commerce (**Real Consulado de Agricultura y Comercio**) took up the question of white immigration following a slave revolt.¹ By this time the promotion of white immigration was the means found by creoles such as Francisco Arango y Parreño, a representative of Cuban interests in Madrid, to convince the colonial government to support the continued free and unlimited import of slaves.²

Spain would have preferred to populate the colony with Spanish, or at least Catholic white immigrants. A decree of October 21, 1817, was the first permitting non-Spanish Catholic immigration into the island.³ This decree permitted settlers to purchase land in the island and was issued at about the time when Spain and England signed a treaty to end the slave trade ((December 19, 1817). The immigration decree of 1817 was designed to support the work of the Board for the Promotion of White Immigration (**Junta de Población Blanca**) which had been established in 1815 by Intendant Ramirez and Captain General José Cienfuegos.⁴ A further disposition of February 7, 1818, laid down a tax on each male slave imported into Cuba over the following three years, when the treaty to stop the slave trade was due to go into effect. The revenue yielded by the tax was to be used by the Board to promote white immigration.⁵ For the next two decades, the Board, as well as the Economic Society and the Advisory Board, commercial corporations Arango Y Parreño had helped to create, would be actively engaged in the promotion of white

¹ Quoted in D.C. Corbitt, "Immigration in Cuba", Hispanic American Historical Review 22 (May 1942) pp.280-308, esp. p.284.

² A.F. Corwin, Spain and the Abolition of Slavery in Cuba, 1817-1886 (Austin: University of Texas Press, 1967) p.14.

³ Real cédula de 21 de Octubre de 1817, sobre la manera de aumentar la población blanca de la Isla de Cuba. ANC, GSC, leg. 630, n. 19889.

⁴ D.C. Corbitt, "Immigration in Cuba", op.cit., p.288; A.F. Corwin, op.cit., p.33.

⁵ D.C. Corbitt, "Immigration in Cuba", op.cit., p.290.

settlement.⁶

By 1823 some 845 settlers from Bordeaux, Philadelphia, Baltimore, Saint Domingue, Louisiana and other places had arrived at a settlement established in Jagua Bay, one of the most important then founded.⁷ Strategic settlements known as "colonies" were set up in Nuevitas, Cienfuegos, Manzanillo, Isla de Piños and Guantánamo.⁸ Besides protecting coastal areas, the colonies were intended to prevent the formation of bands of runaway slaves (*palenques*) in the underpopulated interior of the island.⁹

Despite the often stated need to populate certain areas of the island, foreigners would always be viewed with reserve. It was argued that great numbers of foreign immigrants could create antagonisms among the different alien races, primarily against the mainland Spaniards (*peninsulares*), and that they might conspire among themselves and with the creoles against the metropolis. For instance, in the 1830s conditions to approve the creation of the colony Vives in Baracoa required amongst other things that any foreigners should be Catholics and that their total number should not exceed that of the Spaniards. The plan had been developed by a New York company and the colony was suppose to be founded with Irish, English and Scottish families. Colonial authorities were warned that despite the project's great advantages to the development of the region and its inexpensiveness, "one should not

⁶ D.C. Corbitt, "Immigration in Cuba, *op.cit.*, pp.290-291.

⁷ D.C. Corbitt, "Immigration in Cuba", *op.cit.*, p.291.

⁸ Julio LeRiverend, *Historia económica de Cuba*. 4th ed. (Havana: Universidad de la Habana, 1985) p.177.

⁹ Acta de la Junta de Población Blanca, Habana, August 6, 1830; Oficio, Superintendente to Sr. Conde de Villanueva, Havana, September 20, 1831; Ministerio de Hacienda de Indias, Consejo de Indias approving project, Madrid, January 18, 1833. AGI, Ultramar, Seccion X, leg.174. Expediente formado a consecuencia de oficio de la Capitanía General en virtud de una instancia de Mr. Andres Garr sobre establecer una población de colonos extranjeros en las tierras de Moa. AGI, Ultramar, Seccion X, leg.174 (Colonia Fernandina de Jagua), exp.2.

lose sight of the foreign origins of the project", that the foreigners would be proprietors of the land, and moreover "that these foreigners belonged to a close, powerful neighbouring nation...". The project was formally approved in 1833, with the observation that there should be "strict vigilance".¹⁰

Another British attempt by the treaty of June 20, 1835, to "totally and finally abolished in all parts of the world" the Spanish slave traffic, led to renewed interest in white immigration. In the meantime a large flow of white immigrants had been entering the island through other channels. Many were wealthy refugees from Saint Domingue, Louisiana and Florida. But most came from Spain and the Canary Islands as labourers. Some thirty-five thousand immigrants entered Cuba between 1834 and 1839.¹¹ By this time a considerable amount of capital was invested in the island, and with it came workers, foremen, engineers and so forth.¹² Irishmen and Canary Islanders were imported to build railways.¹³

The dispute over the end of the trans-Atlantic slave trade brought about contradictory reactions. On the one hand, the continuation of the illegal trade in African slaves had caused conflict with Britain while the growing slave and black populations stimulated widespread fear of rebellions. In the early 1840s conflicts with Britain over slaves illegally imported since the 1817

¹⁰ Acta de la Junta de Población Blanca, Havana, August 6, 1830; Oficio, Superintendente ao Sr Conde de Villanueva, Habana, September 20, 1831; Ministerio de Hacienda de Indias, Consejo de Indias approving project, Madrid, January 18, 1833. AGI, Ultramar, Seccion X, leg. 174.

¹¹ C.M. Trelles y Govin, Biblioteca Historica Cubana 3 vols (Matanzas: Imprenta de Juan F. Oliver, 1922) 2, p.357 between 1835 and 1839 arrived 35,203 white immigrants; in 1836 arrived 8,000 passengers in Havana, of whom 3,760 were Spanish, 2,690 Canary Islanders, and 1,000 from the U.S.A; in 1840 arrived a total of 5,750, of whom 2,900 were Spanish and 2,850 foreigners.

¹² D.C. Corbitt, "Immigration in Cuba", op.cit., p.294.

¹³ M. Moreno Fragnals. El Ingenio: complejo económico social cubano del azúcar (Havana: Editora de Ciencias Sociales, 1978) v. I, pp.299-301.

treaty and reported slave rebellions provoked a general, but temporary, sentiment against the slave trade in the island.¹⁴ More importantly it raised the issue of alternative labour sources for the flourishing sugar industry. White immigration was viewed as the natural solution to both concerns: the racial balance and the labour problem.

By this time, instead of simply immigrant labourers (*braceros*), there were suggestions for the promotion of white immigrant families. Articles and pamphlets about sugar mills served exclusively by white labour were printed. However, as these proposals also tended to advocate changes in the system of sugar production as well as in landholding structure, they merely created a polemical atmosphere. The sugar master José Maria Dau, for instance, in his pamphlet "Ingenios sin esclavos", published in 1837, anticipated problems in attempting to employ free workers in sugarmills.¹⁵ He pointed out that without better salaries and living conditions (family life, hospitals, schools, better food etc) it would be difficult to find people willing to "build up a fortune for others". Freeman wanted land to work and so Dau envisaged that a large collective plot of land (*gran conuco comun*) would have to be made available to colonists in the mill lands. Otherwise a free man would be better off if he dedicated himself to some other activity in this "new country with plenty of resources". In Dau's view, Canary Islanders were the most suitable immigrants because of the common language, their robustness, willingness to work and not least

¹⁴ See, for instance, Exposición de los hacendados de Matanzas al Gobernador Capitán General, pidiendo la supresión de la trata (1843), reprod. in E. Torres Cuevas and E. Reyes, Esclavitud y Sociedad. Notas y documentos para la historia de la esclavitud negra en Cuba. (Havana: Editorial de Ciencias Sociales, 1986) pp.202-205. Conflicts with Britain over slavery, black and slave rebellions in 1840s see D.R. Murray, Odious Commerce: Britain, Spain and the Abolition of the Cuban Slave Trade. (Cambridge: Cambridge University Press, 1980) chap.6 to 9, and R.L. Paquette, Sugar is Made with Blood. The Conspiracy of La Escalera and the Conflicts between Empires over Slavery in Cuba (Middletown: Wesleyan University Press, 1988).

¹⁵ J. Maria Dau. Ingenios sin esclavos (Havana: Imprenta de D. José Maria Palmer, 1837).

for the "facility of acquiring them at low costs".¹⁶

Other projects included radical changes in the system of sugar production, reconsidering the entire concept of a unitary, self-contained sugar estate. These were probably influenced by experiences in the British and the French Caribbean where after the abolition of slavery planters had been attempting to establish central factories to process raw cane produced by sharecroppers and independent farmers.¹⁷ The separation of sugar processing (refining) from cane cultivation (production) implied either dividing or selling the cane fields to small proprietors who would have a degree of independence to produce and deliver cane to a central mill. Theoretically this would relieve planters of anxieties over labour control, and would encourage greater care in cultivation. In Cuba, the government agent Vázquez Queipo in his 1844 report suggested that the separation of sugar cultivation from processing was a means of encouraging smallholdings and white immigrant families as a possible substitute for slavery.¹⁸ Queipo did not believe that attempts to encourage white immigrant workers would succeed while slavery existed. European emigrants would not choose to go to Cuba for low salaries to work alongside slaves. At the same time, the separation of sugar production from refining and the promotion of small properties were among the suggestions proposed by the Spanish writer Ramón de la Sagra when studying the implications of an

¹⁶ J.M. Dau, op.cit., pp.6-7.

¹⁷ Experiments in the British and French colonies, see W.A. Green, British Slave Emancipation. The Sugar Colonies and the Great Experiment, 1830-1865 9th ed (Oxford: Clarendon Press, 1991) pp.212-213.

¹⁸ V. Vázquez Queipo. Informe fiscal sobre fomento de la población blanca en la Isla de Cuba y emancipación progresiva de la esclava con una breve reseña de las reformas y modificaciones que para conseguirlo convendría establecer en la legislación y constitución coloniales: presentado a la Superintendencia General Delegada de Real Hacienda en diciembre de 1844 por el fiscal de la misma. (Madrid: Imprenta de J. Martin Alegria, 1845) pp.42-44.

eventual end of the trans-Atlantic slave trade.¹⁹ This debate would resurface again and again. In 1847 when Domingo de Goicuria, after unsuccessful attempts to import Spanish labourers, submitted to the authorities a petition to import Germans and Scots based on the separation of sugar cultivation from processing he aimed exclusively to meet the need for labour.²⁰ However, Goicuria's proposal was rejected on the grounds that the island climate was not suitable for Europeans and there would be problems of introducing those "different races". Besides, it was stressed that the labour system under which immigrants would be engaged "contains in itself the seeds of destruction, encouraging mutual suspicion and conflict between the master and the immigrant workers".²¹ Many similar proposals submitted to the authorities would be dismissed on those grounds, alleging difficulties over climate, religion or patterns of land tenure.

By the mid-1840s plans for transforming the island into a prosperous colony of smallholders had assumed a lower priority. Sugar cane needed land to expand. The settlement of prosperous white smallholders on the island, although desirable in theory, might challenge the planter's control of land and restrict land available for sugar production. In any case, colonies of white farmers were unlikely to help solve the problem of labour on the plantations.

The great expansion of sugar production led to a dramatic labour crisis during the 1840s and 1850s. The construction of the first

¹⁹ Ramón de la Sagra. Estudios Coloniales con aplicación a la Isla de Cuba (Madrid: Imprenta de D. Dionisio Hidalgo, 1845) pp.80-87.

²⁰ Expediente formado a consecuencia de la Real Orden de 12 de Diciembre relativo al nuevo proyecto de colonización propuesto por Domingo de Goicuria. ANC, RCJF, leg.195, n.8729.

²¹ Analise del proyecto de colonización de Domingo de Goicuria, April 23, 1847, ANC, RCJF, leg. 195, n. 8729. Ultramar refused, Real Orden de May 20, 1848, Ibidem.

Cuban railway began as early as 1835.²² In November 1837 the first branch was opened to Bejucal, directly south of Havana and one year later the railway reached Güines.²³ The opening of the Havana-Güines railway is considered the turning point in the history of Cuban sugar production.²⁴ New transport developments promoted the exploitation of newly colonized areas and greatly expanded the planting of cane and the construction of new mills. It also made the shipping of sugar and supplies quicker, more reliable and cheaper. The growth of markets such as that of United States contributed to demand. During this time there was a marked increase in Cuban sugar exports to Britain stimulated by the British Sugar Acts of 1846 and 1848, which provided for the gradual equalization of duties on all sugar entering Britain irrespective of origin. Until 1854 slave-grown and free-grown sugar would compete equally in the British market.²⁵ Cuban sugar production rose from 205,608 metric tons in 1846 to 462,968 metric tons in 1855 (see table 2, Appendix). Cuba's plantation economy expanded in both the number and size of the sugar plantations.

A dramatic temporary decline in the slave trade immediately following the 1845 treaty between Spain and Britain sharpened demand for labour and stimulated fears about supply. From 1845 to 1848 the trade reached its lowest level in the nineteenth century before final abolition. British Commissioners in Havana estimated that 10,000 African slaves arrived in 1844. In 1845 only 1,300 slaves were landed; 1,500 in 1846; 1,000 in 1847; 1,500 in 1848. By 1849 slave landings were again on the increase, rising to 8,700 slaves (table 5, Appendix). The increased demand for labour had meant

²² The railway age had just begin with the opening of the first line connecting Manchester and Liverpool, England, five years before. L.W. Bergad, Cuban Rural Society in the Nineteenth Century. The Social and Economic History of Monoculture in Matanzas (Princeton: Princeton University Press, 1990) p.109.

²³ L.W.Bergad, op.cit., p.110.

²⁴ M.Moreno Fraginals, El Ingenio, op.cit., I, p.272.

²⁵ D.R. Murray, Odious Commerce, op.cit., p.210. Also see same book, Table 8, British Imports of Cuban sugar, 1845-60, p.243.

higher prices for slaves. In 1847 slaves were sold for 500 pesos or hired out at 14 pesos a term; in 1852 it was observed that "today the selling price is 700, and for hiring 20 pesos during the harvest".²⁶ The demand for labour resulting from the increased sugar production was heightened by the reduction of the slave trade. The high prices of slaves had only been eased by the availability of slaves transferred from the declining coffee plantations.²⁷ Friginals estimated that some 50,000 slaves were transferred from coffee to sugar production after the 1830s.²⁸ In Brazil, as it will be shown, the trend was the other way, from sugar to coffee.

3.2. In search of workers

The search for alternative labour supplies began in the early 1840s. The international crusade against the trans-Atlantic slave trade and the prospect of the abolition of slavery itself had intensified competition for the world's alternative labour supplies. While British planters in Guyana and Trinidad would try to adapt to the transition to free labour by importing indentured Indians, Spain could provide no such expedient from its Empire. Asians, Africans and poor Europeans were the great hope. By the mid-1840s Cuban planters were considering, as were their Caribbean competitors, all possible sources to provide cheap labour for the plantations. Merchants who "traded" in workers played a significant role in defining and promoting available choices. The choice of a particular source while affected by racial, political and economical criteria, was also affected by competition among those trading in workers. On the whole, the great demand for labourers in Cuba made the island an attractive target for Cuban and foreign entrepreneurs struggling for a share of this lucrative business.

²⁶ Voto del Fiscal Olivares, Havana, February 29, 1852. AHN, Ultramar, leg. 85, n. 1, exp. 6.

²⁷ AHN, Ultramar, leg. 85, n. 1, exp.2.

²⁸ M. Moreno Friginals, El Ingenio, op.cit., I, p.274.

3.2.1 Recruiting Europeans

For most Cuban planters, after the abolition of the slave trade the ruin of the island could be prevented only by importing cheap immigrant labour on a large scale. Indeed, even while the slave trade continued, white immigrants would be required. To increase the number of blacks would threaten the security of the island: immigrants were necessary to counter this danger. Whites, Catholics, Spanish were favoured but immigrants could be of any race, religion or country, providing they were cheap, diligent and submissive. When Miguel Aldama's experiment with imported Biscayans failed in the 1840s, he wrote to his brother-in-law Domingo Delmonte: "Many hacendados have made up their minds to bring in colonists and if we must go to Siberia for them, we have to get them".²⁹

Experiments with European workers had already been taking place. In 1839, some 240 Canary Islanders were imported. They were contracted labourers destined for Puerto Príncipe. In the following year the planter Miguel Estorch started one of the earliest experiments with immigrant contract labour on his plantation, La Colonia, also in Puerto Príncipe.³⁰ Almost at the same time, Aldama y Alfonso was attempting to set up a big mill with Spanish workers from the province of Vizcaya.³¹ These experiments proved unsuccessful. "Estorch's Catalans" had been doing splendidly, it was reported.³² Yet the Catalans soon dispersed. According to Fraginalls, the plan failed for a number of reasons. The Catalans found much better paid work in Puerto Príncipe or became artisans and farmers on their own account. They also objected to being made to work eighteen hours a day in the harvest and grinding season like slaves.

²⁹ Quoted from J. Pérez de la Riva, Para la Historia de las Gentes sin Historia (Barcelona: Ariel, 1976) pp.46-47.

³⁰ J. LeRiverend, Historia Económica de Cuba, op.cit., p.341.

³¹ M. Moreno Fraginalls, op.cit., I, p.303.

³² Letter from Betancourt Cisneros to José de la Luz y Caballero, January 3, 1841, in M. Moreno Fraginalls, op.cit., I, p.302.

Fraginals observed that on the maintenance side, "the Catalans as a group consumed 465 pesos more a month than would have been given to an equal number of blacks". Fraginals suggested that "Estorch could not make them accept inferior conditions since they had not come, as had the Canary Islanders and Irishmen, under military law which prevented desertion". Estorch ended up selling the contracts.³³

Signs of a clearer immigration policy appeared in 1842 when the Board for the Promotion of White Immigration was abolished and the task of encouraging the immigration of "honorable and industrious Europeans" was assigned to the Economic Development Council (Junta de Fomento).³⁴ The Council's Committee on White Population soon developed a programme to stimulate immigration for the plantations. Prizes were offered to planters who settled white families on their lands and to sugar mills employing exclusively white labour. A contract to import labourers from Spain was signed with a company set up by Domingo Goicuria. The Council agreed to pay thirty-two pesos towards the travel expenses of each immigrant and to furnish food and lodging for a month, plus eight pesos in cash. The immigrants were to repay half of this advance and remain in Cuba for three years.³⁵ Although Goicuria went to Spain himself to recruit immigrants he obtained only a thousand in the course of two years.³⁶ Prospects were not encouraging. In June 1846, the Council reported

³³ Ibid., p.303; see also J. LeRiverend, op.cit., p.342.

³⁴ D.C. Corbitt, "Immigration in Cuba", op.cit., p.298; J.LeRiverend, op.cit., p.329. The Junta de Fomento, first organized in 1795 under the name Consulado, was a government sponsored corporation composed of prominent businessmen and planters. Until 1832 it performed the functions of a chamber of commerce, a department of public works, and a tribunal for hearing commercial litigations. When the Junta de Población Blanca was abolished in 1842, its income was assigned to the Junta de Fomento. According to Corbitt, when the Junta de Fomento took up the question of white immigration by 1843 there was an abundant supply of money with to work. D.C. Corbitt, A Study of the Chinese in Cuba, 1847-1947 (Wilmore: Asbury College, 1971) p.3.

³⁵ D.C. Corbitt, "Immigration in Cuba", op.cit., pp.300-1; or same author, A Study of the Chinese, op.cit., p.3.

³⁶ D.C. Corbitt, A Study of the Chinese, op.cit., p. 4.

to the Captain General that all the efforts to introduce white immigrants had resulted in a total of only 1,673, including six hundred "coolies" contracted in China.³⁷ The Council calculated that about twenty to thirty thousand labourers were required to supply the needs of agriculture.³⁸

Although it is difficult to establish the number of European immigrants entering Cuba under those contract conditions, it is clear that a flow was set in motion. Indicative of that is the great increase of the Cuban white population in the years between the censuses of 1846 and 1862, due mostly to immigration.³⁹ Despite plans including Irish, German, Portuguese, and other immigrants, most came from Spain and its possessions.⁴⁰ Although most of these immigrants came on their own initiative, and engaged in non-plantation activities, many came with families and relatives engaged in contracts to work on sugar plantations.

Several lists identifying hundreds of Canary Islanders entering the island, and their respective contracts, can be found in the records of the Council. Contracts were usually agreed before leaving the country of origin; references of good character were attached to the contracts. After arrival workers were to remain in barracoons (*depósitos*) for up to a month while awaiting hire. If they did not

³⁷ Informe, June 18, 1846. AHN, Ultramar, leg.91, no. 1, exp.8.

³⁸ AHN, Ultramar, leg. 91, n. 1, exp. 8.

³⁹ See table 7, Appendix. According to Trelles y Govin, *op.cit.*, p.359, between 1854 and 1859 arrived a total of 76,346 white immigrants.

⁴⁰ Between 1830 and 1850, 50,000 Canary Islanders emigrated mostly to Cuba and Puerto Rico. In the early 1840s the significance for the Canary Islands's economy of the remittances made by Canary Islanders that emigrated to Cuba was stressed by the *Junta de Comercio de Canarias* when, fearing the ruin of Cuba, it argued against any idea of abolition of slavery. See Agustín Guimerá Ravina, "La burguesía canaria ante la abolición: la consulta de 1842", in F. de Solano and A. Guimerá (ed.) *Esclavitud y Derechos Humanos. La lucha por la libertad del negro en el siglo XIX* (Madrid: Consejo Superior de Investigaciones Científicas, 1990) pp.99-123, p.104.

find a job in this time they were to be employed by the Council on public works at the rate of four pesos a month. Hire contracts could be agreed for three years, with the Council being indemnified for travel expenses either by the contractor or the immigrant. The Council usually acted as an intermediary between the contracted immigrants and the planters. But the active role of the Council, trading in workers, was evident from the beginning. It is interesting, for instance, to see the Council's careful selection of the workers when they arrive.⁴¹ In 1849, following a ruling of the Committee on White Population, the Council decided not to pay the expenses of males older than 40 years, and females over 25; it would pay a maximum of 20 pesos for adults, a half that for minors up to twelve years, and one third for nursing mothers.⁴²

At the time, several abuses were reported. One can imagine the number of conflicts that arose from the bad conditions newly arrived immigrants faced in the *depósitos*. Illness, drinking and desertions were reported. In 1852, a Canary Islander, Manuel Martins Frías, was put in stocks for lack of respect to the *depósito* administrator.⁴³ There were cases of minors being shipped without their knowledge.⁴⁴ The colonist Petronila Santana, a Canary Islander, minor, was embarked by her mother without her knowledge and without a passport.⁴⁵ In March 1846, the Committee on White Population reported that out of Goicurria's colonists numbering 876, only 70 had not been hired. And they remained unhired not because there was no

⁴¹ Session October 17, 1851. ANC, Actas de la Real Junta de Fomento de Agricultura y Comercio de las Isla de Cuba, 1851, Libro 200, numero 200, p.157.

⁴² Session September 15, 1849, ANC, Actas...1849, leg. 173, n. 8144.

⁴³ ANC Real Consulado y Junta de Fomento, leg.197, n.8849. The Council considered sufficient two days punishment, July 7, 1852, ANC, Actas...1852, Libro 201, numero 201, p.10.

⁴⁴ For instance, session March 12, 1851, ANC, Actas... 1851, Libro 200, numero. 200, p.36.

⁴⁵ Session March 12, 1851, ANC, Actas...1851, Libro 200, numero 200, p.36.

demand but because "they want higher salaries and have an excessive number of children".⁴⁶

During the following decades, there would be several other attempts to attract contracted workers from Europe. The plans varied but in general terms followed the conditions first agreed with Goicuria. In 1853, Urbano Feijóo Sotomayor, a planter and Cortes deputy for Orense province, presented his plan to import contract labourers from Galicia. Sotomayor noticed then that social and economic problems in Galicia had been producing a flow of 200,000 Galicians yearly to Portugal and that this flow could be diverted to Cuba. He requested permission to form a company to supply Spanish contract labourers to the island. He stressed modest wages and the strengthening of the Spanish population, assuring the defense of colonial rule within Cuba while the economic and political advantages of the plan were obvious.⁴⁷

According to the Sotomayor contract, the company would provide each immigrant with an outfit of two shirts, one pair of trousers, one shirt, one palm-leaf hat, and one pair of shoes before embarkation and another complete outfit after landing. The company would house labourers on the Cuban coast for a three month period of acclimatization and medical assistance. It committed itself to finding work for immigrants after three months and if unsuccessful the immigrant would be indemnified during the period according to the stipulated wage. Contracts should not exceed five years and the wage should not be less than five pesos per month. Other clauses of the contract stipulated that immigrants would not be required to work on Sundays nor between 8:00 p.m. and 4:00 a.m. During the working day, there would be a three hour break. Contracts were transferable but the company undertook to transport immigrants back

⁴⁶ ANC, RCJF, leg. 195, n. 8709.

⁴⁷ Letter to the Captain General, Havana, June 15, 1853, in Urbano Feijóo Sotomayor. Isla de Cuba. Inmigración de Trabajadores Españoles: Documentos y memoria escrita sobre esta materia y publicada en la Habana en 1853 (Madrid: Imprenta de Julian Peña, 1855) p.9. Feijóo's plans are discussed in M. Moreno Fragnals, El Ingenio, op.cit., I, pp.304-305; J. LeRiverend, op.cit., pp.342-343.

to Spain free of charge at the expiring of the contract term.⁴⁸

A company called "Patriótico-mercantil" was accordingly formed and a few hundred Galicians arrived in Cuba in 1854. By April 25, 1855, the Company listed 3,019 people, including 1,800 free labourers (**braceros libres con sueldo**) and 1,000 slaves (**braceros negros**).⁴⁹ The Galicians made their discontent known from the beginning. As soon as they landed there were rebellions. Sotomayor himself complained that there was resistance to work, disturbances and desertions.⁵⁰ Those who were employed managed to get out of the contract and stayed in the cities or found employment in sugar mills on their own. According to Feijóo they even sold the shoes - "which had been so difficult to find in that great number in Havana".⁵¹ Later, it would be admitted that the Galician's frustration was perfectly understandable. Their wages were one sixth of the monthly hire charge paid for rented slaves and the earnings of domestic labourers.⁵² Although Sotomayor Company committed to pay 5 pesos a month there were complaints that Galicians had been paid only three pesos.⁵³ While slaves had to work 9 to 10 hours in ordinary times and 16 during harvest according to article twelve of the 1842 Slave Code, the Sotomayor Galicians were supposed to work 13 hours. Answering criticisms about his abortive enterprise, Feijóo observed that both worker's complaints and bad behaviour, and political persecution from the Captain General, contributed to the failure. He also denounced political conspiracies and powerful slave-trader

⁴⁸ U. Feijóo Sotomayor, Isla de Cuba, op.cit., pp.9-10 and pp.19-23.

⁴⁹ U. Feijóo Sotomayor, op.cit., p.125.

⁵⁰ U. Feijóo Sotomayor, op.cit., p.112.

⁵¹ U. Feijóo Sotomayor, op.cit., p.152.

⁵² AHN, Ultramar, leg. 90, n. 19, exp.1.

⁵³ Exp. relativo a las quejas y reclamaciones de gallegos contra el Conde Jaruco, Cárdenas, January 29, 1855. ANC, GSC, leg. 1628, n. 82000.

interests contrived to undermined his initiative.⁵⁴

Fraginals agreed that competition among slave traders contributed to a partial failure of Sotomayor's enterprise. "The slavers together with others whose motives are obscure, promptly mobilized against the competition. The result was an uprising of the Galicians who had been installed in "acclimatization" barracoons. Many of them lost no time in taking illegal jobs in business and small factories". The Captain General issued a circular on October 7, 1854, calling this rebellion "insubordination of colonists brought to the island". Fraginals also observed that although he partially failed, Sotomayor sold enough Galicians to recover his expenses.⁵⁵

The recruitment of Spanish contract workers proved unsuccessful. They quickly rejected the terms of their contracts and sought employment in the cities. At the beginning of the 1850s the Council discussed ways of retaining the workers on the plantations. Among the suggestions were better salaries, exemption from repayment of travel expenses and a tighter legislative framework to control immigrant workers. At that time a great number of conflicts between planters and workers were reported. Planters complained about non-fulfilment of contracts, demands for higher wages and desertions. Workers complained about maltreatment, non-compliance with contracts, low salaries and difficulties in repaying debts. In October 1852 the president of the Committee on White Population was appointed to act as arbiter in the disputes arising between colonists and patrons (patronos).⁵⁶ There were conflicts between the Council and the contractors as well. For example, in 1846 the Council complained that Domingo Goicurria's company did not meet quotas for males, bringing instead excessive number of women and children. Contractors were also accused of filling their quotas with the sick, the elderly and individuals whose skills were not

⁵⁴ U. Feijóo Sotomayor, Isla de Cuba, op.cit., p.112, subseq. and p.152.

⁵⁵ M. Moreno Fraginals, El Ingenio, op.cit., I, p.305.

⁵⁶ ANC, RCJF, leg. 197, n. 8859.

required.⁵⁷ Slave trader opposition to these immigrant enterprises were also often reported.

White immigration divided contemporary Cuban opinion. Some like Feijóo believed that, facing the precarious condition of immigrants in their homeland, the contract's improved conditions would prove attractive to immigrants despite problems associated with the climate, cultural habits and principally the landholding structure of the island. Others considered white immigration a "delirium". White labourers would not endure the harshness of plantation work and the low salaries.⁵⁸

The failure of these early attempts to promote European immigration have been explained by several factors. The contemporary excuses of climate and its inconveniences for white Europeans combined with the demanding of work on plantations are the least acceptable. Indeed, these views are contradicted by the later success of European immigration to Cuba as well as to São Paulo. Fraginalls, focusing on the Cuban case, pointed out that in addition to powerful opposition by slave trader there was a lack of enthusiasm from the colonial government.⁵⁹ In fact, in Cuba, enthusiasm for white immigration varied from time to time and was triggered by the circumstances of the period. Initiatives from both colonial government and Cuban planters did not always coincide in terms of objectives and expectations. Immigration to Cuba had always been viewed with suspicion by the colonial government. To a certain extent its "lack of enthusiasm" concealed a zealous attitude concerning the "security" of the "siempre fiel" island of Cuba. Any alien idea or foreigner could promote sentiments of autonomy within the island, and might support alliances with foreign powers such as England and the United States of America. This was a preoccupation

⁵⁷ ANC, RCJF, leg. 195, n. 8706, 8708 and 8709.

⁵⁸ For instance see "Voto Particular del comisionado que suscribe el Sr. Argudin sobre las cuestiones de inmigración". Información sobre reformas en Cuba y Puerto Rico. Nueva York: Imprenta de Hallet y Breen, 1867, I, p. 161.

⁵⁹ M. Moreno Fraginalls, El Ingenio, op.cit., I, p.305.

of the early 1840s which would resurface in the 1860s. These concerns in part account for the equivocal support of the colonial authorities for immigration. In theory, Europeans with their own resources, who would populate the country and become proprietors were always welcome. However, from the point of view of Cubans and the Spanish government, they were desirable only to a limited degree. For instance, so long as immigrants did not disrupt the structure of landholding already established. As sugar plantations required a constant supply of new land to sustain production, it was difficult to secure adequate land for colonization, unless located some distance from the cane fields. Settling immigrants in less accessible, marginal regions could relieve the pressure on land wanted for prospective plantations, but it did not solve the labour problem on plantations. The idea was to have all potential hands nearby to accommodate the demand of the seasonal cycle. São Paulo faced the same problems with its policy of crown colonies (*núcleos coloniais*) and demand for plantation labour.

When, in the early 1840s, Cubans were exercised by the increase in the black population in the early 1840s, they sought white immigrants. At this time they were preoccupied about the sort of immigrant needed to work on the plantations, either replacing or supplementing slave labour. This implied a new kind of working relationship with prospective immigrants. But plantation work was associated with slave labour. Immigrants would try to avoid being treated in the same way as slaves. Wages on the plantations were not only lower than in the cities; they were also lower than hire charges paid for rented slaves and wages earned by native free workers. With the continuation of slavery and the availability of land in frontier zones, cheap immigrant labour could only be exploited under tighter contracts reinforced by repressive legislation. In 1847, that was the opinion of the Committee on White Population. Rejecting a project for European immigration, the Committee stated that work on plantations in the tropics could only be performed under draconian regulations which were not acceptable to Europeans. Given the harsh conditions, the Committee did not believe European workers could replace or supplement slave labour.

In the Committee's view (confirmed by experiments in other Caribbean islands) Chinese and free Africans might be more appropriate.⁶⁰ This view was shared by other planters affected by the "labour problem".

Apart from the ambivalent attitudes of the Spanish authorities and the unwillingness of Spanish workers to accept the harsh conditions offered to them, it seems the profitability of the traffic in workers and rivalry between merchants also played a role in defining an immigration policy. Domingo Goicuria and Feijóo Sotomayor both had to defend themselves against competition. In addition to the opposition manifest by slave traders to colonization projects, as denounced by Sotomayor, there was competition among merchants seeking franchise to import free or contract workers. Disagreement between the trader Domingo Goicuria and the Council for Economic Development over Chinese immigration illustrates the point. In March 1846 the Council entered into an agreement with Zulueta and Company to import six hundred Chinese under eight year contracts. The Company was to receive 170 pesos for each coolie delivered.⁶¹ When Goicuria submitted another plan to import European workers (Germans and Scots) he criticized the Council's initiative. According to Goicuria, while the Chinese cost the Council 170 pesos (70 pesos of which would be paid by planters contracting Chinese workers), Europeans contracted for three years cost only 45 pesos, half of which would be repaid by the labourer. In the final event, Goicuria's proposal was rejected by the Council.⁶² Whether this was due to conflicts between Goicuria and the Council, to the influential interests of those proposing Chinese immigration, to the failure to tie immigrants to the plantations or to concerns over the security of the island is not clear.

During the ensuing decades, plans to import European immigrants were temporarily abandoned. Prospects of a profitable trade and the

⁶⁰ ANC, RCJF, leg. 195, n. 8729.

⁶¹ D.C. Corbitt, A Study of the Chinese, *op.cit.*, p. 4.

⁶² ANC, RCJF, leg. 195, n. 8706.

search for great numbers of cheaper and more easily coercible workers led Cuban planters to consider experiments with free Africans, American Indians and Asians. As solutions to the problem of labour supply, the new labour arrangements resembled very closely the existing system of slavery. Perhaps it is not surprising given the continued importation of African slaves.

3.2.2. Recruiting non-whites: free Africans

In the mid-1840s, as well as proposals to import European contract labourers, there were others suggesting Asians, free Africans and American Indians. The great number and variety of plans submitted to the Council by immigration companies is explained by the acute demand from labourers and the profitability of the business. Not all the plans would be approved. Some were sanctioned but were aborted almost immediately. Political, racial and economic factors affected the success or failure of these attempts: all were experimental. The idea was to find cheap, diligent and submissive workers for sugar plantations. Indeed, when the Council first sanctioned the importation of Chinese by Zulueta and Company it stressed the experimental character of the enterprise. If it failed, there would be trials with free Africans and others.⁶³

Importing free Africans was not considered an eccentric idea. International agreements against the trans-Atlantic slave trade had already created the ambiguous class of liberated slaves (*emancipados*). These liberated Africans were already employed in various places and activities.⁶⁴ Free Africans had also been

⁶³ Acuerdo de la Junta, in March 26, 1846, ANC, RCJF, leg. 195, n. 8709; stressed again on April 23, 1847, ANC, RCJF, leg. 195, n. 8729.

⁶⁴ According to the census of June 1862, there were 4,521 *emancipados* in Cuba; *emancipados* were legally free, and contracted out under government authority. In 1836, *emancipado* contracts were sold at 9 ounces, one third of the price of a slave, and contracted for five or seven years, most on sugar plantations; Commissioners to Palmerston, Havana, February 17, 1836, Parliamentary Papers, 1837, v.54; in 1870, Regulations for *emancipados* stipulated contracts of six years, and according to a sample of contracts, the contractor

imported into the British Caribbean as a solution to the labour crisis provoked by the final abolition of slavery. The alleged physical strength of Africans and their adaptation to the tropical climate made them appear even more preferable. Planters were accustomed to them and a whole structure was already in existence in Africa to facilitate the new traffic. There were several attempts to promote free African immigration. All failed due to insuperable opposition within Cuba. Supporters of the continuation of the slave trade and slavery were among the most powerful opponents. Other groups argued that the traffic in free blacks could soon become a new slave trade and expressed anxiety about threats to white supremacy in Cuba. Yet, other opponents also feared for plantation discipline if free Africans and African slaves were to be mixed in the cane fields. Just as significant as was the apprehension about international opposition to such enterprise.⁶⁵

The great advocate of African free labour in Cuba was José Suárez Argudín, an estate owner in Bahía Honda and Cienfuegos, and a slave trader resident in Havana. Argudín first suggested the import of free Africans in 1853.⁶⁶ Despite domestic and external opposition he would persist with the project for nearly ten years. It is interesting to examine the basis of his proposal. It is most revealing for the opposition provoked by his project. It is also illuminating to contrast his proposed terms with contract conditions offered to other workers from Europe and Asia. Of these

was obliged to pay a salary of twelve pesos a month, to provide him with food, two suits of clothes and medical care, A.F. Corwin, Spain and the Abolition of Slavery, *op.cit.*, p.278. On emancipados in Cuba see also, D. R. Murray, Odious Commerce, *op.cit.*, chapter 13.

⁶⁵ Colonial government suggested aprendizes negros in Madrid, September 3, 1852, AHN, Ultramar, leg.85, n.1, exp. 9; Committee on White Population, Council for Economic Development, opposed for political and economical reasons (dangers of mixing free black and slaves in the sugar estates, and dangers of mixing black and whites in the island), April 29, 1853, AHN, Ultramar, leg. 85; n. 2, exp. 10, also ANC, RCJF, leg. 197, n. 8876, or ANC, RCJF, leg. 97, n. 4074; Cuban representative in the Reform Commission, 1866, against, Información sobre reformas en Cuba y Puerto Rico, *op.cit.*, I, p.186.

⁶⁶ José Suárez Argudín, Proyecto sobre inmigración africana (Havana: Imprenta de Spencer y Compañia, 1856) p.3.

arrangements, the terms proposed for free Africans were those in which slavery features were most evident. As ~~it will be~~ the case with coolie contracts, the language of slavery was employed throughout.

The basis of Argudín's proposal was published in 1856. It provided for the introduction of 40,000 African **colonos** to work the plantations. The **colonos** should be voluntarily engaged. The engagement fee should be fixed in ten pesos per head, the price set in similar enterprises carried out by the English. Although stating that conditions should follow those already established for the Asian **colonos**, Argudín introduced several amendments. For example, the wage for Africans was supposed to be the same as for Asians, namely 4 pesos monthly. But half the monthly wage should be deposited in a special fund to be paid to the African only at the end of the ten-year contract (in fact, the average life of a slave field hand). This fund would allow the African to go wherever he wanted at his own expense after the contract expired. This complemented another clause stressing that Africans should not be permitted to remain in the country as **libertos** (that is, freedmen, a term usually applied to former slaves). The scheme prioritized males rather than females. Women, although sold at the same price as men, would receive only half the male wage. Any children born in the island should work unwaged for the planter (**patrono**) until they were eighteen — "to compensate planter for the expense of their upbringing and the time their mother spent caring for them". After the age of eighteen they could choose to contract themselves under the same conditions as their parents or to leave the island. Labour contractors were required to make provision for the health of the **colonos**. If sold, the price would be determined by the state of health of the worker. The set price for a ten-year contract was ten ounces, and two ounces of that should be kept in a special fund. These two ounces together with the two pesos from **colono's** monthly wage would form the worker's fund which he would receive at the end of the contract. The funds were to be deposited in a newly created bank which would be set up to promote agriculture and help planters. Argudín calculated that if about 20,000 **colonos** were imported, in

the first year these specially deposited funds would rise to more than one million pesos, and in ten years more than ten millions pesos.⁶⁷ The financial advantages of the scheme was apparent. Other advantages were to provide cheaper workers for the plantations and to contribute to the end of the illegal slave trade. According to Argudín, "African immigration (surrounded by the already stated guarantees) and adjusted to the same terms and equal conditions applying to Asian immigration, would supply Cuban planters with **colonos** contracted for works for ten years for an outlay no greater than 170 pesos at a time when a slave costs at least 700 pesos (...) Why should planters pay such a high price for illegally imported slaves (when there is an alternative available)".⁶⁸ Thus, importation of free Africans could result cheaper than importation of slaves. It also would not result more expensive than Chinese coolies, whose price had been initially set by rival merchants at 170 pesos.

Seeking to obtain a franchise to import free Africans, it is expected that Argudín was opposed to the import of Chinese coolies. In fact, in his view, the introduction of Chinese instead of free Africans would result in greater danger. If allowed into the country these Chinese, allegedly whites and quite "civilized", could bring undesirable consequences: "...50,000 individuals of this class could more frightful than one million of blacks (...) and result in continued disturbances".⁶⁹

By this time Argudín, fearing English opposition to free African immigration, tried to persuade Spain to counter all objections. England had been engaged in the same trade to its colonies and could not give any reasonable justification to prevent Spain doing the

⁶⁷ Bases of the plan J. Suárez Argudín, Proyecto, op.cit., pp. 5-11; quotation from p.6.

⁶⁸ J. Suárez Argudín. Proyecto, op.cit., p.13.

⁶⁹ J. Suárez Argudín. "Extracto de las razones en que se funda el vivo empeño de los habitantes de Cuba de ver introducida en su suelo la inmigración africana" in Proyecto, op.cit., Appendix, p.2.

same.⁷⁰ Argudín's concern was real enough. As soon as news of Cuban intentions to introduce free blacks for the island's sugar plantations became known, England sent a message to Madrid asking if the government was willing to consent. The official note warned that the measure would endanger the tranquillity of the island and could serve as a cover for the slave trade by bringing in slaves as free blacks.⁷¹ These worries had already been expressed in earlier discussions when England was considering the promotion of such immigration.⁷² Argudín re-submitted his proposal to Madrid many times and the government's consultations with various Cuban bodies such as the Council for Economic Development and Real Universidad Literaria revealed divergent, mostly negative, responses.⁷³ But Argudín persisted and other petitioners appeared.⁷⁴ The project seems to have attracted great publicity in the press and Argudín was fearful of losing the contract and the leading of the trade in free Africans.⁷⁵ In 1857 Argudín presented, together with the original, another proposal. This time 10,000 women and 2,000 men for procreation were to be contracted.⁷⁶

The answer from Madrid was far from clear. In April 1859, a ruling agreed by the State Council (*Consejo de Estado*) observed that projects for the introduction of free Africans into Cuba had provoked a variety of views. But Madrid was mostly concerned about the potential effects of mixing free Africans and slaves. It might

⁷⁰ J. Suárez Argudín, *Proyecto*, *op.cit.*, p. 4.

⁷¹ ANM, Ultramar, leg. 90, n. 14, exp. 1.

⁷² Parliamentary Papers. Reports from Committees on Sugar and Coffee Planting, v.23, Part I. First Report from the Select Committee on Sugar and Coffee Planting, together with the minutes of Evidence and Appendix. February 17, 1848, Cap. Denman examined, p. 163, for instance.

⁷³ AHN, Ultramar, leg. 90, n. 14, exp. 14.

⁷⁴ AHN, Ultramar, leg. 90, n. 14, exp. 4, 6, 7, 13, 16, 17 and leg. 90, n. 15, exp. 8.

⁷⁵ AHN, Ultramar, leg. 90, n. 14, exp. 2.

⁷⁶ AHN, Ultramar, leg. 90, n. 14, exp. 8.

contribute to weaken the bonds of subordination, encourage indiscipline and produce disruption among other workers. It recognised that the African coast was a great source of free immigration, which had been tapped by France and England for their colonies. However, international opinion opposed importation of free Africans to Cuba. But international opinion was also against Asian immigration to Cuba. Thus, alleging lack of data to provide "light and criteria" for the question, the **Consejo** abstained from delivering a formal decision. However, further information was requested from the Captain General on the subject of free African immigration, in case there were any obstacles to the importation of Chinese already taking place.⁷⁷

Petitioners to import Africans continued to appear. In 1861, Argudín, associated with Don Manoel Basílio da Cunha Reis and Don Luciano Fernandes Perdonés, requested exclusive right to deal in free Africans, to be imported to Cuba, Puerto Rico and Brazil.⁷⁸ Two months later, the Spanish government considering international questions, asked its representative in London to "sound out the attitude of British government". The report came soon: the English government simply expressed strong opposition to the Spanish representative on the matter. Among the reasons, were the existence of slavery in Cuba which might facilitate the transformation of a free black into a slave. There were no similarities between Chinese and free African immigration, since there were guarantees protecting the transportation and engagement of emigrants in China that were absent in Africa.⁷⁹

⁷⁷ AHN, Ultramar, leg. 90, n. 14, exp. 16.

⁷⁸ AHN, Ultramar, leg. 90, n. 14, exp. 19; J. Suárez Argudín, Proyecto de inmigración africana para las islas de Cuba y Puerto Rico y el imperio del Brasil, presentado a los respectivos gobiernos por los Sres. Argudín, Cunha Reis y Perdonés (Havana: La Habanera, 1860)

⁷⁹ AHN, Ultramar, leg. 90, n. 14, exp. 20 and 21. The Cuban planter Juan Poey also called the attention to dangers of africanisation of Cuba: "Esclavos disfrazados, africanización de Cuba, suicidio político!". See Juan Poey, Informes presentados al Excmo. Sr. Capitan General Gob. Superior Civil de la Isla de Cuba sobre el proyecto de Colonización Africana, y al Excmo. Sr.

The Captain General was soon informed of British Government's opposition to the introduction of free African.⁸⁰ Argudín's concerns had turned out to be very real. Yet he would not give up. One month later he was again asking for permission to trade in free Africans based on the same conditions as before. But the destination was not Cuba: 20,000 free colonos were to be shipped to the island of Saint Domingue.⁸¹ Argudín's persistence points to the great profitability associated with the trade in workers.

Argudín's frustrated attempts to import free Africans highlights some issues regarding the labour problem and its solution in Cuba that will be interesting to contrast with Brazil, particularly with São Paulo. One is the extent to which the continuance of the trans-Atlantic slave trade affected the search for solutions to the labour problem in Cuba. Another is the question of colonial rule by Spain. In Brazil, proposals for the importation of free Africans touched upon the future of the recently-created nation. After the abolition of the trans-Atlantic slave trade in 1850 these proposals practically disappeared. In Cuba, for almost twenty years proposals for the introduction of free Africans were debated, and despite clear creole opposition, the response from the colonial government was ambiguous, its position influenced by a desire to examine the success or otherwise of Chinese coolies and the British opposition to the trade. Most anxiety arose due to similarities between schemes to import Chinese and the African slave trade and therefore possible British opposition to the traffic in free Africans that could threaten the security of the colony. Similarities with the institution of slavery were barely considered and did not constitute the main focus of opposition. On the contrary, it was the difference between "free" and slave Africans, mixed on the estates, that gave concern. Another point to contrast is the obvious significance of

Intendente de la Hacienda de la propia isla, sobre derechos de los azucares (Madrid: Imprenta de la Compañía de Impresores y Libreros, n.d.) p.41.

⁸⁰ AHN, Ultramar, leg. 90, n. 14, exp. 22.

⁸¹ AHN, Ultramar, leg. 90, n. 14, exp. 23.

the trade in workers promoting alternative or complementary labour sources in Cuba.

3.2.3. Recruiting non-whites: Chinese, Yucatecans and the development of the trade in "free" workers

It was from the late 1840s that a prosperous trade in Chinese contract labour began. It evolved alongside the African slave trade, and would help meet labour requirements supplementing slaves on Cuban sugar plantations for more than two decades. Between 1847 and 1874 about 125,000 Chinese contract labourers were landed in Cuba. The significance of this figure can be better appreciated if set against the 168,000 African slaves imported to the island during the same period.

By the time this trade began, the British had already sanctioned contract labour by importing several thousand East Indians to their colonies of Trinidad, Jamaica and Guyana after slavery had been abolished in the British Caribbean. Well before Cuba became involved in the trade, the flow of contracted labour to the Americas and other tropical plantation areas had become an established feature of the international economy. Official records show that over half a million Asians (Chinese and East Indians) were imported between 1842 and 1870 into Mauritius, British Guyana, Trinidad, Jamaica, Natal, Réunion and other small French colonies.⁸² The Spanish, Cubans, and soon the Peruvians, quickly followed the example, faced as they were with the problems of labour supply to support the expanding plantation sector. The Spanish government was already familiar with Chinese agricultural labour in the Philippines, a Spanish colony. As it had been practised by other nations, and lacking any clear international opposition, the Chinese appeared to be a feasible alternative source of labour. The success of the "coolie" trade to Cuba, in contrast with proposals to import labour from other areas, can be explained by the great profitability of the trade and the

⁸² Hugh Tinker, A New System of Slavery. The Export of Indian Labour Overseas, 1830-1920. (London: Oxford University Press, 1974) p.113.

powerful economic interests involved, and by advantageous contracts, assuring planters a cheap labour force. Above all there would be little effective international opposition until the 1870s. The great interests involved in shipping immigrant workers as well as the sale of contract workers in Cuba did not find a counterpart in Brazil. Vergueiro's attempts to deal with immigrant workers did not reach the same scale and organization of the "coolie" trade to Cuba.

The trade began in March 1846 when, while fostering Domingo Goicurria's enterprises promoting European immigrants, the Council for Economic Development finalized an agreement with Zulueta and Company to import six hundred Chinese under contract to work for eight years at 4 pesos a month plus maintenance. The Company was to receive 170 pesos for each coolie delivered.⁸³ The first Chinese arrived at Havana Bay in June 1847 and were transferred directly to the **depósito de cimarrones** _ barracoon where runaway slaves were placed when caught until they could be returned to their masters.⁸⁴ In the barracoon, divided into lots of ten, they were "sold" to the planters. According to Corbitt "there was not much enthusiasm about the purchase of Chinese. Only 124 were disposed of immediately but through advertisements in newspapers the Council was able to place

⁸³ D.C. Corbitt, A Study of the Chinese, op.cit., p. 4.

⁸⁴ J. Pérez de la Riva, Para la historia de las gentes sin historia, op.cit., p.60, observed that despite suggestions that the first Chinese arrived in Cuba in 1840 he could not find evidence to support the claim: "Pero nosotros no hemos podido encontrar nada que corrobore este dato que, de ser cierto, nos daría el triste privilegio de ser los primeros en haber recibido culies en el Nuevo Mundo". However, there can be found evidence of Chinese in Cuba before 1847; see for instance, one "Chinamen" condemned in 1832, in Causa seguida de oficio contra el chino Juan de la Cruz por el asalto e robo con violencia y arma, June 14, 1832, AGI, Papeles de Cuba, Sor Ricafort(1832-34), leg. 2167; and Chinese condemned during Escalera Conspiracion, Collección de los Fallos Pronunciados por una Sección de la Comisión Militar establecida en la ciudad de Matanzas para conocer de la causa de conspiración de la gente de color (Matanzas, Imprenta de Gobierno, 1844) for instance, causas 1a, 3a, 15a, 27a (Cardenas, one Chino condemned to death and another to ten years imprisonment in Africa) and 29a. Although one can not deduce from the data which kind of work and conditions these Chinese were engaged in, one could presume from the reports of militar commission that they were workers on sugar estates.

both shiploads at the price of 170 pesos per head".⁸⁵ By September those remaining, the aged, physically deficient or sick were distributed at a more modest price.⁸⁶

The first contracts stated that the coolie (*colono asiático*) was bound for eight years to work in any kind of customary labour either in the field or in the villages for the wage of 4 pesos a month. The daily maintenance should be eight ounces of salted meat (*tasajo*), plus one and a half pounds of plantains and *boniatos* or other edible roots. The consignee should provide clothing and, in event of sickness, medical assistance; if the period of sickness was over fifteen days, wages were to be suspended. During the period of the contract the Chinese worker could not leave the island nor refuse to work for anyone to whom the contract was transferred. On completion of the contract he could do whatever he wanted. Travel arrangements from China and a subsistence allowance of 14 pesos were to be covered by the agent and later repaid by the worker by deducting one peso a month from his wage.⁸⁷

⁸⁵ D.C. Corbitt, *Chinese*, *op.cit.*, p. 4 and p. 7.

⁸⁶ Committee on White Population, September 16, 1847, ANC, RCJF, leg. 195, n. 8726.

⁸⁷ J. Pérez de la Riva, *Para la historia de las gentes sin historia*, *op.cit.*, pp.112-3, these were the conditions of the contract of the first Chinese who arrived on the ship "Oquendo" in 1847. Riva in "La situación legal del culi in Cuba" in *El Barracón. Esclavitud y Capitalismo en Cuba*. (Barcelona: Editorial Crítica, 1978) pp.110-140, by contrasting the coolie contracts in Cuba and Peru with the coolie contracts in British colonies suggested that for coolies coming from Cuba or Peru, Jamaica, Trinidad or Guyana were a "paradise". In the British colonies, food included rice and tea. There were payments for extra work, five year contracts instead of eight. However, conditions in British colonies were also very harsh. According to 1850 Ordinances in Guyana, immigrants from India were compelled to enter into five year contract (a condition for a return passage to India, modified later to ten year contracts); were prohibited from leave the estates without written permission; for days away from work, an immigrant not only forfeited his wage but was required to pay his employer twenty four cents; immigrants also had to pay for lodging and medical expenses. Alan H. Adamson, *Sugar without Slaves. The Political Economy of British Guyana, 1838-1904*. (New Haven: Yale University Press, 1972) pp.53-54. According to Adamson between 1855 and 1870 there was a "noticeable tightening of the controls governing work, wages and freedom of movement, p.111.

The favourable opinion of the Spanish government towards this initiative was expressed in the July 3, 1847 Royal Order approving the importing of Asians (issued about a month after the coolies had landed in Cuba). The proposal was considered plausible on the grounds that Asians could be an efficient means of counteracting the shortage of labour. Earlier experience in the Philippines had shown that Asians were "docile, industrious, frugal, temperate, hardened to rural labour, especially in the cane fields" and were accustomed to the arduous climate. Also it was observed that the expenses of transporting them to the island would be compensated "with their labour and moderate wages".⁸⁸ Since the Chinese contract workers would find themselves far from their homeland and unable to remedy any evil that might befall them, the Captain General, by this time Leopoldo O'Donnell, was charged with providing them with all "consideration, and good treatment that religion and humanity demand" and with ensuring that their contracts were fulfilled to the letter. The Captain General was also instructed to consult the **Audiencia Pretorial de Havana** about having the prosecuting attorneys (*fiscal*)^{cs} to act as protectors of the Chinese workers. The government advised that contracts should always include a proportion of females to promote marriage within the same class. Finally, the order asked the opinion of the Captain General about mixing Chinese and blacks. Could they work alongside each other or would it be better to place them in different fields.⁸⁹

At the time, the Council for Economic Development was considering plans to import Indians from Yucatán, "formerly part of the Spanish

On the conditions of Asian workers in Peru, see Michael M. Gonzales, Plantation Agriculture and Social Control in Northern Peru, 1875-1933 (Austin: University of Texas Press, 1985)

⁸⁸ "Real Orden de 3 de julio de 1847", quoted from D.C. Corbitt. A Study of The Chinese, op.cit., p. 6; also reproduced in J. Jiménez Pastrana, Los Chinos en las luchas por la liberación Cubana, 1847-1930 (Havana: Instituto de Historia, 1963) pp.34-35.

⁸⁹ "Real Orden de 3 de julio de 1847", D.C. Corbitt, op.cit., p.6.

territory". The first Yucatecans arrived in March 1849, contracted by Carlos Tolmé. They included 135 Indians, followed by a further 75, all prisoners sold by the Governor of Yucatan. Purchased at 25 pesos a head, their price in Cuba afterwards reached up to 100 pesos.⁹⁰ According to Corbitt, some two thousand Yucatecans were imported into Cuba during the next decade, some of whom were obtained by kidnapping.⁹¹ Although it is difficult to give a precise number of Yucatecans brought to the island they remained a tiny proportion of the population. In 1862 they made up less than one percent of the population (see table 7, appendix).

For about six years there were no further landings of Chinese contract workers in Cuba. Problems of adjusting relations between planters and Chinese workers, along with international obstacles to the continuation of the trade, were responsible for the break. But Chinese immigration was again proposed in the early 1850s. By August 1851 the Council for Economic Development discussed a plan submitted by Manuel B. Pereda to import more Chinese. Soon after that, the firm of Villoldo, Waldrop and Company made an offer to import 6,000 to 8,000 Chinese contract workers at 120 pesos each, provided the Council guaranteed payment.⁹² In January 1852 the Council received a petition signed by a great number of planters, "among the wealthiest and most influential", emphasizing the need for labourers and the "absolute necessity" of projects such as that of Villoldo and Waldrop. The planters _ willing to remove all obstacles to the success of the enterprise, and aware that one obstacle was that the Villoldo and Waldrop Company did not want to deal with individual planters but through the Council _ decided to subscribe in advance for 6,000 Chinese contract workers to guarantee funds to the Council.⁹³

⁹⁰ J. LeRiverend, Historia económica de Cuba, op.cit., p.344; D.C. Corbitt, "Immigration in Cuba", op.cit., pp.301-302.

⁹¹ D.C. Corbitt, "Immigration in Cuba", op.cit., p. 302.

⁹² D.C. Corbitt, A Study of the Chinese, op.cit., p. 15.

⁹³ Representación de hacendados a Concha, January 1852, AHN, Ultramar, leg. 85, n. 1, exp. 4.

After studying the planters' petition and the proposal of the Waldrop Company, the Committee on White Population suggested that "instead of buying the coolies outright for resale, the Council should simply act as receiving agent for the planters, guaranteeing payment of up to 30,000 pesos in case subscribers could not pay".⁹⁴ Authorization was subsequently granted to Villoldo, Waldrop Company and to Manuel B. Pereda, to import 3,000 Chinese each. Planters who subscribed were to pay 125 pesos for each Chinese contract worker: 90 pesos would be paid on arrival and the balance in three monthly instalments. Planters were also to reimburse the Company for any expenses advanced to the contracted workers in China, up to a maximum of 16 pesos a head.⁹⁵

On submitting the contract agreed by the Council to the Royal Government in Madrid, Captain General Concha observed that the "shortage of hands" _ made worse "every day with the significant reduction in slaves" _ encouraged several private people, among them Waldrop Company, to ask for permission to introduce Asian contract workers into Cuba. Given the circumstances on the island, the Council recognized the convenience and necessity of opening the door to Chinese "colonization".⁹⁶ According to the Captain General, another source of labour was needed if the slave trade was to be brought to an end without undermining the efficiency of sugar production so that Cuban sugar could compete in European markets. It was also necessary for the government to reassure planters of its concern for their interests, given official support for the effective end of the slave trade. The Captain General argued it was essential to neutralize the bad effects on the planter opinion caused by opposition to the slave trade. He went on to point out that the unlimited introduction of Chinese labourers was the solution to the labour shortage, the acuteness of which was illustrated by a continued contraband in slaves stimulated by the

⁹⁴ D.C. Corbitt, A Study of the Chinese, op.cit., p.15.

⁹⁵ Ibid.

⁹⁶ Captain General to the Presidente del Consejo de Ministros, April 14, 1852, AHN, Ultramar, leg.85, n. 1, exp. 1.

high prices they now fetched.⁹⁷

Conditions agreed between the Council and the companies stipulated that the full number of Chinese should be imported within two years, that they were to be between 15 and 40 years of age, and that one fifth of the Chinese should be women, whom the planters were obliged to buy in the same ratio. The importers would be released from this obligation if they could present evidence that the Chinese Government prohibited the export of women.⁹⁸ The Chinese could be contracted for eight years at 4 pesos a month for men and 3 for women, plus food, shelter, two changes of clothing a year and medical assistance. Wages were not to be suspended if sickness lasted less than fifteen days.⁹⁹

There were divergences of opinion in the Real Audiencia Pretorial but the majority _ according to the Captain General _ favoured the initiative.¹⁰⁰ The fiscal Olivares considered the contract advantageous, while remarking that initial imports should be limited to 6,000, the figure demanded by planters. Olivares believed that ~~there~~ would be no political problems and moral ones would be solved by the introduction of a proportion of women, good discipline in the estates and religious instruction. Nevertheless he criticized the severe conditions in the contracts: "From the early stage it was apparent that these terms are drawn up in the owners favour, rather than the colonos, as working hours are not set, nor do they have any rest day". He observed that without some limits these circumstances could provoke conflicts and lead to despair and suicide _ of which there were already examples. He recommended that the government should establish more detailed regulations governing Chinese

⁹⁷ Ibid.

⁹⁸ D.C. Corbitt, A Study of the Chinese, op.cit., pp.15-16.

⁹⁹ AHN, Ultramar, leg. 85, n. 1, exp. 1; D.C. Corbitt, A Study of the Chinese, op.cit., p.15.

¹⁰⁰ AHN, Ultramar, leg. 85, n. 1, exp. 1.

labour.¹⁰¹ Another official statement observed that the few Asians who had come in an earlier experiment had revealed their insubordination and "perverted" tendencies, a "very bad example for the slaves".¹⁰² Yet opinion had changed. It was observed: "Is it possible that the nature of the *colono* have changed so suddenly? Aren't *hacendados* illuded in the midst of an understandable desire to meet, at whatever cost, an urgent need? (...) how do they expect submission and humility from free men, who being better educated than the *mayorales* and workers placed in charge of them, live in temporary servitude mixed with savage Africans and subjected to the same regime as them?". This kind of immigration was problematic.¹⁰³

The above discussion and comment in the official documents is revealing. It discloses the position of the interests involved. In Madrid, two points were uppermost: whether or not there would be problems in mixing Asians and blacks and the dangers of unlimited immigration. Both points were linked to the issue of maintaining colonial ties. The *Consejo* recognized the urgent need for labourers as claimed by the Captain General, the Council and the planters. However, the *Consejo* believed that there should be a balance between the white and coloured population which had to be maintained at any price, if the wealthy colony was to be kept tranquil and tied to the mother country. Would the Chinese alter that racial balance? "With which party would the Chinese race unite in the event of conflict and danger?", questioned the *Consejo*. When the *Consejo* approved the plans, it stressed that the Captain General must always consult the *Consejo* before allowing any further introduction of Asians. It was again observed that it was essential to keep a racial balance, considering the black race most advantageous for sugar cane cultivation. To help solve the labour problem the *Consejo* recommended the increase of the slave population through the

¹⁰¹ Voto del fiscal Olivares, April 7, 1852. AHN, Ultramar, leg. 85, n. 1, exp. 6.

¹⁰² Voto em separado, Escosura, March 4, 1852, AHN, Ultramar, leg. 85, n. 1, exp. 7.

¹⁰³ Ibid.

encouragement of marriage, with prizes to be awarded to owners with slaves born in the island, and generally better treatment of slaves. It also recommended the introduction of free Africans as apprentices under fixed contracts with the stipulation that they should return home at the end of the specified term in order not to increase the free black population of the island.¹⁰⁴

In Cuba, the Council and the Committee on White Population questioned Madrid's argument that the introduction of free Africans would be more advantageous than the introduction of Chinese. Although recognizing the potential problems of Chinese coolies working side by side with slaves — the former earning wages denied to the latter — the mixture of free blacks and slaves on the estates would produce rivalries and conflicts believed to be of far greater consequence. Trying to placate Madrid's fears of alliances against colonial rule, the Committee pointed out that Asians were not considered people of colour and that they would be imported only in limited numbers. Chinese regarded themselves as being very different from blacks. On the other hand, the committee believed that to maintain both public order and white supremacy, an increase of free blacks should be avoided at all costs. From the political point of view, projects to import free Africans were more troublesome than those to import Chinese and therefore should not be adopted.¹⁰⁵

By February 1853 Chinese workers transported by Villoldo and Waldrop started to arrive in Havana. The bad conditions of transportation, treatment and food caused a great number of deaths which were reported by the Captain General. Of 1,028 contract workers embarked in three ships in China, 247 (28%, including 7 of the crew) died during the voyage due to a cholera outbreak and twelve committed suicide by jumping into the sea. On arrival another

¹⁰⁴ Presidencia del Consejo de Ministros, session September 2, 1852. AHN, Ultramar, leg. 85, n. 1, exp. 9.

¹⁰⁵ Copia del expediente n.7452 sobre pedir a S.M. la introduccion de diez mil colonos asiaticos en la Isla: AHN, Ultramar, leg. 85, n. 2, exp. 10.

39 also died because of a lack of sufficient baracoons to accommodate all the new arrivals.¹⁰⁶ The first ship sailed from Amoy with 803 coolies, but arrived in Havana with only 480.¹⁰⁷ Informed of the dramatic death rates in the transportation of Chinese contract workers, the government in Madrid expressed concern and asked the Captain General to investigate the causes of death. Had the deaths been caused by over-crowding, bad treatment, poor food or unhygienic conditions? If so the contractors were to be fined. The commission in Madrid also objected that only men were imported and noted that there should be no further increase in the number of Chinese workers until investigations into the causes of death had been completed.¹⁰⁸

In the meantime the Pereda and Waldrop companies had requested that their quotas should be increased from 3,000 to 6,000. This request was approved despite contradictory views on the advantages of Chinese immigration and the strictures of the commission.¹⁰⁹ The Captain General explained that although there had not been enough time to judge the success or suitability of the Chinese immigration, he believed this sort of immigration could supply the shortage of hands brought about by the repression of the slave trade from Africa. By mid-1853 the Captain General reported that to complete the quotas, 2,221 coolies had to be transported by the first contractor, and 3,779 by the other.¹¹⁰

The new contracts approved by the Council, and the suggestion that the coolie trade be thrown open to anyone willing to enter it,

¹⁰⁶ AHN, Ultramar, leg. 85, n. 2, exp.4; and Quadro demonstrativo, exp. 5.

¹⁰⁷ D.C. Corbitt, A Study of the Chinese, op.cit., p.16.

¹⁰⁸ Presidencia del Consejo de Ministros, session April 12, 1853, AHN, Ultramar, leg. 85, n. 2, exp.6.

¹⁰⁹ See requests to increase numbers of chinese by both Companies endorsed by planters in AHN, Ultramar, leg. 85, n. 1, exp. 11, 12, 14, 15, 16 and 18.

¹¹⁰ Captain General to the Presidencia del Consejo de Ministros June 6, 1853, AHN, Ultramar, leg. 85, n. 2, exp. 7.

gave a new stimulus not only to plans for Chinese immigration to Cuba but also to plans to import other labourers. Feijóo Sotomayor's plans to import Galicians, and Argudin's of importing free Africans, among others, were presented at this time. The transportation of immigrant workers, like the traffic of slaves, appeared to be profitable. Former slave traders _ Cuban, Spanish and foreign _ , trying to avoid the obstacles and uncertainties of the illegal trade, struggled to get a share of the new business. The great demand for labourers in Cuba made the island a secure market.

The Chinese trade was by then a complex international venture involving British agents in Manila and Amoy, who organized the recruitment and embarkation of the Chinese. Zulueta and Company, ^{which} ~~who~~ promoted the first shipments of Chinese, was a notorious slaving firm based in London and British shippers were the carriers. But shippers of various nationalities, British, French, Spanish, and American, were usually contracted to transport the labourers. However, the Chinese trade to Cuba was conceived and financed in Cuba by the most powerful members of the socio-economic and administrative elite. Almost all linked to the Cuban slave trade. They possessed the capital, the contacts, infrastructure and experience necessary for the enterprise.¹¹¹ Associated with their old friends, the Portuguese installed in Macao, Spaniards and Cubans carried out the trade, under harsh international criticism, for more than two decades.¹¹² Their enterprises involved financial and commercial activities in China, the Philippines, Madrid and Havana, and they recruited and transported several thousand Chinese contract labourers to Cuba, Peru and the United States of America. For instance, the ships "Teresita", "Huracán", "Tinita Torices",

¹¹¹ J.G. Cayuela Fernández, "Estado de la cuestión sobre intereses hispano-antillanos durante el siglo XIX en Extremo Oriente: armadores, traficantes de esclavos y traficantes de cúlies", in Francisco de Solano, Florentino Rodao and Luis E Togores (ed.), Extremo Oriente Ibérico. Investigaciones Históricas: Metodología y Estado de la Cuestión (Madrid: Departamento de Historia de América, CSIC, 1989) pp.485-498, pp. 490-491.

¹¹² G. Clarence-Smith, "The Portuguese Contribution to the Cuban Slave and Coolie Trades in the Nineteenth Century" in Slavery and Abolition v. 5, n. 1 (May 1984) pp.24-33.

"François" and "Santa Eulalia", contracted or owned by Rafael Rodríguez Torices's Empresa de Colonización, associated with Gabriel Lombillo and J.A. Colomé, between 1854 and 1868, imported 11,611 Chinese coolies from Macao harbour to Cuba, Peru and San Francisco. The ships "Vasco da Gama", "Ciudad de Oporto", "Maria da Gloria" and "Mobil", owned or contracted by the company "La Alianza", whose main associates were Colomé, Ferran y Dupierres (Zulueta also participated in the firm ¹¹³), imported 12,000 coolies to Cuba, Peru and California between 1860 and 1870. And finally, the ships "Casilda", "Velos", "Vigilant", "Chieftain" and "Bristol", owned or contracted by the London based firm "Zulueta and Company", imported 8,000 coolies to Cuba and Peru between 1846 and 1860. Torices, the largest importer, Pereda and Drake Brothers imported more than 70% of the Chinese disembarked in Cuba. British (10%), American (14%), Spanish (23%) and French (28%) ships transported the great majority of the Chinese landed in Cuba.¹¹⁴ Cayuela Fernandez, in his analysis of the Hispanic-Antillan interests in the Far East, observed that the coolie trade gave returns of more than 700 million reales for members of the Antillan elite. Rafael Torices, from six cargoes of Chinese effected between 1857 and 1860, made 14,280,000 reales. He sold the Chinese at a price ranging between 140 and 220 pesos each and his main buyers during the period were the planters Pedroso, Alejandro Fuster, Miguel Gastón and the Count of Fernandina. Five cargoes handled mainly by Zulueta, between 1850 and 1859, returned 12,948,000 reales. The Chinese were sold at a price of between 170 to 250 pesos each, and among his main customers were Francisco Ibañez, the Arieta Family and the Count of Villanueva. As one last example, seven cargoes organized by Colomé, president of the Company "Alianza", between 1860 and 1865, yielded 15,795,000 reales. The coolies were sold for between 160 and 300 pesos, and among the main buyers were the Diago family, the Count of Vegamar, the Marquis of Mariana, the Count of Fernandina, and the Count of Diana. Many of the traders became the most rich and powerful planters of the island, investing their returns in sugar estates

¹¹³ L.W. Bergad, *op.cit.*, p.251.

¹¹⁴ *Ibid.*

which they stocked with a very cheap workforce.¹¹⁵

The success and profitability of the trade in workers is further revealed by the great number of plans and requests to introduce "colonos" — Chinese, Mexican and Venezuelan Indians, Europeans, free Africans and so on, in a variety of circumstances and under varied conditions of contract. The number of requests to import this kind of worker grew during the decade as did the diversity and numbers of those to be imported. Further evidence of the profitability of this business is shown by the proliferation of applicants to engage in the trade. Waldrop and Company and Manuel Pereda were not alone in applying for permission to introduce Chinese contracted workers to Cuba. By the same year, 1852, Fernandez de Castro, a Cádiz merchant and shipowner, made a formal request to introduce Chinese to Cuba.¹¹⁶ About one year later, the Consejo in Madrid was discussing an application from José Matias, also from Cádiz, to ship by about 5,000 Chinese to Cuba.¹¹⁷ Corbitt noted that by the end of 1853, the Council had received petitions to import Chinese from six persons, and between 1852 and 1858 at least thirty petitions were received. In 1860 there were four before the authorities.¹¹⁸ In the early 1850s Villoldo, Waldrop and Company and Pereda asked permission to introduce about 6,000 Chinese contract workers; by the end of the decade some petitioners were seeking permission for 10,000, 40,000, 60,000 and even 70,000

¹¹⁵ J.G. Cayuela Fernández, *op.cit.*, pp.491-492. According to J. Pérez de la Riva, "Aspectos Económicos del tráfico de culíes" in *El Barracón. op.cit.*, (pp.88-110) pp.102-103, the costs of engagement in Macao increased from 15 Mexican pesos in early times to the "exorbitant" sum of 150 pesos in the 1870s. The coolie landed in Cuba cost between 100 and 120 pesos in 1860; ten years later, 150 to 175 pesos. The price of coolies in the Havana market also increased from 125 pesos in 1848-1853, to 340 and 400 pesos in 1855-1859, to more than 400 pesos in 1865-1868.

¹¹⁶ AHN, Ultramar, leg. 85, n. 2, exp. 2. See also the request by José Matias, who was associated to Zulueta and Cia., and arguing that he had applied for it in 1846, asked extension and preference in the Chinese importation. AHN, Ultramar, leg. 85, n.1, exp. 13;

¹¹⁷ AHN, Ultramar, leg. 85, n. 2, exp. 9.

¹¹⁸ D.C. Corbitt, *A Study of the Chinese, op.cit.*, p.18.

Asians.

As well as numbers to be transported, proposals usually included some reference to conditions of shipment and contract selling price. The end of the slave trade and the great mortality of Cuban slaves were always advanced as justification for such enterprises. But the artificiality of the arguments, the faking of a situation "to sell" a specific product, that is labourers, was very much apparent. The trader's anxiety to profit from the business was exposed in various situations. In 1861, for instance, Don Juan Manuel Rodriguez and Don Francisco Rovirosa y Argüelles, from Seville, asked permission to send 8,000 black women from north Africa to the island to work as domestic servants in the cities, on ten-year contracts. The undertaking was justified on the grounds that domestic servants had been reduced in Cuba due to the great mortality among black women and that whites were not good enough for the work, apart from the fact that European women would not move to such a remote place. Of course, the project was dismissed. The Consejo de Administración replied that the domestic service was well-served in the island. Another report criticized the project's author for its absolute ignorance of where and in which sector there was a shortage of labour in Cuba.¹¹⁹ Another example is provided by José Suárez Argudín's repeated attempts to import free Africans. After his final bid for permission to introduce free Africans to Cuba he asked permission to introduce them to Saint Domingue.¹²⁰

Speculation involving the trade in workers to Cuba did not go unnoticed in Madrid. When the Sociedad General de Crédito Moviliario Español submitted a proposal at the end of the 1850s, Madrid expressed its concern about the way concessions had been given and

¹¹⁹ Exposición a S.M. de D. Juan Manuel Rodriguez y D. Francisco Rovirosa y Argüelles, April 4, 1861; informe del Consejo de Administración de Cuba, March 20, 1862; Dictámen del Ayuntamiento, August 13, 1862, AHN, Ultramar, leg. 90, n. 15, exp. 8.

¹²⁰ See justification given by José Argudín in his Exposición a S.M. July 9, 1861, to import 20,000 free Africans to Santo Domingo, after unsuccessful attempts to import free Africans into Cuba, in AHN, Ultramar, leg. 90, n. 14, exp. 23.

about the numbers of Chinese contract workers entering the island. The *Sociedad* _ in a printed and very detailed proposal _ asked for exclusive permission to introduce 60,000 Chinese workers, "the chosen race", within six or eight years. The *Sociedad's* plan stated that the contracts were to be sold for no more than 18 ounces _ at the time other suppliers were charging to 23 or 24 ounces. It also promised to pay the Treasury in Madrid the sum of 320,000 reales per thousand Chinese disembarked in Havana _ a total of 19,200 thousand reales! In the end it remarked that to meet the "the most important interests", that is, "that of humanity", the society had already exclusive shipping rights with a company to bring Chinese contract workers to Havana. It added that the ships would be very large and fast, to help "to reduce the death rate" on the voyage.¹²¹

The proposition of the *Sociedad de Crédito Moviliario* was submitted to the *Consejo* in Madrid in October 1858. The *Consejo* opened by criticizing the arguments presented by the Society. The Chinese were not the "chosen race" among others, but a compromise. The point was not one of "colonization", stressed the *Consejo*, but rather to find a continued source of labourers. The *Consejo* turned out to be concerned as much about the methods of allowing the introduction of *colonos* as to their numbers. Exclusive deals and the systems of privilege should be avoided leaving room for free competition. Commenting further, the *Consejo* pointed out that benefits for the workers or the Treasury should be left out of equation: the question was the development and prosperity of the colony, considered as the basic resources of the Exchequer. In the *Consejo's* view the plan provided a good example of the scale of business that importing Chinese workers had reached.¹²²

¹²¹ Proposición presentada a S. M. la Reina por la Sociedad del Crédito Moviliario Barcelones, para la introducción de colonos ó Trabajadores Chinos en la Isla de Cuba, submitted in September 28, 1857 and then published in Madrid, Imprenta de Luis Garcia, 1859. AHN, Ultramar, leg. 85, n. 5.

¹²² Dictámen acordado en el Consejo, al Ministro de Guerra y Ultramar, April 26, 1859, AHN, Ultramar, leg. 85, n. 6, exp. 3.

The commercial character of the trade in Chinese workers would be always denounced by planters and policy makers. Regulations would be framed in an attempt to prevent abuses. The system of concessions regarding the introduction of Chinese labourers in Cuba had been discussed since early in the decade. According to Domingo Estorch, for instance, by 1853, when the Marquis of la Pezuela assumed the government of the island, a monopoly of the colonization — Chinese, Yucatecans and Galicians — belonged to only three enterprises. It was Pezuela who opened the trade to others willing to introduce contract workers, and set down their rights and obligations in the 1854 Reglamento - "to avoid complaints and distress".¹²³

By the end of the 1850s, after reports from Spanish consuls in China, warnings against granting too many concessions to import Chinese were already being sent to Cuba. "It is necessary to bring to an end all these introductions", ordered the government in Madrid, for they could cause serious complications if due precautions were not taken.¹²⁴ The Captain General expressed his indignation with the order and blamed false reports in the Spanish press. The Captain General argued that the ventures were conducted in good faith and if profits were high it was due to the initiative and intelligence of traders. The trade could not be brought to an abrupt halt as many ships were already on their way to the island. If the government in Madrid wished to act, it should first instruct consuls in China to deny shippers loading certificates for Cuba.¹²⁵ In December 1859 Madrid replied that Chinese immigration should be

¹²³ D.M. Estorch, Apuntes para la Historia sobre la administracion del Marqués de la Pezuela en la Isla de Cuba, desde 3 de Diciembre de 1853 hasta 21 de Setiembre de 1854 (Madrid: Imprenta de Manuel Galiano, 1856) p. 38. The open and favourable attitude of Captain General Concha also contributed to the trade. In addition to private financial interest, authorities were also concerned about the development of sugar production, as observed by J. Pérez de la Riva, "Aspéctos económicos del tráfico de culíes", in El Barracón, op.cit., pp.93-94.

¹²⁴ Real Ordem April 7, 1859, minuta. AHN, Ultramar, leg. 85, n. 6, exp. 4.

¹²⁵ AHN, Ultramar, leg. 85, n. 6, exp. 5.

stopped and told the Captain General to set a time limit for the end of the trade. It also reported that consuls in China had already been informed of this decision. It was stressed that the number of Chinese on the island was approaching 50,000 a figure judged to be sufficient for the time being.¹²⁶

Just as earlier there had been concern about the security of the island resulting from the growth of the slave and black population, now in the late 1850s, Spain had reservations about the unrestricted arrival of Chinese workers in the colony. There was also international opposition to the continuation of the coolie trade. Problems in engaging workers in China had been reported by Spanish consuls. Uprisings in Shanghai against contracted Chinese embarking for foreign countries were reported, as well as virulent press opposition in Hong Kong and Macao. Investigations had been made by the Chinese government into the conditions of engagement and transport. There had been incidents involving the Chinese authorities and British consular agents.¹²⁷ In early 1860 the Captain General reported that the Royal Order was being executed and the date has been set: December 31, 1860, a period of time believed sufficient for all expeditions that had already left China to complete their voyage to Cuba. From the first of January, 1861, new expeditions should be prohibited.¹²⁸ There were complaints from importers.¹²⁹ Proposals for the introduction of Asians were still being made. They could come from Polynesia, for instance, "contracted for a greater number of years and lower prices", according to a would-be importer.¹³⁰ However, after new regulations and international agreements, the coolie trade continued for more

¹²⁶ AHN, Ultramar, leg. 50, n. 9, exp. 1.

¹²⁷ See reports of the Consul General de España in Macao ao Ministro de Guerra y Ultramar of May 7, 1859 and September 9, 1859, AHN, Ultramar, leg. 85, n. 6, exp. 6 and 7.

¹²⁸ AHN, Ultramar, leg. 85, n. 7, exp. 4.

¹²⁹ See for instance, AHN, Ultramar, leg. 85, n. 7, exp. 6 and 7.

¹³⁰ See proposal AHN, Ultramar, leg.85, n. 7, exp. 2.

than a decade, ending only in 1874. In 1877 the Chinese government halted emigration of Chinese workers to Cuba under contract, by the Treaty of Peking.¹³¹

Between 1847 and 1874 some 125,000 Chinese contract workers were landed in Cuba, about 50% of them after 1865, coinciding with the last years of the trans-Atlantic slave trade (see table 10, Appendix). The majority were male and were absorbed by sugar plantations in Matanzas, Cárdenas and Colón, then the major areas of sugar expansion. In 1867, of 1,337 Chinese and 30 Yucatecans listed in the district of Cimarrones, Cárdenas, 1,348 were males, and 19 females; 1,366 were employed in rural labour and only one in domestic service; 1,349 were between 15 and 50 years old; 1,291 had been contracted for ten to fifteen years.¹³² The basic terms of the contracts remained virtually the same throughout the period. Wages were still far below of those paid to other free labourers in the island. During the 1850s and 1860s salaries rarely varied from the norm set at 4 pesos per month, while wages for unskilled labour ranged between 17 and 25 pesos a month. Like slaves, coolies were housed in huts or barracks, organized into gangs, and sent to work under armed overseer in the fields and mills.¹³³ The Chinese were openly traded, and a market of Chinese contract workers developed alongside ~~to~~ the Cuban slave market. The price of contracted Chinese oscillated between 340 and 425 pesos, while ~~a~~^{the} price of ~~slave~~^a was 500 to 600 pesos.¹³⁴ The conditions to which these immigrant workers were subjected had an explicit objective: to make contract labour as cheap and possibly more productive than slave labour.

¹³¹ On the treaty see D.C. Corbitt, A Study of the Chinese, op.cit., p.72.

¹³² AHN, Ultramar, leg. 76, n. 1, exp. 4.

¹³³ R. Scott, Slave Emancipation in Cuba. The Transition to Free Labour, 1860-1899 (Princeton: Princeton University Press, 1985) p. 29.

¹³⁴ J. Pérez de la Riva, El Barracón, op.cit., p.109.

3.3. Legislation and control: contracts, conflicts and laws

Soon after the first experiments with Europeans, Cuban planters realized that there should be clear incentives to encourage immigrants to work, as conditions and wages on plantations were not very attractive. Labour contracts were just a beginning. General regulations were further designed to help to manage the new labour relations and to shape them to the need of planters so as to increase productivity and discipline.

From the beginning European, Mexican, African and Chinese contract workers in Cuba were usually referred to as "colonist" (colono), although the conditions envisaged for those workers were far from those generally encompassed by the term, which implied free settlers. All these workers were viewed as "hands" (brazos), meaning cheap and unskilled labour. However, while the general label colono was attached to all these groups, contract conditions varied considerably. For instance, the length of the engagement: from three to five years for Europeans; eight years for Chinese; 10 years or ~~larger~~^{more} for Africans and Indians. Different arrangements also prevailed as expire of contracts. Europeans and their families were welcome to form part of the population, while Asians and Africans should return to their countries if they did not renew their contracts. In part these variations in conditions were due to sharp differences in the costs of transporting colonos from the Far East and Africa as opposed to Europe. But social prejudice and the experience of planters in dealing with distinct groups of workers also helped determine the particular conditions imposed on the Chinese, Africans and Mexican Indians.

Between the 1840s and 1860s, the shape and character of contracts and the regulations governing contracts were fashioned and re-fashioned as the result of conflicts between planters and immigrant workers. It was a dynamic process and while the content of the contracts and regulations helped define a specific mode of labour relations _ establishing the limits within which plantation work

was to be conducted — the scope of regulations and contracts reflected also the experiences of both planters and workers who were coming to terms with the new labour organization emerging in the island. Hence the changes in the general regulations and in the content of contracts illustrate how the process of transition was accomplished.

This section explores contracts applied to Chinese and Yucatecans. It focuses particularly on those clauses in labour contracts relating to disputes between planters and workers and on regulations issued by the government to resolve conflicts that emerged during early experiments with free labour. It must be acknowledged that, given the workers' isolation in estates or in areas where the planter and his representatives prevailed, formal contracts and legal assignments were likely to have had very little effect and could produce a false picture of the situation. However, the question of enforcement does not tell the whole truth about legislation. The content of contracts and regulations gives an idea of the pattern of labour relations envisaged for non-slave workers. Changing conditions, either conceptual or actually prevailing, reflect the changing nature of relations between planters and workers and can reveal the conflicts and wider dynamics that characterize these first experiments with free labour.

While coolies were entering Cuba, slaves continued to be imported. The coolie trade did not differ very much from the slave trade. Chinese were bought, sold and hired out in almost the same way as slaves. They lived in similar circumstances regarding housing and maintenance and performed the same tasks. Planters and administrators resorted to the same methods of control and punishment. In practice, and by law, they were denied the rights of free men who had been contracted for a limited period. Notices about runaway Chinese were published in local newspapers in the same way as for runaway slaves. For slaves and coolies, the planter was paramount. And coolies reacted to the brutality of the plantation life in a manner that was very similar to that of slaves: they rebelled individually or collectively; they protested to the

authorities, even though it was of little effect; they ran away; they committed suicide. Contemporary observers and modern historians have seen the treatment of free men, contracted for a fixed period, as slaves or semi-slavery.

Very little evidence can be found to mitigate the picture often portrayed. Nevertheless, if the daily experience of the coolie closely resembled that of slavery, his juridical status as a fixed-term contract worker contrasted sharply with that of a chattel slave. Although laws were often openly ignored, and with them the legal status of a free contract worker, the fact that the coolie were provided with a formal legal status that may be placed in an intermediate position between that of slave and free workers signalled a significant change for planters. And, when pressed for "free labour", that was what somehow planters envisaged _ a system of contract-regulated labour (the system applied to the coolies) rather than a free labour market. Besides, the coolies did not see themselves as semi-slave, although day-to-day life on the plantation was similar to that of slaves. The Chinese were aware that they were free men under contract. Numerous protests and complaints filed by the Chinese against planters and local authorities can be found in Cuban archives. These testify to the Chinese awareness of their peculiar status and their struggle to draw a distinction between themselves and the slaves.

From the beginning there were conflicts with, and complaints about, Chinese contract labourers: indiscipline, escapes, refusals to work and suicides were reported. On September 22, 1847, a few months after the arrival of the first Chinese workers, a planter who had engaged some of them from the Council complained that one worker was sick and demanded from the Council an "exchange" or cash refund. (According to a doctor's report, the sickness was provoked by "homesick attacks of many individuals who leave their native land for the first time (...) far away from home and most of the things they are used to (...)"¹³⁵ About the same time, the owner of

¹³⁵ ANC, RCJF, leg. 195, n. 8726.

Atenas sugar mill, who had contracted 49 Chinese, also asked for a cash refund for 30 workers. In this case it was explained that the workers rebelled since arriving in the plantation, refusing to perform their allotted tasks. According to the planter's report, the conflicts sharpened when one day, at 6 a.m., they refused to go to work. After attempts to understand what they wanted (there were no interpreters), it was disclosed that they wanted "a biscuit and water with sugar" (*una galleta y agua con azúcar*) before leaving for the fields. Until then they had received only half rations. It was explained that the fixed half allowance was temporary, until the arrival of supplies from the capital. However, the Chinese did not accept this and one of them threatened the owner, pretending to cut his neck with a knife. This gesture was sufficient to send the Chinese to the stocks. This punishment produced an even greater furore. In the end the authorities had to be called and only 19 Chinese wanted to continue work on the estate. The others were sent back to Havana, "to prevent dire consequences and because they could set a bad example to the other workers on the estate".¹³⁶ In neither case did the Council accept the Chinese back nor refund money.

In February 1848, the Council requested those experimenting with Chinese contract workers to report on their experiences with a view to increasing imports. Diverse opinions were recorded. Those who experienced conflicts with the Chinese, such as the owner of Atenas sugar mill, were against continued imports. Others, such as Francisco, Fernando and Pedro Diago reported favourably and were willing to engage more coolies. The Count de Peñalver reported initial unease, but took the view that "when accustomed to the climate, the food, and plantation discipline" the coolies would no longer complain about work and conditions. Urbano Feijóo Sotomayor also gave a favourable report. He had engaged 58 Chinese workers, who after a period of acclimatization, started plantation work and showed themselves to be even better than slaves for certain tasks. Although they refused to work at night, and on three occasions

¹³⁶ ANC, FRCJF, leg. 195, n. 8738.

planned to murder the estate foreman, Sotomayor was willing to engage more. In his view, the Chinese were generally intelligent, peaceful, obedient and humble; sons of a country governed by the rod (*hijos de un país gobernado a palos*), they were the most suitable to work alongside slaves. And as slaves could no longer be imported, contracts were the only way to guarantee the supply of labourers and ensure an adequate return on travel expenses. Sotomayor also observed that the Chinese would not ally with the blacks in case of plantation disturbance and could be useful third party in the balance of power.¹³⁷

Problems arising from these early experiments led the authorities to reinforce contracts with harsh regulations: first in 1849; again in the early 1850s when the imports of Chinese workers resumed; and on a third occasion in the 1860s following international criticism of the coolie trade and of conditions for contract workers in Cuba. On April 10 1849, a set of regulations was passed, the Government Regulations for the Management and Treatment of Asian and Indian Colonists.¹³⁸ According to the circular letter that accompanied the Regulation, there had been obstacles to the good management of the Asian race: the "coolie" was a new and unknown element in the country and there were no rules to guide the planters in their treatment of the Chinese.¹³⁹

The 1849 Regulation included twenty articles and referred to Asian and Mexican Indian colonists. Most regulations were common to both. The only specific difference applied to the Chinese concerned

¹³⁷ ANC, FRCJF, leg. 195, n. 8746.

¹³⁸ The 1849 Reqlamento del Gobierno para el manejo y trato de los colonos Asiáticos y Indios has been reproduced in several works, J. Jiménez Pastrana, Los chinos en las luchas por la liberación cubana, 1847-1930 (Havana: Instituto de Historia, 1963) pp.127-130; also D.C. Corbitt, A Study of the Chinese, *op.cit.*, pp.67-69. Cubans usually referred to Chinese and other contract workers as colonists (*colonos*), blurring distinctions from other immigrants. Those who bought their contracts were called *patronos*.

¹³⁹ 1849, Reqlamento, in J. Jiménez Pastrana, Los Chinos, *op.cit.*, p. 127.

religious instruction which was unnecessary for the already Catholic Indians. The colonos should be taught to have "obedience and respect" for their "superiors" and the authorities. Wages, maintenance, food and medical assistance were laid out in terms similar to those stipulated in early contracts. In the event of sickness lasting more than two weeks, wages were to be suspended. Wages were also to be suspended in the case of escape; the costs of recapture would be deducted from wages. Working hours were prescribed generally only as "horas de costumbre". To assure "discipline and subordination", the Regulation sanctioned and reinforced contracts clauses relating to corporal punishment. It stipulated flogging, leg irons or shackles and stocks in the event of disobedience, individual or collective refusal to work and running away. To justify the clauses providing for corporal punishment, it was stressed that without this kind of correction, publicly administered by the planter or his deputies, it would be absolutely impossible to secure work and discipline.¹⁴⁰ Those who devised the Regulation were aware of Chinese sensibilities about being compared with the slaves and attempted to draw a distinction. Thus, according to article 10, whenever there were ten coolies on any one estate, the planter had to assign a white overseer to supervise and help them with the work. Article 17 stipulated that only the white overseer could administer corporal punishment to coolies and punishment was never to occur in the presence of slaves. Rather than simply making a distinction between the status of slaves and contracted Chinese, these articles point to the existence of conflicts involving Chinese workers who often reacted violently when treated as slaves or placed with them. Finally, the authorities were instructed to take note of excessive punishment, and of problems arising from bad management and control of colonos.

The Regulations, especially those clauses permitting physical punishment, provoked a wave of criticisms from various quarters. The fiscal Medina of Puerto Príncipe observed that the unusual and severe power delegated to the owner or his deputies (including

¹⁴⁰ 1849, Reglamento, in J. Jiménez Pastrana, Los Chinos, op.cit., p.127.

foremen) was without doubt greater than that granted by law to a range of public officials, local and regional, including deputies governors and governor. The *fiscal* observed that none of these authorities could inflict more than light fines and thirty days prison without establishing the facts of a case. It was inappropriate to displace the authority of the courts in such matters and to establish a private jurisdiction in the plantations. To grant planters legal powers usually administered by governmental and judicial authorities could weaken the ordinary system of Royal justice.¹⁴¹ The *Ministro de Audiencia* of Puerto Príncipe also censured the Regulation, supporting the arguments developed by the *fiscal*. He observed that Chinese workers should not be legally subject to discretionary treatment by those on whom they were dependent. As foreigners they were already subject to existing police and security jurisdiction. He added that in the case of Yucatecans, the situation was even more serious for not only should they be accorded "*direito comun de las gentes*", they deserved special treatment because of treaties of friendship with their country of origin.¹⁴²

When submitting the Regulation for approval to Madrid, the Captain General explained that as blacks outnumbered whites on the island, they were subjected to special and severe treatment in order to preserve the colony. Although practices had evolved in terms of the harshness of the legislation (reference to the 1842 Slave Code), blacks were still tightly controlled. Pointing out that blacks "have always been a capital enemy of the whites" and were always willing to take up arms to exterminate them, the Captain General wondered about the Asians and Indians. To which class did they belong? In his view, they belonged to the coloured classes and therefore they could not be treated as whites. To treat them the same as whites would cause great disruption and disorder. Answering criticism from the Tribunal of Puerto Príncipe which questioned his competence to

¹⁴¹ *Fiscal* Medina, Puerto Príncipe, April 21, 1849, AHN, Ultramar, leg. 91, n. 1, exp. 8.

¹⁴² Voto particular, D. Francisco Duran y Cuerdo, Puerto Príncipe, May 15, 1849, AHN, Ultramar, leg. 91, n. 1, exp. 8.

promulgate the dispositions, the Captain General stressed that the task of keeping those races obedient and subordinate was by its nature of the competence of the Governor. He therefore did not need to consult anybody.¹⁴³ At the end, considering the reasons presented by the Captain General and given the "peculiar circumstances" of the Asian race on the island _ special privileges "... could alter the subordination of the African race so indispensable to peace on the island" _ the government in Madrid approved the Regulations.¹⁴⁴

A few years later, when the introduction of Chinese contract workers resumed, the government in Madrid suggested that a new framework of regulation establishing working relations and the treatment of immigrant contract labour should be prepared.¹⁴⁵ Great Britain had officially protested against the 1849 Regulation.¹⁴⁶ Cubans in exile had denounced its slave-like features and even within the island it was regarded as dangerous and excessively cruel.¹⁴⁷ Captain General Valentin Cañedo took the initiative of preparing a new code. Cañedo's project laid down conditions for the introduction, transportation and treatment of contract workers, and suppressed the corporal punishment permitted under the 1849 Reglamento. Protests from the planters and Cañedo's vacillation postponed the approval of regulations until the next government.¹⁴⁸

In a 1853 circular, Captain General Pezuela, Cañedo's successor, presented the case for further changes in the regulations. He argued

¹⁴³ Report, June 9, 1849. AHN, leg. 91, n. 1, exp. 8; the Committee on White Population disagreed Chinese were *clase de color*, report, November 26, 1852, ANC, RCJF, leg. 197, n. 8874.

¹⁴⁴ Ultramar, Oficio, Madrid, March 2, 1850, AHN, leg. 91, n. 1, exp. 8.

¹⁴⁵ Consejo de Ministros, Session September 2, 1852, AHN, Ultramar, leg. 85, n. 1, exp. 9.

¹⁴⁶ AHN, Ultramar, leg. 85, n. 1, exp. 9.

¹⁴⁷ J. Pérez de la Riva, El Barracón, op.cit., p.121.

¹⁴⁸ Ibid.

that the need to end the trans-Atlantic slave trade and the mortality on the plantations made it necessary to find new hands. The re-drafted Regulation was an effort to guide "private interests" towards the "benevolent intentions" of the government: it was concerned to effect the fulfilment of contractual obligations and would favour _ "without any privilege" _ all enterprises and private agreements to introduce free labourers in compliance with government safeguards.¹⁴⁹

A new *Reglamento*, elaborated during Canedo's government, was thus finally promulgated on March 22, 1854. Much more complex than the previous statutes, the 1854 Regulation included 66 articles divided into three chapters.¹⁵⁰ The first chapter applied to the trade in contract workers and conditions offered to workers; the second, established a framework of the duties and rights for *colonos*; the third covered planter's disciplinary jurisdiction. The first chapter opened trade in Spanish, Indian and Chinese colonos to any company, for a period of two years. All firms were required to seek official approval and the government reserved the right to regulate numbers, nationality and condition of those imported. The attempt by the government to intervene in all details of the trade and in the conditions agreed between contract workers and contractors or planters was plainly evident. Thus, it specified that contracts i) should be translated in the language of the labourer, and should specify the age, sex, place of origin, the period of the contract, the monetary value of the wage, the quantity and quality of food and clothing, medical assistance; ii) clauses relating to medical assistance should specify whether the wages would be stopped in case of sickness caused by work or causes outside the master's control; iii) contracts should spell out the number of hours to be worked, specified by task, and make provision for overtime work; iv)

¹⁴⁹ Circular letter, December 23, 1853. AHN, Ultramar, leg. 91, n. 1, exp. 8.

¹⁵⁰ Reglamento para la introducción y régimen de los colonos en la Isla de Cuba (Havana: Imprenta del Gobierno y Capitanía General, 1854); also reproduced in J. Jiménez Pastrana, Los Chinos, op.cit., Appendix, pp.130-140.

contracts were to state that the colono was obliged to indemnify the planter for working hours lost by his own fault and that he was subjected to the discipline of the plantation; v) and that contract could be transferred to another planter or any other private person. A new clause added that the worker was required to signal that he was "in agreement with the stipulated salary, accepting that free workers and slaves make much more because I feel that this difference has been compensated by other benefits which the patrono has given me, and which are spelt out in this contract". ("Yo N.N., me conformo con el salario estipulado aunque sé y me consta que es mucho mayor el que ganan los jornaleros libres y los esclavos en la isla de Cuba porque esta diferencia la juzgo compensada con las otras que ha de proporcionarme mi patrono y son las que aparecen de este contrato."(original stress). This clause was, of course, an attempt to compel the contracted worker to accept wages far below those prevailing in the island.

The harsh conditions devised by the Regulations were apparent. The number of working hours could not exceed twelve or fifteen a day, with six consecutive hours of rest during the night.(The 1842 code stipulated from nine to sixteen hours for slaves.) Most of the rights granted to the colono, defined in the second chapter, were compromised. Marriage, the sanctity of the family, the right to acquire property and to redeem the debt early were protected. Nevertheless the patrono's disciplinary jurisdiction over the colono was paramount despite the law. In the end the colono represented a fixed capital investment, and was the property of those who bought the contracts.¹⁵¹ Marriage and the acquisition of property required the approval of the patrono. A colono's children, born before the engagement, could be contracted under the same conditions as their mothers; if born during the engagement they were to bear their mother's status throughout the contract, becoming freed only when reaching eighteen years old. When reaching the age of twenty five, or when six years contract had elapsed, the colono had the right to

¹⁵¹ Evelyn Hu-Dehart, "Chinese Coolie Labor in Cuba in the Nineteenth Century: Free Labor or Neoslavery", unpublished paper conference "From Chattel to Wage Slavery", London, 1992, p.8.

redeem himself by paying out the **patrono**. This indemnity covered the original purchase price of the contract, the balance of the contract outstanding, the value that the services of the **colono** had reached at the time and the inconvenience caused to the **patrono** while looking for a replacement. However, the **colono** could not redeem himself during harvest or when urgent tasks were needed. The contract worker also had to have written permission to leave his place of work, otherwise he could be arrested as a runaway. He also needed permission to work in another place and was not allowed to trade without permission from the **patrono**. But he could be "sold" or hired to another planter without consultation. Of course, all these clauses compromised the right to save and purchase his freedom. Unless explicitly stated in the contract, the immigrant worker was charged with the cost of a return passage to his country of origin or to any other destination he might chose.

The designation of the Captain General to ensure good treatment and the fulfilment of contracts was significant. So was the measure giving the authorities the right to visit estates and make inquiries about complaints. However, the legal resources available to **colonos** to air their grievances were very limited. And article 19 stated that the **colono** should renounce the exercise of all civil rights incompatible with the fulfilment of contractual obligations. Only on completion of the contract would the immigrant worker be entitled to full Spanish rights of citizenship. This clause was later replaced by another obliging the **colono** to sign up again after completing his contract or to leave the island at his own expense (1860 Regulations). **Patronos** and their deputies were allowed to impose disciplinary measures. **Colonos** could be punished for insubordination, individual and collective refusal to work, a lack of punctuality in performing assigned tasks, running away, drunkenness, and so forth. **Patronos** could prevent rebellions and collective resistance to work by force, immediately notifying the authorities who would thus administer punishment. Corporal punishment was prohibited and replaced by imprisonment and the loss of wages. However, corporal punishment continued to be applied on the plantations. And in the final event, the daily life on the

estates was at the discretion of the planters and overseers.

The British government again protested against the new regulation on the grounds that there had been bad faith in the formulation of the provisions and that contracted workers were likely to be subjected to a new form of slavery.¹⁵² The Spanish government replied that the decree ensured that **colonos** were not reduced to slavery and it also allowed the **colono** to purchase his freedom "at any time".¹⁵³ Despite objections, the conditions contained in the 1854 Regulations, were re-stated at the beginning of the 1860s and would effectively determine relations between master and contract worker for more than thirty years.

By the mid-1850s, the success of Chinese labour was reported by Captain General Concha. As a result of a general enquiry into the introduction of Chinese contract workers, and based on several reports by planters and railways enterprises, the Captain General stated that the system had fulfilled all expectations. The Chinese performed all tasks ordained to them, were accustomed to the climate and "when mildly and tactfully treated, they were respectful and their natural submission to the white race was strengthened".¹⁵⁴ In the Captain General's view, the Chinese were the best alternative, since white and Yucatecan immigration had failed. And Chinese contract workers were better than free blacks. Concha observed that improvements in railways would not have been possible without the Chinese. Slaves were very expensive and moreover, there was not enough of them to supply the demand for labourers on the plantations and for railway building. Slave reproduction was enough only to cover ordinary deaths, observed the Captain General, and it would take some time to institute better treatment and better living conditions so that slavery might be sustained through natural

¹⁵² Nota del Ministro Plenipotenciario de S.M. Britanica, October 11, 1854, AHN, Ultramar, leg. 85, n. 3, exp. 7.

¹⁵³ Reservado, November 14, 1854, AHN, Ultramar, leg. 85, n. 3, exp. 8.

¹⁵⁴ AHN, Ultramar, leg. 85, n. 4, exp.6.

reproduction as in the southern United States of America. As the Chinese presented fewer difficulties the Captain General argued for unlimited imports to reduce the price of contracts.¹⁵⁵

Observing that it had previously been thought that an excessive number of Chinese could provoke conflicts, the Captain General acknowledged that their proportion in the population must be taken into account. But as, "Today Asian immigrants are no more than 14,065", the proposal should not be considered dangerous. He even suggested that more than 60,000 Chinese could be comfortably accommodated in the island (given an appropriate number of women among the coolies). The principal problem was not the number of "Chinamen" in the island, but the price of their contracts. Denouncing speculation, Concha reported the rising prices of contracts and suggested there should be fixed a maximum price. But beyond regulating the price of contracts, policing and public security, there should not be any kind of intervention in the labour market. The government should allow "absolute freedom, and the free immigration of Chinese colonos to individual initiative" so as to facilitate the course of continued imports.¹⁵⁶

Although the Captain General seemed to be absolutely convinced of the success of Chinese labour, other reports were less certain. Cárdenas planters, for instance, reported that Chinese contract workers were "insubordinate", had a tendency to drunkenness and to take opium, were not inclined to family life, and had prejudices against coloureds. It would be better if they left the island and returned to their own country.¹⁵⁷ Other reports repeated these observations. However, some of these "defects" were considered only a matter of adjustment. Echoing the Captain General, others reported that strict compliance with contract conditions and special treatment — segregation from blacks and no use of lash, for

¹⁵⁵ AHN, Ultramar, leg. 85, n. 4, exp. 6.

¹⁵⁶ AHN, Ultramar, leg. 85, n. 4, exp. 6.

¹⁵⁷ Informe de la Tenencia de Gobierno de Cárdenas, January 19, 1856, AHN, Ultramar, leg. 85, n. 4, exp. 6.

example _ could resolve some of the shortcomings. The disciplinary regime on the sugar estates made it difficult even to assess their tendency to family life, argued others, and obstacles to the import of Chinese women contributed to these circumstances.¹⁵⁸ Only a few were inclined to drunkenness and drugs and it was usually those who had fulfilled their contracts, rather than those still working them.¹⁵⁹

Following the general enquiry into the introduction of Asian labour, organized by Captain Concha, Madrid focused on two main issues: i) whether there should be a limit to the number of immigrants imported; ii) the fate of Chinese workers after the conclusion of contracts. In its pronouncement the **Consejo** acknowledged that there was a shortage of hands. Faced with the failure of attempts to promote white immigration, Africans would have been the better choice. The **Consejo** also regretted that there had been opposition from the Mexican Government to the introduction of Yucatecan contract workers. Yucatecans could be a good alternative for they were Catholic, inclined to rural labour and very close at hand. As soon as relations with Mexico improved more workers should be sought there. Concerning the Chinese, there had been much dissension, observed the **Consejo**. Their behaviour and obstacles to imports of Chinese women had divided opinions. Nor was there a consensus about numbers. The Council for Economic Development, the **Audiencia** in Cuba, and administrative sections of the Colonial Office, had observed that allowing an unlimited import of coolies could jeopardize the country. The **Real Acuerdo de la Hacienda** and the Captain General, on the other hand, favoured free and unlimited imports (although the Captain General later stipulated a limit of 60,000). In addition, there were opinions flatly opposed to Asian colonization. Finally, the **Consejo** adopted the proposal of the Captain General, that there should be a maximum number of 60,000

¹⁵⁸ Informe de la Tenencia del Gobierno de Guanabacoa, December 31, 1855, and Gandara, January 8, 1856, AHN, Ultramar, leg. 85, n.4, exp.6.

¹⁵⁹ Informe de la Tenencia del Gobierno, Mariel, January 6, 1856, AHN, Ultramar, leg. 85, n. 4, exp. 6.

Chinese contract workers. The Consejo also suggested changes in the 1854 Regulations regarding the conditions of engagement and shipment of Chinese workers to Cuba. There should be a clear and precise clause in **colono** contracts stating that at the end of the engagement **colonos** could not remain in the island unless immediately recontracted. Otherwise the **colono** should leave the island at his own expense, failing to do so he would be forced to labour at public works.¹⁶⁰

Reflecting these anxieties, Concha enquiry had also gathered data on the occupation of the Chinese on completing their first contract, their professional success, their inclination to remain in the island and whether or not they usually renewed their contracts. The answers varied from one area to another. The reports given by regional authorities, allegedly based on planter reports, gave a wide sample of activities performed by the Chinese after the fulfilment of their initial contracts. In Sága La Grande, for example, they were reported to be day labourers, journeymen, and masons; it was pointed out that there had not been enough time to say if they were making a success of their new activities. In Guanabacoa they stayed in the same activities _ domestic and field labour _ when the contracts finished. As the Chinese usually spent all their wages buying clothes (if they lived in the cities) or buying food to supplement that provided by the master if they lived in the countryside, they had little opportunity to accumulate the capital necessary to "secure their future". In Cienfuegos they were employed as tobacco pickers, cigarette makers, interpreters on plantations and folk healers (**curanderos**). In Villa Clara they^{rs} were also **curanderos** as well as fieldworkers. In Jaruco they were day labourers and domestic servants. In Bejucal, Gandara, no Chinese had yet finished their contracts.¹⁶¹ Although most of these reports

¹⁶⁰ Dictámen del Consejo, Madrid December 31, 1857, AHN, Ultramar, leg. 85, n. 4, exp. 12. This clause was included in the 1860 Reglamento and turned out to be a troublesome one. In fact, by this time some of the Chinese workers, particularly those first contracted by 1847 had been freed of their contracts.

¹⁶¹ AHN, Ultramar, leg. 85, n. 4, exp. 6.

dealt with the first Chinese colonos imported in 1847, before the mass of colonos arrived in the early 1850s, there was already enough information to devise new immigration policies.

Complaints had been made _ and some of the data confirmed such a pattern _ that the Chinese were not inclined to engage in rural labour and that they rarely returned to their own country on completing their contracts. According to the Consejo in Madrid, the "Chinamen's" natural propensity was towards industry and commerce rather than agriculture. If they were given absolute freedom they would abandon fieldwork and therefore not answer the needs of the plantations. Furthermore, the Chinese aptitude for industry and commerce would lead to their monopoly of those activities and would jeopardize the livelihoods of Spaniards already engaged in such business. In the Philippines, Chinese were legally prohibited from engaging in commercial activities in order to safeguard the interests of Spaniards.¹⁶² The inclusion of the clause prohibiting them from remaining on the island after their contracts expired unless they renewed their engagement was one of the bases of the 1860 Reglamento. This measure was said to be designed to prevent them from forming "an independent race or class in the island". According to the Consejo in Madrid, Chinese contract workers were simply an answer to the need for labour in agriculture.¹⁶³

Besides the sale and leasing of contracts, forced recontracting was one of the features of the "coolie" system that most closely

¹⁶² Dictámen acordado pelo Consejo de Ministros, Madrid, December 31, 1857, AHN, Ultramar, leg. 85, n. 4, exp. 12 and 13. By the end of the 1860s, during the debates of the Committee on reforms of Cuba and Puerto Rico, the committee in charge of discussing Asiatic immigration suggested that clauses requiring workers to return to their countries at their own expenses or condemnation to public works as means of financing their passage back after the expiration of their contracts should be abandoned, for they "cause international protests and obstruct new engagements". Yet the committee agreed that they should return to their countries. Información sobre reformas en Cuba y Puerto Rico, op.cit., I, p. 153.

¹⁶³ Dictámen del Consejo, Madrid, June 30, 1864(?), AHN, Ultramar, leg. 85, n.7.

resembled plantation slavery. According to the Regulation issued in 1860, coolies who had completed their first eight years contracts were obliged to recontract (for an unspecified period of time) or to leave the island at their own expense. Only those whose contracts expired before 1861 were exempt. As was observed, these measures were necessary to ensure that Chinese who decide to stay in Cuba continued to be engaged in agricultural work. However, as it has been established that only a few Chinese could save enough to pay for his return, it was obviously a device to keep labour force on the plantations. According to Cuban historian Pérez de la Riva, compulsory successive recontracting was a final measure to convert the Chinese into a perpetual slave.¹⁶⁴ The 1872 census carried out by the Comisión Central de Colonización listed 58,400 Chinese. Of these 14,046 were free, had become naturalized or registered as "foreign residents", 34,408 were still under contract, 7,036 were runaways, 1,344 entered as re-captured runaways, 684 were held in jails and only 864 were in the depots awaiting new contracts. Nevertheless, of those who had completed their original contracts, 10,044 remained in agriculture.¹⁶⁵ By this time, recontracting had assumed a distinct feature. Instead of engagements with planters, the new contracting system involved a free Chinese (*enganchador*) who engaged and organized other free Chinese (or runaways) into gangs (*cuadrillas*). The entire group was hired out to work on plantations for a specified period of time or for a specific task. The *enganchador* agreed all terms for the gang, including lodging and food, and was responsible for discipline and supervision. Although banned for a period of time during the 1870s (during the Ten Years War), the *cuadrilla* system would be revived after the war.¹⁶⁶

¹⁶⁴ J. Pérez de la Riva, El Barracón, *op.cit.*, p.133.

¹⁶⁵ Resúmen del padron general de asiaticos llevados á efecto por la Comisión Central de Colonización en el año de 1872, AHN, Ultramar, leg. 87, n. 3; Boletín de Colonización, I:18, October 15, 1873.

¹⁶⁶ E. Hu-DeHart, *op.cit.*, p. 11; R. Scott, Slave Emancipation in Cuba, *op.cit.*, pp.99-101.

The role of these series of regulations reinforcing the contracts was complex and ambiguous. Due to international criticism and Chinese protests over excesses and abuses, regulations attempted to establish rights for the colonos and address their needs, supposedly different from of slaves. However, the series of regulations made it clear that during the eight year contract, the Chinese workers were under the strict dominion of the patron. And moreover that the coolies represented a fixed capital investment, the realization of which depended upon the fulfilment of the contract. In this sense, the contract was a stratagem to secure immigrant labour tied to the plantation for a certain period of time, under terms that would cover the investment and yield a direct profit. It was an agreement between planter and worker. The regulations represented the intervention of the state to secure the fulfilment of the agreement, albeit favouring planter interests. Although both the Regulations of 1854 and 1860 stipulated that government officials could visit the plantations and make enquiries about the conditions of colonos, they also made it clear that the conditions of daily life, work and discipline of the colonos were left to the discretion of those who bought their contracts. Nonetheless, the official regulations defined the field within which relations between planters and workers would develop and created a flimsy framework within which workers could struggle for their own interests. And many colonos, referring to aspects of the regulations and contracts, did seek to further their interests. Planters were, of course, at first astonished and then furious. Used to slave labour, and a minimum of interference in plantation "affairs", to have to undergo official investigations following complaints about maltreatment, the non-payment of wages, or the excessive number of working hours was an ignominy. Even if planters were favoured by judicial decisions, the situation was novel and distinctive. Henceforth, state action in the labour market _ and in relations between planter and workers _ would grow, clearly affecting the processes of abolition and transition to free labour.

Living in the countryside, prohibited from leaving the estates without permission, with a different language and culture, Chinese

contract workers suffered constantly from unjust and corrupt practices. The Chinese response ranged from legal complaints, resistance to work, rebellion, and desertion to more desperate acts such as suicide and the murder of those in charge of plantation discipline. Non-fulfilment of contract conditions in terms of regular payments of salaries, quality and quantity of food, and housing were among the most common formal complaints. Although planters and their deputies usually hesitated to make use of corporal punishments fearing the disturbances created by furious Chinese, many cases were recorded. In 1854, enquiries following complaints of Asians led the vigilante of Casa Blanca to report that he found the *colono* named Manoel in the stocks chained. His Chinese comrades further stated that they had been physically punished; that the food was insufficient, that they had been made to work from 3 a.m until 9 p.m without rest; and that their wages were only 3 pesos instead of 4 pesos, as stated in their contracts.¹⁶⁷ On May 18, 1864, three Asians, Leopoldo, Lupercio, and Venancio, workers on the Pepilla plantation (jurisdiction of C6lon) went to the local authority to complain about the death of one of their fellows, Jos6 Baltazar, caused by maltreatment inflicted by the overseer. They also complained about delays in the payment of wages. The subsequent enquiry revealed that although Baltazar had been in the stocks for more than ten days, after being freed he had been working for about 4 or 5 days. It concluded that the cause of death was dysentery. Thus, the overseer was not considered responsible for his death. However, he was fined 40 pesos fine or one month's prison for contravening the Regulation regarding corporal punishment. The owner was absolved for delays in wage payments on the grounds that wages could be paid after the harvest — though the workers had alleged that the harvest had ended more than a month earlier.¹⁶⁸ Asians working in the San Laureano sugarmill, in Matanzas, also complained about bad treatment and that wages had not been paid for five

¹⁶⁷ ANC, GSC, leg. 636, n. 20102.

¹⁶⁸ Criminales para veriguar el trato que se da en el ingenio Pepilla a los colonos asiaticos, ANC, ME, leg. 2836, numero B.

months.¹⁶⁹ Abuses committed by importers and planters can also be illustrated by the enquiries that resulted from the complaints of Asians known as Ramon, Rafael and Enrique. The three, all minors (aged 15, 14 and 13 respectively), had been contracted for two years. Their grievances included lack of clothing, a bed to sleep on and a place to keep their belongings. They all bore marks of corporal punishment.¹⁷⁰

Desertion was a common form of resistance. According to Riva, Chinese fled five to seven times more often than African slaves, thus representing a great revolutionary element in the system.¹⁷¹ In 1872, about fifteen percent of the Chinese were reported to be runaways. With the emergence of *cuadrillas*, Chinese workers might have increased their chances of protection. This might have further encouraged flight. That, at least, was the justification of the colonial authorities for temporarily banning the system. The extraordinary conditions of the Ten Years War also increased coolies' desertions. Many Chinese fought alongside the insurgents.¹⁷²

Several collective rebellions were reported and they reveal the tensions to which Chinese workers were exposed. The following detailed examples illustrate that if one common cause of conflict was corporal punishment, language and culture also contributed to spread disruption. They also reveal the difficulties of dealing with a new and unknown class of labourer. In 1854, several Asian contract workers in the Desquite sugarmill (*tenencia* of Jaruco) rebelled and injured the cattle man (*boyero*). According to the statements the *boyero* was injured with a small hoe (*guataca*). The *boyero* reported that he did not know the reason for the attack, for he had not punished the workers and had no problems with them. The only thing

¹⁶⁹ ANC, GSC, leg. 639, n. 20179.

¹⁷⁰ ANC, ME, leg. 4144, n. Cd.

¹⁷¹ J. Pérez de la Riva, *El Barracón*, *op.cit.*, p.78.

¹⁷² J. Jiménez Pastrana, *Los chinos*, *op.cit.*, especially chapter V.

was that when walking behind them he told them to go faster. The two Asians who carried out the assault were in the stocks, and it was not possible to question them for lack of interpreters. The overseer also claimed not to know the reason. The black Telésforo also said he did not know the reason. He had been working in another place as blacks work separately from the Chinese. Telésforo opined that the Chinese were well treated on the estate — they were even given rice, which was refused to slaves. Investigations could not be continued because there were no translators in the area. Nevertheless, punishments were prescribed by the Governor: the colonos Paulino and Félix were to be made to sleep in the stocks until their good behaviour showed they had repented. By the time the authorities went to the estate to execute the orders one of the Chinese, Paulino, had committed suicide.¹⁷³

Another cause of conflict, as alluded to by the black Telésforo, was the mixing of slaves and coolies on the same estate, or in the same task. Cuban planters and Spanish authorities often expressed their reservation about this practice. While for some it could enhance conflicts and disrupt discipline on the estate, others viewed the mixture as a means of helping to keep a balance of power in the event of rebellion. The tension developed between Asian and other workers were clearly perceived and manipulated by colonial authorities and planters. Chinese workers always made very clear their dislike and fear of being placed on the same position as slaves in the labour hierarchy, as well as in the same position on the colour scale. Their violent reaction to such circumstances had led the authorities to include in the regulations the provisions prohibiting black overseers and corporal punishment in front of slaves. However, the rule was not strictly observed. The rebellion of coolies at Miguel Aldama's sugarmill Santa Rosa, in Matanzas, in 1853 seems to have been a case in point. According to reports, there had been 16 Asians working in the fields. When they started to stray from where they were supposed to work the driver, who was black and

¹⁷³ Criminales contra varios asiaticos del ingenio Desquite por haberse insubordinado y herido a D. Juan López, ANC, GSC, leg. 636, n. 20106.

unable to communicate with them, took one of them by the arm and pointed him in the direction where they were supposed to continue. This displeased the Chinese, who complained to the overseer requesting the driver should be flogged. When informed, the planter Aldama "tried to correct the abuse" and ordered that the Chinese who had protested should be punished. Nothing would happen to the others if they worked well. However, the Chinese soon came back demanding the punishment of the driver, or they themselves would inflict it. According to the planter's account, when the Chinese threatened to kill the overseer for delaying punishment of the driver, he himself decided to disperse the group using his baltar (a palos). As a result many were injured.¹⁷⁴

Violence against Chinese contract workers was common. In most cases of the strategy used to "manage" them was force, either by the planter or his representatives or the authorities themselves. In the Amistad sugarmill, in Güines, Chinese workers rebelled and enquiries made concluded that their injuries resulted from punishment in the stocks and from beatings for refusing to work. Chinese workers at the Santa Rita sugarmill rioted in October, 1869. The conflict resulted in one dead and several injured. According to enquiries the dispute arose after a fight involving four Chinese. On being reprimanded for fighting and believing that they would be punished, the Chinese advanced on the plantation house in an aggressive fashion. To disperse them a shot was fired in the air and the Civil Guard was called. The dead and injured resulted from the ensuing struggle with the Guard.¹⁷⁵

Opinions favouring the engagement of Yucatecans pointed out the similarities of language and culture as a factor that would reduce conflicts and abuses perpetrated against contracted workers. However, these advantages and the special treatment stated in

¹⁷⁴ Criminales formados por el amotinamiento de los asiaticos del ingenio Santa Rosa de D. Domingo Aldama, ANC, GSC, leg. 636, n. 20084.

¹⁷⁵ Criminales por sublevación de asiaticos del ingenio Santa Rita, ANC, ME, leg. 2953, n. Aa.

treaties with the "neighbouring and friendly nation" did not prevent maltreatment and corrupt practices. Denunciations of irregularities in the engagement were also reported by Yucatecans, along with cases of kidnapping. Many had been taken straight to the estates without being registered with the island's authorities. On the plantations, although in theory working under conditions set by contract and the regulations, the life of Yucatecans could be even more precarious than that of Chinese. In the Santa Rosalia sugar mill, for instance, in 1859 there were 15 Chinese and 10 Yucatecans. The Yucatecans had been on the estate for four years but the authorities had not been informed. The case came to light because two Yucatecan colonos went to the authorities to complain about corporal punishment and non-payment of wages over a four year period! Although their contracts should have stated 5 pesos, their wages were 2 pesos (for men) and 1 peso (for women) a month; the Chinese got 3 pesos.¹⁷⁶ The owner later explained that the arrangement was made for this price because when he met the Yucatecans both were sick, and that the lower salary was compensated by *conucos* (provision grounds) and pigs and poultry and medical assistance for their families.¹⁷⁷

Conclusion

Despite the great number of conflicts, grievances and complaints, the import of Chinese contract workers would be regarded for nearly three decades as the best solution to the labour problem. It addressed the general problem of labour supply and facilitated the ending of the slave trade. It would also be viewed as a means of easing the "transition to free labour".

The growing labour demand provoked by the expansion of sugar production, coinciding with international pressures to end the trans-Atlantic slave trade confronted Cuban planters with an acute

¹⁷⁶ ANC, GSC, leg. 638, n. 20151 and n. 20147.

¹⁷⁷ ANC, GSC, leg. 638, n. 20151 and n. 20147; the *fondo Gobierno Superior Civil* (ANC) contain several cases of protests and maltreatment of Yucatecans, see for instance leg. 640, n. 20220, 20223, 20225, 20247; leg. 641, n. 20260; leg. 642, n. 20297.

labour shortage. From the 1840s they began experimenting with immigrant labourers contracted to work on sugar plantations. There were trials with Europeans, Yucatecans and Chinese contract labourers. Plans suggesting several other labourers were submitted to the authorities. The use of Chinese proved to be the most feasible solution. An entire system was organized to promote the import of Chinese contract workers. The great profitability of the trade and the advantages of the Chinese "coolie" contracts explain why the trade continued for almost three decades.

When Chinese coolies landed in Cuba, slaves continued to be imported. The coolie trade did not differ very much from the slave trade. Chinese were bought, sold and hired out in almost the same circumstances as slaves were. They lived in similar conditions and also performed the same tasks. Planters and administrators resorted to the same methods of control and punishment. In practice, and in laws, they were denied the rights of free men who had contracted themselves for a set period. Runaway Chinese were announced in local newspapers in the same way as slaves. Coolie reaction to the severe plantation regime was also similar to that of slaves: they rebelled individually or collectively; they protested to the authorities; they ran away; they killed themselves. In addition to occupying an intermediate position between slave and free workers in the labour hierarchy, neither one nor the other, the Chinese also occupied an intermediate position on the colour scale, between black and white. Contemporary observers and modern historians have viewed the treatment of these free men, contracted for a fixed period, as slaves, tantamount to slavery or semi-slavery.

Cuban experiments with Chinese contract labourers were not carried out as an alternative to slave labour nor as a mean of effecting a transition to free labour. The Chinese were employed as a supplement to slave labour. However, experiments with Chinese contract labourers ultimately contributed to the so-called process of "transition to free labour". First, the new circumstances of employing contract labourers confronted planters with a new view of labour relations, distinct from the traditional master-slave

bondage. Secondly, the fixed low wages of Chinese coolies helped to keep down the average salaries paid to other free labourers in the island. And finally, it would contribute to the relative success of the gradualist policy, helping to delay the final abolition of slavery.

CHAPTER 4

BRAZIL

In São Paulo as in Cuba, the "labour question" was prompted by a rapid growth in plantation production although, as indicated above, the chronology was different. Until the mid-nineteenth century Brazilian coffee was grown mainly in the Paraíba Valley, spreading from the province of Rio de Janeiro to São Paulo. Before coffee came to dominate, São Paulo was agriculturally diverse. Cotton, manioc, corn, cattle, horses and pigs were raised together with sugar mostly for local consumption.¹ Sugar predominated in the north and centre of the province. Coffee production only expanded dramatically after the end of the trans-Atlantic slave trade. It was at this stage that planters, especially those in the "new" coffee areas, became particularly exercised by the problem of labour supply. For some, slavery was already doomed. They saw free immigrant labour as the only means of sustaining and extending coffee production. Others saw the internal slave trade as a temporary way of solving the labour problem. Consequently, a few planters began experimenting with free labour, although retaining large numbers of slaves, while others were dependent exclusively on slave labour.

A further problem for the coffee planters of São Paulo was the labour intensive nature of all aspects of coffee production. With the adoption of new technology, Cuban sugar planters were able to substitute capital for labour in the mills. This option was not available to coffee producers. With the coming of railways São Paulo coffee planters, like their Cuban counterparts, were able to substitute capital for labour in the shipping of plantation products but on the plantation itself there were few such opportunities for

¹ A.E. Taunay, História do Café no Brasil (Rio de Janeiro: Departamento Nacional do Café, 1939) II, pp.306-349.

substitution.²

As in Cuba, it is difficult to establish a clear chronological progression in terms of labour recruitment in São Paulo. While individual planters had been experimenting with free labour since the 1840s, widespread employment of free labour did not occur until the 1880s. Similarly, although substantial numbers of free workers may be found in several areas of the province, specialising in food staples, slavery remained the predominant form of plantation labour until the 1870s and beyond. However some general characteristics did apply on the plantations. Free labour was always employed in clearly defined circumstances. First, it was invariably used for clearing virgin land. For most of the period this work was done by domestic free labour. Slaves were used in less risky jobs. Secondly, free workers dealt with administration and supervisory tasks and other work to do with the running of the estates. Thirdly, in some plantations, free labour (domestic and immigrant) constituted a semi-skilled work force serving, for example, as carpenters, masons, and blacksmiths. These people may also have grown crops on their account, or as sharecroppers. Given such a variety, it is difficult to establish a predominant form of labour use at any particular time during the period studied. Different forms of labour existed at any one time in the plantation sector and even on individual plantations. Slaves, domestic free labourers and immigrants constituted the labour force. At one time or another all of these workers were field hands and seasonal harvesters. Native free labour and immigrants worked under various arrangements serving as sharecroppers, *agregados* or contract workers.

² The impact of railways for São Paulo coffee production is discussed in A.E. Taunay, *op.cit.*, v. IV, t. II, p.223; Colin M. Lewis, Public Policy and Private Initiative. Railway Building in São Paulo, 1860-1899 (London: Institute of Latin American Studies, 1991) pp.19-20; its impact on labour in E.V. da Costa, "Sharecroppers and Plantation Owners: An Experiment with Free Labour" in The Brazilian Empire, Myths and Histories (Chicago: The University of Chicago Press, 1985) pp.94-124, pp.113-118. For Cuba see M. Moreno Fraginals. El Ingenio. Complejo económico social cubano del azúcar (Havana: Editorial de Ciencias Sociales, 1978) I, chap.4.

In Brazil, as in Cuba, white immigration was initially designed to populate the country with a prosperous class of industrious farmers. However, the debate about ending the trans-Atlantic slave trade and the search for alternative sources of labour influenced the course of these initiatives. Colonization did not offer a solution to the need for hands to work the plantations. Furthermore, where large-scale export agriculture prevailed, there were problems finding fertile land in good locations for smallholding settlers. First experiments with immigrant labour on plantations in São Paulo can be traced to the 1840s. This was when the planter Nicolau Pereira de Campos Vergueiro tried to settle European immigrants on his land in a sharecropping scheme.³ Planters in areas where the coffee plantations were expanding hoped that immigrants might replace slaves. However, a sustained flow of immigrant workers to the coffee zone began only after the mid-1880s, on the eve of the abolition of slavery. Before that, a growing number of planters debated about the use of immigrant labour, and projects were designed to attract it. Naturally, such schemes changed during the nineteenth century; at least three distinct forms of organizing immigrant labour on the plantations would arise between the 1840s and 1880s: sharecropping; labour-leasing (*locação de serviços*) and the *colonato*.

The first section of this chapter will deal with changes in immigration policy. Sections 2 and 3 examine the different ways of organizing immigrant labour in the coffee zones, together with questions of recruitment and control. Unsuccessful experiments with sharecropping and a temporary disenchantment with European workers prompted ideas of importing contracted Chinese workers and of compelling Brazilians to work under contract. This in turn encouraged pressure — largely unsuccessful — for a revision of various regulations and attempts to devise a general labour code. Towards the end of the chapter, the use of Brazilians free labourers

³ Tschudi observed that there were Portuguese workers (Azorians) in coffee plantations before this date, J.J. von Tschudi, Viagem às Províncias de Rio de Janeiro e São Paulo, transl. by E. de Lima Castro (São Paulo: Martins, 1953) p.131.

and the efforts to promote Chinese immigration, as alternative answers to the labour question will be explored.

4.1. Early attempts to establish an immigration policy

From the beginning of the century, there were many attempts to attract white immigrants to Brazil as smallholders. The first decades of the century saw the establishment of official colonies (*núcleos coloniais*) in various parts of the country.⁴ Germans, Swiss and Azoreans were settled on crown lands. In addition to promoting demographic growth, colonization was designed to initiate the transformation of Brazilian agriculture into a freeholding peasantry and to reduce the importance of the African slaves _ regarded as culturally and racially inferior _ in the total population.⁵

Debates about the extinction of the trans-Atlantic slave trade and the catastrophes that might result from the cut in labour supply increased anxiety about the issue. Soon after Independence, when external pressures to end the trans-Atlantic slave trade mounted in the mid-1820s, the Senate assumed the task of submitting to Parliament a draft law on colonization. The linkage of the initiative to the prospect of abolition of the slave trade was clearly stated. In July, 1827, a project of eighteen articles was presented. Preference was to be given to voluntary immigration. It defined two categories of immigrants: individuals coming to be independent proprietors and those arriving already engaged, with a contract of employment. Most of the provisions, in practice, were concerned with the former.⁶

⁴ On attempts to settle colonies on crown lands see E.V.da Costa, Da Senzala à Colônia, 2nd ed.(São Paulo: Editora de Ciências Humanas, 1982) pp.49-62; or same author "Sharecroppers and Plantation Owners", op.cit., pp.94-100.

⁵ E.V. da Costa, Da Senzala à Colônia, op.cit., p.49; W. Dean, Rio Claro. A Brazilian Plantation System, 1820-1920 (Stanford: Stanford University Press, 1976) p.89.

⁶ A.L. Cervo, O Parlamento Brasileiro e as Relações Exteriores (1826-1889) (Brasília: Editora Universidade de Brasília, 1981) p.136.

But criticism was beginning to be expressed about the notion of large-scale, subsidized colonization, which granted immigrants the status of landowners simply by settling on public lands. Besides the great cost and the failures of earlier attempts, there were powerful arguments that the country needed labourers for the plantations, not settlers to populate the countryside.

Long before he set up a pioneer sharecropping scheme on his land, Nicolau de Campos Vergueiro, who was an established slave trader, politician and plantation owner in the province of São Paulo, spoke out against subsidized colonization. Fear of competition for the best land lay behind his objection. When the government consulted him about a project to settle German immigrants in São Paulo province, he argued that it was incompatible with the interests of existing landowners. Granting settlers fertile, well-placed land near towns and cities implied denying such land to planters. Further, the land planters could make available for colonists would be infertile, in the backlands far from markets, and therefore unsuitable. The creation of crown colonies, moreover, seemed too costly. Apart from paying for travel expenses, the government had to build homes and roads and maintain the colonists until they could produce enough for their own subsistence.⁷

This polemic, colonization versus immigration, between encouraging the settlement of smallholders for demographic reasons and recruiting plantation labour, set the tone of the debate for several decades. The divergences were deep. There were distinct interests among the various provinces and the Imperial and provincial governments could not always agree. But, at that time, the mounting pressures to end the slave trade forced action from the Imperial government. In the face of opposition from some planters, the first crown colonies were founded in the provinces of Espírito Santo, Rio de Janeiro, São Paulo, Santa Catarina, and Rio Grande do

⁷ D. Forjaz, O Senador Verqueiro: sua vida e sua época, 1788-1859 (São Paulo: Oficinas do Diário Oficial, 1924) p.34.; E.V. da Costa, Da Senzala à Colônia, op.cit. p.50, or also same author, "Sharecroppers and Plantation Owners", op.cit., p.95.

Sul. In 1828, 928 German colonists, some 149 families and 72 individuals, were despatched to the province of São Paulo. Between 1827 and 1837, about one thousand two hundred colonists were established in different parts of the province.⁸ At the same time, as coffee plantations expanded in the Paraíba Valley, labour for the growing number of public works projects grew scarcer and more expensive. By 1838 the president of São Paulo ordered the engagement of one hundred workers in Europe to build and maintain roads, bridges and other similar projects.⁹

This problem was not peculiar to São Paulo. In 1836, responding to a request from the *Companhia de Colonização da Província da Bahia*, the Brazilian consul in Spain sent a list of poor Spanish families who wanted to emigrate to Brazil.¹⁰ A few years later, the consul Wenceslao Antônio Ribeiro reported the establishment of three consular agents in Canary Islands to assist Brazilian ships calling at the islands and to promote emigration. There were requests from immigration promotion societies in many parts of the Empire. Ribeiro duly arranged publicity in Spain about conditions of engagement, together with the provisions of the 1837 labour law (*lei de locação de serviços de 1837*) which regulated the conditions of immigrants in Brazil. The consul also commented on the advantages of Spain and its islands as a source of labour. Culture, religion and language were similar. Spain's precarious political condition might spur

⁸ E.V. da Costa, *Da Senzala à Colônia*, *op.cit.*, pp.50-51; also by the same author "Sharecroppers and Plantation Owners", *op.cit.*, p.95. In 1827, 926 German colonos arrived in the province, of whom 336 were directed to the capital; the provincial government provided for maintenance and medical assistance for one and a half year and immigrants were granted a plot of land. Colonos were obliged to take up arms if necessary and their children were subjected to conscription, see J.J. Machado de Oliveira, *Quadro Historico da Provincia de São Paulo para o uso das escholas de Instrucção Publica offerecido à Assembleia Legislativa Provincial* (São Paulo: Imparcial, 1864) p.338-339.

⁹ E.V. da Costa, *Da Senzala à Colônia*, *op.cit.*, p.51.

¹⁰ Letter of the General Consul in Spain, José Francisco Guimarães, to the Secretario de Estado dos Negocios do Imperio, Barcelona July 2, 1836. AHI, Repartições Consulares Brasileiras, Correspondência Geral, Barcelona, caixa 239/1/4.

emigration. The potential immigrants were reputed to be strong, sober, and used to toil in the fields, especially the Canary Islanders.¹¹

Following parliamentary debate about immigration, the Imperial government approved new legislation on labour leasing contracts which was to apply to Brazilian workers as well as foreigners. The 1830 and 1837 labour laws were both approved at moments when the end of the trans-Atlantic slave trade seemed to be imminent, and attention devoted to immigration grew as a consequence. The first of these laws was approved in September 1830. It attempted to set out condition for hiring labour (*empreitada*) and covered contracts involving advance cash payments (whether between Brazilian planters and immigrants or between planters and Brazilian workers). The second piece of legislation, approved in October 1837, defined the previous act in more detail with regard to contracts with foreigners.¹² Despite their simple wording, both laws sought to shape and promote structures for free labour, as the following examination demonstrates (see section 4.4).

Early debates between "colonization" and "immigration" had implications beyond those of populating Brazil and the perceived need to replace of slaves. The attempt to tap new sources of labour was linked to the emergence of the independent nation and the reordering of institutions and society. Meeting the labour shortage was important, but it was not the only challenge to the administration. The debate also encompassed who should own land and the racial composition of the recently created nation. Policies about colonization for demographic purposes usually meant land grants aimed at foreigners. But what about the native population? Would it be fair to give land to foreigners given the large numbers

¹¹ Letters from Madrid, March 16, 1839 and Barcelona April 10, 1842, AHI, Repartições Consulares Brasileiras, Correspondência Geral, Barcelona, caixas 239/1/5 and 239/1/4.

¹² Collecção das Leis do Império do Brazil (Ouro Preto: Typ. Silva, 1832) Pt.9, v.3, pp.42-3; Collecção das Leis do Império do Brazil (Rio de Janeiro: Typ. Nacional, 1861-1880) v.year 1837, pp.76-80.

of landless Brazilians, living a marginal existence on the fringe of export agriculture? Crown colonies also implied an increase of the free population as a counter to the increasing slave population. Their proximity to cities and villages could be helpful in the event of slave insurrections. European immigration also meant "whitening", an adjustment in the national mix. Free labour would bring with it new relations between employers and workers, along with changes in cultural and social habits. As in Cuba, the racial and religious backgrounds of immigrants, or prospective free labourers, were of great importance. Were they to be European, Asian, or African; Catholic or Protestant; freedmen or poor white Brazilians. While for Cuba and Spain these were issues debated within the context of preserving colonial ties, for Brazil the question was of forging the new nation.

The views of a French *émigré*, Carlos Augusto Taunay, in the early 1830s, illustrate such preoccupations. He advocated immigration to enable a gradual abolition of slavery. Taunay argued that it could not be done overnight. He reported that there were two million slaves in Brazil, and thought that it would take at least ten years to introduce one twentieth of that number of immigrants. However, Taunay, with his European perspective, believed that immigrants would transform Brazilian workers, rescuing them from ignorance, idleness and bad habits.¹³ This task, however, could only be carried out by immigrants from certain European countries. He planned a careful geographical matching. Climate and other questions of adaptation made northern Europeans better suited to southern Brazil, and immigrants from southern Europe would be better in northern provinces. Hard work in the fields, though, should be allocated to the Chinese and Canary Islanders.¹⁴

¹³ C.A. Taunay, "Algumas considerações sobre a colonização como meio de coadjuvar a substituição do trabalho cativo no Brasil, oferecido a Sociedade Auxiliadora da Industria Nacional". Appendix to his Manual do Agricultor Brasileiro. 2nd. ed. (Rio de Janeiro: Villeneuve e Comp., 1839) pp.123-36, pp.128-29.

¹⁴ C.A. Taunay, "Algumas Considerações sobre a Colonização", op.cit., p.130.

In the late 1830s two different projects to promote immigration were presented to the Lower House for study by the Commission of Trade, Agriculture and Industry during the same session.¹⁵ They reveal the main points of controversy of the time. The first project was presented by Sr. Manoel Maria do Amaral. It sought to authorize government spending of 1,200:000 reis to bring in immigrants. They would be settled in the provinces of Rio de Janeiro, Bahia, Pernambuco, Maranhão, Pará, São Paulo and Rio Grande do Sul. Immigrants brought over at government expenses would be made available to those planters or employers willing to implement written contracts validated by government officials. Those contracting immigrants to work in the fields would have up to three years to reimburse the government for its outlay in promoting immigration.¹⁶ The second project, was put forward by Aureliano de Oliveira e Souza Coutinho. This provided for the formation of crown colonies. Coutinho believed that the settlement of colonies was the only way to reduce "cautiously and slowly" the "cancer of slavery" that "corrodes Brazil and threatens its future". According to Coutinho, some former settlements had declined because of a lack of government attention and protection. Another reason, he said, was that they had been established in inhospitable and isolated areas. He argued that the colonies should be sited near existing villages and towns, where colonists would find a market for their products and would be less vulnerable to banditry and runaway slaves. And colonists could prove helpful in the event of disturbances in urban areas. There would be better communication between settler and their native lands, and that, he believed could encourage immigrant relatives and others to follow them to the Empire. This plan authorized provincial governments to apportion crown lands to both Brazilians and foreigners. It stipulated methods of payment, size of plots, number of colonists, the supervision of colonies and of contracts, and other details such as housing and tools.¹⁷

¹⁵ APB, 16 June 1838, I, pp.351-53.

¹⁶ APB, 16 June 1838, I, p.351.

¹⁷ APB, 16 June 1838, I, pp.351-353.

After due consideration by the congressional commission, a new version of these proposals was presented for preliminary discussion in the Lower House in May, 1840.¹⁸ The main emphasis of the project-bill was the creation of crown colonies with European immigrants. But proponents of the other project made their fears plain. They criticised colonization. It was inappropriate to grant foreign settlers land near established urban centres. They questioned how such a scheme would help the plantations. At the outset of debate, the project's opponents wanted it revised and argued that full debate should not take place until it had been referred back to the Commission. The objectors deployed a range of further criticisms. For a start, they said there was no way of knowing exactly the location of crown lands. This could engender conflicts between old and new occupants.¹⁹ But more contentious, still, was the underlying purposes of the legislation. For example, Sr. Maciel Monteiro argued that it was of little importance to the country to have urban areas populated with colonists if the fields continued to be cultivated by slaves.²⁰ According to Sr. Souza Franco, the plan fell short because it would not attract large numbers of industrious immigrants to replace or supplement African slaves. He argued that ceding crown lands obstructed this aim. There was plenty of vacant land, he said, so it should be easy for colonists to disperse and establish themselves anywhere in the country. Further, easy access to land would intensify all the problems facing a colonist in terms of management, of understanding the soil and cultivation techniques, and would prove disheartening to the immigrant at the beginning. Moreover, bad results, usually attributed to poor soil and other conditions, rather than to the inexperience of the immigrants, would discourage further emigration. His main point against granting crown lands was that easy access to ownership would discourage settlers from hiring out their labour. Much better to engage them for three

¹⁸ Projeto n.119 de 1838, APB, 7 May 1840, I, p.214 and pp.218-9.

¹⁹ Sr. Rezende, APB, 7 May 1840, I, p.214, and 22 May 1840, II, p.415.

²⁰ APB, 7 May 1840, I, p.218.

or four years, to gain the experience to become proprietors. Moreover, if they began as proprietors, they would immediately want slaves. His conclusion was that to use immigrants to replace or supplement slaves, their access to land should be restricted, obliging them to sell their labour.²¹ The point was echoed by another deputy: "...if we want a law to provide our agriculturalists with many hands to work our fields, many hands for hire to landowners, to free us of the necessary but leprous slavery; if we want hands for employment in sugar and coffee cultivation, this law is the most fatal one because colonists will become proprietors and would never hired themselves for work...".²² As a result, the draft-project was rejected and the debate was once again postponed.

A few weeks later, the Commission presented another proposal, broader in scope.²³ It sought to promote immigration and the settlement of colonists, both foreigners and nacionais, on crown and on plantation land. It included incentives for estate owners to settle on their land immigrant workers brought by governmental initiative. Sales of crown lands would provide immigrants with the incentive of becoming owners.²⁴ The plan had a farsighted ingredient pertaining to the landless poor of Brazil. "Among us there are many poor families without means of subsistence (...) it is thus necessary to protect these families, to provide them with land and the means of constituting, under certain conditions, agricultural colonies. Preferably this should be on crown lands close to the towns and cities".²⁵ Debate was again taken up almost two months later. One speaker drew attention to a reluctance to discuss the project.²⁶ This time, costs were singled out as the main objection.

²¹ APB, 22 May 1840, I, pp.417-418.

²² Sr. Alvares Machado, APB, 22 May 1840, I, p.425.

²³ APB, 16 May 1840, I, pp.739-742.

²⁴ APB, 16 May 1840, I, pp.739-743.

²⁵ APB, 16 May 1840, I, p.740.

²⁶ Sr. Souza Franco, APB, 20 August 1840, II, p.661.

There was no quorum even to vote for a postponement.²⁷

In the years that followed, efforts to establish an immigration policy continued. By the mid-1840s, the lack of any clear policy on immigration was evident. In June 1845, in a long speech to the Lower House, Bernardo de Souza Franco pointed out that existing immigration "policy" did not correspond to the needs and expectations of the nation. The disadvantages of granting privileges to companies engaged in bringing immigrants to the country, the facilities conceded to immigrants (travel expenses, land, financial aid, exemption of taxes and recruitment), represented huge costs and pointed to the inefficiency and inconvenience of the system.²⁸ All agreed that there was a need for change, but there was no consensus on the outlines of an immigration policy.

One of the main sticking points was the granting of land to prospective immigrants. This united protagonists such as Vergueiro and Vasconcelos, with divergent interests. It was their views which had primacy in Congressional debates in the late 1840s. They both strongly opposed simple grants of land. The initiative would involve great costs, produce conflicts and would not address the problem of labour supply for plantations. Bernardo Pereira de Vasconcelos was an advocate of forced labour. He had always considered African labour more productive and better suited for Brazilian agriculture. But as the advocacy of importing slaves became less tenable so Vasconcelos now favoured free immigration from Asia and Africa. He was sceptical about immigration from Europe on grounds of cost and plantation requirements. Existing wage rates would not satisfy European immigrants and they would be even less appealing if large-scale immigration depressed them further.²⁹ Vergueiro agreed that the system of promoting immigration ought to be changed. It had failed in the past; high costs to the Treasury would make it unsupportable in the future. His agenda included the sale of crown

²⁷ APB, sessions of 20, 21 and 22 August 1840.

²⁸ Sr.Souza Franco, cf. A.L. Cervo, op.cit., p.145.

²⁹ A.L. Cervo, op.cit., p.146.

lands, attracting colonists with capital or loans to cover their travel expenses and promoting an influx of free immigrant labourers.³⁰ More progressive in outlook than Vasconcelos, Vergueiro anticipated positive results from depressing wages by large-scale immigration — a strategy to be used by the planters in the late century.³¹

Two laws were approved in 1850, underlining how entwined were the issues of alternative labour supply, immigration and landownership. These were the Euzébio de Queiróz law (passed on September 4th), which sought to stop the trans-Atlantic slave trade and the Land and Colonization law (September 18th), which guaranteed private property rights and attempted to regulate the acquisition of land by immigrants.³² The sanction of both laws also reveals that by this time promoting immigration to supply the plantations with a workforce had taken precedence over settlement policy. Yet, the question remained controversial. If the Imperial government leant in favour of either policy it would attract criticism.³³ Changes in the structure of landholding designed to favour an ideal of white smallholders, and to look beyond slavery, were the basis of many proposals until late in the century. This was, for example, the idea that nourished the *Sociedade Central de Imigração* on the eve of

³⁰ A.L. Cervo, *op.cit.*, pp.147-148.

³¹ See V. Stolcke and M.M. Hall, "The Introduction of Free Labour on São Paulo Coffee Plantations", *Journal of Peasant Studies* 10:2 (1983) pp.170-200, p.182.

³² The approval of the Land law was clearly linked to the substitution of slave labour by immigrant colonos. The project was first discussed in the Council of State in 1842. Between 1842 and 1850, it was discussed, amended and postponed several times until its approval in 1850. A.L. Cervo, *op.cit.*, p.146. The 1850 Land Law is discussed in E.V. da Costa, "Land Policies: the Land Law, 1850, and the Homestead Act, 1862", in *The Brazilian Empire, op.cit.*, pp.78-93; see also J.S. Martins, *O cativo da terra* (São Paulo: Ciências Humanas, 1979).

³³ E.V. da Costa, *Da senzala à Colônia, op.cit.*, p.53; S.B. de Holanda, "Prefácio" in Thomas Davatz, *Memórias de um colono no Brasil* Transl. S.B. de Holanda, 2nd ed. (São Paulo: Martins, 1951) p.12.

abolition of slavery in the 1880s.³⁴

Various factors bore on the process of defining a policy about labour supply. For the next decades, the question of solving the labour problem divided opinion. Regarding immigration, many agreed that Europeans were the most desirable but there were often differences about aims and strategies. In the new frontier areas of São Paulo, planters hoped immigrants would replace slaves. Accordingly, they supported legislation that would prevent easy land access for immigrants in the hope that they would be forced to turn to plantation work. Planters in the traditional areas well furnished with slaves and intellectuals who saw Brazil from a European perspective, viewed immigrants as civilizing agents. They favoured the distribution of land to immigrants and the creation of crown colonies.³⁵ The creation of crown colonies in plantation areas were also viewed as a feasible way of meeting seasonal labour needs. This policy was later envisaged for coffee-growing regions of Minas Gerais province.³⁶

Predictably attitudes differed from province to province. Individual provinces with distinct populations, staple commodities and patterns of landholding would struggle for their particular interests. Success or failure of particular initiatives would depend on local conditions. For instance, crown colonies would achieve

³⁴ The Society was founded in Rio de Janeiro in 1883 and operated until 1891. The Society was founded by three German immigrants, Karl von Koseritz, Herman Blumenau and Hugo Gruber, and later headed by Brazilian leaders. The abolitionist leader Andre Rebouças was the first secretary and the most active member, and its vice-president, was Alfredo d'Escragnolle Taunay. During the whole decade the Society campaigned vigorously for the promotion of European smallholders immigrants and related reforms. On the Society, see Michael M. Hall, Reformadores de Classe Média no Império Brasileiro: A Sociedade Central de Imigração. Separata da Revista de História n.5 (São Paulo, 1976).

³⁵ E.V. da Costa, "Sharecroppers and Plantation Owners", op.cit., p.94.

³⁶ A.L.D. Lanna, A transformação do trabalho: a passagem para o trabalho livre na Zona da Mata Mineira, 1870-1920. (Campinas: Editora da UNICAMP, Brasília: CNPq, 1988) chapter III.

better success in Santa Catarina and Rio Grande do Sul than in São Paulo and Rio de Janeiro. In the later areas the existence of large landholdings made it impossible for small proprietors to participate successfully in the commercial economy. During the first half of the century, when coffee began to expand in the province, São Paulo coffee plantations were for the most part self-sufficient. They produced practically everything they needed to function and at this stage also supplied staple food to the urban population. The immigrant could find no markets for his produce. In addition, roads were bad, and ^{the}immigrant smallholder' predicament was aggravated by the difficulties in acquiring prime land in a good location.³⁷ The monopoly of land exerted by a few landowners made it difficult for both foreigners and Brazilians to obtain land titles. Land disputes and squatting had been a tradition since colonial times. There were doubts about titles and boundaries. The expansion of coffee plantations had intensified the dispute: "... squatters, settling on public lands without titles, (...) can in the future be the cause of disorders as can already be seen in São Paulo, where there had been many deaths, because of squatting"(my stress).³⁸ The 1850 Land Law failed to put an end to land speculation. Plantation owners continued to monopolise the best land, leaving immigrants with remote, unproductive areas.³⁹

Thus, the dominance of large properties within some provinces had a profound effect upon initiatives to promote immigration. Where coffee was expanding, the owners would accept foreign labour only if it was compatible with large landed property, for example through sharecropping.

³⁷ E.V. da Costa, Da Senzala à Colônia, op.cit., p.55; same author "Sharecroppers and Plantation Owners", op.cit., p.97.

³⁸ APB, 22 May 1840, I, p.415.

³⁹ E.V. da Costa, "Sharecroppers and Plantation Owners", op.cit., p.97.

4.2. Sharecropping in São Paulo

The first experiments with immigrants working on plantations, either to replace or to supplement slave labour, took place in the province of São Paulo. This was a private initiative carried out by Senator Nicolau Vergueiro.⁴⁰ Whereas in other provinces effort to foment immigration resulted from official initiative, in São Paulo it was primarily due to individual, private enterprises. Attempts to transfer to private individuals the responsibility of promoting immigration occurred early in the 1840s and in part reflects the anxiety of Paulista planters over the problems of labour supply. In 1846 a provincial law authorized a grant of funds to stimulate recruitment of immigrant workers from northern Europe. The government was to contract either with individuals or national and foreign companies for the transportation of immigrants. Immigrants were to repay transportation expenses with their labour. Anyone could contract their service, paying the transportation expenses to the provincial treasury, either by a single payment or in instalments. In the same year, another law empowered the provincial government to contract the firm of C. Delrue & Co. of Dunkirk (or with any other enterprise or individual) to establish agricultural colonies of Germans and Belgians in the province. As before, the government would guarantee financial support.⁴¹

The experiments of the expanding coffee area was unique. The question of who should bear the costs of immigration was very significant. However as long as the liability was borne privately,

⁴⁰ On sharecropping colonies in São Paulo see E.V. da Costa, "Sharecroppers and Plantation Owners", op.cit.; same author, Da Senzala à Colônia, op.cit., especially chap.2; W. Dean, Rio Claro, op.cit., especially chap.4 ; J.S. Witter, Ibicaba, uma experiência pioneira, 2nd ed. (São Paulo: Edições Arquivo do Estado, 1982); S. Buarque de Holanda, "Prefácio" in T. Davatz, op.cit.; V. Stolcke and M.M. Hall, op.cit., pp.171-176.

⁴¹ E.V. da Costa, Da Senzala à Colônia, op.cit., p.62; S.B. de Holanda, "Prefácio", op.cit., p.11. Provincial law n.11, 19 February 1846, Provincial law n.27, 16 March 1846, in Collecção das Leis promulgadas pela Assembleia Legislativa da Provincia de São Paulo desde 1835 ate 1850 (São Paulo: Typ. D'Aurora Paulistana, 1853).

repeated attempts to load the costs onto immigrants, or even to make a profit from the business, would provoke serious disputes. The issue would be debated time and again in the subsequent decades. In the end, São Paulo planters would succeed in transferring labour supply costs to the government.

In 1846, Vergueiro was _ according to his own account _ invited by the president of the province, on behalf of the Imperial government, to receive immigrants under the liability to pay their transportation expenses. To carry out the undertaking, Vergueiro, in association with his sons, founded Vergueiro and Company (Companhia Patriótico Mercantil, coincidentally with the same name as Feijóo Sotomayor's in Cuba). The first and main objective of the company was to foster agriculture and immigration in Limeira and Rio Claro. The company was also engaged in the coffee trade at Santos.⁴² Vergueiro had already attempted to settle immigrants on his lands in the early 1840s when he imported 90 colonists from the Province of Minho in Portugal, in a sharecropping scheme.⁴³ In 1847, Vergueiro and Company received 423 German immigrants, who were settled at Ibicaba. The Company was responsible for "**trinta e dois contos e duzentos e tantos mil reis**", subsidized by the Imperial government and to be repaid in three annual instalments.⁴⁴

With some of Portuguese, the remainder of the earlier experiment, and the newly-arrived Germans, Vergueiro founded a "colônia" on his estate Ibicaba. It seems that at the beginning the firm offered contracts based on a labour leasing arrangement (locação de

⁴² D. Forjaz, op.cit., p.45; M.L. Lamounier, Da Escravidão ao Trabalho Livre. A Lei de Locação de Serviços de 1879 (Campinas: Papirus, 1988) p.29; Vergueiro reports to the president of province about his experiments with immigrants and the creation of the company in "Relatorio das colônias", Discurso com que o Illmo. Exmo. Sr. Dr. José Thomaz Nabuco de Araujo, Presidente da Província de São Paulo, abriu a Assembléa Legislativa Provincial no dia primeiro de maio de 1852 (São Paulo: Typ. de Antônio Louzada Antunes, 1852) pp.11-14.

⁴³ "Relatorio das colônias" in Discurso... Dr. José Thomaz Nabuco de Araujo... 1 maio de 1852, op.cit., p.11.

⁴⁴ "Relatorio das Colônias", in Discurso...1852, op.cit., p.12.

serviços). However, given a choice, the immigrants opted for sharecropping. There were still 215 slaves working on the plantation at that time.⁴⁵

Under the terms of the early contracts, Vergueiro and Company financed the immigrant's passage to the port of Santos, advanced the cost of transport from Santos to the plantation, and provided funds to buy food and tools until the first harvest. On the plantations, immigrants were assigned a number of coffee bushes to tend and harvest. They were also allotted a subsistence plot where they could grow their own food. The net profits yielded by selling coffee were shared, fifty-fifty, between Company and immigrant, as was the production of the food plots in excess of subsistence needs. The immigrants were to conduct themselves according to regulations established in the colony. They were to tend and carefully harvest the coffee plants assigned to them, to deliver the harvested cherries to a specified place, and to contribute (in proportion to the amount of coffee delivered) towards the costs of preparing and transporting coffee to market. Advances to the immigrants, on which interest was charged at the rate of 6%, would be re-paid out of sales income. The initial contracts did not specify a particular period of time but immigrants could not legally move off the plantation until they had repaid their debts.⁴⁶

Vergueiro's plan was an ambitious one. As already observed, he opposed the granting of land to foreign immigrants and did not believe that the concession of land for the creation of settlements _ populating the "desert" _ would answer the most urgent problem of the Empire which was a need for hands in agriculture. Nevertheless he was not against the creation of a numerous class of small landholders. That was highly desirable. But it was a project that could and should be postponed until circumstances would ensure

⁴⁵ J.J. von Tschudi, op.cit., p.134.

⁴⁶ Contracto de parceria celebrado entre Verqueiro & Cia. e os abaixo assinados, por intermédio do Sr. Dr. Schmidt, em Hamburgo, em nome da referida sociedade. Appendix in T. Davatz, op.cit., pp.223-237; J.J. von Tschudi, op.cit., p.137.

success. In his view, the sharecropping system did not place immigrants in an ideal position but it would prepare them to be proprietors. Establishing sharecropping colonies could allow the immigrants a period of adaptation, in which they could acquire skills essential to their later success as small farmers. In this sense, he believed his plan would attend the planter's needs and would benefit the country through the creation of independent crown colonies.⁴⁷

In a letter to the President of the province in 1853, Vergueiro presented his views on the advantages of the sharecropping system: "Admitting, as everybody does, the great need for labourers to replace slaves and to contribute to the increase of free population, I examined all the means of achieving this aim (...) I concluded that sharecropping was the most suitable to our circumstances (...) being evident the utility of this system to the country (...) it is not less to the colonists, who on arrival find someone who supplies the necessary means, and provides labour without facing the hardness of backlands".⁴⁸ Twenty years later, the Swiss representative Tschudi, conducting inquiries on the failures of the system, would agree with Vergueiro, highlighting the same advantages of the system. According to Tschudi, those who wished to emigrate to Brazil, without the necessary means would find in sharecropping the solution to his problem while retaining the prospect of becoming a proprietor of land. With the travel expenses advanced and maintenance and supplies provided, the immigrant would survive the most difficult period. The first years were alleged to be of great importance for the immigrant: "Meanwhile he could learn the language of the country and could become familiar with tropical agriculture". Tschudi observed that many colonists complained of having lost a whole year because they did not know how to take proper care of their crops and because they were ignorant of certain basic

⁴⁷ S.B. de Holanda, "Prefácio", op.cit., p.13; M.L. Lamounier, op.cit., p.31.

⁴⁸ D. Forjaz, op.cit., p.48.

principles of Brazilian agriculture.⁴⁹

Tschudi suggested that the situation of *agregados* in many plantations had served as model to Vergueiro. The sharecropping system had already been used in sugar producing areas, where land was exclusively monopolized by big landholders. Sugar planters used to give land tenancies where sugar cane could be cultivated on a small scale. After cutting and transportation, the tenant was given half the sugar produced.⁵⁰ According to Tschudi, the situation of these *agregados* combined with the other method often used on the coast, especially in coffee plantations, of using the labour of poor Azorean immigrants in exchange for the expenses of their transportation, inspired Vergueiro's initiative.⁵¹

According to Stolcke and Hall, planters adopted the sharecropping system instead of a straight wage system in São Paulo because in a situation of labour scarcity it was more efficient. Sharecropping was a way of securing extra effort from labourers for only a small increase in total remuneration over that of wage labourers. As remuneration depended on the amount produced, there was an incentive for the labourer to intensify his efforts and to cultivate with great care. In addition, supervision would be insignificant, since control of labour was exercised by the labourer himself. It was anticipated that sharecroppers would tend more coffee bushes than wage labourers. Hence, fewer workers would be required and initial investment would be lower. The immigrant's families constituted a cheap labour reserve and the assignment of a subsistence plot was another way of reducing costs.⁵²

Yet Vergueiro reported obstacles from the beginning. It seems that changes in central government policy removed the promised

⁴⁹ J.J. von Tschudi, *op.cit.*, pp.149-150.

⁵⁰ J.J. von Tschudi, *op.cit.*, p.130.

⁵¹ J.J. von Tschudi, *op.cit.*, pp.132-133.

⁵² V. Stolcke and M.M. Hall, *op.cit.*, p.174.

financial support. He then turned to the provincial government and succeeded in getting some aid.⁵³ Also, there were problems with the immigrants. In 1852, Vergueiro reported that some of the immigrants were not inclined to, or familiar with, rural labour. "It was necessary to let many leave ever at risk of losing their labour advancements". According to Vergueiro that was a problem inherent to all contract immigration importation schemes, since the business of immigration was in hands of shipowners and their agents. The first was primarily interested in the cargo of his ship; and the second was interested only in the commission paid for those engaged. The only way to avoid this evil was to have an abundance of immigrants so that each could be used according his abilities. Despite Vergueiro's initial problems, he reported that he had extended coffee cultivation in his plantations and had created better facilities to settle from 3,000 to 4,000 colonos!⁵⁴

It was after 1850, with the prohibition of the trans-Atlantic slave trade, that the achievements of Vergueiro's initiative attracted greatest interest. The need for an alternative source of labour had grown even more urgent with the expansion of coffee cultivation. The immigrant *colono* seemed to be the solution. Encouraged by the success of Vergueiro's experiences on his Ibicaba plantation and concerned about the effects of the end of the trans-Atlantic slave trade, many planters from the pioneering western areas turned to Vergueiro and Company requesting immigrant workers. Others following Vergueiro's example, set up their own immigration enterprises. As soon as Vergueiro got the necessary financial support, the Company actively began importing immigrants. The success of the enterprise was widely reported. The 1852 contract agreed with the provincial government to import 1,500 colonos within three years was reported fully accomplished in July, 31, 1854.⁵⁵

⁵³ E.V. da Costa, *Da Senzala à Colônia*, *op.cit.*, p.63.

⁵⁴ "Relatorio das Colônias", in *Discurso...1852*, *op.cit.*, pp.12-13.

⁵⁵ E.V. da Costa, "Sharecroppers and Plantation Owners", *op.cit.*, p.101; J.J. von Tschudi, *op.cit.*, p.137.

In 1851 Senator Francisco Antônio de Souza Queiróz was arranging the settlement of Germans on his land. In the same year Luiz Antônio de Souza Barros had requested some Portuguese islanders from Fayal for his estate in Constituição and was planning to settle some Germans in his other estate, São Lourenço in Rio Claro. Luiz Ribeiro de Souza Rezende had already settled four families in his estate, Boa Vista.⁵⁶ During the next year, other colonies were set up in Campinas, Limeira, Constituição and Rio Claro. The colony Sete Quedas, was composed of "Protestant, regular disciplined", Germans; São Lourenço was also composed of Germans, a total of 127, part Catholic and part Protestant. A total of 149 Germans were reported to have arrived on Souza Queiróz' estate of São Gerônimo. José Elias Pacheco Jordão and Benedito Antônio de Camargo had each established 18 immigrant families. Many of these immigrants came under the auspices of Vergueiro and Company. With minor changes, the majority of planters applied Vergueiro type contracts.⁵⁷ At the beginning of 1853 the president of province observed that the sharecropping scheme was almost exclusive in São Paulo.⁵⁸

Most of the colonies were founded between 1852-1854, with immigrants imported in increasing numbers by Vergueiro & Cia. By 1855 about 3,500 immigrants of various origins were located in the province, working on 30 plantations.⁵⁹ Between 1840 and 1875 about 15,000 immigrants arrived. Most of them were Europeans engaged to work on coffee plantations.⁶⁰ Between 1847 and 1874 about 50 São

⁵⁶ "Relatorio das Colônias", in Discurso...1852, op.cit., p.16.

⁵⁷ Relatório com que o Illmo.Exmo.Sr. Dr. Josino do Nascimento Silva, Presidente da Provincia de São Paulo, abriu a Assembléa Legislativa Provincial, no dia 16 de fevereiro de 1853 (São Paulo: Typ. Dous de Dezembro, 1853) pp.10-11.

⁵⁸ Relatório... 16 de fevereiro de 1853, op.cit., p.10.

⁵⁹ V. Stolcke and M.M. Hall, op.cit., p.172.

⁶⁰ "Quadro de imigrantes vindos á Provincia de São Paulo de 1827 a 1877", in Relatório apresentado ao Illmo. Sr. Tenente Coronel Francisco de Barros e Accioli de Vasconcellos, Inspetor Geral de Terras e Colonisação da Provincia de São Paulo, 1888, loc. Museu Republicano de Itu, São Paulo.

Paulo coffee planters established European immigrants on their land.⁶¹ In most cases free workers coexisted with slaves, although the tasks of each group were strictly defined and separate. It was observed that only colonists from Portugal and the Azores could consent to work alongside slaves.⁶² Although slave labour continued to predominate, a number of estates did employ a large free labour force.⁶³ There was a certain division of labour. Tasks beyond coffee cultivation and harvesting, requiring constant supervision or inappropriate for sharecropping, continued to be carried out by slaves. For instance, soil preparation, planting coffee seedlings, sowing annual crops for consumption of the plantation and later, increasingly, the processing of coffee.⁶⁴

Vergueiro's attempts to supply immigrant workers for São Paulo plantations did not reach the same scale and organization as the trade in workers in Cuba. However, the engagement of immigrants to work on Paulista coffee plantations impressed a new character on the experiments with sharecropping. The emphasis on a contractual relationship with workers confronted planters with a wholly new situation. Used either to the compulsory labour of the slave or to the special-task labour of the *agregado*, planters now confronted a new figure. Instead of the black slave, or the familiar Brazilian part-time workers, there was the European sharecropper. Mediating the relationship, there was no longer the right of property or the traditional "clientelism", but a formal contract, written and subjected to nominal state supervision. The limits and content of the new relationship had still to be determined.

⁶¹ A.E. Taunay, *op.cit.*, VI, p.19.

⁶² J.J. von Tschudi, *op.cit.*, p.131.

⁶³ For instance, Luis Antônio de Souza Barros had 329 Germans and Swiss in his estates; Joao Elias Jordão 180 foreign colonists, see E.V. da Costa, "Sharecroppers and Slaveowners", *op.cit.*, p.103. In 1856 in the colonies of A. Souza Queiróz there were 325 immigrants and 182 Brazilians engaged in sharecropping, day and task labourers, cf. APESP, *Colônias, ordem 7213, caixa 1*(1827-1858).

⁶⁴ V. Stolcke and M.M. Hall, *op.cit.*, p.172.

Changes made in the conditions of early contracts caused complaints, provoking grievances and conflicts between planters and immigrant workers. Transformed into an importer of colonists, acting as agent for other planters, Vergueiro and Company started to charge a sizeable commission for each immigrant brought into the province; namely 10 thousand reis per adult, and 5 thousand reis per child. Later there would be dispute over the payment of the commission. Although it was not included in the contract some colonos would have this fee included in their debts.⁶⁵ Further alterations in the contracts caused serious disadvantages to the immigrants. Presented with difficulty in regulating the collective task of preparing coffee for market, plantation owners entrusted the activity to slaves. As a result the colono had to pay a fee of 400 reis per arroba of coffee processed. According to earlier contracts, interest on sums advanced to cover the expenses of maintenance and goods would start being computed after one year, and to cover transport expenses after two years. Revised clauses established that interest should be paid from the first day of advancement and sometimes at a rate of 12% rather than the 6% previously agreed. Equally disadvantageous to the colonos, new clauses extended the notice to be given by colonos before leaving the plantation. Hitherto, the colono was allowed to give six months notice: new contracts would require one year. Moreover, additional alterations granted the owner the facility of transferring the contracts to other persons. The expedient was of course a venue to fraud and speculation in the price of contracts. New contracts also stated that the entire family was collectively (*solidariamente*) responsible for the debt of each member.⁶⁶ These new terms offered the planters more solid guarantees to recovering their capital invested but clearly the conditions were very unfavourable for the colonos and caused serious discontent. Failure to clarify some clauses, such as the size of subsistence plots, the provision of shelter, the payment of the fee charged by Vergueiro and Company, and the length of the contract, compounded

⁶⁵ J.J. von Tschudi, *op.cit.*, p.135; T. Davatz, *op.cit.*, p.72.

⁶⁶ *Contracto* in T. Davatz, *op.cit.*, pp.233-237.

difficulties for immigrants and opened the system to mistrust and fraud.

The results were very different from what had been expected. Besides a new form of labour, immigrants also represented a stock of invested capital. Cautiously experimenting with contracts, planters were seeking a way to guarantee their expectations of profits from coffee and of recovering capital invested in labour contracts. Careful attention was therefore given to costs, discipline and control. Soon, the scheme devised to substitute immigrants for slaves and ease the differences in "culture, tradition and habits" turned out to be a failure.

Conflict and discontent were present from the beginning. Small uprisings characterized the whole decade. The growing disillusion of immigrants with their living and working conditions was expressed in several ways _ not least a refusal to work. A series of labour disputes arose out of the contracts; strikes and desertions were reported. For instance, in 1853, troops were called to suppress disturbances provoked by colonists at Luis Antônio de Souza Barros' estate.⁶⁷ In 1855, Joaquim Franco de Camargo, the owner of Morro Azul estate, with 204 workers, dismissed 14 families for "vagrancy", "intrigue" and "theft". At the same time he reported that another 8 families had departed without permission.⁶⁸ In 1856 the Swiss colonos of Nova Olinda (Francisco José de Castro's plantation near Ubatuba) rebelled. The Swiss immigrant workers had been engaged by Vergueiro and Company. The trouble apparently started when questions over cattle invading their subsistence plots led to the intervention of the police.⁶⁹ The incident provoked the intervention of the Swiss consul who visited the colony. Grievances were general. Immigrants complained about the quality of the subsistence plots, their housing, the high prices of articles sold to them on the plantation,

⁶⁷ APESP, Colônias, ordem 7213, caixa 1(1827-1858), pasta Limeira.

⁶⁸ APESP, Colônias, ordem 7213, caixa 1, pasta Limeira.

⁶⁹ V. Stolcke and M.M. Hall, op.cit., p.173

having the commission on contract transfer charged by Vergueiro added to their debts, fulfilment of contracts, and so forth. After the Consul's intervention, the conflict was solved when the Imperial government demanded the transference of the colonists to a government establishment.⁷⁰

However, the most serious revolt began in December 1856 involving Swiss and German workers on Senator Vergueiro's plantation, Ibicaba. Troops were called and tensions lasted for several weeks. The workers complained of grave irregularities in the fulfilment of their contracts. A list of grievances was drawn up and presented to Vergueiro along with a request for an official investigation.⁷¹ The Swiss commissioner, J. C. Heusser, confirmed most of points raised by the workers, with the result that a new director was appointed for the colony.⁷² The revolt ended when the leaders of the revolt were expelled from the estate.

These events in Ibicaba provoked wider inquiries by the imperial and foreign authorities. Further protests came to light. There were protests at the non-fulfilment of contracts, the ill-treatment of immigrant sharecroppers and the imposition of conditions similar to slavery (either by debt or sale of contracts). Planters were concerned about order and discipline within the plantation and were

⁷⁰ Relatorio do Delegado de Policia, Bernardo Correia Moragão ao Presidente de Provincia Francisco Diogo Pereira de Vasconcelos, Ubatuba, 31 July 1856, APESP, Colônias, ordem 7213, caixa 1, pasta Jundiaí; J.J. von Tschudi, op.cit., p.141; V. Stolcke and M.M. Hall, op.cit., p.173.

⁷¹ T. Davatz, op.cit., contains a detailed account of the events in Ibicaba. See appendix n.8, pp.249-255, for the list of principal complaints drawn by the colonists which included, unfair exchange rate applied to advanced expenses; debt increased by high interest rates, tax commission per head, travel expenses from the port of Santos to the estate; high rental charges for poor housing; subsistence plots not yield sufficient to that did maintain the family, and its products have to be shared with the owner; colonists are obliged to buy goods sold in the estate store, although they are more expensive than elsewhere; changes of contract stipulations signed in Europe, frauds in accounts, weighing and selling coffee.

⁷² W.Dean, op.cit., p.103.

suspicious of possible links being forged between immigrant labourers, slaves and some dissatisfied Brazilians on the plantations. The latter fear was proved to be unfounded by an investigation made by Police Chief of São Paulo, José Tavares Bastos.⁷³

By the end of the 1850s the sharecropping system was considered to have failed. Protests against sharecropping contracts and their bad results in São Paulo's coffee plantations interrupted the flow of immigrants to the province. Several European governments, mainly Prussia and Switzerland, took measures against colonizing agencies directing emigrants to Brazil and prohibited emigration to São Paulo.⁷⁴ The burden of the initial debt is one of the several explanations for the failure of the sharecropping system.⁷⁵

⁷³ Exposição do Senador Vergueiro dirigida ao vice-presidente da Província sobre as ocorrências de Ibicaba, and Relatório de Tavares Bastos sobre a colonização de São Paulo, Colônia de Ibicaba denominada Senador Vergueiro, 1857 in T. Davatz, op.cit., Appendix, pp.264-276.

⁷⁴ J.J. von Tschudi, op.cit., p.143; S.B. Holanda, "Prefácio", op.cit., pp.29-30.

⁷⁵ For explanations of the failure of sharecropping experiments see S.B.Holanda, "Prefácio", op.cit.; E.V. da Costa, "Sharecroppers and Plantation Owners", op.cit.; W.Dean, op.cit., chap.4; V.Stolcke and M.M.Hall, op.cit., pp. 170-176. According to the Police Chief Tavares Bastos, the "deep and permanent" evil that had been many times "molesting planters and the public authorities" were provoked among others by deficient legislation, the terms of engagement of immigrants, the sharecropping contract itself, see Relatório...de Tavares Bastos, 1857, in T. Davatz, op.cit., p.272. Tschudi, the Swiss representative, concluded in his inquiry that the failure was due to ambiguity of contracts drawn up by Vergueiro and Company and the scale of charges that had to be paid by planters and workers; he also mentioned the deficient legislation, op.cit., p.145-146. Other contemporary explanations included the poor character and inexperience of immigrants. Current literature, however, has questioned the capability of planters to deal with a free labour force. According to Viotti da Costa, "Sharecroppers and Plantation Owners", op.cit., pp.110-122, planters were accustomed to slave labour and were not prepared to deal with the problems posed by a free labour force."The landowner's original intention was to create an effective substitute for slave labor on the coffee plantations. The solution they choose intended to reconcile the interests of the planters, accustomed to slave labor, with those of the colonists,

According to Stolcke and Hall, the debt eventually eliminated the intended incentive mechanism of the system. Since the recruitment of immigrant labour required an initial investment by the planter, one of their main concerns was to safeguard their investment. But the contract debt pressed heavily on immigrant's income and their returns from coffee cultivation turned out to be lower than expected.⁷⁶ Amortisation demanded a level of exploitation which planters were unable to enforce and the sharecropping contract did not adequately address the challenge of creating a reliable workforce.⁷⁷ It would take several years to repay the debt to the landowner. The cash income of the immigrant depended on the productivity of the trees under his care and prevailing world coffee prices. Although under sharecropping workers shared any loss equally with the landowner, the sharecroppers were more vulnerable to the vagaries of nature and coffee market. In addition, as it was the planter who commercialized the production, the system was open to fraud in operations such as weighing, shipping and selling.

After the 1860s, sharecropping was gradually replaced by labour-leasing contracts. Instead of receiving a share of the value of production, labourers were paid a fixed piece rate for each measure

who were eager to acquire property, improve their living conditions, and rise in the social scale. The result did not please either group. The planters felt they had been swindled. The colonists believed that they had been reduced to the condition of slaves"(p.110) There was a conflict of interest between planter and colonist that made it impossible to reach an agreement. Also given to high cost of production of coffee at the time, its labour intensive nature, low level of mechanization, and low coffee prices, margins of profit were small, thus discouraging planters and workers. Sharecropping could not provide enough profits to the planters nor enough cash income to the immigrants to enable them to cancel their debts in a reasonable amount of time. Warren Dean in Rio Claro, op.cit., chapter 4, argued that the sharecropping system was in fact more profitable than slave labour but planters were unable to deal with workers on a contractual basis. He attributes its failure to the fact that after the first years free labourers could only be kept working by the use of coercion, as planters were unwilling to agree with more favourable contract conditions.

⁷⁶ V. Stolcke and M.M. Hall, op.cit., p.172.

⁷⁷ V. Stolcke and M.M Hall, op.cit., p.173.

of coffee harvested from the trees under their care. For his part, the landowner retained the right to one half of the food crops cultivated by the immigrant, reduced the size of the plot and sometimes charged rent in order to discourage immigrants diverting labour from coffee to other crops.⁷⁸ This had been one of the defects of sharecropping for planters. In protest at what they saw as an unfair contract, and in order to increase income, sharecroppers had neglected coffee and concentrated instead on food staples. Nevertheless, although the new arrangement reduced some of the risks to immigrant labour arising from sharecropping, it did not solve the problem of the burden of initial debt nor planter anxiety about the initial investment.⁷⁹

The problem of debt would not be removed until the 1880s when the provincial and Imperial governments began to subsidize European immigration to São Paulo. It is at this time that a new arrangement, the *colonato*, a system based on mixed task and piece rate form of remuneration became standard in western São Paulo. By establishing a fixed rate of pay for the cultivation of the coffee groves separate from the harvest piece-rate, the labourers had a guaranteed stable income independent of coffee yields. In addition, since part of the worker's remuneration under the new arrangement dependent directly on the number of trees tended and no longer on their productivity, the worker and his family would feel encouraged to cultivate a larger number of trees. Also, as another part of total income nevertheless depended upon the yield of the coffee harvest, workers were encouraged to tend coffee bushes carefully as this would lead to higher yields and earnings. Thus *fazendeiros* had a guaranteed supply of plantation labour and immigrants were protected from some of the abuses and uncertainties of the old sharecropping system.⁸⁰

⁷⁸ V. Stolcke and M.M. Hall, *op.cit.*, p.177.

⁷⁹ V.Stolcke and M.M. Hall, *op.cit.*, pp.177-180.

⁸⁰ V. Stolcke and M. M. Hall, *op.cit.*, pp.179-186. For studies about the operation of the *colonato* system in São Paulo see also T. Holloway, *Immigrants on the Land: Coffee and Society in São Paulo, 1886-1934*; and by same author "The Coffee colono of São Paulo,

4.3. Legislation and control: contracts, conflicts and laws

With the "failure" of sharecropping, planters responded first by making minor changes to contracts and subsequently by changing the whole system, seeking to solve problems of control of productivity, discipline and debt amortisation by demanding more severe mechanisms of coercion to oblige the workers to fulfil contractual obligations.⁸¹ To these systemic amendments planters added internal regulations within plantations. They spelt out duties and rights in more detail to define boundaries of potential disputes. But these changes also created new labour relations. As new conflicts arose, planters started demanding fresh general regulations for contracts. Despite these demands, the government was reluctant to act. One of the main reasons was the need to attract further European immigrants. When in 1879 the government approved a draconian piece of legislation on rural labour relations, the harsher measures were aimed at former slaves and domestic free labour not at immigrants.

The majority of the planters who contracted immigrant workers followed the general stipulations of Vergueiro's sharecropping contract; this also applied to those who obtained immigrants directly from Europe. However, on the basis of experience, some applied minor amendments. This was the case, for instance, of the planter Francisco Antônio de Souza Queiróz, whose *colônias* were reported to surpass Vergueiro's in "order, administration and fame".⁸² In 1857, when a government official visited São Paulo sharecropping colonies, Souza Queiróz had three colonies,

Brazil: migration and mobility, 1880-1930, in K. Duncan and I. Rutledge (ed.) Land and Labour in Latin America (Cambridge: Cambridge University Press, 1977) pp.301-323; J. de S. Martins, O Cativoiro da Terra, op.cit.; B. Sallum Junior, Capitalismo e cafeicultura: Oeste Paulista, 1888-1930 (São Paulo: Duas Cidades, 1982) and V. Stolcke, Coffee planters, workers and wives: class conflict and gender relations on São Paulo coffee plantations, 1850-1980. (London: McMillan, 1988).

⁸¹ V. Stolcke and M.M. Hall, op.cit., pp.177-178; M.L. Lamounier, op.cit., pp.37-75.

⁸² Cf. S.B. de Holanda, "Prefácio", op.cit., p.30.

Cresciumal (in Pirassununga), São Gerônimo and Santa Bárbara (both in Limeira). They were composed of 653 people, a total of 136 families: 55 Brazilian, 78 German and Swiss German and 3 Portuguese.⁸³ In an 1852 contract agreed in Hamburgo, Souza Queiróz followed Vergueiro's contract but introduced some minor alterations: i) the period of contract was stipulated as five years, after which it could be renewed; ii) at the end of the contract, the contractor was to lease a piece of land where the immigrant could be settled; iii) the colono agreed to deliver the harvested coffee after drying and would receive a written receipt; iv) the colono was required to help clean and repair the canals taking water to the engenho de café; v) the period for repaying advances money or goods, was stated as four years.⁸⁴ In 1856, Souza Queiróz reported that the system he generally adopted was sharecropping, but that he "did not exclude leasing and day labour".⁸⁵ Similarly, the planter Joaquim Bonifácio do Amaral decided to introduce another stipulation in the contracts of some colonos transferred from Souza Queiróz which exempted colonos from the obligation of delivering a share of the produce from subsistence plots for two years. On the other hand, colonos received a much smaller area on which to grow food crops in between the coffee bushes or on another appointed area if the plot was not enough. The arrangement of planting in between the coffee bushes was also another way to prevent colonos from diverting their labour away from coffee areas. It made the task of keeping coffee bushes cleaned and weeded "at least five or more times, during the first two years" easier.⁸⁶

Many of these alterations did not deviate radically from the sharecropping contract framed by Vergueiro and Company. The new

⁸³ According to mapa of colonies visited by Valdetaro in 1857, in S.B. de Holanda, "Prefácio", op.cit., pp.28-29.

⁸⁴ "Contracto", E.V. da Costa, Da Senzala a Colônia, op.cit., Appendix, pp.175-177.

⁸⁵ APESP, Colônias, ordem 7213, caixa 1 (1827-1858), pasta Limeira.

⁸⁶ APESP, Colônias, ordem 7213, caixa 1, pasta Campinas.

arrangements usually resulted from particular conflicts or complaints and that resolved as they arose by planters and workers. These contract adjustments represented attempts to accommodate the expectations of both parties. The contract was a way of establishing agreed parameters within which relations and obligations between planters and workers would be detailed and defined. Conflict both revealed "lacunae", "vagueness" or "defects" in the contracts and provided a mechanism to close loopholes or fill lacunae. Changes were thus an attempt to bring within the framework of the contract points of divergence (already existent or foreseen) between planters and workers. The increasing detail of clauses and conditions reflected this process and was an attempt to make even more explicit the duties and responsibilities of planter and workers and the reality of their functional relationship. Amendments to contracts reflected the content of the struggle between planters and immigrant workers. That is what one might think when carefully examining, for instance, the conditions of the contracts agreed in the 1860s with the planter Joaquim Bonifácio do Amaral in his *fazenda Sete Quedas*.⁸⁷ Sizes and prices of subsistence plots were prescribed in detail by art.4, parag. 3:

For the first 1,000 sq braças	R. 2,000
For the second 1,000 sq braças	R. 3,000
For the third 1,000 sq braças	R. 4,000
For the fourth 1,000 sq braças	R. 6,000.

Larger families could lease up to four subsistence plots. Equally, according to the same article 4, paragraph 4, the planter was to provide free housing during the period of the contract and "grazing for his animals which should not exceed one cow and a horse, to be kept most of the time in stable (my stress). Article 5, paragraph 7, stated that the *colono* should maintain the house as well as the pasture for his animals as well as enclosures, and weeding "should be performed at least twice a year" (my stress). According to

⁸⁷ Contrato entre o Comendador Joaquim Bonifácio do Amaral e os colonos da sua fazenda Sete Quedas, no município de Campinas, 186(4), BN, Manuscritos, BN 3.II-35, 21, 56n4.

article 5, paragraph 2, the contracted worker was to cultivate properly the coffee bushes in his charge, and harvest only the cherries "that are dry and ripe, free of dirt, leaves or any other extraneous material, to be delivered to a specified place (...) All green cherries that become dislodged when picking shall be separately delivered without measure and at no charge.(my stress).

Disputes over the length of working hours spent on the cultivation of subsistence plots seemed to have been common. Planters usually considered subsistence plots as a "favour" or a non-monetary incentive granted to workers. Workers could produce for their own consumption and sell the surplus. Arrangements relating to the distribution of profits made from subsistence plots, however, differed. Planters were aware that, while contributing to reduce labour maintenance expenses and cash expenditure on wages, the restriction or enlargement of subsistence plots also constituted a way of controlling labour. For instance, if workers hoped to derive additional profits from subsistence cultivation and diverted labour from coffee cultivation, planters could restrict plot size and/or charge rent. The clear drafting in the contract and precise detail providing for all eventualities was another way of pre-empting future problems. As illustrated by the detailed contract provisions mentioned above, dispute also centred on the amount and quality of coffee harvested, which profits were to be shared by planters and immigrant workers, as well as the cost of housing.

When the Swiss representative Tschudi visited São Paulo colonies in 1860, he commended the Amaral Sete Quedas colony. All the families from Holstein had paid off their debts and they were so content with the system that they had renewed their sharecropping contracts. "Sete Quedas is the most evident proof of the great advantage that the sharecropping system offered to the colonos", observed Tschudi. However, the landowner, Joaquim Bonifácio do Amaral, continued Tschudi, was not very happy with the Holstein immigrant workers, for "great patience and indulgence" was needed when dealing with them. "As much as they save, as exigent they become, to the point of refusing to maintain enclosures and pasture

for their animals, doing it only if properly indemnified. Although satisfied with the results from the system, he does not feel encouraged to prolong the experience because he was fed up and refused to receive more colonos" (my stress).⁸⁸ The difficulty and reluctance of planters to conform to the new relationship was evident. Immigrant workers were aware of their contract conditions and would often refuse to perform tasks beyond those explicitly stated. Added to the fact that contracts were not often very clear on their provisions, planters also expected workers to fulfil tasks on demand. One of the arguments developed later favouring Chinese immigration, for instance, was that planters needed workers to perform unexpected tasks as the need arose. These, they complained, European immigrants refused to do.⁸⁹

Although contract refinement was a form of accommodating conflicts, the great diversity of arrangements led to a variety of problems regarding labour control. On the one hand, although legal contracts gave certain rights to colonos, the various arrangements allowed planters some flexibility to find the best way to deal with workers and to exercise authority over them. On the other hand, the variety of labour agreements increased the possibility of dispute and reduced planters' grounds for appeal to the authorities. As a result, planters began asking the government to create a general regulation, to shape uniformly and thus reinforcing the contracts. However, distinct from their Cuban counterparts, who had resource to *Reglamentos de colonos* for guidance and coercion, Brazilian planters would have no more expedient than the "famigerada" *locação de serviços* laws.

The existing legislative framework did not match up to the requirements of the new relations that had evolved. From the early 1850s there had been attempts by the Imperial government to regulate the sharecropping system. Existing laws regulating sharecropping

⁸⁸ J.J. von Tschudi, *op.cit.*, p.168.

⁸⁹ *Congresso Agrícola. Collecção de Documentos* (Rio de Janeiro: Typ. Nacional, 1878) p.189.

contracts were very inefficient and provided planters only with mechanisms for rescinding contracts or for their compensation. These solutions meant the loss of the initial investment and did not create mechanisms to force the immigrant to work to pay off debts.⁹⁰

Several drafts of new regulations were presented. Troublesome issues such as travel expenses, settlement and mode of engagement with private individuals were the main subjects. There was also a desire to clarify differences between sharecropping and labour leasing contracts, combining both systems in a single piece of legislation. These draft ~~of~~ regulations did not differ much from the conditions spelt out in the contracts. However, they attempted to set out obligations more clearly. According to an 1855 draft, planters were obliged i) to advance the travel expenses of those below eight years old and not to keep immigrants in the port for more than three days, ii) to provide housing, food, tools and a plot of land for growing subsistence crops, iii) to provide transport and marketing of the final product, iv) to provide machinery for processing, and v) ~~should~~^{to} not employ the colono in other tasks and keep them on the same land and in the same house during the period of the contract, stipulated as four years. The colonos undertook a) to take care of bushes entrusted to them, b) to live peacefully and to accept the internal regulations of the colonies, c) not to own or employ slaves, and d) to repay the expenses of the planter. Besides spelling out general conditions, further mechanisms were envisaged to fulfil contract conditions. Thus, according to same draft, if the planter did not comply with contractual obligations he would be fined and the contract could be rescinded. If the colonos did not comply with the contracts they would be punished with prison for eight days or three months, or be ordered to pay all debts plus interest of 6% a year.⁹¹

⁹⁰ V. Stolcke and M.M. Hall, op.cit., pp.96-97.

⁹¹ "Regulamento para a colonização por parceria auxiliada pelo governo" in Documentos sobre: Colonização, Telégrafos elétricos, Sistema Penitenciário, Colônias Penais, e Fundação de tipos, compilados e reunidos em livro pelo Conselheiro Nabuco de Araújo (1852-1869). IHGB, Manuscritos, Col. Senador Nabuco, lata 384, livro 02. The regulation is probably dated by 1854, for it was sent to the

Many planters stressed the need for such regulations. As early as 1854, after a series of disputes with immigrant sharecroppers, planter Souza Barros stressed to the president of the province the need for new legal provisions to oblige colonos to fulfil contracts. In his view, most of his problems were due to lack of interpreters and his limited experience managing immigrant workers.⁹² At the same time, Vergueiro was helping the authorities lay down rules based on his own experience.⁹³ Another planter, João Ribeiro dos Santos Camargo from Rio Claro, observed the need to coordinate and harmonize the sharecropping system in a common "code to be easily enforced against transgressors". His proposal was to reform the 1837

Marquis of Olinda, with a note from Luiz Pedreira de Couto Ferraz in 1 January 1855. Projeto de regulamentos para colonização por parceria auxiliada pelo Governo, para contratos de colonização e locação de serviços agrícolas e para transporte de imigrantes. Rio de Janeiro, 1855/1858. IHGB, Manuscritos, Col. Marquês de Olinda, lata 212, documento 24; Estudos para os regulamentos e contratos de colonização e locação de serviços agrícolas, inclusive minuta de contrato entre o governo e o proprietário da Colônia Nossa Senhora do O, na Ilha das Onças (Pará); decreto aprovando o contrato aceito pela Associação Central de Colonização e termo do mesmo, feito por intermédio da Repartição Geral das Terras Públicas. Palácio do Rio de Janeiro, 1 May 1858, IHGB, Manuscritos, Col. Marquês de Olinda, lata 212, documento 29.

⁹² APESP, Colônias, ordem 7213, caixa 1, pasta Limeira.

⁹³ Vergueiro's comments on projects of regulations of the Associação Central de Colonização in Documentos referentes a Colonização e imigração: observações sobre o último regulamento da Associação Central de Colonização; bases para o contracto de colonos da mesma associação (reparos feitos pelo Senador Vergueiro); observações de Luiz Pedreira de Couto Ferraz ao Marques de Olinda sobre o regulamento para transporte de colonos; carta ao Senador N.P. de Campos Vergueiro ao Marquês de Olinda, a propósito do referido regulamento e sobre seus próprios métodos de colonização; um contrato de parceria entre Vergueiro & Cia e uma família de colonos suíços. Hamburgo, Rio e Ibicaba, 1855/1858. IHGB, Manuscritos, Col. Marquês de Olinda, lata 545, pasta 65. When the government attempted to regulate Vergueiro's contracts, on conditions of engagement and tried to forbid any kind of commission besides the travel expenses, Vergueiro and Company protested and refused to comply on the grounds that the conditions infringed its rights, see Relatório com que o Illmo.Exmo.Sr. Dr. Josino do Nascimento Silva, Presidente da Província de São Paulo, abriu a Assembléa Legislativa Provincial, no dia 16 de fevereiro de 1854. (Sao Paulo, Typ. Dous de Dezembro, 1853) p.16.

labour law to embrace the sharecropping contracts.⁹⁴ After the wave of revolts at the end of the 1850s the pressure from the plantation owners for change was even greater.

In 1858, new Instructions were issued, attempting to establish a general rubric for voluntary and engaged immigrants coming to settle in the Empire. The 18 November Instructions were divided in two parts.⁹⁵ The first section dealt with immigrants coming as independent proprietors to settle in government colonies. The second laid down conditions for agreements with contracted immigrants. It provided for a three-year supply of a fixed number of colonos and outlined the mode of engagement with planters. To those engaging for plantation work, the government would provide free travel from Europe. The transfer of contracts without the permission of the colono was prohibited and the term of engagement should not exceed five years. At the end of the contract colonos were free of all obligations. After performing the daily shift established by the planter, the colonos could do whatever they wanted. Most of the other conditions set out in the Instructions were aimed at immigrants who could afford to buy land and wished to settle freely as proprietors in official colonies. As was underlined by the Director of Public Land a few years later, these Instructions designed to attract immigrants coming with their own savings — a guarantee that they were thrifty, inclined to work and to save. In his view, the Instructions did not address the question of immigrant workers, who "always make unreasonable demands and unfounded complaints", resulting from engagements and contracts.⁹⁶

⁹⁴ APESP, Colônias, ordem 7213, caixa 1, pasta Piracicaba.

⁹⁵ Portaria de 18 de Novembro de 1858, Collecção das Decisões do Governo do Imperio do Brasil (Rio de Janeiro, Typ. Nacional, 1858) pp.356-360.

⁹⁶ "Relatório do Diretor das Terras Públicas", Brazil, Relatorio da Repartição dos Negocios da Agricultura, Commercio e Obras Publicas (Rio de Janeiro: Typographia Universal de Laemmert, 1861) Appendix, p.34.

In fact, the Instructions were an attempt to improve sharecropping contracts and their adverse results on the plantations. They were an answer to the series of conflicts and complaints involving planters and immigrant workers and international protest that was aroused by the end of the decade. From the process, at least two main rules regarding the engagement of European workers emerged: that contracts should not exceed five years and that contract transfer would not be valid without the agreement of the *colono*.⁹⁷

Besides amendments to the contracts, changes in several regulatory arrangements, and the momentum towards more detailed contractual specifications, planters had recourse to both the internal plantation regulation and the existing, fragile, legal framework. Internal plantation regulations were another expedient employed to ensure order, discipline and regular work. These rules attempted to stipulate in precise detail, and according to local conditions on the plantation, the daily life of the *colonos*. They sometimes overlapped and reinforced contract clauses. But they could also fill gaps or contradict the stipulation of contracts. In all cases the results appeared to be unfavourable to *colonos*, who often got trapped between formal contracts and estate rules. When *colonos* complained that they had been required to fulfil obligations not specified in the contract, the complaint could be considered unfounded if those obligations were detailed in the internal regulations of the colony. This happened, for instance, to the German *colono* Adam Frey. During official enquiries following rebellions in the colonies of Martirios and São Lourenço Frey complained, among other things, that he had been unjustly fined twice for infringing contract stipulations and that the contract made no reference to those fines. Weighing his grievances the committee observed that, they could not get information on the events, but that in fact the internal regulations authorized those

⁹⁷ W. Dean, op.cit., p.116.

fines.⁹⁸ During the same inquiries another colono, complained that having given notice to leave within six months, he had not been paid for the weeding he had been carrying out. The committee retorted that neither the contract nor the internal regulation anticipated such an event, therefore its resolution depended on the "good will" of the administrator or the proprietor.⁹⁹ Infractions by colonos seemed usually to have been punished with fines. Augusto Bruhmuller, carter in São Lourenço, was charged 100\$000 reis, five times his wage, for an accidental fire in the coffee bushes caused by his wife.¹⁰⁰ Henrique Munich, another immigrant worker in São Lourenço, was charged 150\$000 reis, "for contravening internal regulations" and damage to part of the plantation. Also in São Lourenço, two other colonos, Miguel Metz and Valentin Gungeiman, reported being fined with 50\$000 and 30\$000 respectively for fires on the plantation.¹⁰¹

Besides reinforcing contracts, there was at least one example of internal regulations replacing contracts. This was the case of João Elisário de Carvalho Montenegro's colony of Nova Louzã. The colony was formed by Portuguese immigrants and the system adopted was that of the "monthly wage" (at the time, the so-called "tipo Nova Louzã"). According to Montenegro this was the only system that did not provoke discontent or commotions among colonos as had occurred elsewhere.¹⁰² On the plantation, the work was supervised by an overseer, and the workers had housing, meals in common, laundry and clothing repairs, and medical assistance. They were also given a plot of land to cultivate on holidays and holy days. In fact,

⁹⁸ Relatório da Comissão encarregada de examinar as colônias Martyrios e São Lourenço na Província de São Paulo (Rio de Janeiro: Typ. Nacional, 1874) p.11.

⁹⁹ Relatório... Martyrios e São Lourenço, op.cit., p.15.

¹⁰⁰ Relatório... Matyrios e São Lourenço, op.cit., p.16.

¹⁰¹ Relatório... Martyrios e São Lourenço, op.cit., p.27, 42 and 54.

¹⁰² J.E. de Carvalho Montenegro, Opúsculo sobre a colônia Nova Louzã (Campinas: Typ. da "Gazeta de Campinas", 1872) p.2.

observed Montenegro, with the approval of the Free Birth Law (1871) the country had entered the period of "transition": "the sharecropping system has been condemned; that of tasks (*empreitada*) is only accepted in part; the only substitute that can help agriculture is that of wage labour".¹⁰³

In Nova Louzã the daily life of the colonos was regulated by a code of practice. The code stipulated that all violations or questions were to be discussed in a common assembly, that would consist of all male workers over eighteen and women over sixteen, presided over by the landowner. The "president" retained the right to warn or dismiss anyone, if he considered it necessary to maintain the "order" and "morality" of the establishment. The regulations stipulated the time to get up and to go to bed and fixed times for meals. It also laid down wages, different for men, women, nursing mothers, and children. Wages were also scaled according to years of service on the plantation. Arrangements for cleaning and maintaining living quarters were stipulated in detail. It was expressly forbidden to be noisy, to fight or issue threats within the plantation, to swear at meal times, wear the clothes of other colonos, to steal fruit and vegetables, to leave the plantation without permission, and so forth. Fights could result in fines of up to two weeks salary.¹⁰⁴

In 1875, the owner, Carvalho Montenegro, reported good results from the regulations and system adopted in Nova Louzã. He declared the colony was "at peace, harmony and morality". According to Montenegro, written contracts had only recently been introduced. "Notwithstanding a clause in the said contract, which forbids the employees concerned from leaving the establishment without three months' notice, I do not take advantage of this or any other clause

¹⁰³ J.E. de Carvalho Montenegro, Opúsculo, op.cit., pp.14-15.

¹⁰⁴ "Regulamento administrativo e policial da Colônia Nova Louzã", in J.E. de Carvalho Montenegro, Relatório apresentado ao Exmo.Sr.Dr. Presidente da Província de São Paulo, sobre as colônias Nova Louzã e Nova Colômbia, em 6 de fevereiro de 1875 (São Paulo: Typ. da "Província de Sao Paulo", 1875) p.16.

in the contract between us, to keep them against their will...".¹⁰⁵ Montenegro started the colony with 30 people in 1867; in 1879 there were 152 colonos.¹⁰⁶

However, the strong role played by internal regulations in Montenegro' colonies seemed to be unique. It was more usual for planters to use the existing legal framework. There were already two pieces of legislations setting out conditions for contracts agreed between planters and workers. The 1830 labour law (*lei de locação de serviços de 1830*) which applied to contracts arranged with Brazilian and foreign workers, and another approved in 1837 (*lei de locação de serviços de 1837*) which applied only to contracts involving foreign labourers.

The 1830 law was sanctioned soon after Independence, when the focus of attention was the organization of institutional life and the administration of the country. It was not, however, a purely administrative device like so many other pieces of legislation of that period. The 1830 act already anticipated consequences of the abolition of the trans-Atlantic slave trade and the resulting need ~~to~~ ^{to} promoting of immigration.¹⁰⁷ Although confined to a few simple stipulations, the law was undoubtedly designed to shape future labour relations. The 1830 law regulated agreements with Brazilian

¹⁰⁵ J.E. de Carvalho Montenegro, Opúsculo, *op.cit.*, p.16.

¹⁰⁶ J.E. de Carvalho Montenegro, Opúsculo, *op.cit.*, p.2; Brazil, Relatório do Ministério da Agricultura, Commercio e Obras Públicas, 1879 (Rio de Janeiro: Universal, 1879) p.76.

¹⁰⁷ "Lei de locação de serviços de 13 de setembro de 1830", Collecao das Leis do Imperio do Brazil (Ouro Preto: Typ. Silva, 1832) p.9, v.3, pp.42-43. Ademir Gebara points out that this law cannot be considered an attempt to organize the free market. Rather, it reflects attempts to organize institutional life and administration after the Independence. By contrast, the 1837 law was dictated under the pressures for extinction of the trans-Atlantic slave trade and promotion of immigration, when the labour demand was more acute. What has been argued here is that both pieces of legislation were enacted as attempts of rearranging free labour relations. See A. Gebara, The Transition from Slavery to Free Labour Market in Brazil, 1871-1888: Slave Legislation and the Organization of the Labour market Thesis, Ph.D. London School of Economics and Political Science, 1984, chapter III.

and foreign workers, when the arrangement related to a specific task or fixed term engagement. It referred to written contracts and those involving advance payments. This piece of legislation did not specify the period of the contract. There had been attempts during the discussions in the Lower House, to set a fixed term. There were suggestions of a maximum term of ten or eight years and that the contracts should be subject to annual renewal. A specified period was thought necessary to prevent contracts becoming perpetual. For the same reason there were concerns about the related issue of the transferability of the contracts. "With the right of transfer the contracted worker could be moved from one to another in perpetuity if the term was not fixed. Thus, there should be a stipulated period ...".¹⁰⁸ But these voices appear to have been ignored. In its final form the law stated that contracts could be transferred to anyone, providing that transfer did not adversely affect the conditions of contracted workers. The contractor (locatário) could not dismiss the worker (locador) if the contracted task had been fulfilled, without paying for the work done plus half the agreed price. Equally the worker could not break the arrangement without paying all advances made (deducting the value of the tasks already accomplished) plus half what he would have made discharging the whole agreement. The law provided for imprisonment (for an unspecified period) in case of non-compliance by workers.

The 1837 labour law covered only agreements with foreigners.¹⁰⁹ Like the 1830 law, it did not specify the period of the contract. Foreign adult workers could contract themselves for as many years "as they wish". The contracted worker could leave the agreement if, among other things, the contractor did not comply with stipulated conditions and if he or his family had been physically harmed by the contractor. The worker need not re-pay any debt to the contractor if he (the contractor) broke the agreement. The contractor in turn could dismiss the worker in the event of sickness, conviction or

¹⁰⁸ APB, 12 August 1830, p.374.

¹⁰⁹ "Decreto n.108 de 11 de outubro de 1837", Collecao das Leis do Imperio do Brazil (Rio de Janeiro: Typ. Nacional, 1861-1880) v. year 1837, pp.76-80.

imprisonment or any other circumstance that prevented him from performing his tasks. Workers could also be sacked for drunkenness, harm caused to the contractor or his family, damage to the plantation, or due to his inabilities to perform the tasks agreed. In event of dismissal for any of these reasons the worker had to pay off all his debts. Failing that he was to be punished with prison or sent to public works until his earnings had indemnified the planter. If there were no public works the worker would be sentenced to hard labour for two years. If the worker broke the agreement without a well-founded reason, or deserted without fulfilling the contract, he could be imprisoned and would not be freed until paying double his debts to the contractor. If he could not pay he would work for free until the contract was completed, or again be jailed.

Both pieces of legislation remained on the statute books until 1879. Cases of enforcement were reported. However, as the number and variety of arrangements increased, attempts to enforce these laws were widely criticized. Apart from the simplicity of their terms, leaving room for abuses, both lacked effective mechanisms to oblige the completion of contracts. The 1837 law, for instance, providing for labour leasing contracts (locação de serviços) was dubiously applied to sharecropping contracts, an initiative that was often censured.¹¹⁰ Stolcke and Hall have argued that the growing planter preference for a labour-leasing arrangement was a means of making use of existing legislation without anyone questioning its

¹¹⁰ See for instance, J.J. von Tschudi, "Mémoire présenté à Son Excellence monsieur le Sénateur João Lins Vieira Cansansão de Sinimbu, Ministre des Affaires Etrangères, par Monsieur J.J. von Tschudi, Envoyé Extraordinaire de la Confédération Suisse pres S.M. L'Empereur du Brésil", October 1, 1860, Brazil, Relatório Repartição dos Negócios da Agricultura, 1861, op.cit., appendix, p.8. For strong criticism of the locação de serviços legislation in Brazil see statements from representatives of foreign governments such as Paul de Turenne, "L'Immigration et la Colonisation au Brésil", in Revue Britannique t.1, (February 1879): 437-461, pp.452-453; Constantine Phipps, in his report to the British Parliament, published as Emigration to Brazil (London: Harrison and Sons, 1872); and D.A. Gomes Percheiro Portugal e Brazil (Emigração e Colonização) (Lisboa: Typ. Luso-Hespanhola, 1878) chapter V.

application.¹¹¹ Efforts were made in the mid-1850s to design a general rubric addressed this "defect" of the 1837 law. Equally, imprisonment for those evading contractual obligations stipulated by both pieces of legislation did not solve the problem of immigrants' debts, and thus did not solve the problem of the initial investment. Nor did imprisonment solve the problem of the "labour shortage". In 1859 the president of São Paulo reported on events that occurred at Luciano Teixeira Nogueira plantation in Campinas: "Having deserted, the discontented and complaining **colonos** were captured and dealt with according to the 1837 law were condemned to pay their debts to the owner from prison. However, if kept in prison they could never pay their debts, so they were transferred, as requested by the owner, to the House of Correction, from where they started with the fruits of their work to redeem their debts"(my stress).¹¹²

Evasion of contracts and a refusal to work by **colonos** could also mean less labour at harvest time, damage to the coffee bushes, fires and, even worse, collective violence. And there was no adequate mechanism to combat a collective refusal to work. In 1878, the president of São Paulo reported a revolt of Tyrolean **colonos** at Joaquim Bonifácio do Amaral's plantation.¹¹³ "The colony Salto

¹¹¹ V. Stolcke and M.M. Hall, op.cit., p.178.

¹¹² Discurso com que o Illmo.Exmo.Sr. Senador José Joaquim Fernandes Torres, Presidente da Provincia de São Paulo abriu a Assembléa Legislativa Provincial no ano de 1859 (São Paulo: Typ. de Joaquim Roberto de Azevedo Marques, 1859) p.21.

¹¹³ The colony was formed by 18 families of Tyroleans who had arrived in September 1877. They were tied by one single contract to the planter. The estate had 250,000 coffee bushes, of which 131,187 were distributed to the immigrant families. The strike began at the beginning of the harvest. According to the report of the commission, of 2 July 1878, the **colonos** were discontent with the prices of goods sold by the owner. It was reported that at the beginning the **colonos** laboured only on their subsistence plots as a way of preventing the increase of their debts. The planter then required **colonos** to work exclusively on to tasks related to coffee cultivation. The **colonos** had drawn up a list of grievances including housing, high prices and bad quality of food supplies sold in the estate store, prohibition to have cows, bad quality of subsistence plots; that they had to abandon the plots already cultivated, medical assistance and tools

Grande _ belonging to the Baron of Indaiatuba _ established in the county of Amparo, has been on strike since June". When the landowner formally complained _ the report continues _ "that the colonos were refusing to work and had stepped up their protests with hostile signs, (...) finding a pretext to abandon work and even threatening the administration of the colony", a committee was appointed to examine the grievances of the colonos and limit disruption. The results of inquiries made by the committee and by the Police Chief, "who did not spend a long time in Salto Grande", was that the colonos complaints "were unfounded and on the part of the honourable owner there had been no violation of contract".¹¹⁴ Both also concluded that the colonos had been incited, and because of advice from strangers to the colony, "created for themselves the current difficult situation, injuring their own interests, which are the same as those of the owner".¹¹⁵ Amaral had two other colonies, Sete Quedas and Saltinho, in Campinas. It was feared that the strike might spread to other estates. According to the president's report, the owner, having unsuccessfully tried discussion, brought the two strike leaders to the judicial authorities, "whom having been condemned as violators of the contracts according to the 11 October, 1837, law were sent to the Amparo jail". But, "The situation of the colony did not improve: the strike continues". (my stress).¹¹⁶ One month later, another strike on the Saltinho estate, also owned by Amaral, was reported. As a result, twelve immigrant workers were

were debited from their accounts, among others. The commission reported that the planter had stopped providing foodstuffs to force them to return to work. The planter had even made some concessions, such as raising the piecerate, but the strike continued. "Parecer da Comissão nomeada pelo Exmo. Sr. Presidente da provincia em 2 de julho de 1878, para examinar e emitir seu parecer sobre o estado da colônia denominada "Salto Grande" pertencente ao Sr.Exmo Barão de Indaiatuba". APESP, Colônias, ordem 7214, lata 3(1870-1877).

¹¹⁴ The July Committee found irregularities over the payment of interest (higher rates) on debts. Ibid.

¹¹⁵ Relatório com que o Exmo.Sr.Dr. João Baptista Pereira, Presidente da Provincia de São Paulo, passou a administração ao 2o. vice presidente Exmo. Sr. Barão de Três Rios, em dezembro de 1878 (Santos: Typ. do "Diario de Santos", 1878) p.59.

¹¹⁶ Ibid.

jailed for violations of contracts under the terms of the 1837 law.¹¹⁷ By this time, planters were gathered for the Agricultural Congress in Rio de Janeiro, and the situation of labour unrest, much publicised, enhanced their concerns.

If workers collectively refused to work there was no legal mechanism to force them to do so, other than to arraign each separately. In fact, in such cases planters opted many times for more effective expedients such as force. Police troops were usually called in. However, a legal mechanism would give more legitimacy to the deed in case of protests to consular representatives by foreign workers.

When, from the 1860s, the temporary disenchantment with European immigrants led planters to consider domestic labour the lack of effective legal mechanisms to force and enforce contractual agreements or specific obligations became even more evident. The short-comings of the 1830 labour law and the need to design a more up-to-date legal framework for Brazilian workers were already observed. This piece of legislation was not suited to the complex, intricate structure of relations that had been forged between planters and workers. The experience of the Baron of Porto Feliz as reported in "O Direito" in 1874 is a case to point. According to the journal account, in 1872 when the Baron requested one month's punishment for a Brazilian *colono* who had evaded his contractual obligations to weed and replant, the Justice of the Peace (*Juiz de Paz*) of Rio Claro stated that: "...the contract at issue, cannot be regulated by the 13 September, 1830, law for the contract did not stipulate the amount to be paid to the person contracted for the completion of the contract". Therefore, the question was beyond his competence. The case was then sent to the Judge (*Juiz de Direito*), who did not approve the application of 1830 law, because the contract had been amended with fees and fines. However, in an

¹¹⁷ The immigrant workers refused to accept the new clauses inserted in their contracts. They complained that the planter had also violated the contract and that they had for eight months been assigned tasks that were not included in the contracts. APESP, Colônias, *ordem* 7214, *lata* 3 (1870-1877).

earlier appeal by the Baron in 1871, against the same colono, under the same contract conditions, the colono was condemned under the terms of 1830 law to "eight days of corrective imprisonment, and to return to complete the contract". The colono was also condemned to pay costs.¹¹⁸

From the 1870s, planters viewed legal provisions regulating labour contracts as even more precarious. Still anxious about the labour supply, planters and policy makers frequently complained about the inadequacy of existing contract law, especially in areas relating to costs, discipline and control and a lack of effective mechanisms to guarantee a return of their outlay. How could legislation that did not guarantee the fulfilment of contractual obligations, did not answer the circumstances of increasingly frequent strikes, nor the recovering of the initial investments, and which could not be enforced without frequent dispute be adequate? As will be shown (section 4.4.1), the situation appeared to be even worse when Brazilian workers, rather than foreigners, were involved. Efforts to compel the domestic labour force to enter contractual agreements had become more important with the sanction of the Free Birth Law, in 1871, which initiated the gradual abolition of slavery. This law freed the children born to slave mother (*ingênuos*) and establish mechanisms to facilitate the freeing of remaining slaves. Those freed by this law were obliged to assume a contract for a certain period of time. But what about afterwards? New provisions were required to cover these new categories of labour and to guarantee the labour of former slaves. Mass desertions from plantations and vagrancy were anticipated and would have to be countered. There had been some suggestions to extend the 1837 labour law to Brazilians (a term that now included *ingênuos*, and those supposedly freed by the law) as well as vagrants. In 1872 a report sent to the president of São Paulo observed: "The current

¹¹⁸ O Direito (Revista de Legislação, Doutrina e Jurisprudência). Ano II, 1874, v.3, pp.93-94. In 1875 the colonies of Baron of Porto Feliz, Cafeeiral, Boa Vista and Cascalho, had 76 families, including 23 Portuguese, 23 German and 30 Brazilians, see Brazil, Relatório do Ministerio da Agricultura, Commercio e Obras Publicas, 1875 (Rio de Janeiro: Typ. Americana, 1875) pp.286-287.

legislation is completely ineffective against vagrancy. The vagrant can only be forced to sign a pledge of good behaviour, on pain of prison for a few days if he break it (...) If the vagrant should sign an undertaking to find work, within a certain period, and should this expire without his being able to show he is employed in honest work, he could be compelled, in the presence of the authorities, to sign a contract hiring out his services with the claimant who offers most advantages (...) Once signed up, the vagrant would be subject to the 1837 law, which should be extended to *nacionais*, and they would be accustomed to work".¹¹⁹

In the end, given the weakness of existing legislation, the best solution was the formulation of another law. There had been enough criticisms from planters and foreign authorities, although for different reasons, against the existing framework. A new measure was then approved in March 15, 1879. It laid down conditions for agreements made exclusively in agriculture. Clearly more complex than its predecessors, the act comprised 86 articles divided into 7 chapters. It set down conditions i) of different forms of engagement: shared cattle-raising, sharecropping and hired labour (*empreitada*); ii) contracts signed by Brazilians, immigrants and freedmen. Maximum lengths of contract were stipulated for each category: 5 years for European immigrants; 6 for Brazilians; and 7 years for freedmen; iii) penal and legal matters. The act prohibited the transfer of contracts without the permission of the contracted party, the payment of interest on debts, and reduced debt incurred through travel and setting up expenses by half. Immigrant contracts could be redeemed in the first month after arrival, once all the advances had been paid. The reasons for which the contracted worker could be dismissed were the same as those included in the 1837 law, with the addition of insubordination. New grounds were included in case of the contracted worker wished to leave the agreement: marriage in another area, if the contractor forbade him to buy goods

¹¹⁹ "Relatório da Repartição da Polícia da Província de São Paulo", in Relatório apresentado a Assembleia Legislativa Provincial de São Paulo pelo Presidente da Província Ill.Excmo. Sr.Dr. José Fernandes da Costa Pereira Júnior, em 2 de fevereiro de 1872 (São Paulo: Americana, 1872) Appendix, p.24.

from third parties, and if the contractor constrained the contracted worker to sell his produce only to him (the contractor). The decree provided for imprisonment from 5 to 20 days for those who left the estate without good cause, or who refused to work. Collective resistance to work would be tried in one single court case, making the decree the first anti-strike legislation in Brazil.¹²⁰

Some of these provisions were an evident attempt to reduce conflicts with immigrant workers and to promote further European immigration at a time of acute scarcity in the southern coffee provinces. The law addressed earlier problems which had provoked controversy such as interest rates, debts, transfer, marriage outside the area, and so on. It provided planters with a more efficient framework to obtaining a regular, stable supply of labour and to ensure levels of profit, plantation discipline and an adequate return on the initial investments tied up in immigrant labour contracts. But the law also attempted to embrace all labour relations in agriculture. Coupled with the gradual abolition^{of} slavery in^{the} 1871 law, and the simultaneous approval of plans to import Asians, the 1879 provisions envisaged a very distinct mode of transition to free labour, by forcing the various categories of workers to enter long-term labour contracts.

Nevertheless, the 1880s witnessed unforeseen developments. The 1879 labour law — which envisaged a system of contract labour embracing Europeans, domestic labour, freedmen and poor Brazilians, and Chinese contract workers — would never be effectively enforced and was revoked in 1890.¹²¹ As it will be shown the project was abandoned with the arrival of thousands of immigrants, who, entering into the country in family groups, were seen as cheaper and more productive.

¹²⁰ Decreto 2827, March 15, 1879, Collecção das Leis do Imperio do Brazil, 1879 (Rio de Janeiro: Typ. Nacional, 1861-1880) v.1879, pp.11-20; on the law see M.L. Lamounier, op.cit., chap.3 and 4.

¹²¹ Decreto n.213 de 22 de fevereiro de 1890, Decisões do Governo Provisório; also reproduced in O Direito (Revista de Legislação, Doutrina e Jurisprudência) XVIII, 1890, v.51.

4.4. Brazilians under contracts and Chinese contract workers

By the end of ^{the} 1850s, some Paulista coffee planters, disenchanted with the failure of European sharecroppers, temporarily returned to slave labour. The practice of buying slaves from the decaying northeastern sugar plantations that started soon after the abolition of the trans-Atlantic slave trade intensified over the next decades. Others, while still attempting to promote the immigration of European workers, were also looking for alternative solutions to the problem of labour supply. Recruitment from among the domestic free labour force and importing Chinese contract workers were the main schemes proposed.

Efforts to stimulate imports of Chinese workers and to encourage Brazilian workers developed apace during the 1860s and 1870s. The perceived failure of the sharecropping system and problems arising from contracts made some planters unwilling to engage additional European workers. However, they did not totally reject the idea of contract labour. On the contrary, as a result of the experiments with sharecropping, implementing contracts seemed to be a process of "experience" and "adjustment". It required a flexibility that included changes in individual contracts conditions or in the system as a whole or a search for alternative supplies of workers. At issue was the search for a worker inclined to accept the discipline of plantation life while guaranteeing stability, order and the recovery of the expenses of recruitment. Hence, further projects continued to stress the importance of contracts as a means of shaping working arrangements and labour regulations. This was an important phase in the process of transition and the establishment of a new code of labour practices.

4.4.1. Brazilians under contract

In contrast to Cuba, Brazilian planters and policy-makers repeatedly suggested the use of local free white and coloured labourers as an alternative to, or supplement for, slaves. Scholars have failed to

explore this subject adequately.¹²² Whether by natural reproduction, immigration or manumission, Brazil, like Cuba, had a growing free population. In most provinces of Brazil, the number of free people outnumbered slaves since the early nineteenth century. In São Paulo, despite the great increase in the slave population triggered by the expansion of coffee production, slaves constituted no more than one third of the total population. Even in the heart of the coffee region, the free population was in a majority.¹²³ Brazilians appeared to be a great potential resource if a way to "compel" them to work on plantations could be found.

References to the employment of Brazilian free workers, white and coloured, in the export sector were frequent in the nineteenth century. It is apparent that they participated in various activities. Smallholders usually constituted a part-time labour

¹²² Very little research has been done on the participation of Brazilian workers in the plantation sector. The lack of studies on the subject is observed by Peter L. Eisenberg in his article "O homem esquecido: o trabalhador livre nacional no século XIX, sugestões para uma pesquisa" in Homens Esquecidos. Escravos e Trabalhadores Livres no Brasil, séculos XVIII e XIX. (Campinas: Editora da UNICAMP, 1989) pp. 223-244. Also as Warren Dean, Rio Claro, op.cit., p.118, observes "The Brazilian workers, much less visible than the Europeans, were passed over in government reports because they presented no diplomatic difficulties, nor did they present the problem of credit for an initial transport indebtedness".

¹²³ Peter L. Eisenberg, "O homem esquecido: o trabalhador livre nacional no século XIX: sugestões para uma pesquisa", op.cit., pp.224-225. The free coloured in São Paulo corresponded to about 28% of total free population by mid-1830s and about 32% in 1872. H.S. Klein, "Nineteenth-Century Brazil" in David W. Cohen & Jack P. Greene (ed.), Neither Slave nor Free. The freedmen of African Descent in the Slave Societies of the New World, (Baltimore and London: The Johns Hopkins University Press, 1972) pp.309-334, table 10, p.314. According to Klein, the free coloured population grew vigorously even in the new coffee regions of São Paulo and Rio de Janeiro. Nationally, the Brazilian free coloured population within the total coloured population is estimated to have been about 40% and 60%. As Klein observes this figure is unusually high, particularly if contrasted with the Cuban and United States, where the proportions were about 36% and 11% respectively. Natural reproduction as well as a steady process of emancipation might explain the rapid expansion of free coloureds in Brazil.

force for coffee estates. As proprietors, entitled to vote, they formed the electoral following of the planter oligarchy. As planters occupied most of the political posts, smallholders were in many ways dependents within the plantation system. They only survived through favours from the planter oligarchy, usually exchanged for their vote and occasional employment. In addition, planters often admitted to their estates a certain number of landless farm labourers. Like the smallholders, the "tenants" (*agregados*) were allowed access to marginal lands in exchange for occasional labour. Independent workers, hired to perform a given task for a daily wage (*camaradas*), were also common on coffee estates. They were recruited as a private police force, administrators, or foremen. In addition, they were employed on other tasks, such as clearing forests, road-building and carting. Usually they assisted at harvest time and grew subsistence crops for the plantation.¹²⁴ Although not fully available for regular work, these groups constituted a potential source of occasional labour for the plantations.

It is difficult to estimate the number of free Brazilian workers employed on Paulista coffee plantations. But the numbers of those employed under a wide range of arrangements must have been considerable and clearly increased with the expansion of coffee production. In the county of Rio Claro, for example, there were 10 tenants and labourers in 1822 and 372 in 1857. In 1822 they constituted 27.7% of the total of rural households; in 1857, 45.4%.¹²⁵ Warren Dean noted that by 1857 the appearance of minifundia, strongly implied that many smallholders were being marginalized: they ceased to be suppliers of commodities and became instead part-time suppliers of labour.¹²⁶

Beyond the increase in numbers, it is interesting to note that

¹²⁴ Warren Dean, *op.cit.*, pp.19-20; E.V. da Costa, *Da Senzala a Colônia*, *op.cit.*, p.13. M.S. de Carvalho Franco, *Homens livres na ordem escravocrata*, 2nd.ed. (São Paulo: Atica, 1976) discuss aspects of these relations.

¹²⁵ W. Dean, *Rio Claro*, *op.cit.*, p.18.

¹²⁶ W. Dean, *Rio Claro*, *op.cit.*, pp.18-19.

after the mid-century there was a growing tendency for Brazilian workers to establish their relationship with the plantation system on a more stable and fixed basis by means of contracts. Experiments with sharecropping and contracts, while designed mainly for immigrant workers clearly influenced these developments. As observed by the Paulista Senator Floriano Godoy, one of the main results produced by "private colonization" in São Paulo was "to call Brazilian families to agricultural labour, subjecting them to the system of the colonies".¹²⁷

Although *agregados* who achieved a certain security of tenure could be reliably depended upon to provide plantation labour and serve as a private security force, this was not the case with the *camaradas*. *Camaradas*, a transient element among the free population, deprived of land and the protection granted to smallholders and *agregados*, were free to leave the plantation. Of course, without the protection of a powerful planter, they could be seized and arrested as vagrants. But there was also new land and the prospect of employment elsewhere. Thus it was fairly easy for them to abandon the plantation — a tendency perceived by planters as indicating laziness and improvidence. The insecure circumstances of these labourers made them even more liable to exploitation. For some planters, contracts would be a way of securing discipline and ensuring a steady source of labour. For others, contracts also served to draw free labourers into a distinct form of labour relationship, to teach them the ethics of discipline and regular waged work. This tendency became more pronounced with the final abolition of the trans-Atlantic slave trade and the first experiments with sharecropping contracts and immigrant workers. However, it was from the 1860s, after a temporary disenchantment with immigrant workers, that there were systematic attempts to subject Brazilians (whites, coloureds, free and freedmen) to long-term, detailed labour contracts.

¹²⁷ J.F. de Godoy, A Província de São Paulo. Trabalho Estatístico, Histórico e Noticioso, 2nd ed.(São Paulo: Governo do Estado, 1978) p.133.

Scattered evidence points to the number and type of arrangements made with free Brazilians by coffee *fazendeiros* in the 1850s. In 1853 the colony on Morro Grande estate employed 23 Portuguese and 17 Brazilians. In 1857 the colony had 24 Portuguese and 43 Brazilians. Contrasting the problems with immigrant workers, the owner João Ribeiro dos Santos reported in 1859: "The Brazilian families or single individuals that form part of the colony are subject to the same sharecropping system as immigrants and as their debt is smaller, they repay it more easily and increase their savings".¹²⁸ In 1855, the Souza Queiróz colonies had 87 Brazilians and by 1857 there were 305 Brazilians out of a total of 625 *colonos*. Souza Queiróz adopted both sharecropping and labour-leasing contracts.¹²⁹ In 1856 the Benedito Antônio de Camargo's colony Boa Vista in Rio Claro included 42 Brazilians in a total of 228 *colonos*. At Boa Vista colony Camargo had begun mainly with Portuguese immigrants, but in 1857 started to engage Brazilian families, providing them with subsistence plots on condition that they tend and harvest coffee bushes.¹³⁰ According to a 1854 report to the president of the province, there were 2,618 coffee plantations in São Paulo province with 55,834 slaves, 2,159 *colonos* and 4,223 *agregados*. (By contrast, on 667 sugar plantations there were 15,641 slaves, 10 *colonos* and 698 *agregados*.)¹³¹ The Swiss representative Tschudi, in 1860, encountered Brazilian colonists among sharecroppers in some coffee plantations, for instance in the Laranjal estate, owned by Luciano

¹²⁸ APESP, Colônias, ordem 7213, caixa 1 (1827-1858), pasta Piracicaba.

¹²⁹ Ibid.

¹³⁰ APESP, Colônias, ordem 7213, caixa 1, pasta Limeira.

¹³¹ "Quadro estatístico de alguns estabelecimentos ruraes da provincia de São Paulo, organizado pelo Brigadeiro José Joaquim Machado de Oliveira" in Discurso com que o Sr. Dr. José Antonio Saraiva, presidente da provincia de São Paulo, abriu a Assembléa Legislativa da Provincia de São Paulo, no dia 15 de fevereiro de 1855; A.E. Taunay, op.cit., v.III, t.I, p.134. In one of the major coffee districts, Rio Claro, in 1872 about 1,700 free persons were employees or tenants on plantations and small farms, compared to 2,753 slaves. In 1876, 45 plantations in Rio Claro employed some free as well as slave labour and there were 22 other plantations with no free hands, W. Dean, Rio Claro, op.cit., p.122.

Teixeira Nogueira.¹³² At the end of the 1870s in the Barão de Souza Queiróz's coffee plantations São Jerônimo and Cresciúmal there were 688 free workers, including 339 Brazilians; in Queiróz's Santa Bárbara colony of 304 free workers, 250 were Brazilians.¹³³

As already stated, the advantages of the *colonização pátria* started to be highlighted after unsuccessful attempts to introduce European immigrant workers. The president of São Paulo, in his 1859 report, suggested that free Brazilians were the best solution to the labour problem and asked for support to promote local recruitment.¹³⁴ For much of the nineteenth century, official statements contained only negative references to Brazilian workers. They were usually depicted as indolent, lazy or work shy. But during the 1860s and the 1870s the tone of the official documents changed. In São Paulo, officials now supported the promotion of free Brazilian labour which was increasingly presented as the best alternative to slavery. Brazilians were viewed as at hand and as an immediate solution to an urgent problem. Immigration projects were not set aside but were seen as a long-term solution.

Opinions diverged on the best form of labour recruitment. However, coercion was present in most. For instance, in 1860 the Exchequer official Ferreira Soares in his Notas Estatísticas enquired about the possibility of compelling Brazilians to hire

¹³² J.J. von Tschudi, op.cit., p.159 and p.186.

¹³³ Brazil, Relatório do Ministerio da Agricultura, Commercio e Obras Públicas (Rio de Janeiro: Typ. Americana, 1879) pp.74-75. By the end of the 1870s, numerous lists of *retirantes* (northeastern free poor people forced off the land by the drought) were sent to the Colonizing Agent in São Paulo, to be directed to various estates in the province, see Solicitações de passagens ao Sr. Joaquim José do Rego Rangel, 1878, APESP, ordem 7215, lata 3.

¹³⁴ Discurso com que o Ilmo.Excmo.Sr. Senador José Joaquim Fernandes Torres, presidente da provincia de São Paulo abriu a Assembléa Legislativa Provincial, 1859 (São Paulo: Typ. Joaquim de Azevedo Marques, 1859) p.19. This suggestion was repeated in his 1860 report, Discurso com que o Ilmo.Excmo.Sr. Senador José Joaquim Fernandes Torres abriu a Assembléa Legislativa Provincial de São Paulo, 1860 (São Paulo: Typ. Joaquim Roberto de Azevedo Marques, 1860) p.14.

themselves out as field labourers even "against their will". He pointed out that "it is an accepted principal that no well-organized state can countersense having ill employed citizens... Each individual should contribute his (or her) share for the well-being of the society to which he or she belongs. This is why houses of corrections are built and the colonies I propose are in fact houses of correction where agricultural work is learnt".¹³⁵

In May, 1866, a draft-law to regulate and encourage the employment of free Brazilians was submitted to the Lower House of Parliament by Barros Barreto, a deputy from the province of Ceará. Barros Barreto saw Brazilians as the best solution to meet the urgent demand for labourers. However, as he pointed out, to make them available there should be changes in legislation. There was a need for legislation to "incentive" Brazilians to the work and to ensure that they cohered into a "stable" labour force.¹³⁶ His proposal included exemption from military service for all those employed in the cultivation of the main export staples, that is, coffee, cotton and sugar.¹³⁷ Although this was not a new suggestion, it appeared more attractive since at that time Brazil was fighting a war against Paraguay (1865-1870). Incentives to work by offering exemption from conscription appeared later in various other proposals. However, it would always produce a great amount of criticism for the abuses it might open up. And when "incentives" were not easily found, coercion was the alternative. The mid-1870s proposal of Domingos Jaguaribe, a planter in Rio Claro, attempted to force all "Brazilian labourers and freedmen" into an "agricultural

¹³⁵ S.F. Soares, Notas Estatísticas sobre a Produção Agrícola e Carestia dos Gêneros Alimentícios no Império do Brasil, reprint. (Rio de Janeiro: IPEA/INPES, 1977) p.355.

¹³⁶ APB, session 14 May 1866, pp.72-73. Barros Barreto sent the same draft to Nabuco de Araújo pointing out that he wanted it to be discussed very soon, Carta do Deputado Inacio de Barros Barreto ao Conselheiro Nabuco de Araújo remetendo (inclusive) um anteprojeto seu sobre locação de serviços, Paço da Câmara, 1 May 1866, IHGB, Manuscritos, Col. Senador Nabuco, lata 362, pasta 49.

¹³⁷ The first debate took place on the 7th of June, 1866; see APB, session 7 June 1866, pp.40-41 and same session in appendix, pp.282-284.

militia", to be used when and wherever necessary.¹³⁸

More common would be suggestions to compel Brazilian free labourers to sign contracts for a certain number of years. Several projects intended to regulate the so-called **locação de serviços** embodied ways of "encouraging" Brazilians to engage in contracts, and outline conditions for those contracts. When under pressure by an urgent demand for labour or confronted with an act of indiscipline (such as desertion, strikes or rebellions) Brazilian planters and policy makers invariably called for a "**uma boa lei de locação de serviços**". A desperate call for more coercive measures to ensure a stable, disciplined and cheap labour force _ and in the case of immigrant workers to facilitate the recovery of plantation owners' investments _ it was considered a panacea for the evils.

By the end of the 1860s, the gradual change embodied in, and symbolized by, the 1871 Law coupled with the certainty of the end of slavery made the use of Brazilian free workers increasingly appealing if not essential. The Free Birth Law (1871) while freeing the newborn, subsequently called **ingênuos**, also liberated other slaves (**libertos**). Planters were guaranteed the labour of the free-born until they reach the age of 21. This was a form of repayment to compensate planters for the costs of maintaining the free-born children of slave mothers. **Libertos** freed under the law were compelled to sign a seven-year contract with their former masters.¹³⁹ From this time, changes in the pattern of manumission might have also changed labour relations. The Free Birth Law highlighted the need for more precise legislation to regulate labour arrangements with "Brazilian labourers", a term that from this time onwards would also include former slaves. Of course, the immediate

¹³⁸ D. Jaguaribe, Algumas palavras sobre a emigração. Meios práticos de colonisar. Colônias do Barão de Porto Feliz e Estatística do Brasil (São Paulo: Typ. do "Diário", 1877) p.15.

¹³⁹ Law 2.040, September 28, 1871, Colleção das Leis do Imperio do Brasil, 1871, (Rio de Janeiro: Typ. Nacional, 1861-1880) year of 1871; "The Rio Branco Law" is reproduced in R. Conrad, The Destruction of Brazilian Slavery, op.cit., Appendix II, pp.304-309 and A. Gebara, op.cit., Appendix I.

concern was over the future labour of the *ingênuos* and others freed by the 1871 Law. However, the legislation was to apply to other Brazilian labourers as well.

During these years, the late 1860s and the 1870s, most efforts to formulate adequate *locação de serviços* legislation was aimed especially at Brazilian workers. When hopes of promoting European immigration again arose, they too would be covered by these attempts to devise an integrated, national labour code. The object was to formulate a tight legal framework that covered all kinds of arrangements and all types of labourers.

In 1867, during the early debates on the Free Birth Law, Aureliano Cândido Tavares Bastos submitted to the Lower House a project for labour regulations embracing *locação de serviços* and sharecropping schemes and contracts agreed with Brazilians (including *ingênuos*, freedmen, and slaves) and foreigners.¹⁴⁰ The inclusion of freedmen and *ingênuos* was a new element. One of the main concerns was clearly to resolve problems that might arise following the approval of a Free Birth Law and the gradual emancipation of slaves. Emancipation and vagrancy were phenomena that politicians and planters had always linked. It was necessary to find mechanisms to guarantee "free" labour arrangements with recently freed slaves. Tavares Bastos' proposal was an attempt in this direction.

Two years later, in 1869, another draft was submitted to the Lower House of Parliament, providing for the *locação de serviços* specifically for native Brazilians. In the first article the draft provided for the punishment of 5 to 20 days imprisonment for contracted workers (*locador*) who did not fulfil contractual obligations. This punishment could be imposed as many times as there were infractions by the worker. Exemption from Army recruitment was also suggested as a way of encouraging Brazilians to engage in

¹⁴⁰ APB, session 19 July 1867, pp.285-286.

contracts.¹⁴¹ But the main intention was to guarantee to planters the fulfilment of contracts.¹⁴² At the time it was suggested that planters did not employ Brazilians because they did not have confidence in Brazilian labour. "They know that if they make labour arrangement with a worker they can not count on his labour for a guaranteed term. Even with agreed arrangements, the worker, from one moment to the next abandon the work leaving the proprietor without any means of carrying on with the tasks".¹⁴³ The planters, it was observed, had the means to guarantee the payment of agreed salaries. But that was not the case of the workers, who had no means of guaranteeing their contractual obligations, other than "guaranteeing ~~it~~ ^{it} with his person".¹⁴⁴ According to the project law, the exemption from military recruitment would encourage many people "who at present wander with no honest occupation, disposed to commit crimes", to transform themselves into useful and productive citizens".¹⁴⁵ The project was criticized as "vexatious and repressive", for it compelled the poor among the free population to work for nothing. Someone recalled that with the end of military recruitment (an allusion to the end of ^{the}Paraguay War) it might be that the government intended to "capture the free so as, more easily, to free the captives" ("cativar os livres para poder melhor libertar os cativos").¹⁴⁶ However, the project was approved (with the exception of articles on recruitment) and sent to the Senate.

¹⁴¹ The draft-law was signed by the members of parliament T. Alencar Araripe, M.J. Mendonça de Castello-Branco and M.C. Araújo Lima, APB, session 7 August 1869, p.36. The nearly ten year debate of this project would result later in the approval of the 1879 **locação de serviços** law. Submitted in 1869 it was re-considered for debate (Project n.93) in August 1874 and with several amendments rapidly approved at first, second and third discussions and in 1875 was sent to the Senate.

¹⁴² "... when contracting their services planters will be sure of carrying on their plantations and harvesting their crops", draft-law, APB, session 7 August 1869, p.36.

¹⁴³ APB, session 20 August 1875, p.138.

¹⁴⁴ APB, session 20 August 1875, p.140.

¹⁴⁵ APB, session 20 August 1875, p.138.

¹⁴⁶ APB, session 20 August 1875, p.136.

But when it returned for debates there were new developments to be considered and, as will be seen, there was another draft more suitable to new circumstances.

The connections between *locação de serviços* and gradual emancipation became more evident during debates taking place in the Council of State and the Lower House of Parliament. Among several "cautious measures" suggested as necessary to effect gradual emancipation, *locação de serviços* was often cited as an efficient mechanism. In 1867, Nabuco de Araújo, a very influential policy maker and jurist, discussing projects for Free Birth and gradual emancipation in the Council of State, commented on provisions required to "oblige freedmen to engage their services for a specified term to his former owner or any other master of his choice, on penalty of being seized as a vagabond (...) Vagabonds and vagrants should not be imprisoned for that is what they want; they should be sentenced to labour in disciplinary establishments and colonies". To accomplish that _ Nabuco pointed out _ there should be reform of *locação de serviços* legislation to adapt it to needs of "colonization" and to the "consequences of emancipation".¹⁴⁷ Nabuco de Araújo later produced the draft Free Birth Law and gradual emancipation proposal for the Council of State. With only a few changes Nabuco's draft was approved as the Free Birth Law in 1871. Provisions to enforce freed slaves to engage in labour contracts were framed and incorporated in the law. But Nabuco's role in the formulation of that policy did not end there. After the approval of the Free Birth Law in 1871 he struggled to devise a legal framework regarding *locação de serviços* to complete the task already started.¹⁴⁸

¹⁴⁷ J. Nabuco, Um Estadista do Império 5th ed. (Rio de Janeiro: Nova Aguilar, 1975) p.620; and M.L. Lamounier, op.cit., p.86.

¹⁴⁸ Notas, pareceres, decretos, notícias e discursos compilados em volume encadernado pelo Conselheiro Nabuco de Araújo, acerca da locação de serviços. IHGB, Manuscritos, Col. Senador Nabuco, lata 387, cad. 05.

By this time, Brazilian workers seemed even more to be the hope of resolving the labour problem. In 1875 the committee appointed by the Lower House of Parliament to determine means of helping agriculture, suggested that **nacionais** were the salvation of sugar and coffee plantations. In the committee's view, the government should provide both "serious and effective protection" to planters who settled Brazilians on their estates and limit the mobility of Brazilian workers. The committee believed that governed by "**uma boa lei de locação de serviços**" "this seed of labour, rooting itself in the soil is bound to develop in great numbers, constituting the best and cheapest forms of field labourers".¹⁴⁹ The committee included the Viscount of Rio Branco, the future leader of the reform and after whom the Free Birth law was named. Another member was Cardoso de Menezes whose proposals on **locação de serviços** would be very important for Nabuco de Araujo at that time again attempting to draft another proposal for **locação de serviços**.¹⁵⁰

Concurrently, in September 1875, the São Paulo senator Joaquim Floriano Godoy submitted his proposal on **locação de serviços** to the Senate. It dealt with agricultural labour contracts involving Brazilian and foreign workers. In 45 articles Godoy's extensive project stipulated contract details such as the nature of the tasks to be performed, the method of payment, the duration of contracts, advances, and guarantees and legal procedures in case of non-fulfilment. Some clauses were clearly an inducement to Brazilian workers. For instance, workers contracted for more than two years were exempted from recruitment in the armed forces. Workers who

¹⁴⁹ Melioramento da Lavoura, APB, session 20 July 1875, p.129.

¹⁵⁰ The project of law on **locação de serviços** submitted to the Ministry of Agriculture in 1875 by J.C. de Menezes Souza stipulated that hiring of services and sharecropping contracts agreed with Brazilians, freedmen, slave hired with the permission of the owner, or immigrants, was to be regulated by the 1837 labour law.; contracts could be agreed for a period up to one year, and violations and evasion of contracts should be punished from two to six months imprisonment. J.C. de Menezes Souza. Theses sobre a Colonização de Brazil (Rio de Janeiro: Typ. Nacional, 1875) appendix B.

abandoned the agreement for no good reason before the specified term, were to "work for free for the contractor for the remaining time" to complete the specified term. Those contracted could be redeemed by the contract by cash payment of the outstanding time. Failing to do so or for absence from the estate without permission was an imprisonable offence — ten days for a first offence and thirty days for the second, and sixty days for each subsequent infraction.¹⁵¹ Godoy believed that one of the best results of the 1850s experiments with immigrant colonies in São Paulo was the incentive it gave to Brazilian families to engage in similar arrangements. In 1887, on the eve of the abolition of slavery, Godoy was still suggesting that "Brazilian workers were so numerous that they could for a long time fill the gap opened by emancipation" and insisted that he had "complete reliance on Brazilian workers" who, in his view, had a "mission" to replace slave labour.¹⁵²

During the Agricultural Congress (**Congresso Agrícola**) held in Rio de Janeiro in 1878, to inquire into how to solve the labour problem, southern planters gave a wide range of suggestions. Opinions varied from the creation of rural militia, the coercion of free Brazilians to enter contracts reinforced by rigorous legislation, the use of contracted Asians to free European immigrants. The proposal of São Paulo planters clearly favoured the promotion of European immigration. It opposed Asian contracted workers and viewed the Brazilian worker as "indolent" and resistant to "regular labour".¹⁵³ But during the debates, several Paulista planters suggested Brazilians and argued for mechanisms to encourage them to undertake regular work. To the Queluz planter Manoel de Freitas Novaes, for example, Brazilians were the best of workers. He proudly

¹⁵¹ Projeto de lei sobre contratos de locação de serviços com aplicação á lavoura, Anais do Senado, session 20 September 1875, pp.280-283.

¹⁵² P.L. Eisenberg, "O homem esquecido: o trabalhador livre nacional no século XIX. Sugestões para uma pesquisa", op.cit., p.230.

¹⁵³ Comissão nomeada pelos lavradores de São Paulo, Congresso Agrícola, op.cit., p.72.

reported to have had for almost 28 years a colony with Brazilian workers, that started with 4 families (without contracts) and now had over 500 workers, some sons and grandsons of the early families. His workers were subjected to a variety of arrangements: sharecroppers who were usually paid on the harvest day; others delivered coffee already processed, and still others were day labourers, paid by day or task.¹⁵⁴ He also believed Brazilians were better than foreigners: "Caboclo is better than foreigner because he goes into the interior and clears the virgin forest; whereas a foreigner sets foot in the forest and he is incapacitated by insects".¹⁵⁵ The São Carlos do Pinhal planter, Francisco Geronymo Bittencourt Coelho, also reported that most of his workers were Brazilians.¹⁵⁶ Domingos Jaguaribe, a planter from Rio Claro, expressing the views of members of the Rio Claro planters association (**Club de Lavoura**), advocated Brazilian workers. He strongly rejected proposals to import Chinese contract workers. In fact Jaguaribe said he was opposed to any immigrant contract worker. The best choice in his view was spontaneous European immigration. However, as this might take long time to happen, the solution for the urgent labour problem was the creation of "agricultural militia" from the poor Brazilians dispersed throughout the country: "Let's us make use of native labour, exempting them from conscription and regimenting them in an agricultural militia, without pressures on the poor, but making agricultural services obligations in the areas where they live (...)." ¹⁵⁷ According to planter Rodrigo Lobato Marcondes Machado of Taubaté, there should be incentives to Brazilians to engage in contracts. He proposed exemption from recruitment in the armed forces and an end to political dependence (**clientelismo**). To address the latter he suggested the disenfranchisement of workers subject to labour contracts.¹⁵⁸ For

¹⁵⁴ Congresso Agrícola, op.cit., p.139.

¹⁵⁵ Congresso Agrícola, op.cit., p.160.

¹⁵⁶ Congresso Agrícola, op.cit., p.168.

¹⁵⁷ Congresso Agrícola, op.cit., p.160.

¹⁵⁸ Congresso Agrícola, op.cit., p.195.

many Paulista planters there was no scarcity of labour. In the opinion of F. José de Queiroz if "bem empregados" there was no scarcity of labour. That was also the opinion of Moreira de Barros, a Taubaté planter, and a member of the Commission of São Paulo planters. He went on to observe that the number of labourers was even enough to meet future increases in coffee production. The issue was how to mobilize this potential labour force.¹⁵⁹ Although perceived by many as a viable alternative to immigration and slavery, the employment of Brazilian workers seemed to demand complex reforms, all of which were very controversial and of uncertain political and economic costs. There was strong opposition to exemption from military service and little faith in legislation against vagrancy.

A few months after the Rio Agricultural Congress, the new legislation, the 1879 *locação de serviços* law, was formally approved. Nabuco had completed his draft and discussions in the Senate had already taken place. Its provisions were restricted to labour contracts in the agricultural sector. In an extensive text it covered Brazilians, freed slaves and foreigners contracted under various arrangements. "It is virtually a Rural Code"! Nabuco died before seeing his project fully approved in 1879, almost without changes. Approval of the 1879 law on *locação de serviços* was the culmination of efforts set in motion by the process of gradual emancipation.¹⁶⁰

The 1879 law, relating strictly to free labour, was manifestly envisaged as an answer to potential adverse consequences of gradual emancipation. By that time, slave rebellions and strikes by immigrant workers had shocked plantation owners. The 1879 labour law was an attempt to encourage various categories of workers to enter into contractual agreements and established conditions for each category. For instance, the length of contracts: 3 years for

¹⁵⁹ Congresso Agrícola, op.cit., p.40 and pp.186-187.

¹⁶⁰ For the parliamentary debates and final approval of the 1879 law, see M.L. Lamounier, op.cit., chapter II.

European immigrants; 5 for Brazilians; and 7 years for freedmen. It provided severe punishments (prison and forced labour) for those breaking contracts or participating in collective strike action. This was the first anti-strike legislation in Brazil.¹⁶¹ Parallel provisions against vagrancy and strict control over movement of freedmen were discussed.¹⁶²

Although the law was an answer to problems that had been affecting the country as whole, it tried to answer problems specific of province of São Paulo. Nabuco himself when introducing his draft law to the Senate made it clear that he had consulted many reports on labour problems in the province of São Paulo. (He referred specifically to the Cardoso de Menezes report, but had also consulted Joaquim Floriano Godoy's draft, and took ideas from it). Nabuco also knew that the bad reputation in Europe of previous legislation on the issue had been an obstacle to the promotion of immigration. And of course the views of São Paulo planters were already widely known in favour of general regulations relating to immigrant contracts. Experiences with immigrant workers had been difficult and raised the spectre of strikes and rebellions. In contrast to ^{the} north, southern provinces had a great number of slaves engaged in coffee production. The gradual emancipation and the certainty of final abolition, enhanced fears about security and labour shortage. The complementary provisions of both pieces of legislation, Free Birth and 1879 *locação de serviços*, finally charted a way of easing the process of abolition and the transition to "free" labour. The strategy had another compounded element — attempts to import Chinese contract workers.

¹⁶¹ Decreto 2827, March 15, 1879, Collecção das Leis do Imperio do Brazil, 1879, Rio de Janeiro: Typ. Nacional, 1861-1880, v.1879, (p.11-20).

¹⁶² Project n.241, 1882, APB, September 19, 1882, pp.45-46, for instance.

4.4.2. Efforts to import Chinese contract workers

Despite numerous proposals _ following the example of experiments in the British colonies, United States, Cuba and Peru _ Chinese workers would be imported into Brazil but not in large numbers. Conrad gives the following data:

Table T.1: Chinese Workers Said to Have Reached Brazil During the Nineteenth Century

Year	
About 1810	500 (approximate)
1856	360
1859 and 1866	612
1874	1,000
About 1893	475
Total	2,947

Source: R. Conrad, "The Planter Class and the Debate Over Chinese Immigration to Brazil, 1850-1893" International Migration Review (Spring 1975) pp.41-55, p.42.

There had been attempts to promote Chinese immigration to Brazil since the beginning of the century. However, while the African slave trade supplied labour needs, no serious venture was undertaken. But every time the traditional source of labour, the African slave trade, or slavery itself were threatened there were attempts to import Chinese workers. This happened at the beginning of the century, in the mid-1850s after the end of the trans-Atlantic slave trade, and in the 1870s, after gradual abolition started. In 1843 the British Government, trying to stop the slave trade to Brazil, had recommended importing 60,000 Chinese, but the idea was not approved by the Brazilian Lower House of the Parliament.¹⁶³ The suppression of the international slave trade in 1850 stimulated renewed interest in Chinese workers. Despite international and

¹⁶³ R. Conrad, "The planter Class and the Debate over Chinese immigration to Brazil, 1850-1893", International Migration Review, (Spring 1875) pp.41-55, p.43.

domestic opposition and the earlier lack of success, definitive action was being taken.

Importing Chinese workers was discussed in the Lower House in 1854. At the beginning of 1855, instructions to the Brazilian legation in London to arrange the shipment of 6,000 Chinese workers stipulated that the workers were to be thrifty and diligent, aged between 12 and 25. It is interesting to examine the conditions devised for contracts with Chinese. They usually followed the Cuban model. Examples of the Cuban experiment were always invoked and samples of Cuban contracts can be found in several official reports. The conditions drawn up for Chinese in Brazil seem to have been more liberal than those framed in Cuba. However, they seem to lack the sophistication and refinement that experience had taught the Cubans. Thus, contracts were to be agreed before embarkation and should include the following: i) terms of between five and eight years; ii) wages between 4 and 5 pesos (!) a month plus maintenance, lodging and medical assistance, or six to seven pesos (!) plus a plot to grow their own food; iii) contracts could be transferred to planters appointed by the Brazilian government; iv) they should state the number of working hours (not exceeding 9 hours per day), a clothing allowance, food, methods of punishment (payment of fees and, for serious offenses, imprisonment). Chinese workers were to pay one peso (!) a month to repay debts. The Brazilian government was to pay from 15 to 20 sterling pounds for each Chinese worker disembarked (not including expenses before embarkation and the travel expenses of wives and children). On completion of the contract period Chinese workers who intended to settle in the country were to be given (free) a plot of land in frontier areas or they could buy a piece of crown land.¹⁶⁴ These conditions would be tightened later.

There was hesitation and uncertainty over the initiative. Another official note instructed the legation in London to not agree the

¹⁶⁴ Repartição Geral das Terras Públicas. Aviso no.1 ao Ministro Brasileiro em Londres de 19 de janeiro de 1855. Mandando contractar a importacao de Chins. Collecao das Leis do Império do Brasil, 1855 (Rio de Janeiro: Typ. Nacional, 1856) t.XVIII.

price of 25 pounds for each Chinese worker demanded by Company contractors because it was more than the price England and other countries had paid for Chinese destined for areas more distant than Brazil. Also, instead of 6,000 Chinese the government advised that only two thousand "would serve the purpose of an experimental first contract, which can be useful to the government and businessmen". And the Government would not pay the return passages of Chinese workers.¹⁶⁵ In the same year a contract was agreed with an American company, Sampson and Tappan, based in Boston, to import 2,000 Chinese workers, and later another contract with the **Associação de Colonisação** to import 25,000 to the northeastern provinces of Pernambuco, Paraíba and Alagoas. The contracts drafted by Sampson and Tappan stated the name, age, origin, of the workers, and stipulated that 15 **patacas** should be advanced to the Chinese, to be deduced monthly from their wage. The contracting company promised to find jobs within one day of arrival, and offered a five year contracts. Those contracting Chinese workers should provide clothing, shoes, socks, a hat and blankets, medical assistance, maintenance and food (ten pounds of rice, 3 and a half pounds of beef, pork or salted fish, half pound of sugar, three ounces of tea per month) and a plot of land to be cultivated in their free time. It also stipulated holidays at the beginning of the year and a day off on Sundays (or overtime payment if Sunday work was required). The Chinese worker could redeem himself after one year by repaying expenses and paying off the contractor for the remainder of the contract. He could be sent to work in sugar or coffee plantations, in mines, tea cultivation or any other project. The length of the working day was again fixed at nine hours.¹⁶⁶

¹⁶⁵ Repartição Geral das Terras Públicas. Aviso n.3 ao Ministro Brasileiro em Londres, em 14 de maio de 1855. Sobre a importação de colonos Chins e proposta do Monsieur Forster. Collecção das Leis do Imperio do Brazil, 1855 (Rio de Janeiro: Typ. Nacional, 1856) t.XVIII.

¹⁶⁶ Termo do contracto feito pelo Agente de Sampson & Tappan, em Cantão, a 20 de dezembro de 1855, in J.P. Xavier Pinheiro. Importação de Trabalhadores Asiáticos. Memoria apresentada ao Ministerio da Agricultura, Commercio e Obras Públicas (Rio de Janeiro: Typ. de João Ignacio da Silva, 1869) pp.147-149.

In the end, these attempts had little result. According to Conrad, by 1856 only 360 Chinese workers had reached Rio. The United States government allegedly prohibited American vessels from engaging in the trade and contracts were suspended.¹⁶⁷ Furthermore, experiments with Chinese workers were said to be unsatisfactory. Conflicts between planters and Chinese workers were reported. Chinese workers rebelled, complaining that their wages were cut by half and that they had been physically punished. Inquiries confirmed both grievances.¹⁶⁸

Strong opposition had already unfolded in the 1850s. The experiment with European sharecroppers in São Paulo at that time seemed a better way of addressing the labour problem. For those concerned with the future development of a white nation (identified with progress) any fusion with the Chinese seemed to be even worse than with Africans: "it will mean an infusion in our population of a decrepit race of retrograde ideas, of principles which _ more than is realized _ can actively stagnate the country's moral and material progress".¹⁶⁹

The temporary disillusion with European sharecroppers, however, again stimulated a new interest in the Chinese. Once more there were suggestions from the government to encourage the importing of Chinese workers to solve the labour problem. In 1862, authorities at the recently created Ministry of Agriculture (Ministério da Agricultura) observed that failed attempts by England and France to promote European immigration to their colonies had shown that the

¹⁶⁷ R. Conrad, "The Planter Class", op.cit., p.43; and Aviso n.153 de 25 de abril de 1856, denegando a rescisão de contrato para importação de Chins, Collecção das Leis do Império do Brazil, 1856 (Rio de Janeiro: Typ. Nacional, 1857) t.XIX.

¹⁶⁸ J.P. Xavier Pinheiro, op.cit., pp.51-54; A. de Carvalho, O Brazil. Colonização e emigração (Porto: Imprensa Portuguesa, 1876) p.176.

¹⁶⁹ L.P. de Lacerda Werneck, Ideas sobre a Colonização precedidas de uma succinta exposição dos principios geraes que regem a população (Rio de Janeiro: Typ. Universal de E.H. Laemmert, 1855) pp.79-80.

European did not abandon his country to be a wage earner or sharecropper in far away lands. It was only the hope to become an independent proprietor that would encourage him to risk all the chances of a life in exile and to look for new and distant countries. The examples of England, France and Spain had shown that "we should direct our gaze towards Asia and try to take workers from there, who are better than slaves, which are disappearing from the coffee, sugar and cotton plantations".¹⁷⁰ Repeatedly, Chinese workers were praised as cheap, "frugal, "sober" and work-loving. Experiments elsewhere were recalled to show that Chinese could be the best solution either to supplement or replace slave labour. The fact that clauses could be inserted into their contracts inhibiting the creation of family bonds within the Empire _ which could spoil the ideals of the Brazilian nation _ was emphasized to allay the fears of those opposed to any measure that could further "bastardize" the Brazilian population. Nonetheless, despite persistent interest, only 612 Chinese entered the country between 1859 and 1866.

As was to be expected, by the end of the 1860s, the debate about the Free Birth legislation, and the gradual abolition of slavery, again led to renewed interest in Chinese immigration. A heated debate revived. Books and pamphlets on the subject appeared. Opinion was again divided. A vast range of arguments, based on racial theories and (mis) conceptions of the political and social life of the Chinese and results of experiments elsewhere were presented to support or oppose the importing of Chinese workers.

In A Crise da Lavoura published in 1868, Quintino Bocaiúva argued in favour of Chinese "colonization" as a means of countering the effects of imminent slave emancipation. At the time he wrote this book, Quintino had been appointed by the Minister of Agriculture to promote immigration from the United States. Quintino's main concern was slave emancipation and its consequences. Although he did not

¹⁷⁰ Brazil, Relatório do Ministério da Agricultura, Commercio e Obras Públicas (Rio de Janeiro: Typ. Universal de Laemmert, 1862) pp.55-56.

argue against the long-term viability of white immigration, he believed _ as did many others _ that there was also a need for a short-term solution that might entail different forms of labour arrangements. This was mainly because immigration implied big reforms such as the end of slavery and the subdivision of large properties which could not be accomplished in a short time. Also, according to Quintino, Brazilian planters should accept that wage labour was already established: "Rotation and harvesting time is already, for many, a time of (financial) sacrifice, of immediate wage payments, of inevitable outgoings".¹⁷¹ The question was one of the price of labour. The challenge was to find a source of cheap labour. Where in the world should Brazil look for the workers she lacks? asked Quintino.¹⁷² In all other areas where emancipation had taken place, experience had shown that former slaves were not the solution. Colonization with "coolies", Chinese or Indians, was a fact "confirmed and authenticated". In these cases, "necessity has killed prejudice".¹⁷³ Therefore, Brazil should turn to Asia. The Indian "coolie" was docile, easy to manage, delicate but indolent. The Chinese was industrious, thrifty, suited to field work and rigorous over the fulfilment of contract conditions. Thus, Chinese were better than Indians. Above all Chinese never settled in the reception country. This feature of the Chinese character, usually viewed as a defect, could be an advantage. Quintino believed that a rotation of labourers and short term engagements could improve planter practices, discipline, economic rationality, and the productive use of land. In short, a regular rotating supply of reliable coolie labour would remedy defects in the plantation system associated with slavery.¹⁷⁴ He considered the British and French contracts for Chinese better than the Spanish. Thus, he did not

¹⁷¹ Quintino Bocaiúva, A Crise da Lavoura (Rio de Janeiro: Typ. Perseverança, 1868); reproduced in Eduardo Silva (ed.). Idéias Políticas de Quintino Bocaiúva. Cronologia, introdução, notas bibliográficas e textos selecionados (Brasília: Senado Federal, Rio de Janeiro: Casa de Rui Barbosa, 1986) pp.239-262, pp.240-241.

¹⁷² Q. Bocaiúva, op.cit., p.246.

¹⁷³ Q. Bocaiúva, op.cit., pp.248-249.

¹⁷⁴ Q. Bocaiúva, op.cit., pp.255-256.

consider Cuba a good example and even less a model for the experiment to be carried out in Brazil. In his view, in Cuba the contract was more restrictive and boundersome. He explained that in Cuba, during harvesting the working day was fixed at 16 hours. The planter cared for the slave, that represented his property, and the colono "with excess use and waste". As the Spanish government was not so zealous as the English and French, there was no sanctions to restrain this exploitation. Public sentiment in Cuba was used to it, and the transfer of contracts and the choosing of Chinese workers were similar to the selling of slaves. The price of Chinese contracts in Cuba was about 700\$000 a 800\$000 reis and the average monthly expenses, wages and maintenance, was about 20 a 25\$000".¹⁷⁵ To Quintino the French contract was more suitable to Brazil. However, he would reduce the duration of the contract. "It has been acknowledged that the shorter the term of engagement, the more willing is the worker. The closer the holiday or pay day, the greater disposition he shows to work".¹⁷⁶

Quintino calculated the expenses Chinese workers might incur and concluded they were below than current labour costs:

Advances to the colono before embarkation	40\$000
Travel expenses	150\$000
5% deduction for mortality	9\$500
Agency costs	30\$000
Maintenance, lodging etc	30\$000
	259\$500
Salaries at a rate of 10\$000 a month during 7 years	840\$000
Life insurance for 7 years at a value of 500\$000 and average age of 30	84\$000
TOTAL	1:183\$500

¹⁷⁵ Q. Bocaiúva, op.cit., pp.258-259.

¹⁷⁶ And Quintino added: "...gold or silver coinage is worth more than prison and police action", Q. Bocaiúva, op.cit., p.259.

If divided by 84 months the total outlay was thus 14\$000.¹⁷⁷ According to Quintino, the average wage in rural and urban areas was 25\$000. There was thus a substantial advantage for the planter. In Quintino's view it was impossible, in the short term, to transform the labour system by subdividing large properties. And the import of Chinese was the only means to avoid a sudden emancipation of slaves and to preserve the form and essence of large properties, the basis of agricultural industry and of the main crop, coffee production.¹⁷⁸

In his 1869 Memory to the Ministry of Agriculture, Xavier Pinheiro also advocated importing Chinese workers. Pinheiro pointed out that unsuccessful experiments of the 1850s should be forgotten. He referred to Cuban and Peruvian experiments as examples from which useful evidence could be extracted to devise new policies. In contrast to Quintino, Xavier praised the Cuban case as the best example for Brazil. Cuba's experience was useful in showing which Chinese province had the most suitable population for rural labour, the most convenient ports of embarkation, the methods of engagement and contracts, shipment, the treatment of diseases, the landing, reception, their distribution to planters, wages, methods of labour, their habits, and "the means of keeping them disciplined and subordinate" without "resentment and disaffection" to comply with contractual conditions.¹⁷⁹ Xavier's ideas were at the same time recalled by the Minister of Agriculture in his annual report. The Minister repeated that Asian workers were cheaper and more suited to field work than Europeans. Chinese workers _ he proclaimed _ were the ideal solution. They would be merely "work machines". They did not mix with the local population and returned to their country after the expiry of the contract.¹⁸⁰ Disillusioned with European

¹⁷⁷ Q. Bocaiúva, op.cit., pp.260-261.

¹⁷⁸ Q. Bocaiúva, op.cit., pp.260-262.

¹⁷⁹ J.P. Xavier Pinheiro, op.cit., p.27.

¹⁸⁰ Brazil, Relatório do Ministério da Agricultura, Commercio e Obras Públicas (Rio de Janeiro: Typ. do Diário do Rio de Janeiro, 1869) p.61.

immigration, the 1870 special Committee for Reform of the Servile Element also believed that the government should assume the task of promoting Chinese immigration: "it is incumbent on the powers of the state to facilitate imports of [Chinese] workers who _ claiming modest wages _ would meet needs. Examples from countries in which lesser crises were caused by emancipation recommend it", observed the Committee.¹⁸¹

In July of the same year, responding to all these demands, the Imperial Government approved a decree granting permission to Manoel José da Costa Lima Vianna and João Antônio de Miranda e Silva to import Asian workers and to establish the **Sociedade Importadora de Trabalhadores Asiáticos**. It is interesting to examine some of the conditions under which the importing was to be carried out. Harsh conditions, contrasted with those devised in the 1850s, now show similarities with contracts offered at that time in Cuba. Workers were destined specifically for field work. The company had a ten-years monopoly in importing of Chinese workers. Contracts were to state name, age, sex, origin and duration of hire; they were to specify wages, subsistence allowance, clothing, and medical assistance. Hours of work should not exceed ten per day, but could be increased to twelve with compensation. Workers should indemnify the landowner against loss of their labour and were to be subjected to the discipline of the plantation. Following examples from Cuban contracts the worker was to renounce the right to complain about stipulated wages, knowing that they were lower than those of other free labourers and slaves in the country. The Chinese contracted worker could rescind his contract on payment of all the contractor's expenses and by indemnifying the contractor for the time remaining, and for any losses incurred in replacing him, especially if it was harvest time. These controversial and severe stipulations echoed Cuban regulations of the 1860s. If the worker wanted to stay in the Empire he should recontract himself within two months or he would have to return to his country of origin at his own expense. Workers should be younger than 45, strong and healthy _ not addicted to

¹⁸¹ Elemento Servil. APB, session 16 August 1870, p.178.

opium.¹⁸² Again, this new attempt brought few results. The harsh treatment endured by Chinese workers in countries such as Cuba and Peru had been already condemned by international opinion. And the Chinese government, aware of conditions abroad, had begun to restrict emigration to certain areas. It appears that Brazil had homed in too late on this promising source of cheap labour.

However, the revival of these attempts to promote Chinese immigration again provoked a fervent debate that would endure for the rest of the decade. There were still grounds of hope. At the end of the year 1870 the issue was extensively discussed in the Society for the Promotion of the National Industry (*Sociedade Auxiliadora da Indústria Nacional*). Opinions were once again divided. The Society's Committee on Colonization and Statistics believed that China was the only source that could supply the labour required to supplement slaves. The coolie system was considered not only of advantage but a necessity. The Committee viewed the Chinese worker as "sober, economical, diligent, and intelligent". It was again repeated they would not come as colonists, to settle and mix with the local population and even less would constitute a future nationality. More important at that time, however, was to assert that they were perfect as "a means of transition", a temporary solution to the "scarcity of labour" and would be of help to the implementation of a gradual emancipation. After all, the existence of slavery was inhibiting European immigration and Chinese could help to end slavery without disrupting production.¹⁸³

¹⁸² Decreto n.4547 de 9 de julho de 1870. Concede a Manoel José da Costa Lima Vianna e Joao Antônio de Miranda e Silva, ou á companhia que organizarem, autorização para importarem trabalhadores asiáticos. Colleccao das leis do Imperio do Brasil, 1870, (Rio de Janeiro: Typ. Nacional, 1870).

¹⁸³ Sociedade Auxiliadora da Indústria Nacional, Discurso pronunciado pelo Dr. I.C. Galvão, na sessão de 3 de outubro de 1870. Questão dos Chins (Rio de Janeiro: Typ. Universal de Laemmert, 1870) p.5; Discurso pronunciado em sessão do Conselho Administrativo de 3 de outubro de 1870 por Joaquim Antônio de Azevedo (Rio de Janeiro: Typ. Universal de Laemmert, 1870); Discurso pronunciado por Miguel Calmon Menezes de Macedo na sessão de 30 de dezembro de 1870. Questão dos Chins (Rio de Janeiro: Typ. Universal de Laemmert, 1871); Discurso pronunciado pelo Dr. Nicoláo Joaquim Moreira

Notwithstanding fears of the "catastrophic" consequences of a gradual emancipation and serious attempts to import Chinese workers, the results were minimal. The 1872 census listed but 436 throughout the country. According to Conrad, only one thousand Chinese had entered the country in 1874, mostly to cultivate tea.¹⁸⁴ By this time Britain and Portugal had banned immigration from their Asian colonies. The Chinese government had also banned emigration to certain areas under contract conditions. Yet despite the failures, the idea of encouraging Chinese immigration lived on in Brazil. The debate still interested those involved in the labour question. As Quintino had observed "Without immigration, without white colonization, without Asian colonization, nor from Africa, with no slaves _ finally, without productive hands, what will becoming of agriculture?".¹⁸⁵

At the end of the decade the idea of importing Chinese workers once again gained force. The approval of the Free Birth Law in 1871 was a fact. There had not been enough time to judge its consequences but the future seemed bleak. Slaves were restive as the law had created a certain euphoria among them. The activities of the pro-abolition movement ~~was~~^{were} also causing concern. Spontaneous European immigration was still an ideal but the few immigrants engaged on plantations had demonstrated that there were problems and strikes had again provoked international criticism. The domestic labour force was not an entirely reliable alternative. The moment was somehow open to different courses of action. The solution of the labour problem touched upon internal needs of plantations and the agricultural industry as a whole. Yet it also involved long-term questions of the future composition of the Brazilian nation. But any temporary solution involving Chinese immigration with long-term contracts and draconian legislation, could in turn provoke a

discutindo-se o parecer da seção de colonização e estatística.
Questão: convirá ao Brasil a importação de colonos chins? (Rio de Janeiro: Typ. Universal de Laemmert, 1870).

¹⁸⁴ R. Conrad, "The Planter Class", op.cit., p.44.

¹⁸⁵ Q. Bocaiúva, op.cit., p.269.

permanent problem. As voiced by one fervent opponent of Chinese immigration: "No-one understands better than you, Sirs, how in this blessed country the provisional becomes permanent".¹⁸⁶

The idea of importing Chinese workers was discussed in planter's Agricultural Congresses, in Recife and in Rio de Janeiro, organized in 1878 by the Minister of Agriculture, João Lins Vieira Cansansão de Sinimbu. Planters at both meetings were aware of the sympathy of the Minister to the idea of promoting Chinese immigration. Advantages and disadvantages of engaging Chinese workers were extensively debated. A great range of reasons — medical, physiological, racial, cultural, economic, social, political etc. — were invoked to support opinion for and against Chinese immigration. Former attempts were reviewed. Earlier debates in the *Sociedade Auxiliadora da Indústria Nacional* were repeated as were the results from experiments with Indian and Chinese coolies in other areas, such as the United States, Peru, Cuba, Mauritius and the Guyanas. Features of Chinese character and personality, as well as patterns of Chinese immigration were called either to support or oppose opinions on the issue. Attributes were transformed into virtues or faults according to the argument advocated. For instance, for some the "sober, hard working and low wages" Chinese were the solution to the gradual emancipation process already in motion. For others, because of these same attributes, Chinese would discourage further European immigration, compete with domestic labour and would be subjected to thinly disguised slavery.¹⁸⁷ However, among those supporting the idea of importing Chinese workers there was at least one main point of agreement. Most of them agreed that they could only be admitted to the country as a provisional expedient, as "labour machines", before the arrival of "more developed races". That was the opinion of the São Paulo commission presented during the planters' Congress in Rio: "The commission condemns this race as

¹⁸⁶ Letter of Dr. Nicolau Moreira to Sr. Quintino Bocaiúva, 13 September 1870, in Colonização Asiática. Polêmica entre o Sr. Quintino Bocaiúva e o Dr. Nicolau Moreira, reproduced in E. Silva (ed.) op.cit., p.273.

¹⁸⁷ M.L. Lamounier, op.cit., p.137.

a future element of the population, but states that it can be accepted in the role of agricultural workers as a temporary device".¹⁸⁸ Reporting on the results of both Rio and Recife Congresses, Agriculture Minister Sinimbu stressed the opinion "evident and confirmed" that the "European does not supply, will not supply" the vacancies in slave labour caused by deaths and the gradual emancipation. Europeans would only come when changes in the labour system have been accomplished. Meanwhile, as a temporary means to ease the transformation in labour "for southern and northern agriculture, and for the cultivation of so-called colonial products, Asians could be the preferred work machines".¹⁸⁹

Based on planters' opinion expressed in the two 1878 Congresses, Sinimbu asked the government to support the initiative to import coolies. By 1879 the Lower House of Parliament was voting and discussing a credit to finance a mission to China, aiming to promote Chinese immigration. The intention of importing Chinese as a temporary "expedient" and as a "labour machine" was still the main reason.

During the debates in 1879 in the Lower House of Parliament, questioned on the means of introducing and distributing the Chinese workers and on the conditions of labour agreements with these workers, Minister Sinimbu pointed out that the government did not plan to be involved in the conditions of contracts. Official effort was designed merely to remove any obstacle posed by the Chinese government to emigration. It was up to planters to promote immigration. However, it was again stressed that Chinese would come as "labour machines". The expression was defined by one of the members: "without women, without family, obedient, servile, accepting the stick, and performing a specified task with no

¹⁸⁸ Congresso Agrícola, op.cit., p.189.

¹⁸⁹ "Congresso Agrícola do Rio de Janeiro", Brazil. Relatório do Ministério da Agricultura, Commercio e Obras Públicas, 1879, Appendix, p.23 and p.25.

resistance and reaction".¹⁹⁰ The aim was to promote the arrival of Chinese as labourers, "as substitutes for slaves, as an immediate remedy, in order that agriculture did not perish", explained the Foreign Minister, the Paulista planter Moreira Barros.¹⁹¹

A few months earlier the government had approved the new labour legislation, the 1879 *locação de serviços* law. During debates to approve the legislation, those opposing the measure had denounced its "draconian provisions" and the "hidden" intentions of "mongolize the country", referring to the importing of Chinese workers. Of course, the idea of Chinese as a temporary expedient to ease the final abolition of slavery and the transition to free labour was supported by the evidence of the way the Chinese had been employed elsewhere. Thus, conditions of Chinese workers in the country was not the main issue in 1879, for it was widely acknowledged what conditions was suppose to apply to "coolies". It seemed to be a common idea that contracts were the best way to solve the perceived problem of a temporary "shortage of hands" and to keep the processes of transition and abolition on track. Thus, those opposing the idea of Chinese workers were not necessarily against the conditions of contracts or the idea of contracts. Chinese were not welcome because they were Chinese. It is true that the ways of introducing them and the form of labour contracts were identified by some of those opposing the proposal as disguised slavery: "official thinking in this case is no more than the restoration of slavery, and the introduction of Asian slavery. Labour machine! A worker without family, obedient, passive, incapable of resistance ... is a slave! (...) If the government restricts itself to opening the doors, leaving the planters in league with the traders, dealing with the introduction of Asian workers, according to their understanding of what is best and most advantageous, we shall see a new [slave] traffic, leading to a new era of the infamy that has cost us such humiliation".¹⁹²

¹⁹⁰ APB. session 8 October 1879, pp.303-304.

¹⁹¹ APB, session 4 November 1879, p.32.

¹⁹² APB, session 8 October 1879, pp.299-300.

One of the most eloquent opponents of the idea of importing Chinese workers, Joaquim Nabuco, called attention to the fact that the government instead of seeking to create a new "form of slavery", should look for ways to conform existing slaves and those that have been born free to the needs of agriculture. It should encourage and open a future for the slave family to work in agriculture. In his view, if slavery could be ended and slaves transformed under a system of "colonato", tied to the land, during a short "transition period", "I am sure the country would have a better outcome (...) than in trying to renew a source of trafficking, making of Asia what it did with Africa, going on search of a yellow slavery to stir in the slave quarters, in the fields, with black slavery".¹⁹³

However, for many, Chinese immigration had to be condemned because it was Chinese. Because there was danger of "mongolizing the country" and because they might compete with the domestic labour force and obstruct European immigration. That was why it could not be accepted even as one short-term alternative amongst others. To the opposition, slaves, freedmen or Brazilians could be transformed into "colonos" (meaning either workers under contracts or controlled settlements on both private and public land), but not the Chinese. Brazilians and former~~s~~ slaves could be organized in "agricultural militia" but not the Chinese. Slaves could be transformed under the "colonato" as defined by Joaquim Nabuco, but the creation of a "Chinese colonato" was utterly rejected. *Locação de serviços* contracts could be agreed with Europeans, Brazilians, freedmen and even slaves, but with Chinese they could result in a "true slavery" for "we know that since Roman times through hiring out their services, a man sometimes becomes more enslaved than a true slave, being in the hands of the landlord, no more than an instrument from which everything useful is extracted, a machine of which he wants to make full use, in short, a being whose health he does not care for, whose morality means nothing to him, to whom his family is a matter of indifference, beyond the term of the contract".¹⁹⁴

¹⁹³ APB, session 1 September 1879, p.308.

¹⁹⁴ APB, session 8 October 1879, p.310.

During the debates, the proposal to import Chinese workers was denounced many times as having a "local colour": "Those who want the Chinese are the southerners"; "...to which point the love for importing coolies, because São Paulo agriculture shows a desire for it despite all the evidence, that the province itself admits, of the dire effects on our country...".¹⁹⁵ The Minister of Agriculture, Sinimbu, and the Foreign Minister, Moreira de Barros, were both planters in São Paulo. Coincidentally or not, the supporters of the initiative in the Lower House were Paulistas as well. During the debates in the 1878 planters' Congress in Rio, Moreira de Barros, a representative of Taubaté planters, spoke for the São Paulo commission on the solution of the labour problem and defended Chinese immigration. According to Barros, São Paulo needed Chinese as labourers, because immigrant workers with contracts to weed and harvest coffee did not meet all the needs of plantation work, mainly the urgent and unexpected tasks (such as mending broken fences, building or repairs of roads, dams, and help during harvesting). In the event of a shortage of slaves planters needed labourers they could "trust" and feel "free" to assign to the various urgent and unforeseen tasks. This is an interesting point, because of the reference here to the problems that had arisen with other contract workers. Experience had shown that European contract workers usually declined to execute tasks that had not been specified in contracts. On the Martyrios and São Lourenço plantations, for instance, immigrant workers considered it a waste of time to perform extra tasks, either because it was usually low paid or because it diverted their labour from their own plots. The conflicts with planters over these "extra tasks" reflected an ambiguity in planter behaviour. Workers complained that they were poorly paid for these tasks on the plantation, although they observed that they were very well paid elsewhere. However, they had to have the permission of the planter to execute similar tasks elsewhere. But planters had no other means of compelling the immigrant workers to perform these "unexpected tasks". In Moreira Barros's view the Chinese workers could be a solution, as planters might have felt more freedom to demand the

¹⁹⁵ APB, session 1 September 1879, p.302.

execution of unspecified jobs from them.

According to Moreira Barros a great deal of coffee for export was already produced by free labour. But slaves were still important. Although that was no "shortage of labour" in the province at that time, manumissions and death would lead to future scarcity. Incentives to encourage Brazilians to work needed several "complex measures" (a reference to recruitment and franchising) and Brazilians were usually indolent with no capacity for work in the fields. There was a need for measures to compel ("This is the word: to compel!", someone retorted during the debates). Therefore Chinese should be accepted as a transitory expedient.¹⁹⁶

The credit was finally approved and a diplomatic mission was sent to China, to negotiate a treaty of friendship and commerce between the two governments, though the principal aim was to arrange the shipment of Chinese workers to Brazil. The Chinese-Brazilian treaty of friendship was signed in Tientsin on September 5, 1880, and another revised treaty was agreed to on October 3, 1881. However, neither of them contained any provisions directly approving the transport of Chinese workers to Brazil.¹⁹⁷ There would be further attempts by coffee producers to encourage Chinese immigration to Brazil but mass Chinese immigration never occurred. Despite domestic opposition, the international situation again contributed to frustrate renewed attempts to import Chinese. In an open and hostile Brazilian press, abolitionists often denounced the plans of replacing slaves with Chinese workers. The appalling conditions of the "coolie" trade and the fate of the Chinese workers was widely publicized and stimulated strong international opposition. But by the end of the 1880s, São Paulo interest in the subject had diminished in the face of the arrival of a massive influx of European immigrants. Other provinces not so lucky would still support _ unsuccessfully _ initiatives promoting Chinese immigration.

¹⁹⁶ APB, session 11 September 1879, p.89.

¹⁹⁷ R. Conrad, "The Planter Class", op.cit., p.45.

CONCLUSION: PART I

A series of factors accounted for the very different pictures of early experiments with free labour in Cuba and São Paulo. In Cuba, pressures to end the trans-Atlantic slave trade occurred at the same moment as an acute demand for labour in the expanding sugar plantations. The island's colonial status and geographical position affected choices of and attitudes to particular sources of labour. The Spanish government and its representatives were very cautious when considering possible substitute for, or supplement to, slave labour. Neighbouring islands of the Caribbean, sharing similar concern in the search for alternative labour supply, provided not only examples to be followed but in fact made available a wider range of choices of labour sources. As in Brazil, Spaniards and Cubans would have preferred Europeans to solve the labour problem. However, pressed by a great demand for labour, the solution was found in the importation of thousands of Chinese workers. Slaves had been entering the country simultaneously with Chinese workers. Chinese contract workers at the end eased the process of transition to free labour but policies to foment Chinese immigration were not devised to help the abolition of slavery nor the transition to free labour. These policies were merely coincidental concerned to address the labour problem. Chinese workers were viewed as "labour machines" and an "element of transition", however not as an element of transition between "slavery and free labour" but transition "between the slave and the free labourer".

In São Paulo the perception of the labour problem was quite different. The end of the trans-Atlantic slave trade, although taking place sooner did not produce the same urgency. Paulista planters would thus experience more flexibility when experimenting with distinct sorts of labourers and labour systems. However, for many Brazilian (not least Paulistas) planters and policy-makers, the end of the trans-Atlantic slave trade meant eventually the end of slavery itself. For those who believed so, the search for alternative labour sources meant, beyond the immediate problem of labour supply, the search for another system of labour that could

also result in a different society which would become the new Brazilian nation. And these forward-looking men were those who were searching and experimenting with alternative labour systems and labourers. As in Cuba, the preference was for white Europeans, who with their "industriousness" could contribute to an ideal Brazilian nation, endowed with more "civilized and positive" labour habits. Chinese and African immigration, and the system of labour usually attached to them, were considered but there was a strong domestic opposition to its promotion. And when, after the unsuccessful attempts to promote European immigration _ and pressured by the labour demand and concerned about the outcome of the abolition of slavery _ Brazilians opted for Chinese contract workers, the model had already been condemned and was strongly attacked by international public opinion. However, policies devised to draw Chinese workers to Brazil embodied views that were different from those expressed in from Cuba. Although, as in Cuba, Chinese were considered "labour machines" and "elements of transition", the idea was to employ Chinese contract workers to ease and allow a gradual, very gradual, abolition of slavery. Chinese contract workers would provide temporary, cheap labour gradually replacing slaves, reduced by death, flights or freed by the gradual abolition legislation.

The experiments with free labourers in both areas led to attempts to devise a general legal framework governing new labour relations. In Cuba severe regulations were issued guiding planters in the management of workers, and stipulating guarantees for the fulfilment of labour contracts. In Brazil, efforts to devise a new *locação de serviços* pointed in the same direction. However, the creation of a general regulation for labour, although approved in 1879, would not be enforced. And the situation was completely different from Cuba. First the regulations, were issued within the broader context of a policy for the abolition of slavery and transition to free labour. It sought to rearrange labour relations to help abolition, and the situation that might exist after abolition. It covered all kinds of "free" labourers, including freed slaves. In effect, the 1879 law was a general labour code that envisaged a new organization of labour relations, based on long service contracts and severe

measures obliging the fulfilment of contracts. The idea mentioned during the debates that *locação de serviços* legislation was an expedient to "capture the free to ease the freeing of slaves", was very close to the truth; for the idea was to homogenize all forms of free labour under a general regulation, embracing former slaves and Brazilian free workers engaged under long-term service obligations.

PART II

PATTERNS OF SLAVE EMANCIPATION AND
TRANSITION TO FREE LABOUR

Introduction

The evolution of free labour relations was inextricably linked to the issue of the future of slavery. Attempts to transform slaves gradually into free labourers, without political and economic disruptions, and the search for alternative labourers and systems of labour control lay at the crux of the problem of establishing a framework for the transition to free labour in Cuba and Brazil.

Gradual abolition began to be implemented in both areas from the 1870s. By this time a variety of experiments with different labour systems had informed the growing debate about the labour question. While the Moret Law (Cuba) and the Rio Branco Law (Brazil) initiated the process of slowly freeing slaves, a broader process to accomplish a transition to free labour had been devised. The concept of free labour fashioned (and re-fashioned) in early experiments with non-slave labour shaped ideas of freedom and emancipation. By means of multiple methods of individual manumissions and contracts to bind former slaves to the plantations and by the promotion of immigration based on long service contracts, policy makers and planters were trying to define a joint framework for gradual abolition and transition to free labour without disrupting the existing economic and political order. Legislation on the issue reveals repeated attempts to achieve greater control over all types of labour, and hence of the process as a whole. Discussion about the labour question and experiments with free labour would condition gradualist policies implemented in the 1870s and 1880s and eventually helped to effect a relatively non-violent transition to free labour.

Ending slavery was but one element in the process of transition. Schemes to abolish slavery will be considered in Part II of the thesis. Chapter 5 examines early proposals on the issue and explores changing concepts of slave emancipation and of free labour embodied in these proposals. Efforts to keep general emancipation tied to individual manumission were clearly an attempt to ensure gradualism in both processes of slave emancipation and of transition. In Brazil

and Cuba manumission was envisaged as both the ideal form of individual freedom and as a mechanism facilitating eventual abolition. The concept of freedom embodied in patterns of manumission shaped also ideas and models of free labour relations during the period. These plans, while providing for the transformation of the slave into a free labourer and for the future of the freedmen, also contributed to ideas about the development of free labour. At the time, many of these proposals provoked a wave of protest and were abandoned. However, it is possible to see how ideas on the issues disclosed in these frustrated projects affected (and were affected by) concurrent experiments with free labour. More important, some of the ideas presented earlier in the century would profoundly influence policies for gradual abolition implemented in the 1870s. Chapter 6 compares and contrasts actual legislation for gradual abolition in Brazil and Cuba implemented from the 1870s, and discusses their contributions towards a "transition to free labour". The circumstances in which the Moret and Rio Branco Laws were approved were quite different from those prevailing earlier in the century when initial proposals had been debated. Attempts to build a coherent legal framework embracing both gradual abolition and transition was a distinct feature of the Brazilian case.

CHAPTER 5

EARLY PLANS FOR SLAVE EMANCIPATION: CHANGING CONCEPTS OF SLAVE EMANCIPATION AND FREE LABOUR

Efforts to formulate emancipation policies in Brazil as in Cuba were rooted in international pressures to end the trans-Atlantic slave trade. Throughout the century, several projects and projects-of-law on the abolition of the slave trade as well as on the abolition of slavery would appear in books, newspapers and official publications. Formally or informally debated, the recurrence of the theme indicated the significance of the matter. Emanating from various quarters and revealing distinct views and concerns within Cuban and Brazilian society, these texts also underscored the intricacies of ending the African trade and reorganizing labour relations. Decisions on the future of existing slaves and on the position of freedmen in society were related to questions such as the preservation of colonial ties, the constitution of the nation, the distribution of land and wealth, the rising proportion of blacks to whites and the possibility of insurrections. Labour discipline on the plantations and the profitability of agriculture were paramount and immediate.

While dealing narrowly with the severance of the African trade and thus trying to secure a slave population growth by means of good treatment and incentives to natural reproduction, some of these early proposals timidly started to question the **status quo** of slavery itself. Although not going further than to suggest a very gradual process of emancipation, these proposals had little or no result. Nevertheless, they stimulated protest and by provoking planter anxiety might have worsen^{ed} the working conditions of slaves. More to the point here, these plans voiced the ideas about the conservation or extinction of slavery, the search for new sources of labour and what would follow in terms of the reorganization of labour relations. Contributors to the debate often pondered the profitability of slave labour against free labour, the growth of

anti-slavery sentiment in Europe and the results of abolition elsewhere. Some ideas presented early in the century would remain valid ^{or} half-century later. Some would be enlarged while in the meantime others simply disappeared. The prevailing social, political and economic environment affected changes. But what is most important is that these shifting perspectives subsequently fashioned actual attempts to establishing distinct patterns of slave emancipation and the reorganization of labour relations.

In both countries many proposals treated the promotion of immigration, and multiple ways of individual manumission and controlled degrees and kinds of freedom as interrelated themes, intrinsic to the process of slave emancipation. Gradualism seems to have been a constant feature of these proposals during the whole period. Gradual abolition would provide incentives for slave reproduction and the better treatment of existing slaves. It would also encourage individuals _ either by self-purchase or lotteries _ to seek manumission. Gradualism was considered essential because planters, the government and the whole economy needed enough time to adjust to the new circumstances. And because the slaves needed time to prepare themselves for freedom, as labourers and citizens. Hence the emphasis on long contracts of service for freedmen and strict vagrancy laws.

5.1. Cuba

Manumission policies offer insight not only into the way that Cuban society sought to cope with the liberation of slaves but also indicates how the problem of accomplishing the larger transition to a free labour market might be achieved. Most proposals for the abolition of slavery in the 1830s and in the 1860s envisaged gradual, individual manumission as the ideal form of freedom and as a mechanism for facilitating eventual abolition. The traditional way of manumitting slaves in Spanish law through gradual self-purchase (*coartación*) was the form usually recommended. Achieving freedom through gradual self-purchase was believed to prepare slaves for participation in a free society and in the labour market. Self-

purchase was assumed to inculcate in the slaves characteristics such as thrift, hard work and self-discipline.

In Cuba, as in Brazil, attempts to restrict emancipation to individual manumission was a clear way of keeping control of a very gradual process of abolition. But proposals for the abolition of slavery in Brazil almost always included some debate about the future of freedmen. For example, contracts of services, laws against vagrancy, or re-exportation to Africa. Brazilian proposals also invariably included reference to alternatives to slave labour. For instance, promotion of immigration and recruitment of domestic labourers. In this sense, the processes of abolishing the slave trade (or that of freeing slaves) and the search for ways to effect the "transition to free labour" seemed to be reverse and obverse of a single process. By contrast, slave emancipation projects in Cuba always dealt narrowly with the means of improving slaves living conditions and of bringing about individual manumission. Schemes to end slavery and experiments with immigrant free labour were regarded as totally separate processes. Abolition of slavery and promotion of immigration appeared to be a very political matter. Abolition of slavery was presented as a gradual process and as a means of reducing the dangers of, and fears about, the increase in the black population. Experiments with free labourers seemed not to be designed primarily to facilitate the ending of slavery nor as alternative to slave labour but rather addressed the general problem of labour supply provoked by the great expansion of sugar plantations in the 1840s and in the 1850s. And, most significant, white immigration would maintain a racial balance within the island. Cubans knew that with the end of the slave trade, slavery would end soon. High mortality among the slaves and the negative rate of slave population growth would lead to the end of slavery. *Coartación* would also contribute to this end.

Discussions about the abolition of slavery did not occur as frequently in Cuba (or Spain) as in Brazil. The issue of the future of slavery _ as well as that of labour supply, as was said before _ would be inextricably woven in the question of the maintenance of Spanish rule. Indeed, the most significant distinction ascribed to

the process of formulating emancipation policies and defining a framework for the transition to free labour, in contrast with Brazil, was due to the character of the island's ties with Spain. Fears about the loss of planter support, and thus of control of Cuba, made Spain very cautious about projects for immigrant labour, even more so when approaching strategic issues like abolition of the trans-Atlantic slave trade, the abolition of slavery and control over the free coloured population in Cuba.¹

Spain did not, or could not, respond to the abolitionist wave that sprouted in Europe during the first decades of the nineteenth century. Domestic affairs such as the French invasion, questions of papal concordats, anticlerical reforms, Carlist wars among others helped to prevent in Spain the creation of a strong sentiment anti slavery.² Moreover, progressively stripped of her Empire, Spain had to rely on the Cuban sugar trade to sustain her public treasury which was always in penurious circumstances. During these times, when ideas of independence spread over other Spanish colonies in America, conservation of slavery was alleged or fated to be the only way to preserve "the jewel" Cuba and its revenues. Conservation of slavery in Cuba would be a matter inextricably woven in the relationship between the colony and metropolis and in all Spanish foreign policy during the greater part of the nineteenth century.

The first important abolitionist initiative, in Spain, took place during the revolutionary Cortes of Cádiz at the beginning of the

¹ During the 1830s and 1840s, Cuban authorities, backed by the Spanish government, took several precautions to protect Cuba from abolitionist agitation taking place in the surrounding islands; on the issue see D.R. Murray. Odious Commerce. Britain, Spain and the abolition of the Cuban slave trade (Cambridge: Cambridge University Press, 1980) especially chapter 7. Discussion over slavery by the press was carefully controlled by the Spanish authorities. In 1869, for instance, Captain General, General Dulce, excluded from the press the discussion of any issue that threaten the stability of slavery, R. Cepero Bonilla, Azúcar y Abolición. Apuntes para una Historia crítica del Abolicionismo, 1st ed.1948 (Havana: Editorial Echeverría, 1960) p.19.

² A.F. Corwin, Spain and the Abolition of Slavery in Cuba, 1817-1886 (Austin: University of Texas Press, 1967) pp.20-22.

1810s. From this time until the mid-1860s there would be few other initiatives, most of them concerning the extinction of the slave trade. The Spanish Abolitionist Society was founded only in 1864 when domestic and external pressures would force Spain to consider the abolition of slavery in its colonies of Cuba and Puerto Rico.³ Meanwhile, there were voices from inside the colony challenging the continuance of the trans-Atlantic slave trade and the institution of slavery. The large number of slaves entering the island, particularly in the 1840s when the slave population surpassed the free population, generated fears of uprisings and provoked demands for the end of the slave trade and the promotion of white immigration.

By March 26, 1811, at the Cortes Constituyentes of Cádiz — an extraordinary gathering during the French occupation and with representants from the overseas provinces as well as the peninsular — the Mexican José Gurudi Alcócer proposed the immediate suppression of the slave trade and the gradual abolition of slavery. His abolition project included granting freedom to all children born to slave mothers and incentives for self-purchase. Existing slaves should remain in their servile condition, working for their owners but were to be treated as free servants (*criados libres*) earning a wage proportional to their skills and behaviour. These wages were to be fixed by the justice of the territory. At the same time Don Agustín Argüelles, a liberal, presented a more limited project

³ The Spanish Abolitionist Society appeared in December 1864, under the leadership of the Puerto Rican Julio Vizcarrondo. It was formally legalized in April 1865, "to propagate the principle of the immediate abolition of Negro slavery; to discuss the means to carry this out without infringing on the rights of anyone, and to prevent disturbances in the moral and material order of our Antilles". It would be outlawed for two years, reappearing again in 1868. On the Society, see P. Arroyo Giménez, "La sociedad abolicionista española (1864-1886)", in F. de Solano and A. Guimerá (ed.) Esclavitud y Derechos Humanos. La Lucha por la libertad del negro en el siglo XIX (Madrid: Consejo Superior de Investigaciones Científicas, 1990) pp.169-181, p.170; see also A.F. Corwin, op.cit., especially chapter 9.

asking only for the immediate abolition of the slave trade.⁴ Although there had been individual voices challenging both the trans-Atlantic slave trade and the institution of slavery before, these were the first formal projects on the issue in Spain. Despite strong attacks from colonial representatives both projects were considered for debate. At the end a committee was formed to study only the issue of the abolition of the slave trade.⁵ However, even this weak effort came to nothing.

These proposals and their public discussion in the Cortes caused great alarm in the Antilles. In Cuba news that motions questioning the status of slavery were about to take place in the Cortes caused a wave of fear, indignation and complaint. Soon bodies such as the Ayuntamiento of Havana, the Royal Consulate of Agriculture, Industry and Commerce and the Economic Society designated Francisco de Arango y Parreño, _ influential historian and publicist _ to write a polemic against any alteration of the existing labour regime in Cuba.⁶ Arango y Parreño's Representation, Representación de la Ciudad de la Habana, challenging the debates in the Cortes is a good starting to grasp the issues and circumstances involved in the abolition of slavery as viewed from Spain and Cuba.⁷ The document

⁴ C. Navarro Azcue, La abolición de la esclavitud negra en la legislación española, 1870-1886 (Madrid: Instituto de Cooperación Iberoamericana, 1987) pp.14-15; J.U. Martínez Carreras, "La abolición de la esclavitud en España durante el siglo XIX", in F. Solano and A. Guimerá (ed.) Esclavitud y Derechos Humanos, op.cit. pp.63-77, esp. p.67.

⁵ J.U. Martínez Carreras, op.cit., p.68. It was suggested that the proposals should be discussed in secret to prevent problems in the colonies, according to F. Armario Sánchez, "Esclavitud y abolicionismo en Cuba durante la regencia de Espartero" in F. Solano and A. Guimerá, Esclavitud y Derechos Humanos, op.cit. pp.377-405, esp. p.379.

⁶ A.F. Corwin, op.cit., p.24.

⁷ "Representación de la Ciudad de la Habana a las Cortes, en el 20 de julio de 1811, con motivo de las proposiciones hechas por D. José Miguel Gurudi Alcócer y D. Agustín de Argüelles, sobre el tráfico y esclavitud de los negros; extendida por el Alferez Mayor de la Ciudad, D. Francisco de Arango, por encargo del Ayuntamiento, Consulado y Sociedade Patriótica de la Habana", in F. de Arango y Parreño, Obras de D. Francisco de Arango y Parreño (Havana:

constituted a strong defence of Cuban slavery. Remarking that it concerned "our lives, our wealth and that of our descendants", Arango y Parreño first asked whether the moment was opportune to discuss publicly such a significant matter. The initiative seemed to him even worse since it was proposed with no regard to the domestic situation of the colony and without providing adequate means of replacing the usual source of labour. Arango also pointed out that those plans challenged the sacred right of property which according "to the laws, and as provided by the first chapters of every Constitution should be inviolate". Caution, prudence and wisdom were essential. In his view, those questions _ the abolition of the slave trade and the abolition of slavery _ should not be discussed before the debate about the Constitution. And there were political problems to be addressed. For instance, the status of Cuba and the position of the free coloured population. Attention should be directed to what Parreño called "uniformidad ó unificacion de derechos". More thoughts should be given to the free coloured population rather than to the negros bozales: "It is known that in countries where political liberty means little, there is in effect civil slavery".⁸ "Before discussing the political slavery [of blacks], consider the civil slavery [of Spanish citizens]; before deciding who shall be citizens [of the island of Cuba], consider what opportunities shall be open or closed to coloured people."⁹ "In the current circumstances, one has to fear more the political activity of the free coloured people, than that of those dependent and subjected to slavery...".¹⁰ The mere public discussion of this explosive issue _ Arango y Parreño emphasized _ could spread

Publicaciones de la Direccion de Cultura del Ministerio de Educacion, 1952) II, p.145-187; also reproduced in H. Pichardo Viñals, Documentos para la Historia de Cuba (Havana: Editorial Nacional de Cuba, 1965) pp.240-278, version used here.

⁸ F.de Arango y Parreño, "Representación...1811", op.cit., p.254.

⁹ F.de Arango y Parreño, "Representación...1811", op.cit., p.265.

¹⁰ F.de Arango y Parreño, "Representación...1811", op.cit., p.272.

misunderstandings among the negroes. Risks inherent in the island's close proximity to Haiti should also be considered: "...we are surrounded by fire and all the time sparks are falling..."¹¹

Arango emphatically opposed the idea of the immediate abolition of the trans-Atlantic slave trade. It would not be convenient for the planters and less yet for the slaves themselves. In his view, the assumption that prohibition of the slave trade could improve slave reproduction was unreasonable. And so was the idea that this initiative together with the granting of freedom to children born to a slave mother could end all the horrors employed in their raising. Both assumptions were unreasonable because, first, there was no plantation in the island with the necessary number of hands and, second, most of the plantations had not got the appropriate number of women. In some plantations there were no women at all, observed Arango. Thus, asked Arango, how would the sudden prohibition of the slave trade produce the better treatment of existing slaves, if we are not allowed to furnish plantations with the required hands? Could slaves reproduce themselves when there are no women?¹² Furthermore, since the owner's right of property over the children born to a slave mother had already been conferred by law it would be unjust to dispose of it without compensation.¹³ Besides, previous to the prohibition of the slave trade, the government should facilitated the search for white labourers _ "wherever they could be found and by any possible means" _ to address the labour problem and that of "our threatened safety". Thus, Arango y Parreño criticized the Spanish policy on immigration which at this time was restricted to Spaniards. "We tolerate and have always tolerated the import of infidel blacks (...) but we cannot tolerate white

¹¹ F.de Arango y Parreño, "Representación...1811, op.cit., p.274.

¹² F.de Arango y Parreño, "Representación...1811", op.cit., p.259.

¹³ F.de Arango y Parreño, "Representación...1811", op.cit., p.262.

Catholics unless they are Spanish".¹⁴ It is worth recalling that a bill allowing for the first time non-Spanish, Catholic immigrants, would be issued only a few years later in 1817.

A more threatening abolition motion arose suddenly in the session of August 13, 1813, when the deputy Isidro Antillón attempted to reopen the debate. Antillón had already been publishing his abolitionist ideas in magazines and periodicals together with José Marchena and J.M. Blanco-White. He seemed to be the first Spanish writer to openly attack slavery and to argue for the immediate abolition of the slave trade and the gradual abolition of slavery. He read a dissertation against the commerce and enslavement of negroes before the Real Academia Matritense de Derecho Español, and the Academy of Spanish Law, as early as 1802. He remained unheard then and in 1813.¹⁵

In Spain, the question remained in abeyance after these early efforts. Only after the Congress of Vienna in 1815, was the Spanish government compelled to deal with the problem of the slave trade. From then until the 1860s, apart from a few measures regarding the abolition of the slave trade taken under British pressures and some isolated abolitionist voices, Spain seemed to be un-affected by the anti-slavery movement sweeping the rest of Europe. It had to wait until changed domestic and international circumstances impelled a more vigorous abolitionist action. But the issue could not be avoided in the colony. In 1822, eleven years after the Representation written by Arango y Parreño, the priest and philosophy teacher Felix Varela (1788-1853), a deputy elected to represent Cuba in the Cortes of 1822 and 1823, presented before that body his Memoir accompanied by a project-bill for abolition of slavery in Cuba.¹⁶

¹⁴ F.de Arango y Parreño, "Representación...1811", op.cit., p.265.

¹⁵ J.U. Martínez Carreras, op.cit., pp.67-68.

¹⁶ F. Varela, Memoria que demuestra la necesidad de extinguir la esclavitud de los negros en la isla de Cuba, atendiendo a los intereses de sus propietarios, por el presbítero Don Félix Varela,

Like Arango, Varela started by stressing the political problems produced by Spanish rule in Cuba. The "esclavitud politica" of the island was his main concern, followed by the status and increase of the black population. Labour in Cuba depended on Africans, either free or slaves. Their refusal to work, observed Varela, would ruin the island. This fragile situation, he believed, was further complicated by the proximity of Saint Domingue and its example as a potential spark for rebellion.¹⁷ Like Arango, he feared the growth of the free coloured population: "Fear increases with their rapid instruction (...) the press instructs them of their rights that are equal to those of any man; and makes them wish to be so happy as those from whom nature only made them different in colour".¹⁸ According to Varela, potential dangers could only be prevented by a process of controlled, gradual abolition. Planters should be guaranteed the investment already committed to the purchase of slaves; disturbance in the cities and disruption of agriculture should be avoided; and there should be precautions that slaves did not attempt to get more than what has been granted to them.¹⁹ He then proposed a controlled process of freeing slaves by three means: i) freedom to all slaves that had served his master for fifteen uninterrupted years; ii) self-purchase; the price of which should take in consideration years already served and those needed to complete the fifteen years; and iii) freedom to all children born to a slave mother, giving the owner the right to use their services until they were twenty years old, without paying wages and no obligation other than to provide maintenance and care in event of sickness. To improve the process Varela detailed a series of

Diputado a las Cortes. Proyecto de decreto sobre la abolición de la esclavitud en la Isla de Cuba y sobre los medios de evitar los daños que puedan considerarse a la población blanca ya la agricultura, reproduced in E. Torres-Cuevas and E. Reyes (ed.), Esclavitud y Sociedad. Notas y Documentos para la Historia de la Esclavitud Negra en Cuba (Havana: Editora de Ciencias Sociales, 1986) pp.148-162, version used here; partially reproduced in H. Pichardo Viñals, op.cit., pp.291-299.

¹⁷ F. Varela, Memoria, op.cit., p.152.

¹⁸ F. Varela, Memoria, op.cit., p.153.

¹⁹ F. Varela, Memoria, op.cit., p.154.

provisions for the creation of municipal boards, to oversee registers of all slaves, transference of contracts, the selection of those to be freed by public and private funds, rules for lotteries to finance slave freedom and the guarantee of self-purchase.²⁰ Although his project did not receive much public attention, news did reach Cuba where Varela's action was condemned.²¹

By the early 1830s another Representation by Francisco de Arango y Parreño showed signs of changes.²² His new arguments seemed to be very far from those presented almost twenty years early. First, he now supported the abolition of the trans-Atlantic slave trade as well as the better treatment of the slave in order to prolong life expectancy and increase reproduction.²³ To combat *la preocupación del color*, Arango proposed the promotion of white immigration and the easing of restrictions against interracial marriage (*mestizaje*). Legislative reform and white immigration would help to solve anxieties about the coloured and black population. He went on to suggest the establishment of colonies in appointed locations formed half and half by "European colonists and honest coloured women".²⁴

In contrast with his 1811 Representation, Arango now proposed the extinction of slavery based on the better treatment of slaves and on

²⁰ F. Varela, *Memoria*, *op.cit.*, pp.155-156.

²¹ A.F. Corwin, *op.cit.*, p.38. At the same time, in 1821, it was published in Spain the Juan Bernardo O'Gavan (another Cuban deputy)'s *Observaciones sobre la suerte de los negros de Africa, considerados en su propia patria y reclamación contra el tratado celebrado con los ingleses*, claiming the Cortes protected the slave trade against the British, see A.F. Corwin, p.39.

²² "Representación al Rey sobre la extinción del tráfico de negros y medios de mejorar la suerte de los esclavos coloniales, por Francisco de Arango y Parreño, en 28 de mayo de 1832", in *Obras*, *op.cit.*, pp.529-536; reproduced in E. Torres-Cuevas and E. Reyes (ed.), *op.cit.*, pp.164-169, version used here.

²³ F. de Arango y Parreño, "Representación...1832", *op.cit.*, p.165 and p.167.

²⁴ F.de Arango y Parreño, "Representación...1832", *op.cit.*, p.166.

incentives for gradual self-purchase.²⁵ He believed that the current system of slavery should be changed. Slaves should be declared glebae adict, who could not be bought nor moved from the plantations where they lived.²⁶ This was in marked contrast to his earlier criticism of Guridi's plan, "to introduce a capital novelty in the property right, namely curtailing the right of property owners to sell".²⁷ According to Arango, there should be efforts to promote better treatment and preservation of slave families as well as official protection for the savings of slaves. He observed that urban slaves had better living conditions compared to rural slaves. Field slaves indubitably needed the protection of the law. "They are not fed, clothed or assisted in their sickness properly. They are in effect allowed to save: but they are not granted the necessary time to cultivate their conuco and raise their animals".²⁸ To improve slave living conditions, he planned prizes to be awarded to masters who showed a high proportion of live births amongst slave mothers and penalties against planters whose plantations returned high death rates. He advised better treatment and incentives to slave mothers and their children. This was an evident shift from 1811 when he had noted, "The pregnant slave woman or nursing slave mother is useless for several months, and during this long period, she has to be fed with more and better quality food. Her absence from work, and the increased expenses of the mother, come from the pocket of the owner. Planters also have to provide resources to pay the expenses of the new born (...) and the added risks taken by the mother and child. The expenses of the owner are so high that the slave who is raised at home, if he can work, is more expensive^{ive} than those purchased

²⁵ F.de Arango y Parreño, "Representación...1832", op.cit., pp.167-169.

²⁶ F.de Arango y Parreño, "Representación...1832", op.cit., p.169.

²⁷ F.de Arango y Parreño, "Representación...1811", op.cit., p.272.

²⁸ F.de Arango y Parreño, "Representación...1832", op.cit., p.167.

in a market".²⁹ But Arango y Parreño's concern about the growing black population seemed to have increased. He now argued that incentives for self-purchase could reduce the potential dangers produced by a large black population. However, he stressed, "it is too dangerous to open new doors to manumission".³⁰

It's not easy to disentangle all the themes involved in schemes relating to abolition devised by Varela and Arango y Parreño. Both authors seemed to agree on the need to abolish slavery. Both were apparently very concerned about the great increase in the black population. Varela pointed to the great dependence of Cuba on black hands. Arango y Parreño was concerned also about the dangers arising from a large black population divided into free and slave. For both writers, abolition should be gradual, with regard to planter needs so as not to disrupt the conditions of production and jeopardize capital already invested. The means of implementing abolition was focused on the individual slaves. Gradual self-purchase, guaranteeing the planter compensation in money or labour, through long term labour agreements. Immigration was devised to address, besides the actual need of labourers, a political matter. Promoting ~~mestizaje~~ as proposed by Arango or increasing the white population would counterbalance increases in the black population. Better treatment of slaves would increase their working life and self-reproduction and would also diminish the tendency to runaway or revolt. These measures might, in addition inhibit a combination of freedmen and slaves against whites.

By this time, the growing number of blacks entering Cuba had intensified fears about revolt. Demography in part accounts for white anxieties of the period. The black population, free and slaves, outnumbered the white population for the first time in 1817. This balance would not change, according to the census until the period from 1846-62. At the beginning of the 1840s, slaves

²⁹ F.de Arango y Parreño, "Representación...1811", p.255.

³⁰ F.de Arango y Parreño, "Representación...1832", op.cit., p.169.

outnumbered whites.³¹

During the 1830s, under Governors Tacón and Espeleta, rules were issued to secure the isolation of the slaves.³² Increased numbers of blacks was dangerous but _ it was believed _ would be even more dangerous if influenced by abolition and abolitionist sentiments occurring on surrounding islands. The British Commissioner at Havana in 1830 reported that "although the native planters are, of course, glad to procure slaves at the lowest possible price, yet, I believe, the majority of them would have little objection to sacrifice a temporary profit, to the solid advantage of not having their lives and properties endangered by the unlimited increase of black population".³³ Cuban anxieties about the

³¹ According to the 1841 census, slaves (436,495) outnumbered whites, 436,495 and 418,291 respectively. According to 1846 census, there were 323,759 slaves and 425,767 whites. See Cuba, resúmen del censo de población de la isla de Cuba á fin del año de 1841 (Havana: Imprenta del Gobierno, 1842); Cuba, Cuadro estadístico de la siempre fiel Isla de Cuba, correspondiente al año de 1846 (Havana: Imprenta del Gobierno, 1847), data compiled from both censuses, see K.F. Kiple, Blacks in Colonial Cuba, 1774-1889. (Gainesville: The University Presses of Florida, 1976) appendix.

³² See Circular issued by the Captain General of the Island of Cuba, Havana, July 28, 1832; restated by Miguel Tacón, January 3, 1835, saying "The most efficacious vigilance to prevent the introduction into the island of that dangerous class of negroes and mulattoes, contaminated with the fallacious doctrines invented by the revolutionists of both worlds, should be a most privileged object of the care and attention of the authorities"(p.76); and again Circular June 12, 1838, also pointing out that "For the purpose of preserving the security of the island, and that on no pretext black or mulattoes, proceeding from foreign countries be introduced in to it, I have thought proper to ordain that (...) the Captain [vessel] shall present bail in 1,000 dollars, to answer for the said freed negroes not coming on shore...", Second and Third Enclosure n.50, Lord William Hervey to Viscount Palmerston, Madrid, September 1, 1838, Correspondence with Foreign Powers (class B) Parliamentary Papers, 1839. v.48. On the issue see also G. M. Hall, Social Control in Slave Plantation Societies. A Comparison of Saint Dominique and Cuba (Baltimore: The Johns Hopkins Press, 1971).

³³ W.S. Macleay, Esq. to the Earl of Aberdeen (received March 9). Report on the Slave Trade. Havana, January 1, 1830, in Correspondence with the British Commissioners at Sierra Leone, The Havana, Rio de Janeiro and Surinam relating to the Slave Trade, 1830, Parliamentary Papers, 1831 v.19.

dangers of a majority black population would serve Britain as a means of pressure against the Spanish Government. "You will remind them, moreover, of the danger which recent circumstances have shown might accrue from an overwhelming number of new negroes in Cuba at a time it might be difficult to keep down the temper and spirit of those already long imported..." wrote Viscount Palmerston to the British representatives in Havana in 1833.³⁴

The opinions of distinct groups within Cuba regarding the slave trade and the increase of black population were contained in an 1840 report on the slave trade by the British Commissioner at Havana: "We trust, there may be found here many persons in favour of the suppression of the Slave Trade, from the worthiest motives; but we are also convinced, that there are many who would coincide in it from policy. Among the richer classes, many fear that the number of negroes introduced may hereafter lead to disastrous consequences; while the poorer classes of the whites are almost unanimous in expressing a wish for the suppression of the Slave Trade, partly because they are repugnant to labour with the blacks, and partly because they believe that these continued importation tend to keep down the price of labour".³⁵ These fears reached a peak in the early 1840s. Slave uprisings in plantations and in the cities frightened all concerned. By this time England and British abolitionists were pressing the Spanish Government to fulfil former treaties for the abolition of the slave trade. Attempt of agreement between the two governments considering the freedom of all slaves illegally imported from Africa since 1820 caused indignation and fears of a British

³⁴ Viscount Palmerston to Mr. Villiers. F.O., November 22, 1833. in Correspondence with Foreign Powers (class B) Parliamentary Papers, 1834. v.44.

³⁵ H.M. Consul to Viscount Palmerston. Havana, January 1, 1840 (Received March 12), Report on the Slave Trade. Further Series. Correspondence with the British Comm. at Sierra Leone, The Havana, Rio de Janeiro, and Surinam relating to the Slave Trade (class A) Parliamentary Papers v.46.

invasion.³⁶ The Informe reservado del Real Consulado in Habana, in 1841, foresaw this catastrophe if the slave trade continued. Dangers of revolution were reported, "...the slave is always trying the resistance of his chains and these chains are today imaginary. We have slept in danger. It is necessary to wake up and provide for efficient means that can yet save us. At issue are our lives, plantations, the honour of our wives and daughters (...) off our coast we face immediately Saint Domingue and Jamaica from where a mass of one million blacks can in one night swarm into our beaches (...) with the cry of freedom for the blacks and death to whites".³⁷ To avoid this catastrophe, the Informe advocated the effective suppression of the slave trade, the promotion of the white population, effective Cuban representation in the Cortes and the removal of the "fanatic" English consul Turnbull.

The Bando de Gobernación y Policía de la Isla de Cuba issued by Captain General Geronimo Valdés in 1842 crystallized these ideas.³⁸ The Bando included 261 articles and covered various themes ranging from Religion and Public Morals, Public Order, Public Safety to Public Health, Public Hygiene and Public Spectacles, including sections for Plaza de Toros and Bailes de Máscaras. It attempted to cover in great detail several aspects of public life, from the movement and activities of the free coloured, slaves and runaways, to the temperature and colour of the milk to be sold and

³⁶ Documentos relativos al proyecto de convenio que el gobierno inglés presentó al español el año de 1840 para declarar libres a los negros importados de Africa después del 30 de octubre de 1820 and Acuerdo de la Junta de Fomento sobre manumisión de los negros introducidos desde el año 1820, reprod. in E. Torres-Cuevas and E. Reyes, op.cit., pp.192-198. See also "Informe dado al Excmo Sr. Capitan General por una persona respetable de La Habana sobre la emancipacion de los bozales, 21 de octubre de 1841", Appendix V in C. Madan, Llamamiento de la isla de Cuba a la nación española, dirigido al Excmo. e Illmo. Señor Don Baldomero Espartero (New York: Hallet, 1855).

³⁷ Informe Reservado del Real Consulado (1841), reprod. in E. Torres-Cuevas and E. Reyes, op.cit. : pp.198-201, pp.199-200.

³⁸ Bando de Gobernación y Policía de la Isla de Cuba espedido por El Escmo.Sr.D. Gerónimo Valdés, Presidente Gobernador y Capitan General (Havana: Imprenta del Gobierno, 1842).

uncontrolled dogs on streets. The main point, however, was to facilitate the registration and control of the black population, free and slave. According to article 17, "No master will accept a free coloured worker without written evidence from the authorities..."; and to article 21 every slave needs a written license from the owner or overseer to leave the estate. Article 23 forbade entry to, and provided for the re-exportation of any black _ either free or slave _ coming from abroad. Article 40 conferred an inhabitant the obligation to detain runaway slaves. Article 77 required that the overseer of estates must be white. These articles were included in the Bando. The Bando was accompanied by a Reglamento de Esclavos, Instrucción de Pedaneos and several Appendices, among them the Reglamento y Arancel que debe gobernar en la captura de Esclavos prófugos o cimarrones aprobado por S.M. en Real Orden de 20 de Diciembre de 1796..., and Instrucción para las causas de vagancia publicada en el año de 1834 por mandado del Exmo Sr. Dr. Miguel Tacón.

The Slave Code (Reglamento de Esclavos) included 48 articles.³⁹ In the Circular attached to the Bando, Valdés observed that special attention should be given to field slaves. The object was "to seek by all possible means the conservation and propagation of these hands to ensure a continued humane treatment while keeping them under a severe discipline and undisrupted subordination" (my stress).⁴⁰ The Reglamento covered working practices such as working hours on holidays, ordinary days (nine to ten hours) and during harvesting (16 hours a day). It provided for the quality and quantity of food, clothing, formal marriage, conservation of families, and the care of children, the elderly and sick slaves, fines for mistreatment, and self-purchase. At the same time the Reglamento imposed greater control over the activities and movement

³⁹ The Reglamento de Esclavos, included in the Bando, op.cit., pp.59-68, is also reproduced in H. Pichardo Viñals, op.cit., pp.331-340; for an English translation see R.L. Paquette, Sugar is Made with Blood. The Conspiracy of la Escalera and the Conflicts between Empires over Slavery in Cuba (Middletown: Wesleyan University Press, 1988) pp.266-272.

⁴⁰ Bando de Gobernación, op.cit., p.4.

of slaves: there were to be licenses to leave the estates, no mixing of slaves from different estates nor with free coloureds.

Most of the proposals suggested during the 1840s were driven by growing concern about the balance of black-to-white, and slave-to-free population. In November, 1843, for the first time a number of planters openly questioned the continuation of the slave trade and asked for its suppression in a Exposition to the Gobernador General. According to the Exposición de los hacendados de Matanzas the measure was necessary for the safety of rural districts.⁴¹ Late in December the investigation and suppression of an insurrection on a plantation near Matanzas would turn into an island wide investigation of a suspected mass slave conspiracy. This event, the so-called Escalera conspiracy, despite all the controversy enveloping it, conveys accurately the paranoia provoked over the previous years by the influx of African slaves and by British abolitionist activity in Cuba. As Murray pointed out, "the black discontent building up within Cuba was matched by the growth of a paranoid fear of race revolution among the whites. When the explosion came, the force of repression produced by this paranoia far exceeded the reality of any of the slave uprisings which had occurred".⁴² The investigation and suppression of the supposed conspiracy was entrusted by Captain General O'Donnell, Valdés' replacement, to military commissions which operated with unlimited powers in all the major areas of Cuba. The savage repression of anyone even remotely connected to the conspiracy resulted in an unknown number of deaths from torture. Hundreds were imprisoned, deported or condemned to death. Free blacks were one of the most persecuted groups.⁴³ According to Pastrana, whites took advantage

⁴¹ Exposición de los hacendados de Matanzas al Gobernador Capitan General, pidiendo la supresión de la trata (1843), reprod. in E. Torres-Cuevas and E. Reyes, op.cit., pp.202-205.

⁴² D.R. Murray, op.cit., p.173.

⁴³ Colección de los Fallos Pronunciados por una Sección de la Comisión Militar establecida en la ciudad de Matanzas para conocer de la causa de conspiración de la gente de color, Matanzas: Imprenta del Gobierno, 1844; on la Escalera see R.L. Paquette, op.cit. New provisions were add to the 1842 Reglamento de Esclavos and slaves

of the widespread panic in ^{the} island, first, to protect slave interests by neutralizing by means of terror slave rebellions and the effects of British abolitionist activity; second to extinguish the recent-born coloured petit bourgeoisie and intellectuals, either as economic competitors and as potential anti-slavery ideologues; and third to avoid the diffusion of abolitionist ideas among whites.⁴⁴ Fear of further uprisings and British intervention moved Cuban planters to ask for more effective measures to stop the slave trade. Spanish politicians then worked to fashion the Law of Abolition and Repression of the Slave Trade sanctioned on March 2, 1845.⁴⁵ The law was an attempt to stop the slave trade and for a short-time it achieved its aims. However, the initiative did not represent a challenge to slavery. On the contrary, it was clearly committed to the preservation of slavery. Article 9 ensured slaveowners that they would not be questioned on the origin of their slaves, that is whether any had been illegally imported since 1820.⁴⁶

were even more restricted in their movements and faced severe punishments. These were included in the Slave Regulations of 1844, which also instructed owners and their representatives to be more vigilant on the estates. For instance they should "arrest and send to the district judge any person of colour, free or slave, and any suspicious-looking white man" who comes on the estate without a letter or paper signed by the person who sent him. The same measures applied to any peddlers. Owners should order only whites to be employed as carters, muleteers, porters; white employees should make up at least 5% of the equivalent of the coloured labourers. These regulations also imposed strict control on the movement of free people of colour. See J.M. Zamora y Coronado Biblioteca de Legislación Ultramarina en forma de Diccionario Alfabético 7 vols (Madrid: Imprenta de Alegria y Charlain, 1844-1849) 3, pp.139-141; these regulations are translated into English in R.L. Paquette, op.cit., pp.273-274.

⁴⁴ J. Jiménez Pastrana. Los chinos en las luchas por la liberación Cubana (1847-1930) (Havana: Instituto de Historia, 1963) p.13 and 14. Same opinion, see P. Deschamps Chapeaux, El negro en la economía Habanera del siglo XIX (Havana: Unión de Escritores y Artistas de Cuba, 1971) pp.24-26.

⁴⁵ J.M. Zamora y Coronado, op.cit., 4, pp.467-469; the law is reproduced in H. Pichardo Viñals, op.cit., pp.341-344.

⁴⁶ On the law see A.F. Corwin op.cit., pp.84-87; see also D.R. Murray, op.cit., chapter 10.

At this time, several pamphlets were published addressing the problem of the end of the slave trade and abolition of slavery. Besides growing fears about the black/white population balance, the debate also revealed a growing discontentment with Spanish rule and its policy regarding those problems. Spain had showed itself ambiguous and weak when facing British pressures against the trans-Atlantic slave trade. The abolition of slavery in surrounding countries and the growing international antislavery movement were viewed as real challenges to the existence of slavery in the island. However, the continuation of slavery in Cuba was viewed as essential to the preservation of Spanish rule. The uncertain and manipulative Spanish policy on the slavery and the trade drew Cuba closer to the United States of America. The powerful neighbour represented not only a promising secure market for Cuban sugar but could be a more assertive supporter for the continuance of slavery in Cuba. Annexionist ideas would spread in the island during the 1840s and 1850s, and would decline only with the American Civil war and the end of slavery in the United States of America. The political connection between the end/continuance of the slave trade and the Spanish colonial rule was underscored by the political activist and writer, José Antonio Saco, in several pamphlets.⁴⁷

Saco, a representative of the Creole culture, believed that the slave trade and slavery were an obstacle to Cuban autonomy. In his view, free labour was cheaper and more efficient than slave labour, although he conceded that with the cheap prices of slaves at the time the system was temporarily more profitable than free labour.⁴⁸ However, the cheap price of slaves would not be permanent. In his view, sugar could be better produced under the system of a white "colonato". Free labourers were ingenious and diligent and could be

⁴⁷ J.A. Saco, Obras. Compiladas por primera vez y publicada en dos tomos, por un paisano del autor 2 vols, (New York: Librería Americana y Estrangera de R. Lockwood, 1853)

⁴⁸ "La supresión del tráfico de escravos africanos en la Isla de Cuba, examinada com relación a su agricultura y seguridad" in J. A. Saco, Colección de papeles científicos, históricos, políticos y de otros ramos sobre la Isla de Cuba, reprint. 3 vols, (Havana: Dirección General de Cultura, 1930) II, p.115.

easily dismissed. By contrast, slaves were indolent, undisciplined, and the owner was charged with several expenses in event of sickness, flights, capture, christening, marriage, and funerals. Free labourers would not steal sugar and provisions, and would not rebel.⁴⁹ Saco supported the abolition of the slave trade and believed that slavery was not essential to the Cuban economy. Above all he maintained that the continued trade in Africans was a threat to the security of the island, either because of potential dangers from the large black population or because constant British intervention could result in conflicts involving Spain, the United States of America and Britain. To reduce Cuban planter anxieties on the issue, he argued many times that there was no connection between the abolition of the slave trade and the abolition of slavery.⁵⁰ In his view, the end of the slave trade did not mean the end of slavery, on the contrary, it could provoke an increase in the value of slaves and in their numbers by self-reproduction as had happened in other countries.⁵¹

By contrast, contemporary writing in Spain by the distinguished Spanish scientist, historian and representative of peninsular culture in Cuba, Ramón de la Sagra believed that the end of the slave trade would provoke the end of slavery.⁵² Liberal Spanish laws on manumission, the system of *coartación* and the high death rate would eventually contribute to its end.⁵³ Like Saco, Sagra was against the continuance of the slave trade. Further, he believed its

⁴⁹ J.A. Saco, "La supresión...", *op.cit.*, pp.118-119; and same author, "Mi Primera Pregunta? La Abolición del Comercio de esclavos africanos arruinará ó atrasará la agricultura cubana? Dedicada a los hacendados de la Isla de Cuba" (Madrid: Imprenta de Don Marcelino Calero, 1837); also reproduced in J.A. Saco, *Obras., op.cit.*, I:75-97, pp.88-89.

⁵⁰ Repeated in various articles, see J.A Saco, "Mi primera Pregunta", *op.cit.*, p.91; and "La supresión del tráfico", as reproduced in J.A. Saco, *Obras, op.cit.*, I:171-232, p.174.

⁵¹ J.A. Saco, "Mi Primera Pregunta", *op.cit.*, p.91 and subseq.

⁵² R. de la Sagra, *Estudios coloniales con aplicación a la Isla de Cuba* (Madrid: Dionisio Hidalgo, 1845).

⁵³ R. de la Sagra, *op.cit.*, p.78.

end was inevitable for it was universally condemned and the treaties demanded it. In his view the organization of free labour relations in Cuba would have at least two beneficial purposes. From one side, it would led to the development of a "scientific agriculture", to the reorganization of rural land property and to the application of capital invested in the trade to extend cultivation. From another side, it would provide slaves with education, moral sentiments and family ties. And it would change the idea of labour from "pain" into a "condition inherent to the social nature of humanity". In slavery, "degradation and brutality" were necessary to keep obedience and peace. It lacked ingenium^{ouu} cleverness and love of work, essential elements for the prosperity.⁵⁴ In his view, Cuba should follow the new labour system developed by the Dutch in Java. The planter would no longer control both the industrial and agricultural sides of sugar production. The latter process should be conceded to free, independent cultivators who would sell their products to the mill owners.⁵⁵

At the same time, the fiscal of the ~~Superintendencia~~ **Superintendencia General Delegada de Real Hacienda**, Vicente Vázquez Queipo, also argued against the continuance of the slave trade and proposed a gradual extinction of slavery. He presented his report, concerning the promotion of white population and gradual slave emancipation in the island of Cuba, as an attempt "to preserve the prosperity of the island without weakening the ties with the metropolis".⁵⁶ Vázquez was not concerned with Saco's preoccupation about the need for white immigration to neutralize the growing number of slaves. Recent slave conspiracies, explained Vázquez, had produced a "healthy" shift in public opinion concerning the necessity of promoting white

⁵⁴ R. de la Sagra, op.cit., pp.15-16.

⁵⁵ R. de la Sagra, op.cit., pp.80-86.

⁵⁶ V. Vázquez Queipo, Informe fiscal sobre fomento de la población blanca en la Isla de Cuba y emancipación progresiva de la esclava con una breve reseña de las reformas y modificaciones que para conseguirlo convendría establecer en la legislación y constitución coloniales: presentado a la Superintendencia General Delegada de Real Hacienda en diciembre de 1844 por el fiscal de la misma (Madrid: Imprenta de J. Martín Alegria, 1845).

population growth but the alarms of the abolitionists were groundless. Fears about black uprisings were for the most part ill founded. The ratio^{to, of} black to white in Cuba was very smallⁱⁿ contrast^{ed} to other countries. Moreover the permanent Spanish garrison was sufficient to put down any insubordination from the black population, and to ensure the tranquillity of the white population. In his view, white population should be promoted as a measure to increase the general population and to populate deserted areas of the island. According to Vázquez, slave labour was much cheaper than free labour.

Criticizing the Council for Economic Development's policy on the promotion of white immigration, Vázquez observed that the Council misunderstood points such as that of the increase of hands and the replacement of the black population by the white population.⁵⁷ Promotion of European labourers to work on sugar plantations in the manner that have^s been attempted by the Council was inappropriate, not least because whites preferred non-rural activities. The economic viability of the Council's plans was questionable in Vázquez opinion. There was the example of previous experiences. The high price of European labourers would cause the ruin of sugar plantations and besides abuses of engagement, there was the promiscuity to which young men and women would be exposed on estates where they live together with the black population. In his view "the important point now is not to increase production but reduce production costs; and this cannot be achieved by the immigration of European labourers".⁵⁸ Vázquez proposal was to substitute whites for the black population by promoting the immigration of families. "True colonists", he observed, working their own land. To achieve this, he proposed radical changes. Among them the separation of sugar processing from cultivation; the late^r process would be entrusted to small cultivators.⁵⁹

⁵⁷ V. Vázquez Queipo, op.cit., p.14.

⁵⁸ V. Vázquez Queipo, op.cit., p.28.

⁵⁹ V. Vázquez Queipo, op.cit., p.44.

Together with the increase of the white population, Vázquez suggested the gradual extinction of the slave population. For Vázquez, the end of the slave trade would produce an increase in the slave population due to the promotion of marriages and more humane treatment. Thus, the gradual extinction of slavery, without "resorting to the violent, unjust and political means of sudden emancipation", should begin with the creation of taxes for non-field slaves.⁶⁰ After that, taxes should be extended to other slaves. By this means "to gradually impose taxes on slaves until the cost of using slaves would be equal to that of employing white wage labour... so ending advantages of employing [slaves] at which point their price would naturally decrease easing manumission through self-purchase".⁶¹ And Vázquez added, that was a way of encouraging the slaves to work diligently, and of liberating the island from the "leprosy that corrodes her".⁶² This plan, Vázquez conceded, would take about one century, "but that was just a moment in the life of a nation".⁶³ After the ending of slavery the government could then think about the security of the island. Antagoni^stic and distinct, the races could hardly be expected to live together. Expelling all the freedmen would be unjust and violent. Therefore, Vázquez Queipo's proposal was to commute all prison penalties for black people into exile; they should leave the country within^s specified time.⁶⁴

On several occasions, Saco criticized Vázquez' entire plan, and especially his weak commitment to the end of slavery. Both agreed on the need to end the slave trade and to whiten the population. For Saco, this was vital for the safety of Cuba. And while Saco believed in an eventual assimilation of the black population through a process of interracial marriage, Vázquez was clearly against it. He considered miscegenation would produce individuals endowed with the

⁶⁰ V. Vázquez Queipo, op.cit., p.56.

⁶¹ V. Vázquez Queipo, op.cit., pp.56-57.

⁶² V. Vázquez Queipo, op.cit., p.57.

⁶³ V. Vázquez Queipo, op.cit., p.58.

⁶⁴ V. Vázquez Queipo, op.cit., pp.57-58.

worse vices of black race and who aspired to be equal to whites.⁶⁵ Various means to facilitate mestizaje would be proposed from time to time during the nineteenth century. It was argued that in addition to whitening the island, the production of a mulato population could help to increase labour supply. Nevertheless, restrictions on interracial marriage would not be lifted until 1881.⁶⁶

When in 1866 the Spanish government called together a meeting including delegates from Cuba and Puerto Rico (Junta Informativa de Ultramar) to discuss colonial, political and social reforms, the debate on slavery moved into the open and the ideal of gradual emancipation surfaced again. The government agenda for the Colonial Reform Commission did not at first include the issue of the abolition of slavery, although the means of regulating the work of the coloured and Asian population and the means of facilitating immigration were topics to be discussed.⁶⁷

The government interrogatorio designed to shape discussion of the labour regulation is a good indication of the government's intentions with regard to slavery and the reorganization of labour. Concerning slaves, the government posed the following questions: i) whether it would be desirable to establish missions to administer to

⁶⁵ V. Vázquez Queipo, op.cit., p.33; J. A Saco, Carta de un Cubano a un amigo suyo en que se hacen algunas observaciones al informe fiscal sobre fomento de la población blanca en la Isla de Cuba, etc., presentado en la Habana en diciembre de 1844 á la Superintendencia General Delegada de Real Hacienda, por el Sr. D. Vicente Vázquez Queipo, Fiscal de la misma, y publicado en Madrid en 1845" (Sevilla: Imprenta de J. Gómez, 1847) and Réplica de D. José Antonio Saco a la contestación del Señor Fiscal de la Real Hacienda de la Habana, D. Vicente Vázquez Queipo, en el exame del Informe sobre el fomento de la población blanca, etc. en la Isla de Cuba (Madrid: Imprenta de "La Publicidad", 1847) both reproduced in Obras, op.cit., pp.233-275 and pp.277-341 respectively.

⁶⁶ Jose Antonio Saco advocated the foment of mulato population to increase the labour supply, cf. J. and V. Martínez Alier, Cuba: economía y sociedad (Madrid: Ruedo Iberico, 1972) p.14; the segregationist policy and the manipulative role of the Spanish over the issue, see same work especially chapters I and II.

⁶⁷ Información sobre reformas en Cuba y Puerto Rico 2 tomos (New York: Hallet y Breen, 1867).

the religious needs of the slaves; ii) the means to promote marriage among and good treatment of slaves (prizes, sex balance on plantations, separation of families, etc); iii) how should working hours be regulated; iv) whether existing disciplinary measures should be preserved; v) the process of **coartación** and the use of labour of **coartados**.⁶⁸ The abolition of slavery was not in question. Most of those concerns reflected rather the general sentiment that with the end of the trans-Atlantic slave trade (the final bill to stop the slave trade has been discussed at this time), efforts should be taken to preserve and upgrade the existing slave population. The questionnaire also reflected another general feeling that emancipation was eventually inevitable and there should be some preparation for it. **Coartación**, the process whereby a slave gradually acquired his freedom, was the way to assure a smooth, transitory period to prepare the slave for eventual freedom. And so too would religious education and regulations constraining to engage work.

Provisions about free blacks, Asian workers and immigrants were also related to the end of the slave trade and anticipated problems of labour supply. Concerning free blacks, the **interrogatorio** posed two questions: i) what measures should be adopted to restrain vagrancy; and if it was convenient to exile vagrants from the island ii) whether it was convenient to oblige free blacks to work and on which bases. On the Asian workers, the government was concerned about i) measures to assure their good treatment; ii) whether labour contracts should be reformed; iii) the convenience of replacing corporal punishment by fines on this class of offender; iv) their situation after contracts and under which conditions should they be allowed to remain in the country after the expiration of contracts? Finally, on white immigration and efforts to find an alternative to slave labour: i) what type of immigration was more convenient; ii) should it be promoted by the government or private interest; iii) should foreign immigrants be admitted on equal terms with those from

⁶⁸ Información, op.cit., I, pp.42-43; see also A.F. Corwin, op.cit., pp.191-192.

Spain.⁶⁹

The issue of the future of slavery was forced into the agenda when the Puerto Rican delegation presented an explosive manifesto calling for immediate abolition of slavery.⁷⁰ The Puerto Rican delegates refused to accept the thrust of the existing agenda as the whole questionnaire presumed the existence of slavery in perpetuity. The manifesto, presented by Ruiz Bélvis, J. Acosta and F. Quiñones, demanded therefore immediate abolition in Puerto Rico, with or without compensation, with or without labour regulation (reglamentación del trabajo).

The proposal caused a great commotion among the commissioners. The government delegates protested that abolition was not on the agenda. Cuban delegates agreed and stressed that the Committee should not consider the proposition from Puerto Rico. According to a Cuban manifesto signed by J. Estéfani, Manuel de Armas, F. Jiménez, José Argudín, V. Vázquez Queipo, Ramón de la Sagra among others, the Puerto Rican proposal was dangerous to the tranquillity and interests of both islands. Abolition in Puerto Rico would naturally affect Cuba.⁷¹ In a separate vote, Manuel de Armas feared the consequences of an immediate abolition. What would become, he asked, of 360,000 Cuban slaves, all of them without religious instruction, predisposed to ~~the~~ vagrancy, inclined to savage instincts and in open opposition to the whites? Could they be freed suddenly without ruining the island? And, moreover, what if they ally to the others "466,680 of the same class existing in the Antilles" and attempted to destroy their former owners? In his view, abolition should be a gradual process, preparing the conditions in which slaves would find "moral and material restraints to subjugate the overflow of their passion".⁷² Also abolition implied

⁶⁹ Información, op.cit., I, pp.43-46; A.F. Corwin, op.cit., p.192.

⁷⁰ Información, op.cit., I, pp.47-48.

⁷¹ Información, op.cit., I, pp.54-55.

⁷² Información, op.cit., I, p.58.

indemnification and there were no means of providing it. His opinion on the issue was very clear. All slaves had to be prepared ^{for} to their future "emancipation and prosperity". They should have religious instruction and be trained for family life and labour. That would require time and financial compensation from the government. Besides, there should be respect for the legal rights already acquired by planters and measures against "vagrancy or crime" that might come from an immediate emancipation.⁷³

Even the more reformist deputies from Cuba, such as Pozos Dulces, Echeverría, Azcárate, Terry were reluctant to endorse ^{the} Puerto Rican proposition. In their "Contestación sobre la manera de reglamentar el trabajo", they pointed out that circumstances in Puerto Rico were distinct from those in Cuba. The fortunate circumstances of Puerto Rico, had succeed ^{to} demonstrate ^{ing} "the practical advantage of free labour, the coexistence and cooperation of the white and black races in agricultural tasks", were not present in Cuba.⁷⁴ The more complex situation in Cuba made it impossible to realize abolition immediately. They did not seek the perpetuation of slavery in the island. However, they believed that abolition should be phased to allow time to prevent disturbances "in the march of civilization and

⁷³ Información, op.cit., I, pp.62-65.

⁷⁴ Circumstances of Puerto Rico were different from Cuba. Although this Spanish colony had also enjoyed an economic boom during the first decades of the nineteenth century, it had not been flooded with slaves. Sugar estates were smaller, less capitalized and technically more backward than in Cuba. There had been a steady mixing of races and miscegenation helped to encourage manumission. In 1860 slaves numbered only 41,746 in an overall population of 541,445. Slave imports ceased around 1845; in 1849 the Spanish authorities and Puerto Rican **hacendados** inaugurated compulsory labour, through the Reglamento de Jornaleros, to force the large peasant population to work on the plantations as wage labourers. According to Sacarano, the Reglamento imposed through a series of coercive measures "to hold down the price of wage labour, and more important, to force jornaleros into a slave like productive system on the plantations" (p.34), see F.A. Scarano, Sugar and Slavery in Puerto Rico. The Plantation Economy of Ponce, 1800-1850 (Madison: The University Press of Wisconsin Press, 1984). Final abolition of slavery would occur earlier in Puerto Rico, in 1873.

the moral and material progress of their country".⁷⁵ They also believed the issue "relevant to the future prosperity and conservation of the island". Abolition could not be treated in isolation but should be implemented in harmony with political reforms. As Corwin observed, the creoles expected to liberate themselves from Spain before freeing their slaves.⁷⁶

The majority of Cuban commissioners believed in the eventual extinction of slavery. The great mortality among slaves, the negative rate of procreation and the liberality of Spanish legislation towards self-purchase would all contribute to this end. Some even agreed on the need to abolish slavery, given the anticipated dangers of Africanisation of the island and of losing suddenly their property rights if Spain surrender to British pressures. Equally important was the possibility of a boycott of slave products by the United States of America, already Cuba's major market. This issue had already been raised in the United States Congress.⁷⁷ However, whatsoever the reasons for abolition, as their Brazilian counterparts, most Cuban planters insisted that any movement towards emancipation should be gradual, preparing masters and slaves for the new future and in order to prevent any disturbance of plantation production. This was very clear on the last day of the meeting (April 27, 1867) when they submitted their project for slave emancipation in Cuba. Any proposal should try to avoid the dangers of creating a great expectation of immediate freedom on the part of slaves. It was also necessary to avoid the disruption of labour on the plantations and the possible "flood of ignorant and undisciplined hordes into urban areas" if ex-slaves abandoned the fields. There ~~was~~^{were} also fears about labour costs and the ability of *hacendados* to pay wages. "We believe that taking into account all these concerns, it is possible to consider a project of emancipation [without offending justice] not only with regard to the

⁷⁵ *Información, op.cit.*, I, pp.73-75, and A.F. Corwin, *op.cit.*, p.194.

⁷⁶ A.F. Corwin, *op.cit.*, p.195.

⁷⁷ A.F. Corwin, *op.cit.*, p.203.

slaves as a group, but with respect to each individual slave". A project that would leave them "for a certain period subject to a discipline, similar to that of serfs in the middle ages (...) gradually introducing to the estates a new regime to allow owners time to get used to the new workers, to find suitable ways of making ^{the} freedman inclined to remain on the estate, and to guarantee that the freedman achieve his freedom through existing, secure means..." (my stress).⁷⁸ The Cuban commissioners also recommended the bases on which a project of emancipation should be presented by the government. The most important recommendations were i) the positively suppression of the trans-Atlantic slave trade, ii) free birth while guaranteeing the labour of the freeborn, iii) that no plan on emancipation would be decreed without compensation nor without previous consultation with bodies on the island.⁷⁹ Coartación would be the way of facilitating individual freedom, a goal acquired progressively through labour and thrift.⁸⁰

The plan of emancipation elaborated by the Cuban delegates to the commission included among others provisions, freedom for the elderly and free birth, guaranteeing to the planters the patronship over the free born till the age of 18 or 21 for women and men respectively. The main route to freedom would be through **coartación sucesiva y anuales** and individual manumission financed by lotteries. An average price of 450 pesos was suggested for **coartación** and compensation. The main points of the plan were: first, slaves would be freed but not suddenly; second, it would prevent the possibility of any private initiative to free all slaves simultaneously; third, the **gracia** of the **coartación** would be equally distributed across all regions of the island; fourth, preference in manumission would be given to older slaves but there was a probability that any slave could get his/her freedom; fifth, based on the **coartación sucesivas**, freedmen would remain seven years subjected to the discipline and

⁷⁸ Información, op.cit., II, pp.285-286.

⁷⁹ Información, op.cit., II, p.287, and A.F. Corwin, op.cit., pp.203-204.

⁸⁰ Información, op.cit., I, p.70.

the masters would have time to prepare to the substitution of the system of labour; sixth, *coartación* was a customary practice and not a dangerous innovation and would thus contribute to tranquillize the slaves as since all would surely expect to be freed; eighth, the small but regular payments to the planters for the manumissions of their slaves would give them yearly the resources from which to pay the wages to the new class of labourers.⁸¹

The Cuban plan of gradual abolition presented to the Committee received the approval of a majority of the members and was recommended to the Minister for the colonies.⁸² However, the failure of Cuban delegates to secure major reforms would soon become apparent. Besides an extensive opposition to any move towards emancipation within Cuba, the Spanish government was reluctant to lose Cuban planter support and the revenues from the ~~Antillian~~ island that might result from the anticipated disruption of the sugar industry following the initiative. Also Spain could not afford any scheme of compensation for slave property. Together with those "social reforms" Cuban delegates had also asked for economic and political reforms which would also remain unanswered. Over the following decades, attempts to link general emancipation and individual emancipation became more evident as part of the policy implemented with the approval of Moret Law in Spain. This was also a feature of the Brazilian case.

⁸¹ Información, op.cit., II, pp.288-294.

⁸² A.F. Corwin, op.cit., p.205.

5.2. Brazil

Superficially, Brazil and Cuba shared common anxieties. At world level, abolitionist sentiments were growing and there was an increased pressure to end the trans-Atlantic slave trade. Internal conditions also seemed similar, given the rapid growth in demand for plantation labour and the perceived need to secure a gradual process of reform so as to prevent disruption of production and to ensure social stability.

However, pressures to end the African trade and the influence of the abolitionist movement had a different impact on plans for slave emancipation and concepts of free labour in the two areas. Attitudes to the black population and the creation of a nation also differed. The major factor was the colonial situation of Cuba. The abolition of the Cuban slave trade involved mostly questions about the security of the island, facing American and British threats of intervention. Spain confronted a difficult dilemma. How to preserve its "jewel" and a profitable trade dominated by Spaniards in the face of powerful external pressures. Cubans, in turn, feared the abolitionist movement in the surrounding islands and the growth of the insular black population. But above all Cuban planters were driven by the need to secure cheap and reliable labour for the expanding sugar economy. Facing the threats over the African trade, immigrant labourers were required to supplement slave labour. As long as Spain supported the planters interests on the issue, it would have their support within the colony as well as the revenues from the sugar colony. These circumstances affected Cuban and Spanish perspectives about the future of freedmen as well as about immigration policies. In Cuba, as well as in Brazil, both themes were closely related to a growing labour demand and to prevailing racist ideas. But the circumstances of colonial Cuba made the issues more political and manipulable. Spanish threats that "Cuba would be Spanish or African" ("**Cuba será española o africana**") influenced profoundly the choices and attitudes of Cubans and their views on "national identity". In this sense, when Cubans supported white immigration in the 1840s, they did so fearing the continued flow of

African slaves that was favoured by Spain. The origin of the immigrants was however controlled by Spain who did not want to diminish the presence of Spaniards. Spanish policy of segregating the distinct races within the island was designed to prevent the formation of a free mixed class "more dangerous than the black slaves", and to control various groups within the island, to better manipulate them. This situation would be repeatedly denounced at that time and would become more explicit during the struggle for Cuban independence at the end of the 1860s.

In Brazil, debates about the abolition of the trans-Atlantic slave trade coincided with the process of Independence. Most early emancipation plans brought together issues relating to the consequences of the end of the African trade and ideas about the composition of the new Brazilian nation. The time was opportune to devise an emancipation strategy attuned to the needs of a new society. In this sense, the search for alternative labour supply would be clearly shaped by attempts to fashion a "national identity". Thus, in contrast with Cuba, plans of emancipation in Brazil almost always included the promotion of white immigration to solve the labour problem and to "whitening" the population. But more than that, white immigration was devised as a feasible substitute for slave labour, that is the physical replacement of slaves. Vergueiro's experiments and immigration policies pursued in the late nineteenth century clearly demonstrate this. In addition, Brazilian emancipation plans almost always touched on the future of freedmen. Although they did not go further than propose "measures against vagrancy" and "obligation to work" as a way of integrating former slaves into Brazilian society, it was a distinctive feature in contrast with Cuban plans which either avoided the issue or proposed the physical removal of the coloured population. Although this later point was also included in some Brazilian proposals, it did not acquire the emphasis that it did in Cuba.

These points can be better clarified by an examination of early emancipation plans in Brazil. To facilitate a comparison with Cuba, the plans will be analyzed according to three main points: when and

how emancipation should take place; proposals on the future of former slaves; and alternatives to slave labour.

From the beginning of the century, the issues of the end/continuation of the trans-Atlantic trade and slavery were linked to the need of forming a homogeneous, integrated, Brazilian society. On several occasions, the debate about the consequences of an eventual abolition of the trade served as a pretext for the re-arrangement of the various groups within the society. This was the case, for instance, of a Memoir presented by the Paulista Antônio Rodriguez Vellozo de Oliveira to the Portuguese sovereign in 1810.⁸³ Oliveira, who studied Law in Coimbra and later would be a member of the Council of State of the Emperor D. Pedro I, was concerned about the existing composition of the Brazilian society. From one side, there were a great number of free, poor Brazilians, who lacked land and could aspire to be no more than tenants or sharecroppers. From another side, there were the Indians dispersed in the backlands. Finally, there were "savage" African slaves, who had cost substantial amounts of money but lived for only "eight to ten years".⁸⁴ Oliveira was also concerned about the future of slavery and the effects on labour supply of the treaty recently agreed with Great Britain (February 19, 1810) which stipulated the cooperation of the Portuguese government for the gradual abolition of the trans-Atlantic slave trade. Confronted with all these problems, Oliveira suggested a plan to solve the labour problem involving free, poor Brazilians, Indians, freedmen and European immigrants. Vellozo supported several schemes for the settlement of free poor Brazilians and European immigrants — seeds, monetary advances, exemption from

⁸³ The *Memória* was presented in 1810 but only published in 1822, when Vellozo de Oliveira was a member of D. Pedro I's Council of State. Version used here, Antonio Rodriguez Vellozo de Oliveira, *Memória sobre o melhoramento da provincia de S. Paulo, applicável em grande parte á todas as outras provincias do Brasil* (Rio de Janeiro: Nacional, 1822); reprinted (São Paulo: Governo do Estado, 1978). Vellozo's proposal is commented in C.M.M. de Azevedo, *Onda Negra, medo branco. O Negro no imaginário das elites, século XIX* (Rio de Janeiro: Paz e Terra, 1987) pp.37-39.

⁸⁴ C.M.M. de Azevedo, *op.cit.*, p.38.

land taxes for ten years would have to be granted.⁸⁵ He believed that free labour was more productive than slave labour.⁸⁶ The "spirit of association" and "mutual aid", exemplified by the *mutirão*, form of collective labour that existed in cotton production as well as the task of clearing forests, should be promoted by the government.⁸⁷ Although supporting the continuation of the trade and the "rescue" of Africans, he argued for the granting of freedom to all children born to slave mothers. Slave children should be raised by the owner, who would be entitled to their services until the age of 25 years. He also supported legislation to facilitate self-purchase.⁸⁸

The adverse consequences of a sudden end of the African trade and slavery were cause of concern for the baiano Domingo Alves Moniz Barreto.⁸⁹ In 1817, he presented a Memoir to D. Joao VI where losses of profits and the stagnation of agriculture were predicted as inevitable. To prevent this he proposed gradual emancipation coupled with measures against vagrancy. He envisaged a society of industrious, useful, workers. Barreto believed that with good treatment and the encouragement of marriage amongst slaves, the consequences of the end of the African slave trade could be eased. Masters should be obliged to free all slaves who could afford their self-purchase price.⁹⁰ Self-purchase was the "healthy and cautious" way of gradually ending the trans-Atlantic slave trade and slavery without disrupting production. This was the way to prevent the

⁸⁵ A.R.V. de Oliveira, op.cit., pp.95-98.

⁸⁶ A.R.V. de Oliveira, op.cit., p.101.

⁸⁷ A.R.V. de Oliveira, op.cit., p.105.

⁸⁸ A.R.V. de Oliveira, op.cit., p.93.

⁸⁹ D.A.B. Moniz Barreto, Memória sobre a abolição do commercio da Escravatura (Rio de Janeiro: Imparcial de Brito, 1837). The chapter about means of extinguishing slavery is reprod. in A.M. Perdigão Malheiro, A escravidão no Brasil: ensaio histórico, jurídico, social 3rd ed. (Petrópolis: Vozes, 1976) II, appendix, pp.226-227.

⁹⁰ D.M. Barreto, op.cit., pp.28-33.

spread of vagrancy as well as to allow time to formulate mechanisms to encourage freedmen to work. Time was also necessary to find an alternative source of labourers, possibly involving free Africans. This was a task to be carried out by the state.⁹¹ The state should also devise regulations to compel all the others who lived without occupation, among them Indians, beggars, criminals and disabled to work _ that is all those who did not have gainful employment.⁹²

With the Independence suggestions for a new order of the Brazilian society became more frequent. The abolition of the trans-Atlantic slave trade lay at the centre of the whole discussion. Abolition of slavery itself _ although always on stage _ appeared as something very distant and requiring prior social and economic adjustments. Cautious steps to avoid political and economic disruption were essential. Most of the proposals therefore were primarily devised to cope with the adverse short-term consequences anticipated from the end of slave trade. The principal suggestion was that planters should pay more attention to the physical needs of their slaves so as to prolong their working existence. Good treatment, incentives to natural reproduction and the creation of families, as well as more humane forms of punishment were proposed to achieve this end. This implied that the state should supervise relations between masters and slaves. These were critical times. Fears of rebellion, the belief that African labour was only effective under coercion and that when freed ex-slaves would return to barbarism and viciousness, a tendency enhanced by the great amount of free land, meant that labour would require strict supervision. All these views shaped potential patterns of slave emancipation. Policies tended to emphasise individual manumission, according to merit and subjected to the master's will _ which could be revoked in the event of slave ingratitude or a loss of order and discipline. Self-purchase was the mechanism usually devised to control the route towards an eventual process of slave

⁹¹ D.M. Barreto, op.cit., p.37.

⁹² D.M. Barreto, op.cit., p.42; see also C.M. de Azevedo, op.cit., pp.48-49.

emancipation. Moreover, individual manumission was considered the ideal mechanism to transform the slave into a diligent free labourer. Contracts would be imposed on those to be freed either before or after being manumitted. At the same time policy makers were concerned with the constitution of the nation, in terms of the racial composition of ^{the} population and the need to unite all groups. Slave uprisings and their associations with political disputes triggered by the process of Independence raised fears of secession. The great increase of the black population inspired visions of a "Black Empire".

In a Memoir published in 1821, the mineiro João Severiano Maciel da Costa, subsequently Marquise of Queluz, expressed his concerns about the evils caused by the continued slave trade and the institution of slavery.⁹³ According to Costa, the trans-Atlantic slave trade and the system of slavery itself had adversely influenced habits of labour in general. He pointed out that slavery had turned the free population against industrious labour. Innumerable white and mixed-race families regarded manual labour as a matter for slaves and consequently lived in idleness, misery and immorality. Hardly any improvement was to be expected from slave labour, from labour performed by forced and unhappy men. "The body can be dominated but not the will; without free will, industrious behaviour does not exist".⁹⁴ Costa was also concerned about the "true population" of the Empire, which could not rely on a mass of negroes slaves. They were barbarians by birth, education and life style; they lacked culture and property; they had no interest in

⁹³ J.S. Maciel da Costa, Memória sobre a necessidade de abolir a introdução dos escravos Africanos no Brasil; sobre o modo e condições com que esta abolição se deve fazer; e sobre os meios de remediar a falta de braços que ela pode ocasionar, (Coimbra: Imprensa da Universidade, 1821); commented in E.V. da Costa, Da Senzala à Colônia 2nd ed. (São Paulo: Ciências Humanas, 1982) pp.326-329; and C.M. de Azevedo, op.cit., p.40. Maciel da Costa was governor of the French Guyana from 1809 to 1817, president of the province of Bahia in 1825-26, and served as minister several times during the 1820s, see E.V. da Costa, Da Senzala à Colônia, op.cit., p.326.

⁹⁴ E.V. da Costa, op.cit., p.327.

social relations, they responded only to the fear of punishment. By their very condition, slaves were the enemies of the whites. The true population of any Empire should be a great mass of citizens faithfully concerned about the conservation and prosperity of the state.⁹⁵

Maciel da Costa recognized the evils produced by slavery. Society was divided into antagoniz^{stic} groups which frustrated the formation of national identity and threatened the security of the state. In addition, slavery was less profitable than free labour. It corrupted the idea of "labour". Borrowing from the liberal ideas of authors such as Bentham, Smith, Say and others, Costa argued that free labour was more profitable than slave labour. Nevertheless, he did not agree with an immediate end of the trans-Atlantic slave trade and sudden emancipation. He viewed the slave trade as a necessary evil that should continue at least for the short-term. With some of his contemporary, he believed Africans really obtained some benefit coming to the New World. But slaveholders should not hesitate in abandoning slave labour if alternatives could be found. But any change in labour relations must seek to prevent losses and disruptions. Time was an important component. There should be sufficient time for planters to recover the capital invested in slavery, to search for new labourers and to find new directions to their investments. Equally the government needed time to take complementary measures to reduce planters' dependence on African hands. Costa suggested conserving slaves by means of good treatment and incentives to natural reproduction. All classes should be encouraged to work. Planters should also employ native Indians and foment European immigration.⁹⁶

Similar ideas permeated a Memoir, Memória sobre a escravatura e projeto de Colonização dos Europeus e Pretos da Africa no Império do Brasil, published a few years later by the baiano José Eloy Pessoa da Silva. Silva pointed out that all the misfortunes of the country

⁹⁵ E.V. da Costa, op.cit., p.328.

⁹⁶ E.V. da Costa, op.cit., pp.326-327.

were produced by slavery: no good could result from the institution. Slaves constituted enemies within. They were immoral and vicious: they corrupted society.⁹⁷ Exaggerating the evils of slavery and praising the advantages of free labour, Silva suggested the gradual abolition of the trans-Atlantic slave trade. Parallel measures such as incentives to encourage native Indians to work and European and African colonization were proposed to off set the effects of a phased ending of the trade.⁹⁸

However, all these issues were not easily approached during the first decades of the nineteenth century as signalled by the fate of the 1823 Constitution and José Bonifácio Andrada e Silva's Representation, Representação à Assembléa Geral Constituinte e Legislativa do Brasil. The draft of [1823] Constitution stated that the state would create establishments for the "catechism and civilization of the native Indians", the gradual emancipation of slaves, their religious and industrial instruction (art.254). The government also would recognize contracts between masters and slaves, and supervise their execution(art.265).⁹⁹ However, the Constituent Assembly was dissolved, and the new Constitution approved in 1824 did not mention these measures. In 1823, José Bonifácio Andrada e Silva, the leader of the Constituent Chamber, drew up a representation followed by a project for the extinction of the slave trade, the better treatment of slaves and the gradual abolition of slavery.¹⁰⁰ This project would never be discussed due to the dissolution of the Assembly. Later it would be argued that

⁹⁷ C.M. de Azevedo, op.cit., p.42.

⁹⁸ E.V. da Costa, op.cit., p.332.

⁹⁹ A.M. Perdigão Malheiro, op.cit., II. p.87.

¹⁰⁰ J.B. Andrada e Silva, Representação à Assembléa Geral Constituinte e Legislativa do Imperio do Brasil sobre a Escravatura (Paris,1825); reprod. in Octavio Tarquinio de Sousa (ed.) O pensamento vivo de José Bonifácio (São Paulo: Martins, 1944), pp.39-66; also partially reprod. in R.E. Conrad, Children of God's Fire. A Documentary History of Black Slavery in Brazil (Princeton: Princeton University Press, 1983), pp.418-427; the incluso project of law on slavery is reproduced in A.M.P. Malheiro, op.cit., II, pp.228-231.

Andrada's views and proposals on the "servileregime" contributed to the fall of the Ministry, the first constituted after Independence. His schemes antagonised powerful interests engaged in the maintenance of the slave trade — planters and slave traders.¹⁰¹

Andrada's proposal encapsulated most of the themes related to the issue. From the point of view of emancipation, it advanced many of the measures later claimed by the abolitionists. Like many of his contemporaries, Andrada argued for a gradual end of the trans-Atlantic slave trade. In the meantime there would be incentives favouring the importation of African women to promote slave families. The project highlights the need for good treatment of slaves, self-reproduction, and attempted to limit corporal punishment. Self-purchase occupied a very special role in the process of abolition of slavery as envisaged by Andrada. The slave who offered to the master a purchase price equal to his market value was to be immediately freed. If he could not afford the full amount required, he could start by offering one sixth. This allowed him one free day a week. When offering two sixths, two days, and so on proportionately until he had paid the other shares making ^{up} the amount. ^A ~~Slaves~~ could be freed by his master or anyone else who could afford to purchase his freedom. Masters were allowed to retain the labour of a freedman for a certain period, labour that would be regulated by a contract. According to article 7, the master who freed the slave gratuitously could retain the freedman in his service for five years as a "reward for his generosity", without paying daily wage, providing only food and medical care.¹⁰² If the slave was freed by a third person, the latter could arrange with the freedman the means of compensation, possibly by a contract specifying so many days of work. These contracts were to be

¹⁰¹ E.V. da Costa, Da senzala à colônia, op.cit., p.331; the role of José Bonifácio in the events that followed Independence is examined in Costa's article "José Bonifácio de Andrada e Silva. A Brazilian Founding Father" in E.V. da Costa, The Brazilian Empire. Myths and Histories (Chicago: University of Chicago Press, 1985), pp.25-52.

¹⁰² J.B. Andrada e Silva, Representação, op.cit., transl. by R.E. Conrad, op.cit., p.425.

supervised by the government. According to Andrada, manumissions should be applied according to a hierarchy, first, coloured (mulatos); then Brazilian-born (criolos); finally Africans.

Andrada's scheme also covered larger issues relating to the role of the mass of freedmen after abolition. For instance, the proposal that all coloureds, blacks and freedmen who could not make a living from wage labour should be granted a plot of land by the state. That was a burning issue. Patterns of landholding, the extensive nature of coffee and sugar production as well as established patterns of settlement, the small population relative to land available for cultivation as well as the assumed prospective labour habits of those to be freed all touched on the issue of emancipation. This implied the re-distribution of land, something that would never be a matter of serious consideration during the Empire and nor in post-slavery society. But reflecting the need to guarantee the required supply of "hands", Andrada also favoured the enforcement of the existing vagrancy laws.

José Bonifácio Andrada e Silva recognized that Negroes "are men like us, and do not constitute a separate race of irrational beasts" and that their condition was contrary to the "voices of the justice and to the precepts of the Gospel". Denouncing the "countless deaths and martyrdoms of thousands and thousands of Negroes who die suffocated in the holds of our ships", he stressed that it was time to put an end to a traffic so "barbaric and butcherlike". He also considered the low profitability of slave labour contrasted to free labour and the resultant idleness and vagrancy, and material and financial damages that resulted from slavery. Nevertheless, Andrada did not want to see slavery abolished suddenly. Such an event would be accompanied by great evils, he observed. In order to emancipate slaves without injury to society, it was necessary first to make them worthy of freedom: "Reason and law require that we convert them gradually from vile slaves into free and active men" (my stress).¹⁰³

¹⁰³ J.B. Andrada e Silva, Representação, op.cit., transl. by R.E. Conrad, op.cit., p.423.

Gradual emancipation necessitated time and the fulfilment of certain prerequisites. Andrada accepted that it would be a considerable period before Brazil could be freed of the cancer of slavery. In the meantime it was essential to reduce the suffering of the slaves and enhance their civil and social status. "Let's instruct them in the true religion of Jesus Christ...". By these means "we will convey to them all the civilization they are capable of in their degraded condition". Andrada pointed out the advantages of transforming slaves into good citizens. "By allowing them the hope of one day becoming our equals in the rights they possess (...) they will serve us with loyalty and love: from enemies they will be turned into friends and proteges".¹⁰⁴ "In order to stimulate a fondness for labour among slaves, and their greater happiness", article 28 of Andrada's project stated, "the Government will create in all the provinces savings funds, like those existing in France and England, where the slaves may deposit the pecuniary products of their labour and industry" (my stress). Article 12 reinforced this measure, stating that "the slave is the legal owner of his savings". This last substantive issue was intrinsically explosive. It was a way to encourage slaves to work and save to buy their own freedom. It was also a device to instruct slaves in the ways and the rules of the labour market. But this was also an obvious intrusion of the state in the area of relations between masters and slaves and infringed upon the principle of private property. In the final event, state protection of slave savings would not be sanctioned until the Rio Branco Law of 1871, and even then the right of self-purchase or manumission through the emancipation fund would be subjected to a master's consent.

If at the time Andrada's project had little impact, it would serve as³ model for many other proposals about the abolition of slavery. The idea of accomplishing a gradual end of slavery through individual manumission, granted or achieved by self-purchase, would constitute an important element in many proposals and would finally be implemented in the 1870s with the Free Birth legislation. Equally

¹⁰⁴ J.B. Andrada e Silva, Representação, op.cit., transl. by R.E. Conrad, op.cit., p.424.

important was the idea that the act of freedom should be followed by a period when the recently-liberated slave should be forced to provide labour, subject to contract conditions.

During the 1830s and 1840s, there were several proposals from various quarters suggesting the end of slavery. Increasing pressures against the continuance of the trans-Atlantic slave trade, as well as the diffusion of abolitionist ideas, opened space for more "radical" plans. In 1831, three projects were presented to the Lower House of Parliament, a clear reaction to the mounting pressures to fulfil the treaties with Britain. The first project included three articles stating: i) that slavery would end in Brazil, ii) that slaves belonging to the state were to be freed immediately and iii) that a phased liberation of the remaining slaves would take place within fifty years.¹⁰⁵ The second project's main provisions were: i) that all Africans who had entered illegally in the country, after the slave trade had been stopped to be declared free; ii) that all those who retained Africans illegally made slaves were to be punished with ten years forced labour in public works; and iii) that anyone, even the slaves, could denounce owners of illegally enslaved Africans.¹⁰⁶ The third project provided for the right of self-purchase, declaring that no owner could refuse freedom to a slave who could afford his purchase price. It stipulated how prices were to be evaluated and sought to appoint agents to defend slave rights.¹⁰⁷ None of the projects were considered for discussion. The freedom of slaves illegally entering the country were part of the agreements with Britain; but sanctions against those buying illegal slaves and the issue of self-purchase continued to be ignored. These "radical" proposals, elicited the disapproval of the jurist Perdigão Malheiro thirty years later: "The reading [of these projects of law]

¹⁰⁵ APB, 16 June 1831; Projeto de Antônio Ferreira França e Ernesto F. França, see A.M. Perdigão Malheiro, op.cit., II, appendix, p.284.

¹⁰⁶ APB, 16 June 1831, Projeto do Deputado Lessa, A.M. Perdigão Malheiro, op.cit., II, appendix, p.285.

¹⁰⁷ APB, em 16 June 1831, Projeto do Deputado Pereira de Brito, A.M. Perdigão Malheiro, op.cit., II, appendix, p.284.

is sufficient to understand the imprudence and the danger of solving such a delicate and grave question in this way".¹⁰⁸

Several proposals emphasised the need for regulations to encourage the better treatment of slaves as well as the promotion of immigration as a means of avoiding the catastrophe that might result from the end of the slave trade. Most proponents viewed the end of slavery as a positive means of transforming habits of labour and encouraging the free population to work — a task expected to be performed by the immigrants and by strict provisions against vagrancy. Several proposals for the end of slavery also raised the matter of what to do with former slaves. Suggestions varied. It seems, however, to have been agreed that whatever their fate, they should not be permitted to disturb the idea of a homogeneous society. They could be integrated either through *mestiçagem* and through labour. Or they should leave the country. The fate of former slaves was a further explanation why emancipation should take a long period of time.

In 1834, the french émigré Carlos Augusto Taunay suggested colonization as the solution to end slavery.¹⁰⁹ As mentioned above, Taunay believed that subsidized immigration would be insufficient to replace the required number of slaves. He pointed out that free labour was cheaper and more productive than slave labour. But under the existent circumstances, Brazil could afford neither the cessation of the African trade nor the end of slavery. Hence efforts should be directed to reduce the bad effects of both institutions and to prepare slaves for future freedom.¹¹⁰ In Taunay's view, the effects of slavery were bad not only for the slaves but also for the

¹⁰⁸ A.M. Perdigão Malheiro, *op.cit.*, II, p.88.

¹⁰⁹ C.A. Taunay, Algumas considerações sobre a Colonização, como meio de coadjuvar a substituição do trabalho cativo pelo trabalho livre no Brazil (Rio de Janeiro: Typ. de Traz do Hospicio n.160, 1834).

¹¹⁰ C.A. Taunay, Manual do Agricultor Brasileiro, 2nd. ed.(Rio de Janeiro: Typ. de Villeneuve e Comp., 1839). It seems that the first edition of the Manual was published in 1830.

masters. Slavery corrupted behaviour, morality and education.¹¹¹ The way to reduce the "brutal appetites" of Africans was the fear. Thus, a rigorous discipline was necessary to oblige blacks to perform regular work. Fear was the impulse to make them fulfil their duties: "Fear, and only fear, but sophisticatedly employed", because excesses could lead to adverse consequences.¹¹² Humanity, religion and the public interest made it necessary to devise a code for slavery and to make uniform rules for the treatment of slaves that reflected masters' and slaves' interests. According to Taunay, a law was required to harmonize throughout the Empire the mode of treatment and the working conditions of the slaves. "For ignorance, avarice, and carelessness together blind the owners" causing them to harm their own interest, by ill-employment, over-exploitation and injury of their slaves.¹¹³ Those who argued that to allow the state to legislate over slavery was to attack a privilege of slaveowners were wrong. Taunay suggested several measures for the discipline, maintenance, clothing, housing, punishment, overseeing, and sexual behaviour of slaves. How to end slavery? With the end of the slave trade, immigration should be promoted. Immigrants could help, through their example, to rescue domestic workers from ignorance, bad habits, laziness and prejudice against manual labour. Parallel to promotion of immigration, a very gradual emancipation, starting by the coloured slaves and in a long-term the remaining slaves.¹¹⁴

Highlighting the bad effects of slavery for the country continued to permeate most of the proposals. Alongside views that slavery corrupted morals, costumes, and habits of labour _ in sum, "civilization" _ was the idea that "slavery and liberty" were incompatible. Considerations that both conditions, "slavery and liberty", were discordant referred to the structure of social relations within the nation, and the development of a "positive

¹¹¹ C.A. Taunay, Manual do Agricultor, op.cit., chap.II, p.6.

¹¹² C.A. Taunay, Manual do Agricultor, op.cit., pp.6-7.

¹¹³ C.A. Taunay, Manual do Agricultor, op.cit., p.7.

¹¹⁴ C.A. Taunay, Algumas Considerações, p.129.

society" according to the liberalism ideal. This related also to questions of sovereignty of the nation which was at risk given frequent British intervention in domestic affairs, such as the abolition of the slave trade. Although embracing several meanings, the idea of the incompatibility of "slavery and liberty" was integral to the debate about building of an ideal nation.

Some of these points can be illustrated by the ideas of Frederico Leopoldo Cezar Burlamarque, a mathematician born in Piauí.¹¹⁵ According to Viotti da Costa, Burlamarque's Memoir (published in 1837) is the most complete work and included the main arguments against slavery then current.¹¹⁶ He also argued in favour of the abolition of the slave trade. Burlamarque condemned the slave trade as well as evils provoked by slavery. In his view, slavery hindered enlightenment, the development of industry, the progress of civilization and the propagation of a free and homogeneous society.¹¹⁷ Slavery provoked the corruption of people and denigrated labour. It fostered the division of society into oppressors and oppressed and represented a permanent threat of civil war between the castes. The bad effects of slavery over labour, prevented an equal distribution of wealth and prevented a class of free individuals from finding honest, productive work. In addition, the class of owners was permanently threatened: from one side by the domestic enemies, the slaves. And from another side, by those who supported the slaves, the foreign nations.¹¹⁸

In Burlamarque's view, slave labour inhibited the development of free labour. Slave labour was less productive than free labour. As

¹¹⁵ F.L.Cezar Burlamarque, Memória Analytica acerca do Commercio de escravos e acerca dos males da escravidão doméstica (Rio de Janeiro: Comercial Fluminense, 1837); partially reproduced in A.M.P. Malheiro, op.cit., appendix, pp.233-40; commented in C.M.M. de Azevedo, op.cit., p.43, and E.V. da Costa, Da senzala à colônia, op.cit., pp.333-340.

¹¹⁶ E.V. da Costa, Da Senzala à Colônia, op.cit., p.340.

¹¹⁷ E.V. da Costa, Da senzala à colônia, op.cit., p.333.

¹¹⁸ E.V. da Costa, Da Senzala à Colônia, op.cit., p.335.

slaves had no incentive to work, they worked badly and with less effort than free workers. Further, the immobilization of capital in slaves prevented the development of other productive activities. The persistence of slavery explained the backwardness of Brazilian agriculture, the prevalence of extensive pattern of production and its export orientation. Among the advantages of free labour, Burlamarque pointed out the formation of a capital market and increased rural productivity. Besides, free labour meant the possibility of dismissing part of the labour force according to the yearly cycle. Free labour was more economic and efficient. Free workers could be easily dismissed after performing the required tasks. By contrast, whether or not there was any task to be done, slaves had to be provided with clothing, food, medical assistance, and so forth.¹¹⁹ Thus, confronting all the evils of slavery and stressing the greater profitability of free labour, Burlamarque stated that the abolition of slavery should damage neither the state, nor the planter. On the contrary, the extinction of slavery would raise Brazil to the level of other nations. The country could not hope for civilization, freedom and true independence while the institution of slavery existed.¹²⁰

Burlamarque believed better treatment of slaves could be a means of easing the process of abolition. But this would require an attitudinal change on the part of Brazilians about ^{which} ~~what~~ he was sceptical. How to persuade owners to treat their slaves better? Fees, punishment, regulations were of no use on their own. But even if force was employed in an attempt to change planters behaviour towards slaves, self-interest was a stronger force than fear. According to Burlamarque, no legislation, special juries or policial authorities, could prevent owners mistreating their slaves. If the owners violated the laws, who was to condemn them? Slaves would never ^{bear} witness against their owners. Less yet, would owners ^{bear} witness against one of their own class in favour of a slave. No one wanted

¹¹⁹ E.V. da Costa, Da Senzala à Colônia, op.cit., p.336.

¹²⁰ E.V. da Costa, Da senzala à colônia, op.cit., p.337.

to see an owner punished for offenses all committed.¹²¹ Therefore, things should be left as they were: the government ^{that} ~~who~~ attempted to make such a change might cause a disastrous revolution. He observed that the government was aware of current sentiment on the issue, and asked cautiousness to not risk the ruin of the pátria.¹²²

Like others Burlamarque favoured smooth, gradual abolition. Slaves should be made worthy of freedom; they should be converted from machines into active, laborious men.¹²³ He did not accept the current ideas that former slaves would refuse to work. As a base for the emancipation process, Burlamarque suggested that all children born to ^a slave mother should be set free when reaching the age of 25 or 30 years for males and 20 to 25 years for females. In addition, he suggested the creation of an emancipation fund, which should be used to buy the freedom of slaves according to a certain hierarchy: urban slaves before rural, the elderly before the young etc. He also suggested taxes on urban slaves to encourage their transfer to rural areas. In the meantime, the government should provide for the replacement of slaves and the transportation of the freedmen to Africa where settlements would be founded to receive them. Re-exportation to Africa was favoured due to the dangers of revenge being attempted by ex-slaves and difficulties of forming a nation with the distinct races. The creation of settlements on African soil, would contribute ^{to} for the "glory and greatness" of Brazil, which therefore would be at the same level of North America and Britain contributing to the "civilization of Africa".¹²⁴ Burlamarque believed that, as former slaves emigrated, the free

¹²¹ A.P. Malheiro, *op.cit.*, II, pp.238-239; also E.V. da Costa, *Da Senzala à Colônia*, *op.cit.*, pp.338-339.

¹²² A.P. Malheiro, *op.cit.*, p.240.

¹²³ A.P. Malheiro, *op.cit.*, p.233.

¹²⁴ A.P. Malheiro, *op.cit.*, II, p.234. There were schemes to re-settle ex-slaves from the U.S. Southern states in Liberia and from the British Caribbean in Sierra Leone. M.C.C. da Cunha, *Negros estrangeiros. Os escravos libertos e sua volta à África* (São Paulo: Brasiliense, p.1985) examines Brazilian attempts to return freedmen to Africa, the freedmen private initiatives to return and communities they formed in African soil.

population (increased by self-reproduction and immigration) would find industrious employment. As parallel measures, Burlamarque recommended colonization, namely the settlement of small proprietors, and the engagement of immigrants to work as wage labourers on the plantations. Planters would be responsible for travel and initial expenses. He considered the Swiss, the Germans and the Azoreans the best workers. In his view, these were the means of effecting a gradual abolition of slavery without menacing the safety of the white race. Such schemes would also contribute to the constitution of an homogeneous nation.¹²⁵

Still connected to questions of the building of the independent nation _ and an interesting point to contrast to Cuba _ was the perceived link between ^{the} Colonial system and slavery. This was raised by some of those proposing the end of slavery. In 1845, for instance, the judge of the Court of Justice of Pernambuco, Henrique Velloso de Oliveira, pointed to the connections between slavery and the colonial system. In his view, slavery was of advantage to the metropolis, which wanted to make the most of its colony, limiting cultivation to a convenient staple and importing everything else from the mother country. That was the way to keep the "colony productive and subjugated; to make them unsuitable for the blossoming of illustrious and patriotic men who would advocate the interests of the colony or fight for autonomy". But a free people should have a different thinking and should be able to build their own existence through their labour, and not that of someone else.¹²⁶

These sentiments against slavery converged during the 1840s, when pressures to end of the trans-Atlantic increased considerably. The issue of the end of the trade as well as of slavery became closely entangled with that of preserving the sovereignty of the nation, given the powerful British attacks. Discussions about alternative

¹²⁵ E.V. da Costa, Da Senzala à Colônia, *op.cit.*, p.340.

¹²⁶ Quoted from E.V. da Costa, Da Senzala à Colônia, *op.cit.*, p.340.

labour sources that would meet the aspirations of the homogeneous society intensified and involved government and planters. The debate in the Lower House of Parliament, over "colonization and immigration" illustrates concerns within the government. Nicolau Vergueiro's initiative, engaging European immigrants for his coffee plantations, reflected the approach of planters in search of substitutes for slaves (see chapter 4).

With the final abolition of the trans-Atlantic slave trade in 1850, the search for alternative labour supplies to replace, or to supplement, slaves became more incisive. Better treatment and incentive for self-reproduction were suggested as means of either preserving slavery or allowing time for a gradual emancipation. The acute problem of labour supply affected mostly the frontier areas where coffee continued to expand. The high prices commanded by slaves after the end of the African trade added to planter fears about finding alternative labourers, domestically or externally. Initial failures of early experiments with Europeans on São Paulo coffee plantations led many planters to search again for slaves who might be transferred from other sectors or areas within the country. However, this temporary solution did not weaken feelings that the cutting off of the African source was a significant blow to the institution of slavery. In this sense, proposals on the issue of slavery became more concerned with deferring the end of slavery and at the same time extending its existence for as long as possible. Thus, several of the means suggested during previous years were once again recalled: better treatment of slaves (non-separation of families, limitation of punishment, regulation over working conditions and so forth), self-purchase, the granting of freedom to children born to slave mother were among the repeated proposals. The difference was that these expedients were now much more detailed, carefully attempting to ensure a very gradual abolition and transition to free labour. The privilege given to individual manumissions and interrelated measures regarding contracts of services of freedmen, promotion of immigrants and regulations of immigrant contracts, as well as the need to include poor Brazilians under a general labour regulation permeated most of the second wave

of proposals.

The difficult task of defining a framework for the transition from slavery to "freedom", simultaneously seeking to preserve the status quo in social relations while at the same time beginning a process that would ultimately dissolve ~~that~~^{those} relations required care and attention. Emancipation would have to target individuals instead of all slaves at once and would have to be gradual _ for reasons of order and security of production. Agriculture needed time to rearrange labour relations and find new sources of labour. Slaves needed time to adjust themselves to new condition, learning how to live in a "free society", as citizens and labourers. The state also needed time to legislate and guide the process in a smooth and safe way. The end of slavery involved also the issue of whether and how to transform slaves into "free labourers". It also involved the search for alternative systems of labour. Yet, "free labour" was a vague idea. At the end it meant non-African slave labour and would assume different forms contingent ^{upon} ~~to~~ whether workers were former slaves, Africans, American Indians, Asians or Europeans. Proposals and suggestions on how to end the trans-Atlantic slave trade and slavery itself envisaged distinct forms of "free labour". The early trials with free workers might also act as model for possible ways of reorganizing labour given an eventual end of slavery. Proposals on abolition of slavery during the decisive years of the 1860s shed light on this point.

In the 1860s the legal historian Perdigão Malheiro reiterated many of the arguments _ "unanswerable arguments" as he observed _ expounded forty years earlier by José Bonifácio Andrada e Silva. Circumstances did not appear to have changed very much in the intervening decades. As Malheiro observed, when emancipation started being openly discussed in the 1860s, aspirations seemed to be different but the problems and obstructions seemed to be quite the same.¹²⁷ According to Malheiro, immediate emancipation, that is, "to declare today or in a short time that all existing slaves in

¹²⁷ A.P. Malheiro, op.cit., II, p. 147.

Brazil should be free was absolutely inadmissible". To liberate such a great number of slaves would necessarily result in great disruption of labour supply and production and undermine the wealth of the country. Family life would be disturbed and public order threatened.

How did Malheiro envisaged emancipation? To begin with, as the trans-Atlantic slave trade had already ceased, the only means of providing new slaves was natural increase — the birth of slaves to slave mothers. Therefore, it was necessary to set a date from which all children born to slave mothers would be declared free. Malheiro suggested December 25, Christ's Birth. Such a date would impart a "solemn and religious significance to the act".¹²⁸ What should then happen with those freeborn? In his opinion (he recalled the example of United States of America), they should be kept with their mothers, and the masters would be obliged to provide for their maintenance and instruction. To compensate the masters, they would be entitled to receive the labour services of the freeborn for a certain period.¹²⁹ In addition, Malheiro was concerned about existing slaves. Should a date also be arranged for the emancipation of all remaining slaves? Recalling the examples of emancipation in the British and French colonies, his answer was negative. To preserve the public order and the safety of the state it was essential to avoid a general, sudden emancipation.¹³⁰ Emancipation had to be gradual, preferable through indirect means, with self-purchase playing an important role. Hence he favoured measures facilitating and guaranteeing slave savings as the way of encouraging self-purchase. In the meantime, there were to be measures providing for better treatment of slaves, incentives to foster the formation of slave families, limits to corporal punishment and the creation of an emancipation fund.¹³¹

¹²⁸ A.M.P. Malheiro, op.cit., II, p.157.

¹²⁹ A.P. Malheiro, op.cit., II, pp.157-158.

¹³⁰ A.P. Malheiro, op.cit., II, p.164.

¹³¹ A.P. Malheiro, op.cit., II, pp.165-167 and pp.168-172.

Malheiro believed his gradual emancipation plan to be of great advantage in extinguishing slavery while at the same time promoting an increase of the free population. Besides absolving the public treasury of the cost of compensation, the plan would inculcate the work ethic amongst slaves. By promoting the work ethic and allowing slaves to work on their own account, they would gradually become accustomed to the rules of the market. With an opportunity to work and with their earnings and savings protected by the government, slaves would be restored to a condition of freedom.

As others before, Malheiro's proposal was gradual emancipation. However gradual emancipation did not just mean the freeing of slaves in stages. Rather it meant providing a period necessary for the reorganization of labour and controlling or establishing degrees or kinds of freedom. Slaves as well as freedmen were to be acclimatized to the discipline of the labour market and taught how to participate in the market economy. "Labour and freedom _ explained Malheiro _ are correlated ideas; there is no freedom without labour". Real freedom _ liberty with civil rights _ meant the ability to contribute to human development and the right to participate/contribute to human progress.¹³²

It is interesting to focus on the idea of freedom associated with labour advanced by Malheiro. It seems that manumission and freedom did not mean the same thing. According to Malheiro, bondage could end with the natural death of the slave, by a voluntary act on the part of the master called manumission or *alforria*, or it could be granted by the disposition of law.¹³³ When freedom was conferred by legal disposition, it could be either according to an act of the master or by legislative fiat, with or without compensation.¹³⁴ In the case of manumission, Malheiro observed that with this act the owner resigned his power and dominion over the slave, restoring him to his natural condition of freedom. Thus, "*alforria* is not but the

¹³² A.P. Malheiro, *op.cit.*, II, p.108.

¹³³ A.P. Malheiro, *op.cit.*, II, p.82.

¹³⁴ A.P. Malheiro, *op.cit.*, II, p.94.

renunciation of rights of the owner over the slave, and resultant reintegration of the slave to his [latent] freedom". The term **alforria** _ added Malheiro _ is of Arabian origin (**al horria**), and has the figurative meaning of "exempted from services", "free of obligations to others", "free from the burden".¹³⁵

According to Malheiro, manumission could be granted with or without conditions, namely types of freedom known as contracts **a título oneroso** and **a título gratuito** respectively.¹³⁶ **Alforria a título oneroso**, that is, the grant of freedom under certain conditions, meant that the liberated man or woman would have to compensate the master by means of money, goods, **prestação de serviços** (service for a specified number of years, or until the master's death) or a combination of the above. The "freedman" who was granted conditional freedom is free but cannot practice his liberty, being constrained by certain terms or obligations. He was not a slave and his free status was similar to particular categories of "free people". This conditional freedom was not a great paradox: "It is sufficient to point to many other categories of free people (...) minors, those under legal processes and so forth".¹³⁷ In this Malheiro made a significant contribution to the debate. The former slave who obliged himself to serve another for a certain period of time was free, although he may be bound by a contract. Such contracts were in accord with **locação de serviços** laws of September 13, 1830, and October 11, 1837.¹³⁸ This legislation regulated contracts between employers and free labourers. It is important to recall that the 1837 law was specifically designed for immigrants. In spite of the particular status attributed to freedmen, free but not truly free, the former slave was thus compared with free workers "freely" contracted under certain labour conditions.

¹³⁵ A.P. Malheiro, op.cit., II, p.118.

¹³⁶ A.P. Malheiro, op.cit., II, p.105.

¹³⁷ A.P. Malheiro, op.cit., II, p.121.

¹³⁸ A.P. Malheiro, op.cit., II, p.121.

It is most important to understand this perception of "free labour" conveyed by Malheiro because it pervaded what was then envisaged as a "transition to freedom" and a "transition to free labour". In this, the position of freedmen was not so different from that of "free labourers", however conditional their freedom was supposed to be. Malheiro made these observations in the 1860s and his conclusions, as it will be shown in the next chapter, greatly affected emancipation plans actually implemented from the 1870s. It influenced the prospective status of liberated slaves as well as the prospective status of those engaging in contracts of services.

5.3. Conditional manumission: a route to freedom

A favourable attitude towards freedom and race has always been remarked as a distinctive feature of Latin American slavery. Manumission, generally free from legal restraints and at times even encouraged in Latin America, were more common in Brazil and Cuba than, for instance, in the United States of America or in the British West Indies. A reasonable chance of becoming free, and the expectations of being accepted as an equal in white society had been viewed as significant evidence of the distinct character of slavery in Latin America. And it has been stated that manumission associated with a growing tolerance of racial diversity, might have helped Latin Americans to avoid the hatreds and discriminations that followed the abolition of slavery in North America. These views had been challenged.¹³⁹ One of the main lines of criticism is that by highlighting milder features of the legislation, these views ignored the limited impact of laws within Latin American societies, where formal legal execution was usually undermined by the authority of slaveholders. A problem even more acute in rural areas where executive, legislative and judicial powers were vested in the

¹³⁹ The view that slavery was more humane in Latin America than in U.S.A, due to paternalism, state laws and Church practice, has been contested by many writers. For distinct positions in the controversy see D.B. Davis, The Problem of Slavery in Western Culture (London: Oxford University Press, 1988) esp. chap. 8; C. Degler, Neither Black nor White (New York: McMillan, 1971), esp. pp.39-47; E.D. Genovese Roll, Jordan, Roll. The World the Slaves Made (New York: Vintage Books); see also M.C. da Cunha, op.cit.

slaveholder himself, or delegated to his managers and overseers. Local justice meant planter justice. However restrictive or mild laws do not tell the whole story. With respect to manumission, if the law was easily bent, ignored or violated, that is only one aspect of the question. In Brazil, for instance, manumission and self-purchase were customary practices; therefore, enforcement of legislation had very little to do with the issue. It is more relevant to enquire about the meaning of manumission and to ask why individual manumission would become the ideal form of gradual emancipation.

Manumission had different meanings and purposes which varied from area to area and period to period. It could be a reward for a lifetime of service, a device employed by the owner to relieve himself of a liability for sick and elderly slaves or an incentive ^{to} encourage the slave to work. It could also be an encouragement to good behaviour, through the example of a few whose loyalty and obedience had been rewarded by the grant of freedom. But it always reflected the interest of the owner, and contributed very little to change the position of the freedmen, which would be similar to the "dependent condition" of existing free workers. In Cuba and Brazil, society valued manumission and praised the generosity of the planter who granted freedom. During the nineteenth century the granting of freedom to individual slaves, on the condition of cash payment or services, became the most preferred expedient to end slavery and was included in most emancipation plans. Either through gradual self-purchase or indemnification by services, it was suppose to produce a return from the slave in the form of labour or cash, to compensate for the loss of invested capital and property rights, and to prepare the slave for life in a free society.

Although generally speaking slaves had more opportunities for individual emancipation in Brazil and Cuba, it is also true that a reasonable chance of becoming free by manumission was not one sustainable in all regions and all periods of Brazilian and Cuban history. Patterns of manumission varied widely in Brazil and Cuba. The frequency of manumission and the profile of those who achieved

freedom also varied. Influencing the changes there were several factors such as slave prices, total number of slaves, balance between free coloured/slave/white population and means of earning an income in rural and urban areas open to slaves.

The lack of records showing the number of slaves who received their freedom either by outright manumission or self-purchase, is the main problem encountered by those who examined the issue of manumission in Cuba. According to Knight, it is possible that the practice of manumission was more common during the pre-plantation era. Knight suggested that as the demand for labour increased toward the end of the eighteenth century and continued at a high level throughout the nineteenth century, slaveowners became less willing and less able to grant manumission voluntarily.¹⁴⁰ Kiple also pointed out that the rate of manumission undoubtedly slowed considerably during the second decade of the nineteenth century after the slave trade became illegal.¹⁴¹ Studies also show that the rate of manumission accelerated during the 1850s and the 1860s.¹⁴²

Under Spanish law, a slave who make a substantial down payment on his or her purchase price becomes a **coartado**. The 1842 Slave Code established that a master should not oppose the **coartación** if slaves presented at least fifty pesos of their price on account (art.33). The slave **coartado** gained certain autonomy and privileges. The slave could not be sold for a price greater than the appraised value at the time of the **coartación**. Slaves **coartados** had the right to change masters and the right to work on their own account, keeping a portion of the wage earned.¹⁴³ **Coartados** represented an

¹⁴⁰ F.W. Knight, "Cuba", in D.W. Cowen and J.P. Greene (ed.) Neither Slave nor Free. The Freedmen of African Descent in the Slave Societies of the New World (Baltimore: The Johns Hopkins University Press, 1972) pp.278-308, esp. p.285.

¹⁴¹ K.F. Kiple, op.cit., p.46.

¹⁴² Cf. K.F. Kiple, Blacks in Colonial Cuba, op.cit., p.61.

¹⁴³ R.J. Scott, Slave Emancipation in Cuba. The Transition to Free Labor, 1860-1899. (Princeton: Princeton University Press, 1985) p.82.

intermediate status between slave and free. The inclusion of gradual self-purchase in the several plans of emancipation is an indication of how efficient this mechanism was considered to be in the process towards a gradual transition to freedom, to establish good behaviour and delay emancipation. From one side, as said above, there were the benefits to slaves, who could by these means be instructed in the rules of the market. From another side, it was a way of reimbursing owners.

Coartación became a matter of public record only in 1854.¹⁴⁴ Limited existing data suggests that the number of those becoming coartados, and of those achieving full freedom, at any given time was small. The following table shows the number of manumission papers, including self-purchase, issued between 1858-1862. The average number of manumissions was less than 2,000 a year.

Table T.2: Cuba, Manumission, 1858-1862

Year	Men	Women	Total
1858	895	1,161	2,056
1859	845	1,147	1,992
1860	761	1,158	1,919
1861	694	935	1,629
1862	822	1,044	1,866
Total	4,017	5,445	9,462

Robert L. Paquette. Sugar is Made with Blood. The Conspiracy of La Escalera and the Conflict between Empires over Slavery in Cuba (Middletown: Wesleyan University Press, 1988) p.64.

When the slave population was counted in 1871 there were only 2,137 coartados: 890 males and 1,247 females. The figure corresponded to less than 1% of the total slave population. Over 40% of the coartados lived in the urban area of Havana, while the sugar

¹⁴⁴ K.F. Kiple, op.cit., p.42.

areas had very few.¹⁴⁵ By analysing a sample of 302 manumissions effected from 1840 to 1875 in the jurisdiction of Matanzas, Bergad provides a profile of those who were able to obtain their own freedom. The majority were females (63.6%); more than two thirds were creoles and the rest Africans; a substantial portion, 43.1%, were prime-age slaves between fifteen and forty years old; 22% were over forty one year old; and 34.8% were younger than fourteen. In the jurisdiction of Colón, between 1864 and 1878, of 208 manumissions examined, 58.7% were females; 41.3% were males; creoles accounted for 72.6%, the remainder were Africans; prime-age were 38.5% of the total; slaves older than forty one made up 34.4% and those younger than fourteen were 27.1% of this sample.¹⁴⁶

The number of **coartados** increased from the 1870s, rising from 2,137 in 1871 to 3,531 in 1877. Curiously, as noted by Scott, there was an increase of about 65% in a period when the slave population itself had fallen to by about 25%.¹⁴⁷ Cuban urban areas continued to account for a disproportionate amount of manumission. Forty percent of the new **coartaciones** were granted in four districts of Havana, though the area contained only about 8% of Cuba's slaves.¹⁴⁸ The greater mobility and resources of slaves in urban areas were undoubtedly the major determinants of this pattern, but the attitudes of masters may also have been significant. Hubert Aimes suggests, that, in the last years of slavery, some masters were increasingly interested in the steady income provided by **coartación**. It also demonstrated opportunities for employment available to urban slaves. By the 1870s **coartación** also spread in the countryside. According to Scott, restrictions placed upon slaves' right to work on their own account and on the right to change master which were implemented at the beginning of the 1870s

¹⁴⁵ R.J. Scott, Slave Emancipation, op.cit., p.14.

¹⁴⁶ L.W. Bergad, Cuban Rural Society in the Nineteenth Century. The Social and Economic History of Monoculture in Matanzas (Princeton: Princeton University Press, 1990) p.238.

¹⁴⁷ R.J. Scott, Slave Emancipation, op.cit., p.76.

¹⁴⁸ R.J. Scott, Slave Emancipation, op.cit., p.76.

suggested that slave had made use of *coartación* and that both rural masters and the colonial government were eager to limit the further development of *coartación* in the countryside.¹⁴⁹

The role of self-purchase as a suitable route to freedom became more evident after its effective implementation with the Patronato system in the 1880s. The Patronato Law extended the right to self-purchase, establishing procedures and fixing amounts to be paid. Formal self-purchase, to be called "indemnification for services" was accomplished by paying a decreasing price for freedom, calculated as thirty to fifty pesos for each remaining year of the first five years of the patronato, plus half of that much for each of the last three. *Coartación* was thus employed as a means of compensation and a mechanism of retaining control over slaves labour. But in spite of its limited impact in theory *coartación* represented a possible avenue for self emancipation. It also provides an interesting point of contrast with manumission policies in São Paulo.

The patterns of *alforria* varied widely in Brazil. It seems that *alforria gratuita* predominated for most of the colonial period and in the first half of the nineteenth century in the province of Bahia. Conditional manumission or *alforria onerosa* preponderated on parts of the *Capitania* and city of Rio de Janeiro by the end of eighteenth and first half of nineteenth century as well as in the provinces of Bahia, Espírito Santo and Campina Grande after 1850s. And both kinds of *alforria* were observed in Paraty, Rio de Janeiro, between 1789-1820, and parts of Paraíba between 1850-1888.¹⁵⁰

¹⁴⁹ R.J. Scott, *Slave Emancipation*, *op.cit.*, p.82.

¹⁵⁰ P.L. Eisenberg, "Ficando Livre: As Alforrias em Campinas no Século XIX" *Estudos Econômicos* 17(2) pp.175-216 May/Aug 1987 p.196. For different patterns of *alforria* in Brazil, see S.B. Schwartz, "A manumissão dos escravos no Brasil colonial, 1684-1745", *Anais de História* VI (1974) pp.71-114, on the colonial period; in the province of Bahia, K.de Q. Mattoso, "A propósito de cartas de *alforria*, Bahia, 1779-1850", *Anais de História* IV (1972) pp.23-52 and by same author, *Ser escravo no Brasil* (São Paulo: Brasiliense, 1979); in the province of Espírito Santo, see V.P. Almada, *Escravidão e transição. O Espírito Santo (1850-1888)* (Rio de

According to Perdigão Malheiro, freedom could be granted at the will of the master or by slave's own efforts. Slaves could also be awarded freedom under particular circumstances by the government, for example for reporting slave conspiracies or as the result of military service. Malheiro also observed that the practice of freeing slaves upon payment of the original purchase price was customary in Brazil even in the early colonial period and that it was common for owners to allow slaves to make some earning aimed at financing manumission. But Malheiro explained that the initiative did not mean immediate freedom. It represented only the owner intention or promise of granting freedom.¹⁵¹ The simple promise, of course, did not bind the master. But if the slave was in possession of the amount required for his own purchase price, or if he had already fulfilled his obligation, he was able to demand manumission or could be declared free at any time.¹⁵²

However, it was never easy for a slave to purchase his own freedom. In Brazil the practice of freeing slaves upon a payment was, as Malheiro stated, a customary one. Despite many proposals and attempts to legalize self-purchase, it remained a matter of custom until formally included amongst the provisions of the Law of 1871. There was no formal protection for the slaves' savings, and even when he acquired the right to work on his account, and self-purchase became a matter of law, it would be subjected to the owner's will. Official reluctance to legislate on this matter indicates that the route to freedom provided by self-purchase was not free from constraint. It might be possible that far greater mobility and resources facilitated *alforria* in urban areas compared with isolated plantation areas, as it happened in Cuba. In rural areas slaves could get some income from subsistence plots traditionally granted

Janeiro: Graal, 1983); in the city of Rio de Janeiro, M.C. Karasch. Slave Life in Rio de Janeiro, 1808-1850 (Princeton: Princeton University Press, 1987) chap. 11; manumission is also examined in J. Gorender, O escravismo colonial 5th ed (São Paulo: Atica, 1988); and M.C. da Cunha, op.cit., esp. pp.17-61.

¹⁵¹ A.P. Malheiro, op.cit., II, p.108.

¹⁵² A.P. Malheiro, op.cit., II, p.108.

to them. But potential income from those plots might have contributed little to facilitate self-purchase. ^{The} Master's arbitrariness regarding plot size and even what could be grow and sold, clearly controlled the slave's ^{as} possibilities of obtaining income from this source. By the early 1870s county laws (Posturas Municipais) in the Province of São Paulo still provided for fines for the purchase of any kind of articles from slaves, without the written authorization of the master. Other Posturas banned the sale by slaves of certain commercial goods such as coffee, sugar and aguardiente.¹⁵³ Some planters, such as the Baron Pati de Alferes, even believed that a slave's crops should be sold only to the master: "The planter should reserve a small plot of land as nearby as possible where the blacks can plant their gardens. Let them plant their own coffee, maize, beans, bananas, potatoes, yams, sweet cassava, etc. However, the planter should not allow them to sell their products to anyone else, only to himself, and he should pay a reasonable price, to prevent them from going astray and carousing in the taverns".¹⁵⁴ In the rural areas of Rio de Janeiro and São Paulo the French traveller Louis Couty did not find a single example of a slave who had been manumitted through his own efforts.¹⁵⁵

Although of limited effect, the fact that self-purchase had always been the preferred route to freedom, as suggested in most emancipation plans, indicates that it made a significant contribution to the debate about "transition to freedom". Equally, as in Cuba, the principal condition included in manumission agreements would change over time, from a cash payment at the

¹⁵³ See Colleção de Leis e Posturas Municipaes promulgadas pela Assembléa Legislativa provincial de S. Paulo (São Paulo: Americana, 1870); various towns, for instance, São José de Barreiros, Areas and Mogi-Mirim.

¹⁵⁴ L.P. de Lacerda Werneck. Memória sobre a fundação e costeiro de uma fazenda na provincia do Rio de Janeiro pelo Barão Baty de Alferes e anotada pelo Dr. Luiz Peixoto de Lacerda Werneck 2nd ed. (Rio de Janeiro: Eduardo and Henrique Laemmert, 1863) p.40; quotation transl. in R.E. Conrad, op.cit., p.78.

¹⁵⁵ S.R. Reis de Queiroz, Escravidão negra em São Paulo: um estudo das tensões provocadas pelo escravismo no século XIX (Rio de Janeiro: José Olympio/ INL, 1977) p.94.

beginning of the nineteenth century to labour services at the end. The evolution of the process of manumission in one of the major coffee districts of São Paulo, Campinas, illustrates this point. Analyzing 2,093 letters of liberty (*cartas de alforria*) freeing 2,277 slaves in the county of Campinas, during the period 1798 to 1888, Peter Eisenberg noticed that during the first half of the century the rate of growth in the number of manumissions remained almost the same as the rate of growth of the slave population as a whole.¹⁵⁶ Yet, with the end of the trans-Atlantic slave trade and particularly in the 1870s and 1880s there was a great increase in manumissions while the slave population declined.¹⁵⁷ Eisenberg also observed that while the majority of the slave population was male, black, creole, adult and unskilled, the manumissions registered were mostly of female, mulatto, creole, and mostly those working in domestic services. However, this pattern changed in the last decades of slavery. The number of manumissions increased rapidly and the majority of newly freedmen were now working-age males, blacks as well as creoles. The most common form of manumission was the conditional, that is the granting of freedom in exchange for money, goods, or service payment (a labour contract) or a combination of all. Eisenberg states that for three quarters of the century conditional manumission predominated by a rate of 2:1 and remained the major mechanism of freeing slaves until the mid-1870s.¹⁵⁸

Table T.3: Campinas, Conditions of Manumission

Period	Gratuitas %	Onerosas %	Total
1798-1850 (N=235)	34.3	65.7	100.0
1851-1874 (N=411)	35.0	65.0	100.0
1875-1885 (N=618)	46.2	53.8	100.0
1886-1888 (N=1,013)	61.9	38.1	100.0
Total (N=2,227)	1,135	1,142	

Peter L Eisenberg, "Ficando Livre: as alforrias em Campinas no século XIX". *Estudos Econômicos* 17:2 (may/aug 1987) pp.175-216, p197.

¹⁵⁶ P.L.Eisenberg, "Ficando Livre", *op.cit.*, p.179.

¹⁵⁷ P.L.Eisenberg, "Ficando Livre", *op.cit.*, p.179.

¹⁵⁸ P.L. Eisenberg, "Ficando Livre", *op.cit.*, p.196.

Self-purchase and service obligations were the most common sorts of conditional manumission. Self-purchase constituted about one third of the total of conditional manumissions but freedom under service obligations became even more prevalent from the 1870s. Eisenberg's study also shows that within the system of service obligations, the predominant form was not that of specified tasks, but that of a specified a period — the number of years — for which service obligation had to be rendered. During the last decades of slavery the letter of liberty under service obligation more clearly resembled a work contract. It detailed the number of years (up to seven years) as established by the 1871 Free Birth Law which also allowed the slave "in furtherance of his liberty, to contract with a third party the hire of his future services, for a term up to seven years "(Law 2.040, art.4, paragraph 3). Moreover, from this time the contracts resulting from manumission under service obligations started to include reference to wages that would be paid during the contract period. According¹⁵⁹ Eisenberg, slaves from both sexes and from various sectors, including field workers, were granted manumission under a remunerated term of service obligations. The author also remarked that despite the limited number of such agreements the practice was spreading.¹⁵⁹

Table T.4: Types (% of total) of Conditional Manumission

Period	Payment in				Total
	currency	goods	services	Combination	
1798-1850 (N=157)	34.4	1.9	49.1	14.7	100.0
1851-1874 (N=264)	37.1	0	52.7	10.2	100.0
1875-1885 (N=338)	37.6	0	55.0	7.4	100.0
1886-1888 (N=385)	30.4	0	62.9	6.8	100.0

P.L. Eisenberg, "Ficando Livre: as alforrias em Campinas no século XIX" Estudos Econômicos 17:2 (may/aug 1987) pp.175-216, p.197.

¹⁵⁹ P.L. Eisenberg, "Ficando Livre", op.cit., pp.202-203.

Although Eisenberg's data shows an increase in *alforria gratuita* in Campinas by the last decades of slavery there is other evidences that manumission under service obligations ~~were~~^{was} still generally practised. According to Queiroz, from 1st May, 1866, until 30th March, 1887, 251 slaves were freed in Campinas, of whom 248 were under obligations. In other coffee districts, such as Lorena, Rio Claro, Taubaté, Bananal 55, 75, 68, 417 slaves were freed respectively. In these four localities all the freedmen remained under service obligations.¹⁶⁰ As Eisenberg argues, on the eve of the abolition, gratuitous manumission became a final attempt to deal with the political circumstances created by the inevitable end of slavery.¹⁶¹

Conclusion

As stated in early emancipation plans, conditional manumission (self-purchase and indemnification by services) ~~were~~^{was} considered the best way to lead slaves into freedom. During the conditional period, slaves were supposed to acquire virtues essential for life in free society. But such expedients also represented a form of retaining control over labour, of compensation for loss of property rights, and were believed to provide the necessary time to re-arrange labour relations. Paradoxically, the regime was not so different from that already applied to "free labour". Towards the end of the period, the features of labour relations contained in the status of "transition to freedom" and those of existing "free" labour relations would tend to converge. It seems that the notion of "free" labour crystallized in the experiments with long contracts of services and, stressing dependence and control, became the model for what was supposed to be the condition of those leaving slavery. But it could also be that the transformation in labour relations meant the submission of all labourers (free immigrant and domestic labourers and slaves) to an intermediary status, which owed much to systems of control allowed

¹⁶⁰ S.R. Reis de Queiróz, *op.cit.*, p.121.

¹⁶¹ P.L. Eisenberg, "Ficando Livre", *op.cit.*, p..213.

in slavery.

As will be shown, routes leading individual slaves to freedom, previously envisaged as the safest and most controlled way of ending slavery, would be the favoured mechanism employed to effect the gradualist policies implemented from the 1870s. As pressures for final abolition increased the ideal route to freedom became moreover the strategy to end slavery and delay abolition. Efforts to subject all labourers to a uniform structure of control were present in Cuba and Brazil. Binding slaves to contracts of services prior to freedom was the way of extending forced labour. And the content of these contracts was similar to the terms offered to "free" workers, who were increasingly to be subjected to tighter control.

CHAPTER 6

GRADUALISM AND TRANSITION: TRACING PARALLELS BETWEEN BRAZIL AND CUBA

At the beginning of the 1870s, the approval of the Rio Branco Law in Brazil and the Moret Law in Cuba initiated the process of gradual abolition of slavery. The coincidence of the events and some of the main features of the laws provide grounds for comparison. For almost two decades Cuba and Brazil shared the problem of establishing a framework for gradual abolition which involved a transition to free labour without disrupting the existing economic and political order both on and off the plantations. The aim was to guarantee a phased, smooth, safe and lasting process. This was not easy and the multiplicity of themes that touched on the issue accounts for the ambiguity, the hesitancy, and the caution of those in charge of the task.

For the majority of Brazilians and Cubans involved in the debate, the most difficult task was that of gradually transforming slaves into free labourers. It was usually alleged that there should be a transitory period when the slave was to be "informed" about civil life and instructed in the rules of the labour market. Given the open frontier and the availability of land, a mass desertion of the plantation sector had to be confronted. The emphasis on a gradual transformation in the status of individual slaves was devised to avoid disturbances associated with immediate, mass emancipation. Individual manumission would also facilitate the deployment of coercive measures to assure the continued labour of former slaves.

The process of gradually granting freedom to individuals implied that at any given time there would be other slaves waiting to be freed. Thus there would have to be mechanisms to control both the recently liberated and those yet to be freed. These measures comprised better treatment, such as limits to corporal punishment, incentives to the formation of families, and the right to earn or

receive wages. To keep control of those set free there would be obligatory long-term contracts and vagrancy legislation. These measures would facilitate the reorganization of labour supply and the creation of a labour market. These provisions were either embodied in the same piece of legislation or were devised in conjunction with legislation providing for gradual emancipation. Finally, policies to reorganize free domestic and immigrant labour were also pursued in parallel with new slave legislation.

Despite shared concerns and the similar features that fashioned patterns of slave emancipation, the evolution of the process assumed distinct features in Brazil and Cuba. The circumstances in which abolition of slavery would be accomplished were very different. The role of Spain and its colonial policy, the advance of the Cuban struggle for independence, the Ten Years War(1868-1878) and the transformations of the sugar industry in the last decades of the nineteenth century would all give a particular character to the process in Cuba. In Brazil, an independent Empire, the process would be shaped by the far greater number of slaves, the different interests of several provinces and the dramatic expansion of coffee on southern plantations. External pressures and the growth of the antislavery movement would also feature differently in both areas.

The following pages compare and contrast the emancipation policies embodied in gradualist legislation implemented from the 1870s. Final abolition was decreed in 1886 (abolition of the Patronship system) in Cuba and in 1888 in Brazil but during the 1870s and 1880s there would be many changes of directions and much hesitation as this chapter will reveal.

6.1. Gradual Abolition: Rio Branco Law and Moret Law

By the mid-1860s the issue of abolition arouse decisively in Brazil and Spain. At the same time, supported by the Emperor D. Pedro II, projects for the extinction of slavery had been discussed in the Council of State in Brazil, while Antillan reformers forced the question into the agenda of the Reform Commission in Spain.

International opposition to the continuance of slavery and the growth of domestic abolitionist sentiment also contributed to stamp out slavery in the Americas. That such a controversial issue was at last being discussed in the government was not overlooked by Brazilians and Cubans, watching one another.

In Brazil, Nabuco de Araújo, a member of the Council of State, observed in 1867: "In effect slavery had been abolished in the Christian world. It remains only in Brazil and Spain. Respecting Spain (...) a plan had been prepared to be submitted to the Cortes (...) Spain must decree abolition because in addition to the irresistible force of civilization there was the interest of conserving the island of Cuba. Distinguished writers had observed that only by abolishing slavery would Spain be able to keep the island of Cuba, which is so close to the United States of America. Therefore, slavery remains only in Brazil, where nothing had been done towards abolition. But (...) Brazil will be pushed into an abyss if she does not act, if she simply waits for a solution ...".¹ The uncomfortable feeling of being the last outpost of slavery in the Americas was also a disturbing one for Spain. As the Count of Vega Mar pointed out to the Reform Commission, as the abolition had taken place in ^{the} United States and Brazil had initiated its gradual emancipation, "it is a dangerous illusion to expect that the status quo can be conserved only in our overseas provinces ...".²

However, the fact that the word had been pronounced did not imply immediate action to set in motion a process leading to rapid emancipation. A few years would pass before a final decision was taken. In the meantime, major conflicts such as wars, the continued growth in the importance of the main export staples and reluctant planters predicting catastrophe served to shape the course of events

¹ J. Nabuco, Um Estadista do Império 5th ed.(Rio de Janeiro: Nova Aguilar, 1975) pp.616-617.

² The Count was a Cuban planter and politician residing in Madrid. Informe del Excmo Señor Conde de Vega Mar en contestación a los interrogatorios hechos por el Gobierno de S.M. sobre la información de las leyes especiales para las Islas de Cuba y Puerto Rico. (Madrid: T. Fortanet, 1868) p.11.

in Brazil and Cuba.

6.1.1. The Rio Branco Law

In the period between early plans of emancipation of the 1820s and the implementation of gradual abolition in the 1870s, Brazilian economy and society had changed considerably. By the middle of the century, the political instabilities that followed Independence had subsided. A centralized state, responsive to the class interests of planters and merchants, was in control and successfully maintained social and political order. Overall population grew from about 3.8 million in 1822 to about 7.5 million in 1850. In 1872, at the time of the first national census, it had increased to over ten million. Slaves, who constituted more than a half of the population in 1822, and probably accounted for between a quarter and a third of the population in 1850 (standing at 2,500,000), have fallen in 1872 to 1,500,000, only 15.8% of total population.³

Demographic change was greater in some areas than in others. The rapid growth of coffee exports in the southeast, along with a relative decline of sugar, altered the distribution of population and hastened urbanization. Slaves became more regionally, and rurally, concentrated. In 1822 almost 70% of the slave population lived in the sugar plantations of the northeastern provinces. Fifty years later 55% of the slave population were to be found in the southern coffee provinces of Rio de Janeiro, Minas Gerais and São Paulo. Whereas the percentage of slaves among agricultural workers in the sugar counties of Pernambuco province reached only 14%, by 1872 in the coffee counties of Rio de Janeiro province it held at 46%.⁴ The city of Rio de Janeiro, with 180,000 residents in 1850, had in 1872, 275,000; its commercial class prospered with the coffee

³ E.V da Costa, "1870-1889" in Leslie Bethell (ed.) Brazil: Empire & Republic, 1822-1930 (Cambridge: Cambridge University Press, 1989) pp.161-213, p.164; R. Graham, "1850-1870" in L. Bethell (ed.), Brazil, op.cit., pp.113-160, esp. p.113.

⁴ R. Graham, op.cit., p.125.

trade, linking planters to the international economy.⁵

During the 1830s coffee had overtaken sugar as Brazil's leading export and by mid-century coffee accounted for nearly half of all Brazilian export earnings. Its influence continued to grow reaching about 60% during the 1870s. Until 1870, the major source of coffee remained the Paraíba valley, embracing the province of Rio de Janeiro and the northeast of São Paulo. However, by this time, the area had already begun to show signs of stagnation. The slave population was ageing and old coffee bushes were not being replaced. From the middle of the century, the centre-west of the province of São Paulo, where there was plenty of land and planters found the reddish soils more fertile, began to eclipse the Paraíba Valley. During the 1860s railways began to replace traditional systems of transportation further extending the frontier of new coffee production and helped to create better conditions for the development of an internal market.

By the end of the 1860s, demographic changes had affected the basis for political representation and economic growth had generated conflicts of interests amongst provinces producing different export crops and with different resources and requirements in terms of land and labour. Regional elites competed over subsidies, credit, tariffs, political representation, land and labour policies and many others. New political parties appeared pressing for a series of political-administrative and social reforms. Their programmes included issues such as decentralization of the state and reforms of the electoral and the judicial systems. But the most pressing reform was centred on the institution of slavery, already an issue of concern to the masses gathered in the cities.

Several bills proposing gradual emancipation of slaves were presented during the 1850s and 1860s and all were rejected. But from the mid-1860s signs of change appeared. Two major events contributed to initiate a favourable attitude towards a reform of slavery. The

⁵ R. Graham, *op.cit.*, p.113; E.V. da Costa, *op.cit.*, p.164.

abolition of slavery in the United States (1865) was an event of great importance in Brazil, as for the Spanish colonies, Cuba and Puerto Rico. It helped to undermine pro-slavery arguments based on the continuance of slavery as an American institution and left Brazil, Cuba and Puerto Rico as the last outposts of slavery in Americas. There was also continued British pressure over the issue of the *emancipados*. British seizure of several Brazilian vessels in the port of Rio de Janeiro in 1863 resulting in the so-called "Questão Christie" caused a rupture in relations between Brazil and Britain. Although British pressures eased after the decree of 1864 conceding freedom to the already "liberated slaves" and diplomatic relations re-established in 1865, the incident had created the feeling that Britain was willing to use force in the matter of slavery.⁶

By the middle of the decade, the difficult issue of slave emancipation was being discussed in high governmental circles. With the support of the Emperor D. Pedro II, Pimenta Bueno, later Viscount and Marquise of São Vicente, devised in January 1866 five projects for the gradual emancipation of slaves.⁷ The main provisions included i) granting freedom to children born to slave mother and the stipulation that slavery was to end with compensation to the owners in December 31, 1899; ii) the right of self-purchase, protection for slave savings and non-separation of families; iii) creation of an emancipation fund for the annual liberation of slaves and committees to oversee the process of emancipation; iv) instant freedom for certain categories of slaves, such as those belonging to the state and religious congregations; and v) the registration of

⁶ In the early 1860s, the British minister to Brazil, William Christie, had called on Brazil to undertake a series of measures leading to the final end of slavery. In 1863 as a reprisal⁹ for Brazil's failure to comply with some of his minor demands, and to demonstrate British willingness to use force in the matter of slavery, he ordered the seizure by British vessels of several Brazilian vessels outside the port of Rio de Janeiro. See R. Graham, "Causes for the abolition of Negro Slavery in Brazil: an interpretative essay", Hispanic American Historical Review 46, 2(1966) pp.123-137.

⁷ J. Nabuco, op.cit., p.569.

all slaves.⁸

Initially, the Council of State headed by the conservative Marquise of Olinda refused to discuss the matter. Consideration was delayed until 1867 when the Emperor, influenced by prevailing international opinion, cautiously expressed publicly his favourable opinion and a new ministry forced the issue. At the time Brazil was involved in a major conflict with Paraguay (the Paraguay War, 1865-1870). For the majority of councillors the pressing issue was the war and how to finance it. The resolution of the "questão social" (that is, the future of slavery) would have to wait until the end of the war. But as the war had gained international attention, the image of the country could be negatively affected by the existence of slavery. The decree issued in November 1866, granting freedom to slaves (and their wives) who volunteering for military service, strengthened this sentiment.⁹ Thousands of slaves had been purchased and granted freedom to fight for the Brazilian Army. It was a controversial move and had provoked anxieties within the Council. There was a feeling that it could erode the image of the Brazilian Army. It might be interpreted as a sign of weakness. Nabuco de Araújo countered, supporting the freeing slaves to fight for the Army. He argued against those who "say that Brazil shows its impotence by purchasing slaves for the war". "...This act which is about the war and about emancipation will be praised by the civilized world". In his view, "the liberated slaves were freedmen, and therefore they were citizens before being soldiers".¹⁰ But what mostly contributed to councillors anxieties was the anticipated disturbance of the slave system that might result after the war.

⁸ J. Nabuco, *op.cit.*, pp.606-610.

⁹ Decree of November 6, 1866, granting freedom to slaves (and their wives) volunteering for military services, A. Gebara, The Transition from Slavery to Free Labour Market in Brazil: 1871-1888. Slave Legislation and the Organization of the Labour Market. Thesis Ph.D., London School of Economics and Political Science, 1984, p.103.

¹⁰ J. Nabuco, *op.cit.*, p.645.

In February 1867, Pimenta Bueno's projects were introduced to the Council together with three preliminary enquiries: "Is it convenient to abolish slavery immediately? When slavery should be abolished? What provisions should be taken to accomplish this task?"¹¹ Again, the Council of State reacted uneasily. Some councillors were radically opposed to any change in the institution of slavery, foreseeing slave insurgency and economic catastrophe. The majority, compelled by government pressure, agreed to discuss the reforms. Many wished to delay the debate until the end of the war.¹² Others believed it would be dangerous even after the war. This was the position of Paranhos, the future Viscount of Rio Branco, sponsor of the 1871 reform: "It will not be enough to wait for the end of the war. It is necessary to give further time to the government, society, commerce and agriculture, given the precarious financial circumstances resulting from the war (...) To move immediately from the war to a reform that can cause alarm to the population, undermine rural property and provoke a sensible reduction of national revenue and that required the extensive use of military forces [to meet expected threats to public order], does not seem to reflect the prudence of the Brazilian government and Houses of Parliament".¹³

As a result of these preliminary debates, a committee was created with the purpose of combining Bueno's projects into one single scheme that would also reflect prevailing opinions in the Council. Nabuco de Araújo was appointed the president of this committee.¹⁴ Another draft was thus prepared but the Council of State decided to postpone its discussion until the end of the war.¹⁵ This proposal

¹¹ J. Nabuco, op.cit., p.611.

¹² J. Nabuco, op.cit., p.611 and p.617.

¹³ J. Nabuco, op.cit., p.622.

¹⁴ The committee was included by Sales Torres Homem and Souza Franco (later replaced for the Viscount of Sapucaí) and Pimenta Bueno was invited to attend the meetings, as the author of the first projects, see J. Nabuco, op.cit., p.625.

¹⁵ J. Nabuco, op.cit., p.627.

would afterwards be taken up by another parliamentary committee which ultimately devised the Free Birth Law of 1871. In the meantime, between 1866 and the approval of the 1871 Law, discussions about abolition continued at government level in an uneasy and irregular fashion. At the end of the war, the then conservative administration headed by Viscount Itaboraí, was strongly opposed to any reform. In response to pressures from emancipationists in the Lower House, Itaboraí restated that great economic and political interests were involved and reiterated the need to proceed cautiously in order to respect and guarantee the legitimate rights of proprietors.¹⁶

Nevertheless, despite existing opposition, several events contributed to effect substantial changes in attitudes within the Empire towards slavery. First, as already mentioned, there was the uneasy feeling provoked by the American Civil War and the final end of slavery in the United States of America. This was compounded by the subsequent war with Paraguay. Those in the Army who conducted the war returned with ambiguous feelings about slavery. International criticism and the fact that victory had been achieved by an Army composed in the majority by former slaves caused discomfort and embarrassment. The bulk of Brazilian soldiers serving during the Paraguay War were blacks, many were former slaves acting as deputy for their masters. Others were slave volunteers seeking their freedom. During the war about twenty thousand slaves and their wives obtained their freedom through services in the Army.¹⁷ As anticipated in the Council of State, the freedom granted to those volunteering for the war had at the time created disturbances and heightened expectations among those who remained slaves. Further, those who survived the war returned with new aspirations and benefitting from a certain general sympathy, began to turn public opinion against slavery. In launching his plan for gradual abolition in 1871, Rio Branco explained his changed view to the Lower House.

¹⁶ J. Nabuco, op.cit., p.680-681; R. Conrad, The Destruction of Brazilian Slavery, 1850-1888 (Berkeley: University of California Press, 1972) p.87.

¹⁷ A. Gebara, op.cit., p.101.

He observed that no less than 50,000 Brazilians had been in contact with the neighbouring nations, and several of the most illustrious of these Brazilians had stated that "the preservation of such a hated institution had humiliated and vexed them in front of foreigners".¹⁸

New circumstances resulting from the war, encouraged slave protests while the growing activity of the antislavery movement served to maintain the momentum for reforms. At the time, Nabuco de Araújo perceived the importance of this critical conjuncture and drew the attention of members of the Senate to the need for action: "Senhores, this problem is very serious. It is the most important question for Brazilian society and it is imprudent to leave it to chance. Do you want to know the consequences? I tell you (...) a little may be enough today but tomorrow nothing may be enough. The main factor of political questions is opportunity. A few reforms can be worth a lot today, while tomorrow even the broadest reform programme may not satisfy". Nabuco believed that there was an urgent need to intervene with suitable legislation to prevent undesirable consequences as well as to guide and control the process of emancipation. According to Nabuco, if legislators avoided dealing with the problem — seeking a smooth, regulated path to emancipation — Brazil would be overtaken by uncertainty^{and} an unimagined consequences. "Do you not want to have the economic problems experienced by the British and French Antilles? You are risking the horrors of Saint Domingue...", he asserted with conviction.¹⁹

The announcement of legislative reforms in Cuba and Puerto Rico preceding the sanctioning of the Moret Law in July 1870 strengthened pressures from Brazilian abolitionists who argued that Brazil should implement similar reforms. Influenced by the Spanish example, a special committee appointed by the Lower House of Parliament

¹⁸ Rio Branco had been Foreign Minister, during the year. J. Nabuco, op.cit., p.615.

¹⁹ J. Nabuco, op.cit., p.689-690.

submitted a proposal for the reform of the "elemento servil". Inspired by the earlier efforts of the Council of State, the reform plan of the special committee headed by Teixeira Júnior opened up space for the opposition in Parliament.²⁰ More concerned about the position of slaveowners, the proposal gave planters the option of being indemnified in cash or labour.²¹ The suggestion was later incorporated into the 1871 Law and would serve to mute planter opposition. Slaveowners could either receive compensation from the state or make use of the services of the freeborn until they reached 21 years of age. The committee opposed freeing the children of slave mother without compensation. It contrasted Brazilian circumstance with that of the Spanish government which had claimed that it could not afford to compensate owners: "... because we [Brazilians] can afford the gradual and temporary sacrifice of compensating owners for the freeing of the newborn (...) and [in contrast with Spain] we deal with this question in peace without the pressures of domestic confrontation".²² One member of the committee, the Paulista Rodrigo da Silva, in a separate statement expressed a dissident opinion. In his view slavery was essential for agriculture and change could led to disruption of production and public order. Misjudging the underlined divergences already existing among the various provinces, Silva pointed out that the circumstances of Brazil were similar to those of his province, São Paulo, in which slavery was vital.²³

Soon after, the resignation in rapid succession of two Ministries headed respectively by Itaboraí and São Vicente, revealed the

²⁰ "Parecer e projecto de lei sobre o elemento servil apresentados pela comissão especial nomeada pela Camara dos Deputados em 24 de maio de 1870 para examinar este assumpto", *APB*, session 16 August 1870, pp.165-199. J. Nabuco, *op.cit.*, p.688; R. Conrad, *op.cit.*, p.87.

²¹ "Parecer...comissão especial...24 de maio de 1870", *op.cit.*, p.172.

²² "Parecer...comissão especial...24 de maio de 1870", *op.cit.*, p.172.

²³ "Parecer...comissão especial..24 de maio de 1870", *op.cit.*, includes Rodrigo da Silva separate vote, "Voto em Separado", pp.181-188.

difficulties of reaching an agreement over the reforms proposed by the Council of State.²⁴ It was only in March 1871, when Rio Branco assumed the leadership of a new Cabinet committed to reform the slave system, that signs of change became evident. The speed of the procedures to approve the law indicates how worrying the situation had become. In May a new draft bill was delivered to the Lower House and four months later, on September 28, 1871, the Free Birth Law, was approved.²⁵ In the Lower House the Law was passed by 65 votes against 45. Strong opposition came from the representants^{yces} of the coffee provinces who constituted two thirds of the 45 votes against. In the Senate the Law was approved by 33 to 7. Of the seven opponents, five were representants^{yces} of the coffee provinces. In the Lower House, the strongest opposition in the south came from representants^{yces} of the provinces of Rio de Janeiro and Minas Gerais. Of 42 voters from the provinces of Minas Gerais, Espírito Santo, Rio de Janeiro, São Paulo and the federal district 30 voted against the Law. Of whom 20 were from Minas Gerais and Rio de Janeiro.²⁶

The main lines of the Rio Branco Law were the following. First, it stipulated that children born to slave women after the date of the Law would be free. The freed newborn, subsequently called *ingênuos*, should remain under the control of the owners of the mother, who were obliged to rear and take care of them until the age of eight. When the child attained this age, the owner should have the option either of receiving from the State the indemnification of 600 milreis or of making use of the services of the minor until he reached 21 years of age. The Law also freed slaves belonging to the state, those given in usufruct to the Crown, those of unclaimed inheritance and those who had been abandoned by their owners.

²⁴ J. Nabuco, op.cit., pp.692-696; R. Conrad, op.cit., pp.88-89.

²⁵ On the debates for the approval of Rio Branco Law see A. Gebara, op.cit., chapter II; R. Conrad, op.cit., chapter 6.

²⁶ See Table 21, "Votes on the Rio Branco Law", R. Conrad, op.cit., p.301. Perdigão Malheiro, although admitting the need to end slavery, opposed to end measure. He feared slave revolt and observed that abolition could only be achieved by the safest and most convenient method; see R. Conrad for opposition and supporters to the Law, op.cit., pp.95-105.

Second, the Law provided several mechanisms that would facilitate the gradual manumission of those remaining in slavery. To encourage manumission an Emancipation Fund was created along with emancipation societies to provide funds for the purchase and liberation of slaves. Annual lotteries were also established. Slave earnings and savings were protected on the assumption that they would be used to finance self-purchase. Slaves freed by these means (the *libertos*) were subjected to a five years supervision by the government, a period during which they were obliged to hire or engage themselves for work. Third, the Law provided for the registration of all the slaves in the Empire. The Law also prohibited the separation of married couples and of children under the age of twelve from their parents.²⁷

As will be shown²⁷, the Rio Branco Law opened more routes to freedom than the Moret Law. However, and in this sense it resembles the Cuban case, the impact of the measures on the slave system was mitigated by several conditions some of which were contained within the legislation and others which resulted from the manner of its execution. In both cases, efforts would be directed to controlling the pace and direction of the process, producing as little disruption as possible and protecting the slaveowner interest. By freeing the newborn, for example, the Rio Branco Law cut off the main source of slaves. However, this did not represent any major change in a short-term. Once children born to slave mothers attained the age of 8, planters were allowed the option either of receiving from the State an indemnification, or of making use of the labour of the children. Planters were guaranteed the labour of freeborn *ingênuos* until they reached the age of 21 years. *Ingênuos* were only to be freed from that obligation if they were ill-treated or punished severely. As already stated, the owner option over the form of compensation had been suggested by the 1870 special committee. At that time the measure was considered essential for agriculture, as

²⁷ Collecção das Leis do Império do Brazil (Rio de Janeiro: Typ. Nacional, 1861-1880) year of 1871; "The Rio Branco Law, September 28, 1871" is reproduced in R. Conrad, op.cit., Appendix II, pp.304-309 and A. Gebara, op.cit., Appendix I.

it provided for an advantageous source of labour supply: "acclimatized workers, who know well the area ^{where} ~~were~~ they were raised and are cheaper than any other available alternatives (...) And it is possible that reaching the age of 21 many of them [ingênuos] would remain spontaneously in the same area and work to which they had been accustomed since childhood. The planter would have a continued supply of free hands".²⁸

To control the process of emancipation, the Rio Branco Law included other measures that were equally important. The main provisions were those leading towards partial and progressive emancipation. Manumission was encouraged by the creation of the Emancipation Fund and emancipation societies. The Emancipation Fund would free as many slaves as its annual disposable income permitted. The Emancipation Fund was to be financed by a poll tax on slaves, a sales tax on slaves and the proceeds of yearly lotteries. These measures had been included in former proposals of the Council of State as well as those of the 1870 committee. This mechanism was preferred because "... to free~~d~~ the womb is not enough ... Alforrias are also necessary to keep slave hope, to make slavery more tolerable".²⁹

However, the way in which the Emancipation Fund operated turned out to be yet another way of controlling routes to freedom presented by the law. The registration and the classification system created by subsequent regulations, essential to the functioning of the Fund, was revealed to be an strategy for the stabilization of slaves and freedmen in a given geographical area and became also a mechanism for social control. The government had alluded to these purposes

²⁸ "Parecer...comissão especial...24 de maio de 1870", op.cit., p.176; Nabuco de Araújo expressed the same view earlier in the Council of State: "... the planter who looks to the future, will feel that the measure is a great source of new, useful hands, because these minors, besides being acclimatized and accustomed to plantation labour, will have devotion and affection to the place where they were born, to the family to whom they were attached...", in J. Nabuco, op.cit., p.623.

²⁹ J. Nabuco, op.cit., p. 624.

during debates in the Lower House. Besides the fact that the liberation of slaves was not to be forced, it was observed that the process should be accomplished with the "agreement of the owner", and that "the person who nowadays lives in slavery will have to be a good slave, and to please their owners", before they will be considered for purchase by the Fund.³⁰ Thus, the Law would enhance discipline and give planters more control over their remaining slaves.

The registration procedure was essential for the enforcement of the Rio Branco Law. According to the Law, the Government was to carry out the registration of all slaves and *ingênuos*. Slaves who were not registered by their owners would automatically be considered free. Procedures for the registration and fines and penalties against fraud were specified by a set of Regulations issued on December 1, 1871.³¹ According to these Regulations, the registration of all slaves and *ingênuos* was to be accomplished between April and the end of September of 1872, when the registration books would be closed. This period could be extended for one year for late registration.

Further regulations issued in November 13, 1872, established a system of classification for the liberation of slaves through the Emancipation Fund.³² Classification was to be carried out by a Board set up in each county especially for this purpose. In allocating Emancipation Fund revenue, Boards would give priority to freeing families, according to the following criteria: i) married couples where the partners had different owners; ii) married slaves with freeborn children under the age of twenty one; iii) mothers with young slave children; iv) married slaves with young children; v)

³⁰ APB, session 11 June 1871, p.131; A. Gebara, op.cit., p.113.

³¹ "Regulation to which Decree n. 4835 of 1st of December 1871, for execution Art. 8th. of the Law n. 2040 of 1871", is translated in A. Gebara, op.cit., Appendix II, pp.306-319.

³² "Regulation to which the Decree n. 5135 of 13th November 1872 refers" is translated in A. Gebara, op. cit., Appendix III, pp.320-352.

mothers or fathers with free children and v) persons between twelve and fifty years old, beginning with young female and older males. According to Ademir Gebara, the provisions were afterwards changed giving priority to those who had already paid (or on whose behalf money had been paid) part of the purchase price for their freedom, as well as the best workers who would be nominated by masters.³³ Although all slaves should be classified, the Fund would not purchase the freedom of slaves prosecuted for crimes, those already committed for trial, runaways and habitual drunkards. Equally, slaves whose freedom was pending according to [~]contracted period of service were not entitled to be classified for the Fund.³⁴

Enhancing a master's control over slave routes to freedom, the regulations provided the slaveowners with further mechanisms to ensure discipline during the period of transition. The regulations were also designed to encourage slaves to work. Eliminating the dangers of a hybrid family, with slave and freed members, the classification would rather stimulate families to work, to acquiescence and to comply with the rules. The scheme might also stimulate sentiments of gratitude in slaves, therefore perpetuating an ideal paternalistic relation between former masters and slaves.³⁵

Besides creating the Emancipation Fund and liberating slaves selected by lotteries, the Rio Branco Law allowed slave to form a saving fund, and those who had the means to pay had the right to buy their freedom. It further permitted the slave, "in furtherance of his liberty, to contract with a third party the hire of his future services" for a term of up to seven years.³⁶ Self-purchase was an evident novelty in the Brazilian law. Although customary practice,

³³ A. Gebara, op.cit., p.126.

³⁴ "Regulations, 1872", in A. Gebara, op.cit., p.328.

³⁵ A. Gebara, op.cit., pp.127-128.

³⁶ "The Rio Branco Law", op.cit., according to art.IV, parag.3.

it has been the subject of only scattered and specific dispositions.³⁷ The measure was viewed as "a civilizing agent, infusing habits of labour and economy".³⁸ Nevertheless, although stating that the slave "who, through his savings, may obtain means to pay his value has a right to freedom", the Rio Branco Law in fact limited the right of self-purchase by subjecting it to the consent of the owner. Quite distinct from what had been proposed in the Council of State in 1868, the slave could now only hire himself out, and save by his "labour and economy", with the permission of the owner.³⁹ Once more the Rio Branco Law provided several routes to freedom, but limited and subject to the owner's will. As Gebara observed, "The conservative abolitionists in the 1871 Chamber were in fact proposing a mechanism of transition which allowed the owner to keep control over their slaves, control that now was extended to the possibilities of freedom (...) it reinforced the informal ties that already existed between the slave and his owner, as well as strengthening the owner's influence in determining the future of his slaves".⁴⁰ While freeing slaves, the Law opened room for planter manoeuvre during the period of "transition".

Several obstacles impeding the enforcement of the 1871 Law also favoured slaveowners. The process of registration and classification was carried out at a very slow pace. If from one side delays occurred due to the sheer size of the country and bureaucratic inefficiency, from another side this was due in part to planter opposition. In May, 1876, the government announced the freedom of the first 1,503 slaves liberated through the Emancipation Fund,

³⁷ "Parecer...commissao especial...24 de maio de 1870", op.cit., p. 171.

³⁸ See for instance opinion in the 1870 committee, "Parecer...commissão especial...24 de maio de 1870", op.cit., p.170.

³⁹ For a contrast, about this and other issues, between the Rio Branco Law and former proposals in the Council of State, see "Confronto dos Trabalhos do Conselho de Estado com a Lei de 28 de Setembro de 1871 e a proposta primitiva do governo" in J. Nabuco, op.cit., Appendix VII, pp.1071-1092.

⁴⁰ A. Gebara, op.cit., p.114.

promising that a total of 2,500 would shortly be freed. At the end of 1878, another 1,800 were freed.⁴¹ In the 1880s, with the support of the abolitionist movement, the pace of liberation would be accelerated. But even then the impact of the Emancipation Fund as a mechanism of freeing slaves was limited. Thirteen years after the passage of the Rio Branco Law, Rui Barbosa remarked in 1884 that only 18,900 slaves had been liberated. Even if increased by a factor of five, and allowing for some fall in the manumission prices, by 1900 the Fund would be expected to free no more than 125,000. If this figure was doubled to 250,000, and assuming that deaths during the period helped to free a further 250,000 and that private manumissions reached 200,000, there would still be 400,000 slaves in Brazil at the beginning of the century. In Barbosa's view, this figure was probably an underestimate.⁴² Even the 18,900 slaves freed between 1871 and 1884 had been part purchased as the result of their own savings and not exclusively with the resources of the Emancipation Fund.⁴³

The Law was cautious so as not to disturb "private" relation between master and slave. It made no mention of corporal punishment, working hours or maintenance. The point was well explained in the early discussion of the Council of State and in the 1870 special Committee. In the Council of State there had been opposition to changes in the statutes regulating relations between master and slave. "In order that slavery might be maintained for some time more, it is necessary to keep it as it is". Otherwise, "slave complaints and owner reactions resulting in the intervention of the authorities, would in the final event lead to the demoralization of the masters and to the impossibility of slavery (...) The English regulations of 1831 and the 1845 French Law, altering the regime of slavery, the working hours, punishment and so forth, were the main

⁴¹ R. Conrad, op.cit., pp.110-111.

⁴² "Parecer n.48 A, formulado em nome das Comissões Reunidas de Orçamento e Justiça Civil acerca do projecto de Emancipação dos escravos, pelo Sr. Rui Barbosa", APB, session 4 August 1884, p. 44.

⁴³ For results of the Emancipation Fund, 1873-1883, see "Parecer n.48 A... pelo Sr. Rui Barbosa", APB, session 4 August 1884, p.63.

causes that led to the final and immediate abolition of slavery in their colonies".⁴⁴ The Teixeira Júnior Committee also stressed the point in 1870: "The majority of the committee (...) have limited themselves to public problems, avoiding issues that could disturb the private, domestic relationship between master and slave".⁴⁵ Despite all this caution, changes were taking place. State action in attempting to direct the process brought slaves into the public domain _ as showed by Gebara _ either by means of protests or through acquiescence, and so their incorporation within the process and rules established by the Law.⁴⁶

Although trying to interfere as little as possible in the "private" relations of masters and slaves, the Law intended to transform those relations. It was an explicit attempt to effect a transition to "free labour", albeit as slowly, smoothly and gradually as circumstances permitted. With the Law, agreement over the time, pace and mode of leading slaves to freedom was effectively achieved. Planters did not want to lose control over the future labour of their slaves nor over their time to reorganize labour relations. They were given both plus the assurance that in the short-term there would be no radical changes. The major question was not the effectiveness of the Law as a means of abolishing slavery, "But the maintenance of a stable social environment in which a phased transition to free labour could be sustained".⁴⁷ And in this sense, as will be seen, the Law achieved its purpose. It is only by the end of decade, that the policy of gradual abolition and transition devised with the Rio Branco Law would again be questioned.

In the meantime, parallel to the adjustments of the 1871 Law, there were attempts to devise a new legislation on *locação de*

⁴⁴ J. Nabuco, *op.cit.*, p. 624.

⁴⁵ "Parecer...comissão especial...24 de maio de 1870", *op.cit.*, p.172.

⁴⁶ A. Gebara, *op.cit.*, pp.134-138.

⁴⁷ A. Gebara, *op.cit.*, p.129.

serviços. As indicated above, this initiative was considered an essential complement to the Rio Branco Law. It would continue the "cautious", "prudent", "smooth" and gradualist process of leading slaves into freedom, inserting the freedmen within a new organization of labour relations. It would also provide for alternative source of labourers. The new Law of **locação de serviços** approved in 1879 shaped the features of this new organization of labour relations, based on the obligation to engage in long-term contracts and targeting both domestic free labourers and immigrants.⁴⁸ The complementarity of the 1871 and 1879 measures was evident. If this new organization of labour relations would be only temporary, a period of "transition" as claimed by some, or a permanent feature as maintained by others, only the time would tell. In any case, as will be demonstrated, the approval in 1879 of the new Law of **locação de serviços** in response to the consequences of the 1871 Law fashioned one mode _ at the institutional level _ of keeping on course the process of gradual emancipation and of effecting a gradual "transition to free labour". The close connection between gradual emancipation and transition to free labour, implemented by the complementary measures of the 1871 Law and 1879 **locação de serviços**, makes the Brazilian a distinctive case. It does not have a parallel in Cuba.

6.1.2. The Moret Law

The circumstances in which the Law Moret was approved were very different from those in Brazil. In Spain, the issue of the future of slavery moved into the open when the Spanish government called together a meeting with delegates from its Antillan colonies and when Puerto Rican delegates forced the question onto the agenda. As was mentioned, despite initial strong opposition, Cuban delegates recognized the need for reform and reluctantly submitted a plan for the gradual emancipation of slaves on the island. This initiative did not led anywhere. The very idea of emancipation encountered resistance from Cuban planters and the Spanish government, unwilling

⁴⁸ See chapter 4, section 3.

to risk losing their support, failed to act because it was unable to settle a compensation scheme and feared the loss of the colony.

The controversial question of slavery was not the major issue that concerned the Cuban delegates. Rather they were most exercised by the nature of the connection with Spain. Cuban delegates came to Madrid to ask for economic, political and administrative reforms that would modify the colonial status of the island. After the meeting, not only did Spain refuse to address matters raised by Cuban delegates but actually took measures that worsened the situation.⁴⁹ When in October, 1868, Carlos Manuel de Céspedes and a group of conspirators declared themselves in revolt against Spanish rule, they called for gradual and indemnified emancipation. Thus, the continued maintenance of slavery, which was not the major grievance of those opposing Spain, soon became entangled with the first major struggle for Cuban independence. The insurrection became known as the Ten Years' War (1868-1878).

The extreme circumstances of the anti-colonialist war within which the debate and implementation of the gradual policy devised in the Moret Law took place, made the Cuban case very different from that of Brazil. Although the war was mainly fought in the eastern part of the island and hardly affected the sugar provinces of the west, where slavery prevailed, the institutional and legal decisions over the future of slaves were devised in conjunction with the evolution of the rebellion. Emancipation became a political and strategic device manipulated by both sides. The ambiguities of rebel

⁴⁹ Cubans had asked for abolition of customs duties but instead new taxes were imposed on the colonies in 1867. A.F. Corwin. Spain and the Abolition of Slavery in Cuba, 1817-1886. (Austin: University of Texas Press, 1967) p.213. Cubans had also asked for political and administrative reforms, "Special Laws" that had been promised since 1837. These included an insular council and insular assembly, popularly elected, to be consulted by the governor on all matters over finance and administrative policy; political representation in the Cortes; and extension of rights of the individual citizen, such as freedom of press and association. In sum, the Spanish Constitutions applied to the Antilles. Información sobre reformas en Cuba y Puerto Rico (Nueva York: Imprenta de Hallet Y Breen, 1867) II, pp.100-137.

and Spanish policies revealed their reluctance and weak commitment towards decisive action on the problem of slavery.⁵⁰

In the Assembly of Guáinamo, in April 1869, the rebels drew up a declaration proclaiming that all inhabitants of the Republic were entirely free. However, the impact of this declaration was soon mitigated by the *Reglamento de Libertos*, approved by the revolutionaries two months later. The *Reglamento* established the tutelage of *patronos* over their former slaves. If the *libertos* wish to leave their masters, they had to report to the *Oficina Provincial* which would then allocate them to a new *patrono* whose estate they could not leave without permission. The *Reglamento*, which was to come into immediate effect, obliged the *libertos* to work. They were to receive a nominal wage of ten pesos a month. The *Reglamento* created an *Oficina Principal de Libertos* that would carry out a census and keep a register of all *libertos* not engaged in the Army and would record their movement. *Patronos* were to provide *libertos* with clothing, maintenance, medical assistance in case of serious illness, and the use of provision grounds. Working hours were fixed at nine a day. The *Oficina* was to mediate in conflicts between *patronos* and *libertos* and to enforce punishment. Maximum fines of 4 pesos and three days detention were stipulated for *libertos* who infringed the regulations.⁵¹ The purpose of the regulations, as Céspedes would admit later, was to enrol some *libertos* as soldiers and some as field workers.⁵² The idea was not to transform slaves into wage workers or free citizens but to attend the urgent circumstances of the war. Although it is uncertain if it was

⁵⁰ The evolvment of the insurrection and the problem of slavery in Cuba is examined in R. Cepero Bonilla. *Azúcar y Abolición*, 1st ed 1948, (Barcelona: Crítica, 1976), see chapter 11-13; R.J. Scott, *Slave Emancipation in Cuba. The Transition to Free Labor, 1860-1899* (Princeton: Princeton University Press, 1985) chapter II. A classic source on the war is R. Guerra y Sánchez, *Guerra de los Diez Años* 1st ed. 1950-52 (Havana: Editorial Pueblo y Educación, 1986) 2 tomos.

⁵¹ "Reglamento de Libertos, July 5, 1869", reprod. in H. Pichardo Viñals (ed.) *Documentos para la Historia de Cuba* (Havana: Editora del Consejo Nacional de Universidades, 1965) pp.389-393.

⁵² R. Scott, *op.cit.*, p.48.

systematically enforced, the Regulation remained in effect in insurgent territory until the end of December 1870, when it was revoked in favour of full freedom.⁵³

In the meantime, the initiatives of the insurgents and the reality of the war changed Spanish policy regarding slavery and abolition. Strategic and international consideration required the government to take steps towards a repudiation of slavery, however partial. Although the struggle for independence from Spain was not primarily concerned with the maintenance of slavery, the action of the insurgents in declaring immediate emancipation as a way of recruiting slaves into their army and of seeking international support, influenced Spanish policy. In spite of the insurgents' initially weak commitment to general emancipation, their appeal to blacks and to those who favoured the elimination of slavery needed to be addressed. The Spanish government was also anxious to avoid the disturbance of sugar production which might reduce colonial revenues. A growing antislavery sentiment within Spain as well as the need for international support for the continuance of Cuban colonial ties also contributed to change Spanish policy. Spain had been carefully handling international pressures to end slavery. But the outcomes of the American Civil War heightened Spanish anxiety. The United States of America was already the greatest market for Cuban sugar. This represented a real danger to Spain as the U.S.A might intervene in the island or declare a boycott of slave-produced staples.⁵⁴ As emancipation was now being discussed in Brazil, it appeared^{ed} possible that Spain might be the last supporter of slavery in the New World. The war aggravated the situation, and Spain was compelled to show the world that its action in the island was in

⁵³ R.Cepero Bonilla, op.cit., p.138; Cepero Bonilla suggests that the regulation was executed in insurrectionist territory, in contrast with Ramiro Guerra, who observed that its execution resulted impossible due to the conditions of war, R. Cepero Bonilla, op.cit., p.137; R. Guerra y Sánchez, op.cit., I, p.109.

⁵⁴ Insurrectionist initiatives for annexation is examined in R. Cepero Bonilla, op.cit., chapter 13; for American pretensions see H. Thomas, Cuba, or The Pursuit of Freedom. New York: Harper and Row, 1971, chapter 18.

defence of territory and not to sustain slavery. The response was the Moret Law.

The Moret Law was approved by the Spanish Cortes on July 4, 1870, in the midst of the Ten Year's War. It freed all slaves over the age of sixty and children born to slave mother since 1868. The free born were to be under the tutelage of the mother's master who should provide for maintenance and medical assistance. The patron was allowed to use their labour without remuneration up to the age of 18. Between 18 and 22 years the *liberto* would have to be paid half the daily wage of a free labourer, according to his class and training. On reaching the age of 22 the *liberto* was free of any obligation to his mother's master. Physical abuse by the patron could be punished with the loss of a right to the freedman's labour. The Law also freed the slaves belonging to the state and finally the "liberated" *emancipados*. Registration of all slaves in the island should be completed by December 31, 1870, and those slaves omitted would be considered free. The bill also outlawed the use of the whip and prohibited the separation of couples and of children under 14 years of age from their mothers.⁵⁵

On the surface, the general lines were similar to those of the subsequent Brazilian law of 1871: namely that the freeborn remained under the patronage of the master, labour obligations were imposed on freedmen; slave registration; the non-separation of families and so forth. Some differences were easy to identify. First, elderly slaves in Brazil were not freed by Rio Branco Law but by the Saraiva-Cotegipe Law of 1885. Second, Brazilian owners had the right to freeborn labour until they reach 21 years of age, without any wage payment. *Emancipados* had been legally "freed" in Brazil in 1864. Self-purchase was an already established practice recognized by Spanish law in Cuba. While the Moret Law prohibited whipping, the Rio Branco act made no references to punishment: public whipping of

⁵⁵ "La Ley (Moret) de 4 de julio de 1870" and "El Reglamento de 5 de agosto de 1872, in Appendix. Ley y Reglamento de la Abolición de la Esclavitud de 13 de Febrero y 8 de mayo de 1880 (Havana: La Nueva Principal, 1880). The Moret Law is reproduced in H. Pichardo Viñals, op.cit., pp.394-397.

slaves would be abolished in Brazil only in 1886. In the Brazilian law, mothers could not be separated from their children *ingênuos* under eight years old. Also in the Brazilian legislation, there were additional routes to freedom provided by the Emancipation Fund. These two provisions were reputed to have made the Brazilian superior to the Spanish legislation. That was, for instance, the opinion of Torres Aguillar in his speech to the Spanish Abolitionist Society in February, 1872 : "...emancipation in Brazil does not embrace only the new-born, but provides means which can benefit all slaves (...) in contrast with this important provision we can show only the promise within the Law of July of 1870 of presenting another law to abolish slavery with compensation as soon as Cuban representatives are seated in the Cortes".⁵⁶

What Aguillar and other contemporary supporters of emancipation criticized in the Moret law was the limited impact it would have on initiatives to transform slaves into free labourers and as a mechanism for the transformation of the system of labour. Closely related to this issue, and frankly in contrast with Rio Branco Law, were two main articles of Moret Law, planned in conjunction with the development of the war. Thus _ similarly to the attitudes of the Brazilian government during the Paraguay War _ article 3 stated that slaves who had served the Spanish flag or by any other means had helped the Spanish military during the insurrection, were to be declared free. The Spanish government promised to compensate their owners, of course, only if owners had been loyal to the Spanish cause. These freedmen were to be "under the protection of the State", and were assured the means of earning a living without coercion. Those who wished would be returned to Africa (art.13). The other article that is relevant to contrast with Rio Branco Law is article 21, which stipulated that a proposal for gradual, indemnified emancipation of remaining slaves was to be submitted to the Cortes, including representatives from Cuba, only after the end

⁵⁶ S. Torres Aguillar, La abolición de la esclavitud en el Brasil y en España. Discurso pronunciado en la conferencia (anti-esclavista) del 26 de Febrero de 1872 (Madrid: Secretaria de la Sociedad Abolicionista Española, 1872) p.10.

of the war.⁵⁷

The Emancipation Fund and the obligation of those freed by its provisions to work and other measures included in the Brazilian law as well as article 21 of the Spanish law were closely related to the issue of "transition". The liberation of slaves to fight in the Spanish forces was a strategic response to the war and rebel initiatives. When introducing his project-of-law in the Cortes, Minister Segismundo Moret observed that the law was a "single effort to preserve territorial integrity and redeem the slaves". He also observed that the intention of the law was not to deal with the major issue of a "transition to free labour"; it was designed to handle problems created by the insurgents. Considerations about transition and the organization of the labour market could only be discussed when peace had been restored to the island. "With respect to the second part which involved the transition, la cuestión de hecho, the government far from avoiding its resolution or delaying it, merely asks the Chamber to postpone it..." (my stress).⁵⁸

The government's purpose became more evident during the debates. Supporting the project, a member of the Cortes committee which amended the original draft submitted by the Minister observed that it addressed the main concerns about slavery. He noted that besides guaranteeing compensation, the Law stipulated the registration of slaves. This would prevent further illegal entry of slaves into the colonies.⁵⁹ The law also regulated the **status** of the **emancipados** and established the **patronato del amo**, requiring that the master "provides for the freedman and guide him during his first steps". Therefore, when reaching 22 years of age the freedman would have

⁵⁷ "Ley de Vientres Libres de 4 de julio de 1870" in H. Pichardo Viñals, op.cit., pp.394-397.

⁵⁸ Diario de las sesiones de las Cortes Constituyentes, session 10 June 10, 1870, tomo XIII, Apéndice primero al n.292, p.1.

⁵⁹ Data provided by J. Pérez de la Riva, Para la historia de las gentes sin historia (Barcelona: Ariel, 1976) p.130, shows that slaves continued to enter the island after the 1866 Law at an average of 6,000 to 7,000 a year. In 1870, 4,000 entered. Between 1866 and 1873 a total of 28,000 slaves were imported.

"all rights, plus savings, and would possibly enter society in better conditions than those whites beginning a working life".⁶⁰ Further, the main purpose of the law was fundamentally political: "to show Spain is willing fully to abolish slavery".⁶¹ In presenting the bill, the Minister admitted that the strategy was to reduce the appeal of the insurgents, who spoke of "the flag of liberty against tyranny, the principle of emancipation against slavery, as well as of colonial autonomy against imperial oppression".⁶² He went on to observe that it was not enough just to announce the abolition of slavery in the near future. The project was necessary to reduce international difficulties created by the war. "... Slavery is the crucial problem, the great obstacle, the basis of the politics and the source of all accusations (...) We have pursued in America a free, just policy (...) We are acting on the administration and economy of Cuba. However as this was not enough we will give them the definitive evidence and here is the project after which it can be clearly written _ slavery is dead and has ended for ever on Spanish territory...".⁶³ The law would also enhance Spain's capacity to counter the problems created by the insurgents. "Within the law of emancipation declared by the so-called Cuban government and signed by Céspedes, there is no such idea of emancipation, it is a law of war, it is not a law of liberty. It intends to cause damage but it does not attempt to abolish slavery (...) Owners who would present their slaves to the Government of Céspedes are promised a compensation. But these slaves go to the Army, to serve as soldiers. These slaves are not granted freedom but are converted into mercenaries, supporters of a cause they do not love, and to whom freedom is granted solely on the condition to expose themselves to

⁶⁰ Diario...Cortes Constituyentes, op.cit., session 10 June, 1870, p.8766.

⁶¹ Diario...Cortes Constituyentes, op.cit., session 10 June, 1870, p.8763.

⁶² Diario...Cortes Constituyentes, op.cit., session 10 June, 1870, p.8768.

the fire of the enemies...".⁶⁴

The strategic nature of the legislation and the uncertain commitment of Spain towards even a gradual emancipation was also evident during the debates. Although nobody dared to defend the institution of slavery at this stage, some debaters alarmed at the consequences of emancipation objected even to such a partial measure. Member Ortiz de Zárate, for instance, argued that the amendment introduced by the committee (article 21) to the original draft presented by the Minister, namely the addition of the term "**emancipación gradual**", represented a threat "that could lead to a state of alarm in Cuba and Puerto Rico".⁶⁵ The most intransigent opposition to the project, however, came from the conservative Romero y Robledo, who was also concerned about the consequences of this article. He criticized the use of the word "**gradual**". That did not calm anyone. It could mean "one year as well as 30, or 40 years".⁶⁶ Robledo was also concerned about the danger of the "Africanisation of Cuba", that is an eventual supremacy of the black population. Like others he included in his discourse a condemnation of slavery while at the same time stressing its necessity. Declaring himself an "abolitionist", he explained that there were various sorts of abolitionists. In his view, the process of abolition should take place in such a way as to avoid "disturbances" and the disruption of production. It should also protect colonial ties and guarantee compensation, "...in order to assure all the interests involved, to avoid lesser disturbance and in order that [Cuba] continued to be wealthy, flourishing and Spanish".⁶⁷ The response of the proponents of the project to these objections focused on the important question of "hands to work" the plantations. This was

⁶⁴ Diario...Cortes Constituyentes, op.cit., session 10 June, 1870, p.8772.

⁶⁵ Diario...Cortes Constituyentes, op.cit., session 10 June, 1870, p.8758.

⁶⁶ Diario...Cortes Constituyentes, op.cit., session of 9 June, 1870, p.8734.

⁶⁷ Diario...Cortes Constituyentes, op.cit., session 9 June, 1870, p.8730.

something "still to be solved". In the committee's view the project ensured that emancipation would be gradual: "Does not it establish the principle that emancipation would be gradual? Does not Mr. Romero y Robledo believe this would be a means of removing all suspicion from slaveowners that they would be suddenly deprived of their hands? Do not these means provide guarantees not only to slaveowners but to the whole society ... that it would not receive on a fixed date a irrational mass of men who has just left slavery, a mass of men who has no social habits?".⁶⁸ That was why the commission favoured the addition of the word "gradual", believing it inappropriate to fix any date or time limit to qualify "gradual emancipation".⁶⁹ In the end, the Minister himself disclosed that he did not want the word "gradual" either. Finally, at the suggestion of Cánovas de Castillo it was replaced by the phrase "emancipación indenizada".⁷⁰

The exceptional circumstances of war in Cuba and Spanish colonial policy made for another distinctions between the Cuban and Brazilian cases. One interesting point is the position of planters towards making and implementing gradualism. Contrasting both pieces of legislations and criticizing the Spanish law, Torres Aguilar noted the failure to implement a more liberal emancipation law. In the Spanish colonies "we have not had, that is, we should not have had the immediate pressure from slaveowners, who in Brazil were closely related to the legislators or were themselves seated in the Congress".⁷¹ The Brazilian abolitionist, Joaquim Nabuco, in his speech to the **Sociedad Abolicionista Española** in 1881 also observed that among other differences "... when your speakers proposed abolition of slavery to the Cortes, they faced men who had nothing

⁶⁸ Diario...Cortes Constituyentes, op.cit., session 9 June, 1870, p.8733.

⁶⁹ Diario...Cortes Constituyentes, op.cit., session 9 June, 1870, p.8733.

⁷⁰ Diario...Cortes Constituyentes, op.cit., tomo XIV, session 17 June, 1870, p.8922.

⁷¹ S. Torres Aguilar, op.cit., p.5.

in common with slavery. When we [Brazilian abolitionists] address Parliament we ask the members who are themselves slave owners for abolition".⁷² In Brazil, the policy makers involved in the formulation of the policy were directly or indirectly connected with slaveowners interest. In most cases they were slaveowners themselves. Those discussing the reform of the institution of slavery were discussing directly their own vested interests, the future of their own property and wealth. Despite the strong opposition from southern coffee provinces, the debates somehow resulted in a new kind of consensus about the gradual policy envisaged in the 1871 Law and its regulations. Also despite the reluctance and opposition of some members of the Brazilian elite, the majority soon realized that the measures were essential to guarantee a gradual, peaceful, and extended process of ending slavery. Hence, believing that no further step would be taken, they finally accepted and struggled to sustain the pace of emancipation set in motion by the Rio Branco Law.

When Cuban planters became involved in the discussion of gradual abolition, the Moret Law had already been approved and it was already a fact. Although Minister Moret noted in the debate that he had consulted Cuban planters residing in Madrid and even that he had taken one article directly from a proposal submitted by Cuban planters, Cuban planters criticized the law and attempted to block its enforcement. From the first, news that the liberal government of Spain was preparing a project-of-law on abolition provoked anxiety and alarm. Leading Cuban planters of the **Junta de Hacendados**, petitioned the Capitan General Caballero to be allowed to convene and discuss the "social question". After consulting Madrid, the Capitan General decided to explain the provisions of the Moret Law to an assembly of leading planters and merchants. The first meeting was held on June 17, 1870.⁷³ According to Corwin, confronted with the "delicate matter of submitting the projected Moret Law to

⁷² Sociedad Abolicionista Española. Sesión del 23 de Enero de 1881. Discurso del Sr. Nabuco. Discurso del Sr. Labra. (Madrid: Presidencia de la Sociedad Abolicionista, 1881) p.4.

⁷³ A. Corwin, op.cit., p.256.

proprietors", Caballero gave several reasons why they were expected to assent: "i) that slavery was exclusively found in Cuba, and that this placed the nation in an unfavourable light in its relations with other nations; ii) that slavery was one of the causes prolonging the war because the insurrectionists had obtained sympathy and help from abolitionist opinion in the United States of America, propagating the idea that Spain wanted to preserve slavery perpetually; iii) that government had in the treaties with Great Britain given a promise to resolve the problem".⁷⁴

Although many planters were not in full accord with the government, some accepted freedom for newborn and elderly slaves, if there was to be proper compensation.⁷⁵ Others, however, objected even to free birth, suggesting that moral instruction, the expansion of provision grounds and the encouragement of *coartación* would be the best way to end slavery. Yet others viewed abolition with suspicion and hostility. Julián Zulueta, one of Cuba's leading planters, believed the reform was dangerous while the enemies of Spain still held arms.⁷⁶ In his view abolition should be linked with immigration and the organization of a labour market based on contract labour.⁷⁷ José Suárez Argudín, a strong opponent of any change in the institution of slavery and owner of sugarmills in Cienfuegos and Bahía Honda, considered the issue to be one of "life and death" for Cuba. It was a weapon used by the enemies of Spain: Cuban sugar production would collapse after abolition.⁷⁸ He argued in favour of leaving abolition not to the abolitionists nor to the government but to the owners themselves. Several planters supported Argudín's proposal that a committee be sent to Madrid to fight against the adoption of the Law.⁷⁹ Other meetings were held on July

⁷⁴ Ibid.

⁷⁵ A.F. Corwin, *op.cit.*, p.256-257.

⁷⁶ A.F. Corwin, *op.cit.*, p.257.

⁷⁷ R. Scott, *op.cit.*, p.67.

⁷⁸ Ibid.

⁷⁹ A. Corwin, *op.cit.*, p.257.

1, and July 11, 1870. Both were an effort to justify the government claim that the measures were essential given the extraordinary circumstances. The government also sought to reassure planters that no further step leading to abolition were contemplated beyond the freeing to the newborn and the aged.⁸⁰

As with the Rio Branco Law in Brazil, there were attempts to delay or block the enforcement of the Moret Law. Any delay was of course advantageous to planters. First, Cuban planters, with the cooperation of colonial officials, obstructed its publication. The Moret Law was only officially published in the Official Gazette of Havana in September 28, 1870, some three months after promulgation in Madrid. Following publication, planters attempted to delay its application by making enforcement dependent on the regulations. The regulations for applying the Moret Law would only be published in November 23, 1872, almost two and half years after approval by the Cortes. Changes in the Spanish political scenario (the assassination of General Prim at the end of the 1870 and the ascension of a new monarch) contributed to the delay, despite pressure from Britain and the danger of American intervention as the Ten Years War continued.

Difficulty forming an accurate slave census was another common feature. As in Brazil, the complete registration of the slaves was essential to the application of the Moret Law. Planters had many reasons to delay, confuse and falsify accounts. But registration in the midst of the war added to these problems. The Cuban case was further complicated by the much later end of the trans-Atlantic slave trade. Registration, besides being a mechanism of controlling slaves, was a way of controlling the illegal entry of slaves. The law for repression and punishment of the slave trade (September 29, 1866) already demanded a census of all slaves, declaring that those not legally registered would be free. The task was hardly completed in 1867. The new census ordered by the Moret Law was only completed in January 1871. Planters protested against the "injustice of freeing legally acquired slaves simply because of errors in the

⁸⁰ A. Corwin, op.cit., p.257-258.

lists", and continued to block the application of the Law. Individual slaveowners appealed for the inclusion of unregistered slaves in the lists throughout the 1870s.⁸¹

In addition, regulations governing the enforcement of the law, became another device by which planters would manage to minimize the effects of the Moret Law. Besides delaying publication of these regulations, planters succeed in making the rules to suit themselves. Thus, the regulations of August 5, 1872, created the Boards for the Protection of the Freedmen (**Juntas Protectoras de los Libertos**) which were to be established in each civil district in Cuba with a Central Board in Havana.⁸² The Boards were to administer the execution of the Moret Law and enforce measures protecting the **libertos**. Working regulations, wages, protection of slave savings, maintenance, and any question resulting from the application of the regulations were subjected to **Junta** control. In addition, Boards were required to ensure that **libertos** strictly complied with the Law. They were also to maintain accurate registrations and records: slaves not included in the late 1871 census were to be considered free. However, the role to be performed by the Boards was clearly compromised. Although Boards should look after freedmen "seeking to assure that contracts and stipulations agreed were in conformity with their interests", it should also take into account the interests of "agriculture prosperity and public order".⁸³ And besides, half of the members of the **Junta** should be slaveowners. Several other measures included in the 1872 Regulations also guaranteed the interests of planters. Thus, the new born and the aged freed by the Moret Law were expected to obey and respect their patrons "as if the later were their own fathers". The faculty of transferring the patronship by all legal means stipulated by Moret Law was re-emphasised. The **liberto** could not leave nor change

⁸¹ R. Scott, op.cit., p.70.

⁸² "El Reglamento de 5 de agosto de 1872", Appendix, Ley y Reglamento de la Abolición de la Esclavitud..., op.cit., pp.47-63.

⁸³ "El Reglamento de 5 de agosto de 1872", op.cit., Art.6, parag.4., p.50.

patrons without the consent of his original patron. Patrons had the right to correct the faults of the *liberto* : "a regulation by the colonial government, consulting the Junta Central, would specify the punishments to be applied by the *patronos*".⁸⁴ Chapter IV of the regulations provided for the return to Africa of those wishing to emigrate.

Inaccuracies in the census and slave records posed further serious problems to the enforcement of Moret Law, again favouring planters. In many cases, children born after 1868 but before the enactment of the Law and the elderly had no proof of age other than records kept by masters. Freedom was therefore compromised by errors or frauds. Slaves could appeal to the *Junta Protectora*, requiring an estimate of age by a doctor, but as Scott observed, that was a laborious and potentially corrupt procedure.⁸⁵ Unregistered slaves and *emancipados* also encountered many other obstacles. The number of unregistered slaves entitled to legal freedom was estimated at 70,000.⁸⁶ By 1871 only 5,059 had received their liberty in this way.⁸⁷

The Moret Law also granted freedom to *emancipados*. This category of "liberated slaves" had for decades suffered the consequences of frauds and errors in the records. The Cuban government had been legally responsible for this group of slaves since the first ships had been seized off the coast of Cuba in 1824. Theoretically, *Emancipados* were free men. But, in Cuba as well as in Brazil they had been sold or placed with planters and their life differed very little in fact from that of the slave. The number of slaves captured off the coast of Cuba from 1824 to 1866, when the last cargo was

⁸⁴ "El Reglamento de 5 de agosto de 1872", *op.cit.*, Art. 49, p.62.

⁸⁵ R. Scott, *op.cit.*, p.69.

⁸⁶ A. Corwin, *op.cit.*, p.276.

⁸⁷ C. de Sedano y Cruzat, Cuba desde 1850 á 1873. Colección de Informes, Memorias, Proyectos y Antecedentes sobre el Gobierno de la Isla de Cuba, relativos al citado periodo (Madrid: Imprenta Nacional, 1873) p.156.

seized, was calculated at 26,026. It is estimated that about 10,000 of them eventually found freedom.⁸⁸ According to Corwin, **emancipados** had been freed in groups, depending on the year of their capture. For example, 3,029 **emancipados** belonging to the last nine expeditions captured in Cuba between the years 1862-1866, were granted freedom by the decree of December 6, 1870. An earlier decree of September 21, 1869, set at liberty 1,025 **emancipados** belonging to seven expeditions captured between the years 1824-1842.⁸⁹ But there are reasons to believe that obtaining precise information (such as if they were still alive or remaining in the place to which they were assigned) about this class of slaves must have been as difficult as for other slaves. And like other categories freed under the Moret Law, **emancipados** were still required to enter into engagements with the government or former masters.

Despite inaccuracies, the 1871 census registered 287,626 slaves in Cuba.⁹⁰ Before the publication of the August 5, 1872 regulation, the number of slaves who were granted freedom through the Moret Law was reported as follow (⁹¹):

Libertos by virtue of articles 1o. and 2o.	20,055
Idem by article 3o.	188
Idem by article 4o.	1,368
Idem by article 5o.	5,059
Total	26,667

According to Scott, between 1870 and 1877, 61,766 children of slaves became or were born legally free by virtue of the Moret Law. Over 32,000 slaves were technically free under other provisions of the Law. The government's calculations recorded a decline in the

⁸⁸ A. Corwin, op.cit., pp.277-278.

⁸⁹ Ibid.

⁹⁰ C. Sedano y Cruzat, op.cit., p.156.

⁹¹ "Resúmen General de los esclavos que han obtenido su libertad por virtud de la ley de 4 de Julio de 1870, ántes de la publicacion del reglamento de 5 de Agosto 1872, á peticion de los interesados", Habana 30 de Enero de 1873, in C. Sedano y Cruzat, op.cit., p.156.

slave population of about 52,000 between 1871 and 1877. Recalculating these figures to reduce the effect of double counting, Scott finds that the major sources of recorded decline resulted from the freeing of the elderly (45%), the freeing of unregistered slaves (21%), deaths (19%) and "causes outside the law" (12%).⁹² Scott also pointed out that although the Moret Law by itself did not free significant numbers of slaves of working age, the operation of the law tended to accelerate the process of overall emancipation. As a formal measure, Scott pointed out, Moret Law was very limited, but its indirect consequences were considerable and often unforeseen. It created an additional lever that enabled some slaves to exert influence on their condition and that of their relatives.⁹³

Table T.5: Sources of Decline in the Slave Population, 1870-1877, Government Estimates

1. Slaves listed in the census of Jan. 15, 1871	287,653	2.
Freed for serving the Spanish flag	658	3.
Freed because over the age of sixty	21,032	4.
Freed because owned by the state	1,046	
5. Freed because unregistered (a)	9,611	
6. Freed for reasons outside the law (b)	5,423	
7. Slave deaths	8,917	
8. <i>Liberto</i> deaths (c)	5,256	
9. Slaves calculated as remaining in 1877 (d)	235,710	
10. Slaves actually on tax registers, 1878 (e)	184,030	

Source: R.J. Scott, Slave Emancipation in Cuba, The Transition to Free Labour, 1860-1899. (Princeton: Princeton University Press, 1985) p.72. (a) This appears to refer to slaves not in the index to the 1871 census. It may therefore be misleading to subcontract category 5 from category 1 as the junta officials preparing this report did. (b) This presumably included some recorded self-purchase and manumission. (c) This inclusion of *liberto* deaths also suggests double-counting. (d) Since some of those in 3, 5 and 8 should not have been in the 1871 census, this total is unreliable. (e) Includes only slaves over the age of eleven.

The process of gradual abolition triggered by Rio Branco Law in Brazil and the Moret Law in Cuba would continued for almost two decades. By the late 1870s, the end of the war in Cuba and the

⁹² R. Scott, op.cit., p.71.

⁹³ R. Scott, op.cit., p.73.

urgent pressures for abolition led to more decisive acts. Besides the gradual liberation of slaves, attention now turned to sources of alternative workers and mechanisms to accomplish the "transition" _ facets in the organizing a free labour market. At this stage, the objectives and interests of Cuban planters and policy-makers again approximated to those of their Brazilian counterparts.

6.2. Gradualism and Transition

In most of the debates, in Brazil as well as in Cuba, the idea of gradual emancipation embodied ideas about the "reorganization of labour" and the "regulation of labour" besides individual manumission. The reorganization of labour usually meant appointed the way to sustain slavery while individual slaves were being freed, and the formulation of a labour regime that would operate after the final abolition of slavery. The configuration of the new modes of organizing labour was given by the regulation of labour, the creation of rules to oversee relations with new categories of workers. As was showed above, a series of possible modes of reorganizing labour had been discussed and attempted. The search for alternatives or supplements for slave labour described in chapters 3 and 4 were early examples. Other examples were provided by conditions devised in original plans of emancipation, such as contracts of service for those working towards self-purchase, contracts of services for those freed and for vagrants and the promotion of immigration. The term "transition" covered the process of transforming the slave into freedmen, the new position of these freedmen in the labour market, and the employment of either domestic or immigrant labourers. It also embraced the modes of reorganizing labour that were devised either to support slavery while delaying final abolition, or to constitute forms of labour after abolition.

In Brazil the legal and institutional processes of gradual emancipation and transition was interrelated. The government sought to make them a single formal process. From the early plans for emancipation to discussions in the Council of State leading to the approval of Free Birth Law, there were attempts to transform slaves into free labourers, as well as simultaneously reorganizing labour either through domestic regulations or the promotion of immigration. The approval of the 1879 *locação de serviços* Law completed this attempt by linking the two processes. Both pieces of legislation _ the 1871 and 1879 acts _ together provided for the future of freedmen, their insertion in the labour market as well as for the replacement of slaves who had been freed by domestic and immigrant

labourers. The legislation was intended to apply during a transitory period while gradual abolition was taking place as well as a further indeterminate transitory period after final abolition.

In Cuba gradual emancipation and transition appeared to be envisaged as distinct processes. The Moret Law and its regulations while providing for free birth and encouraging individual manumissions did not include provisions for the organization of the labour of freedmen. During the 1870s Cuban planters attempted to link both processes, submitting several projects on abolition and the reorganization of labour with both freedmen and immigrants. Most of these projects envisaged long term contracts and low wages. Although the Patronship system was principally concerned with securing the labour of former slaves, it was as much concerned about the reorganization of labour after patronship had been extinguished.

6.2.1. Gradualism and Transition in Cuba

In the final analysis, it can be argued that the Moret Law represented the interests of a more progressive sector of Cuban planters who wished to facilitate abolition and at the same time extended the life of slavery. Although many would have preferred that the process followed existing means of achieving freedom, such as *coartación*, they had little choice but to accept Spanish legislation and wait until the end of the Ten Year's War when further reforms on this issue as well as in colonial policy were promised.

At the time when the abolition of slavery was being considered in Puerto Rico, Cuban planters decided to meet again to organize a defence their interests. On January 26, 1873, thirteen planters gathered to form a planter's association (*Junta de Hacendados de Cuba*) under the leadership of Julián Zulueta. Their main concern was about the impending Puerto Rico abolition of slavery and the likely consequences if a similar measure was applied in Cuba. The majority believed that a project of abolition should be "*justo, razonado y prudente*", and should also be accompanied by another on immigration

to facilitate the reorganization of labour.⁹⁴ As a result, a project of abolition was presented to the Minister of Colonial Affairs to be discussed later in the Cortes. In it they suggested that slavery should be abolished and slaves transformed in **colonos**, who would be under the **patronato** of the owner for a ten years period. Former slaves were to receive wages of 2 pesos (minors) and 4 pesos (adults) and would be fed and clothed by the patron. The transformation of the planter property rights over slaves into the **patronato** would resolve the problem of compensation. It would also prepare slaves for entry into free society. The **patronato** was transferable and could be ended by mutual agreement. Abuses or renunciation by the master would also result in the termination of the **patronos**'s obligations.⁹⁵ It was observed ~~at that the plan~~ that the plan of abolition prepared by planters was only in name different from slavery. It only changed the term "slave" into "colono".⁹⁶

Throughout the 1870s Cuban planters attempted to continue with the importation of immigrant contract workers. After the end of the trade in Chinese in 1874, suggestions turned again to Mexican and American Indians. Several proposals to authorize this sort of immigration were sent to Madrid. Labour conditions set out in these new proposals did not differ greatly from those included in earlier schemes. Immigrants were supposed to work for wages lower than those currently prevailing in the island, to be bound to long-term contracts which would be subject to existing repressive regulations. At the end of the decade, under rising pressure to solve the "cuestión social", hopes that immigrants would replace slaves

⁹⁴ M. del Carmen Barcia, Burguesía esclavista y abolición (Havana: Editora de Ciencias Sociales, 1987) p.145.

⁹⁵ Project submitted by the Junta de Hacendados de Cuba al Ministro de Ultramar, Havana, May 10, 1874. AHN, Ultramar, Gobierno, leg.4.882.

⁹⁶ F. Acosta y Albear. Memoria sobre el estado actual de Cuba. Apreciaciones sobre las reformas y la abolición. Providencias y resoluciones que se consideran convenientes. (Havana: Librería de Andrés Pego, 1874) p.18.

increased. The variety of plans then suggested and discussed reveals a wide range of opinions both within Cuba and the Colonial Office in Madrid. One of the most controversial of these projects was proposed in 1878 by the Count of Casa Moré and other members of the Planter Association (*Circulo de Hacendados*). The plan, signed by 1,500 planters, merchants and manufacturers, provided for the importation (with government subsidies) of 40,000 Asian and Canary Islanders to work as field labourers. The conditions were very similar to those of previous years, emphasising contractual obligations and requiring workers to repay expenses advanced by employers. The debt would be means of keeping labour bound to the plantation. The purpose was to keep wages low and to provide substitutes for slaves. Critics of the project once again drew attention to the similarities of the scheme with "slavery", and all the evils associated with the "odiosos contracts".⁹⁷

These initiatives provoked similar responses to those taking place in Brazil. The range of opinions on the subject of immigration revealed several points. Foremost was uncertainty about whether or not slaves would be expected to work on plantations after abolition. What degree of direct coercion and discipline were necessary to ensure regular labour? Should there be measures to ensure low wages after abolition? What kind of immigration (white, non-white, single or family, contract or free) was required and who should be responsible for the costs of immigration _ planters, government or immigrants themselves?

As during earlier experiments, the preference for a particular scheme had social, political, economic and racial overtones.

⁹⁷ Consulta sobre lo promovido por el Escmo. Sr. Conde de Casa Moré, hacendados, industriales, comerciantes de la Isla, relativo à la cuestión de la colonización, ANC, CA, leg. 69, n.692; planter plans for immigration are criticized in several articles in *Revista Económica* (Havana: La Propaganda Literaria, 1878-1879) which voiced the opinion of the various Spanish immigrant associations on the plans. See for instance the articles "Gato por lebre. El proyecto de Calvo, Ibañez, Moré y Pulido" of June 7, 1878, pp.32-33, and a série of articles on "Inmigración Canaria" published on n.22, n.23, n.24, n.25, n.27, n.30.

Families of Europeans were still the most desirable form of immigration but it was believed they would not come to "tropical plantations" to work for low wages. Earlier experiments had shown that. Africans and Asians who would work only under coercion would endanger the "whiteness" of the island. While some still favoured Chinese believing that they were likely to constitute a third race in the black/white division and so contribute to stability and the retention of control by Spain, others were not convinced. During the Ten Years War many Chinese had sided with the insurgents. Other planters believed in the ultimate primacy of the free market. Only "free labour" could solve the labour problem. That meant a system of labour free from state regulations. Agreements should be made freely between planters and workers. This was a view that gained strength in Brazil and Cuba especially from the end of the 1870s and divided opinion in the 1880s.

By the end of the decade (1879) the authorities in Madrid, responding to a proposal of the Comisión Central de Colonización to introduce Yucatecans to Cuba observed that "Cubans wanted to impose on free labour the same conditions that applied to slaves _ whether by contracts or by regulation. That is impossible because the essence of free labour is to have no more limitations than the common law".⁹⁸ Contracts, it was stated further, were not the way to provide the labour demand in Cuba. To resolve the problem, "economic law, good wages and rational conditions" would suffice. Planters would then have workers in sufficient numbers to lower wages. "Today labour is free in the provinces of Ultramar."⁹⁹ At the same time a divergence of opinions within the Spanish Colonial Office on the issue was observed in a statement prepared by the Council of State. The controversy was over contracts agreed with Yucatecans. Should they be governed by the 1860s Regulation or should they be treated as freely agreed? The Council of State, following the opinion of the Comisión de Colonización in Cuba, stated formally that contracts should be subjected to 1860s

⁹⁸ AHN, Ultramar, leg.102, n.39, exp.1.

⁹⁹ AHN, Ultramar, leg.102, n.39, exp.1.

regulations but a minority report stressed that contracts should be free, based only on common law.¹⁰⁰

The debates about gradual emancipation and methods of effecting the "transition" would sharpen views on the means of reorganizing labour. They also revealed the strength of those proposing the continuance of coercion to ensure a smooth and extended process of abolition thereby guaranteeing a "transition" without disruption of production and with regular and cheap labour. In February 1878, the Pact of Zanjón ended the Ten Years War. According to the Pact, the general question of slavery was left to be settled once Cuban delegates were seated in the Cortes. In its third article it pardoned Chinese contract workers and slaves who had fought alongside the rebels. The freeing of the rebel slaves was a partial measure of emancipation made necessary by the fact that it would probably have been impossible to persuade rebel slaves to lay down arms otherwise.¹⁰¹ The government, as provided by the Moret Law, also granted freedom to slaves who had served the Spanish military. It was estimated that 16,000 slaves were freed by the Pact.¹⁰²

By this time the total number of slaves had been considerably reduced. Young and elderly slaves had already been freed by decree; others particularly in the cities and in the east gained freedom through litigation or self-purchase and many slaves became free as a result of the war. The total number of slaves dropped from 360,000 in 1867 to about 200,000 in 1877. But sugar production remained heavily dependent on slavery. According to the 1877 agricultural census, about 72% of the workers on plantations were still slaves owned by the planters for whom they worked: free workers, rented slaves and Chinese made up the remainder.¹⁰³

¹⁰⁰ AHN, Ultramar, leg.102, n.39, exp.18.

¹⁰¹ R. Scott, op.cit., p.115.

¹⁰² Ibid.

¹⁰³ R. Scott "Gradual Abolition and the Dynamics of Slave Emancipation in Cuba, 1868-86". Hispanic American Historical Review 63:3 (1983) pp.449-477, esp. p.456.

After the end of the war, Cuban planters grouped in the *Circulo de Hacendados* discussed a plan for emancipation to be submitted to the Cortes. Several proposals were made but no agreement was reached and no initiatives were taken. It was only a year later that the Minister of Colonial Affairs by a decree of August 15, 1879, set up a committee "to study and report on the problems of the island", within which a subcommittee would analyze the "social question".¹⁰⁴ Most continued to advocate gradual abolition in order to avoid disruption of production and disturbance of public order. Gradualism might also secure emancipation without massive state compensation for slaveowners. Above all it was the preferred way to convert the slave into a "free labourer". The project of the subcommittee suggested the creation of a fund of emancipation and annual liberation of slaves according to good behaviour and laboriousness. It was also suggested that in the meantime, those waiting to be liberated, should earn one to three pesos monthly, and that the government should provide for the immigration of free labourers.¹⁰⁵ Other proposals included gradual and individual emancipation of slaves through *coartación* and compulsory work contracts.¹⁰⁶

From these debates a new law of abolition emerged on February 13, 1880, establishing the Patronship system (*patronato*). Based on a belief in gradualism, the *patronato* represented an intermediate stage between slavery and freedom. Former slaves (*patrocinados*) still owed labour to their masters (*patronos*) but were now to receive a token wage. The law provided for a phased liberation of all remaining slaves, in descending order of age. The *patronato* was transferable by all existing legal means but the separation of families and children under 12 years of age was prohibited. The *patrono* was obliged to support and cloth *patrocinados*. Medical assistance should also be available and wages would be paid, one to

¹⁰⁴ M. C. del Barcia, *op.cit.*, p.148.

¹⁰⁵ Project-of-law presented by the Committee of Reform of Cuba, Madrid, October 14, 1879. AHN, Ultramar, Gobierno, leg. 4.780.

¹⁰⁶ See other projects presented by the committee in AHN, Ultramar, Gobierno, leg. 4.780.

two pesos for those under 18 years old and three pesos for those over eighteen. The patronato could end by gradual phased liberation of the workers, by mutual agreement between patrono and patrocinado, by renunciation by the patrono, by compensation for services or any other existing means of manumission. Those leaving the patronato would be under the protection of the state and were obliged to contract themselves for a period of four years. Failing to do so, they would be considered vagrants and compelled to labour on public works projects. The decree forbade corporal punishment and created Boards to oversee its enforcement.¹⁰⁷

A few months later regulations for the enforcement of the Patronato Law were issued. These regulated working hours, food and clothing rations and wages. Wages were now re-stipulated as one peso to those under eighteen, two pesos for those between 19 and 20 years old and three for others. Those freed from patronship were still obliged to sign four years contracts. The regulations even emphasized that those slaves who had been freed because they had not been registered by the owners also be required to sign a four year contract. Although corporal punishment was prohibited by the law, planters managed to keep the stocks. Passive resistance, work not done properly, absence from the estate without permission, lack of respect to patrono, his deputies and family, could be punished with 4 days in stocks. Flights, indiscipline and disruption of labour could be punished from one to eight days in stocks. Repeated offenses and injuries to the patrono, his deputies and family, flights for more than four days, collective resistance to work and disruption of labour could result on more severe punishments.¹⁰⁸ At the time, the Spanish Abolitionist Society criticizing these harsh terms, observed that the regulations had "restored slavery in

¹⁰⁷ Ley y Reglamento de la Abolición de la Esclavitud de 13 de Febrero y 8 de Mayo de 1880, op.cit., pp.3-12; the main text of the law is reproduced in H. Pichardo Viñals, op.cit., pp.423-428.

¹⁰⁸ The regulations are included in the Ley y Reglamento de la Abolición, op.ci., pp.12-46.

Cuba".¹⁰⁹ The 11 hour working day in the dead season were even longer than that specified in the 1842 slave code (9 hours, and 16 during harvesting) and all for a wage of 3 pesos monthly, one sixth of the wage of a free black.¹¹⁰

The Patronato, which was due to end in 1888, was abolished earlier in 1886. In the first year of the new regime 6,000 **patrocinados** obtained legal freedom. During the second year 10,000 were freed, 17,000 in the third and over 26,000 in the fourth. By 1885 the number of **patrocinados** was about 25,000. Slave initiative was an important element in the dismantling of the system. By providing local committees of appeal through which slaves could act to gain their freedom, the Patronato Law opened various routes for **patrocinados** to achieve freedom, including the age of the slave, mutual agreements between slave and master, renunciation by master, self-purchase and so forth.¹¹¹ Previous fears about the role of state intervention with legislation in ^{the} private relationship between masters and slaves had its ground. In an attempt to retain control over the process of emancipation, the state would encourage legal action by slaves to secure their freedom. There were grounds for fears about legislation that interferes with relation between master and slave. In an attempt to retain control over the process of emancipation the state encouraged legal action by slaves who sought to secure their freedom.

By this time the **colonato** was already emerging as the dynamic form of cane farm organization and cane production. The **colonato** system and a steady stream of immigrants would help to solve the problem of alternative supply while reducing the cost of labour.

¹⁰⁹ Sociedad Abolicionista Española. El cepo y el grillete. La esclavitud en Cuba (Madrid: A.J. Alaria impresor, 1881) p.5.

¹¹⁰ Sociedad Abolicionista Española. El cepo y el grillete, op.cit., p.20.

¹¹¹ Manuel Villanueva. Estadística de la abolición de la esclavitud en la Isla de Cuba (Havana: Imprenta de Soler, Alvarez y Compañia, 1885; see R. Scott, Slave Emancipation, op.cit., part two, for a detailed examination of the **patronato** and its dismantlement.

After 1882 tens of thousands of Spaniards, most of them males, entered the island each year sponsored by private or semi-official enterprises to work as day labourers during the harvest. Between 1882 and 1894 a total of 224,000 arrived from Spain, a third of whom remained in the island.¹¹² Some planters initially experimented with freedmen engaging them under the *colonato* agreement. However, by the end of the period the system was applied almost exclusively to white owners and tenants.¹¹³

6.2.2. Gradualism and Transition in Brazil

After the approval of the Rio Branco Law — presumed to be the final solution to the issue of slavery — the search for ways of replacing slaves and solving problems of labour supply intensified. Schemes aimed at poor Brazilians, recently-liberated slaves, *ingênuos* and European and Asian immigrants were all proposed. The Rio Branco Law itself had already devised mechanisms for re-arranging relations with former slaves and the children of slave mothers. That was just the beginning. In so far as the process of gradually emancipating slaves progressed, further initiatives from the government continued to link both processes of "abolition" and "transition".

The distinct interests of various provinces affected the search for alternatives to slave labour. The most marked difference was between northern sugar and cotton and southern coffee provinces. While sugar plantations could incorporate the relatively abundant supply of free *caboclo* labour available in the northeast, coffee plantations had to recruit slaves through the interprovincial slave trade. The southern coffee provinces would also come to rely on immigrant labour. The factors that would lead to these distinct

¹¹² An average of 6,900 a year remained, Carlos Manuel Trelles y Govin. Biblioteca Historica Cubana 3 vols(Matanzas: Imprenta de Juan F. Oliver, 1922) II, p.361. Between 1887 and 1894 entered 268,628 immigrants from Spain and other countries, in Trelles, op.cit.

¹¹³ R. Scott, Slave Emancipation, op.cit., p.241.

regional solutions were already evident by the time Rio Branco Law was approved. In effect, the Law was sanctioned with the support of the north while facing strong opposition from southern coffee provinces who claimed repeatedly they were not yet "prepared" for the changes. Different views on the Rio Branco Law reflected wide regional divergences on other issues, for example about credit, export taxes, capital investment (modernization of production, railways, ports etc), land and labour policy. The prosperity of the south as a result of a continued coffee expansion compounded the agony of the northern provinces, competing with a more developed Cuban sugar production and European beet sugar in world markets. Moreover, the balance of political power had altered given the increasing importance of coffee exports to the national economy. Coffee planters struggled to defend their interests within the centralized system of government based in Rio de Janeiro, the main coffee commercial and financial centre, where sugar interests were still influential.

As a complementary measure to the 1871 Law, the government sought to reinforce the promotion of large-scale European immigration. Instead of acting directly, the government opted to contract private companies to bring into the country specified numbers of immigrants. The costs would be covered by the government, or shared between the government and contractors.¹¹⁴ By the middle of decade, however,

¹¹⁴ The annual reports of the Ministry of Agriculture include copies of several contracts. See, for instance, the 1871 contracts with Joaquim Bonifácio do Amaral to import 200 colonos to work in his fazenda Sete Quedas. Expenses were to be shared with the government. Similar conditions appeared in the contract with Bernardo Avelino Gavião Peixoto, with the London company J.M. Mackay Filho e Cia. and Guilherme Hadfield. For 1872 there are further contracts. See for instance, contracts between the Imperial Government and General M.M. Franzini and the renewal of contracts with John Beaton (Brazilian Coffee Estates). Relatório do Ministerio da Agricultura, Commercio e Obras Públicas, ministro Teodoro Machado Freire Pereira da Silva (Rio de Janeiro: Typ. Universal, 1871), apenso E; Relatorio do Ministerio da Agricultura, Commercio e Obras Públicas, ministro Barão de Itauna (Rio de Janeiro: Typ. Universal, 1872). See also company Mackay Filho contract in Relatorio apresentado á Assembléa Legislativa Provincial de S. Paulo pelo presidente da Provincia Exmo. Sr. Dr. Antônio da Costa Pinto Silva, no dia 5 de fevereiro de 1871 (São Paulo: Typ. Americana, 1871)

policy-makers were already concerned about the great expenditure and the poor results obtained from these initiatives. There were complaints from the immigrants. Abuses and fraud by the contractors injured immigrants and damaged the reputation of the government. And worse, there had been a great deal of expenditure and immigrants were not staying in the country; they were going back to Europe or re-emigrating to Argentina and Uruguay.¹¹⁵ At that time prospects of promoting immigration seemed bleak. According to the 1875 Committee, appointed by the Lower House of Parliament to study the means of developing agriculture, European immigrants could only be attracted if "reforms in the law and new habits changed Brazilian society". In the committee's view, large properties had to be subdivided and leased to **colonos** and sharecropping contracts should be abandoned. There should be changes in the methods of cultivation and in the disciplinary regime on plantations.¹¹⁶

Reporting on the results of the planter Congress held in Rio de Janeiro in 1878, the Agriculture Minister observed that the European **colono** did not fill the lacunae caused by slave deaths and gradual emancipation. "There is no point persisting" wrote the Minister. In his view the system of sharecropping could never be the basis for large-scale agriculture. European immigrants only accepted sharecropping in extreme circumstances and always expecting the opportunity to settle as an independent farmer, "which is his great aspiration coming to a country with extensive unoccupied land".¹¹⁷

pp.38-39.

¹¹⁵ "Relatório da Agencia Official de Colonisacao, por Ignacio da Cunha Galvão" appendix in Relatório do Ministerio da Agricultura, Commercio e Obras Públicas, 1871, op.cit., p.2; E.C. de Melo, O Norte Agrário e o Império. (Rio de Janeiro: Nova Fronteira; Brasília: INL, 1984) p.69.

¹¹⁶ "Melhoramento da Lavoura. Parecer da comissão da fazenda e da comissão especial nomeadas pela Câmara dos Srs. Deputados para estudar os meios de auxiliar a lavoura nacional e apresentado à mesma Câmara dos Deputados". APB, session 20 July 20, 1875, p.130.

¹¹⁷ "Congresso Agrícola do Rio de Janeiro", appendix "Agricultura" in Relatorio do Ministerio da Agricultura, Commercio e Obras Públicas, ministro João Lins Vieira Cansansão de Sinimbu (Rio de Janeiro: Imprensa Industrial, 1879) pp.20-30, p.23.

In 1878, northern planters gathered in the agricultural congress held in Recife, were unanimous in their lack of confidence in initiatives promoting European immigration. Those who favoured European immigration did so only if it was spontaneous and did not require government subsidies. Northern planters rejected plans encouraging European immigration and were very critical of government immigration policy. It was considered excessively onerous and of little advantage to agriculture.¹¹⁸ Machado Portella and Coelho Rodrigues estimated the costs of each *colono* at between 800\$000 and 1:000\$0000. That was at least 100\$000 more expensive than a price of a capable slave in Pernambuco in 1878.¹¹⁹ Their pessimism was also based on the belief that immigration had become a "business" handled by unscrupulous entrepreneurs in the Capital. One of the strongest critics of immigration policy, Coelho Rodrigues, stated, "Who is not aware that colonization is a lucrative _ and perhaps the most corrupt _ business that exists in the Court where ... private fortunes had been built to colossal proportions eroding the finances of the Exchequer?".¹²⁰ Northern planter scepticism about the government immigration policy was reinforced by the idea that they were subsidizing immigration for the south.

Southern planters also criticized the government's immigration policy but in contrast to their northern counterparts they still held hopes that European immigrants could be an alternative to slave labour. The majority of the representant^{ives}s of the coffee provinces at the 1878 Rio de Janeiro Agricultural Congress believed that changes

¹¹⁸ "Congresso Agrícola do Recife, 7a sessão em 12 de outubro de 1878", appendix "Agricultura" in Relatório do Ministerio da Agricultura, Commercio e Obras Públicas, 1979, op.cit., pp.1-13.

¹¹⁹ "A questão da mão-de-obra nos congressos agrícolas de 1878" in P.L. Eisenberg, Homens Esquecidos. Escravos e Trabalhadores Livres no Brasil, séculos XVIII e XIX (Campinas: Editora da UNICAMP, 1989) pp.167-187, p.177.-187. The estimative of 1:000\$000 seems to be exaggerated, as observed, by Cabral de Melo, others estimated 380\$ and 400\$, E.C. de Melo, op.cit., p.69.

¹²⁰ E.C. de Melo, op.cit., p.69; also in P. Eisenberg, "A mão-de-obra" in Homens Esquecidos, op.cit., p.177.

in policy would yield better results. They suggested that colonies should be established close to railways and urban centres; religious freedom, civil marriage, easy naturalization and guaranteed civil and political rights for immigrants, improved means of communication, better publicity in Europe along with reform of *locação de serviços* legislation would stimulate immigration. The committee representing São Paulo planters recognized that official colonization schemes had negative results. They were expensive to administer and had damaged the reputation of the government overseas while yielding few practical benefits.¹²¹ The committee believed that the initiatives undertaken by private planters had been the most efficacious and should be encouraged by the government. The São Paulo committee argued in favour European immigrants as labourers and as a prospective element of the Brazilian nation. In its view, the race, origin, character and habits of the immigrants who would become part of "Brazilian nationhood" were an important consideration. "Above all we need to temper our energy. Morality and liberty will stimulate labour".¹²² Although preferring subsidized immigration and critical of plans to promote large-scale Chinese immigration, Paulista planters were not totally opposed to the recruitment of coolies who continued to be regarded as a "means of transition".

Northern enthusiasm for immigration was at best sporadic. It appeared as an immediate reaction to an eventual end of slavery and was dependent of official subsidies. Most of the attempts to encourage immigration to the sugar provinces yielded poor results. According to Cabral de Melo, in 1876 while a total 30,000 immigrants had entered the country only 60 were directed to the north-east.¹²³ Peter Eisenberg noted that between 1872 and 1900, the foreign population of the main northern sugar export province, Pernambuco,

¹²¹ "Comissão dos Lavradores de São Paulo" in Congresso Agrícola. Collecção de Documentos (Rio de Janeiro: Typ. Nacional, 1878) p.76.

¹²² Congresso Agrícola, op.cit., p.76.

¹²³ E.C. de Melo, op.cit., p.70.

never accounted for more than 2% of the total population. In Rio de Janeiro immigrants accounted for 10% to 15% of the population and in São Paulo at the beginning of the twentieth century more than a quarter of the population was foreign.¹²⁴ Eisenberg also indicated that although climate and patterns of landholding had adversely affected schemes to promote immigration to Pernambuco, ^{the} most significant factor was the stagnation of the sugar economy. The contrast with the prosperity of coffee production in São Paulo was obvious.¹²⁵ Coffee prosperity allowed São Paulo planters to subsidize travel expenses and to pay better salaries. At the same time, a local market for products grown on colono food plots was developing and offered additional opportunities to immigrants. According to Eisenberg, the distinct conditions of sugar also explained the indifference of sugar planters to immigration plans. While São Paulo coffee planters performed an important role in societies promoting immigration, influencing governmental aid and initiatives, Pernambuco sugar planters hardly ever fostered similar enterprises.¹²⁶ The rapid expansion of São Paulo coffee plantations required a great amount of workers. Sugar production did not expand as much and could employ the large local free population. In addition, from the 1880s technical developments in sugar processing would also reduce labour demand. In sum, sugar planters did not need immigrants.

Differences between north and south were not confined to the issue of immigration. They had different perceptions, and needs, with regard the whole problem of ending slavery and finding alternative labour arrangements. For several northern provinces, the Rio Branco Law represented the final measure to end slavery. The evident reduction in the slave population, a phenomenon that had been observed since the end of the African trade, would continue gradually. Table 21, Appendix demonstrates the great decline of the

¹²⁴ P.L. Eisenberg, "Falta de imigrantes: um aspecto do atraso nordestino", in his Homens Esquecidos, op.cit., pp.61-85, esp. p.68.

¹²⁵ P.L. Eisenberg, "Falta de imigrantes", op.cit., p.72.

¹²⁶ P.L. Eisenberg, "Falta de Imigrantes", op.cit., pp.72-73.

slave population in the northeast (Piauí, Ceará, Rio Grande do Norte, Paraíba, Pernambuco, Alagoas, Sergipe, Bahia). In 1864 the region had 774,000 slaves; in 1874, 435,687; and in 1884, 301,470. Even in Pernambuco, the main sugar export province, the significance of slavery had been limited and had fallen since the abolition of the trans-Atlantic slave trade. Eisenberg shows that at mid-century slaves constituted about one fifth of the total population of Pernambuco. By 1873 they accounted for little over 10%.¹²⁷ The slave population of Pernambuco was 106,236 individuals in 1872; and 84,700 in 1882. The decline was due to the high death rate among slaves, to the interprovincial slave trade, to the effects of Rio Branco Law and to private manumissions.¹²⁸ The provinces of the northeast had always had a large and growing free population, a feature remarked upon by contemporary observers. While the slave population declined, it appeared that the number of free workers employed in sugar production increased. At mid-century the ratio of slave to free labour on sugar plantations was 3:1.¹²⁹ In 1871, Perdigão Malheiro estimated that about 50% of the workforce of northern plantations were free labourers. In 1884, 75% of the workforce in the province of Pernambuco was free and in the sugar districts was about it 50%.¹³⁰ In 1872 free workers in Pernambuco surpassed the number of slaves in all occupational categories. The free/slave ratio was as follows in the various categories of workers: unskilled, 4:1; estate workers, 5:1; domestic servants, 5:1.¹³¹ Free workers were employed under several arrangements. The most common were *agregados* but there were also sharecroppers, day

¹²⁷ P.L. Eisenberg, The Sugar Industry in Pernambuco. Modernization Without Change, 1840-1910 (Berkeley: University of California Press, 1974) table 22, p.147.

¹²⁸ P. L. Eisenberg, The Sugar Industry, *op.cit.*, pp.164-165.

¹²⁹ P.L. Eisenberg, The Sugar Industry, *op.cit.*, p.180.

¹³⁰ E.C. de Melo, *op.cit.*, p.22-23.

¹³¹ P.L. Eisenberg, The Sugar Industry, *op.cit.*, p.180.

labourers, salaried workers and an intense use of seasonal labour.¹³² Thus, in contrast with their southern counterparts, northern planters were not concerned about substitutes for slaves. That became evident by the end of the 1870s. During the debates in the Recife planter Congress, and on several other occasions, northern planters stressed that there was no shortage of labour. By that time famine and draught had resulted in the migration of great numbers of people (*retirantes*). In search of better opportunities they had moved to coastal and more prosperous areas in the sugar region. The problem for northern planters was how to re-arrange labour relations and draw the local population into the labour market. *Locação de serviços* and vagrancy legislations would be the means of obtaining a reliable and disciplined labour force in the northeast.¹³³

As with the issue of immigration, the problem of the interprovincial slave trade was another point of contrast between the regions respecting the end of slavery and alternative labour supply. It has been estimated that between 1850 and 1881 some 200,000 slaves were transported through the interprovincial slave trade to coffee producing areas; during a period of thirty-five years transfers of slaves through the interprovincial and intraprovincial slave trade could have been more than 400,000.¹³⁴ It was the greater profitability of coffee that allowed coffee planters to bid slaves away from other activities and areas following the abolition of the trans-Atlantic slave trade. At the beginning some individual northern provinces, such as Pernambuco and

¹³² P.L. Eisenberg, The Sugar Industry, *op.cit.*, pp.183-194; also for descriptions of the various labour arrangements on sugar plantations see J. Reis, "From *bangüê* to *usina*: social aspects of growth and modernization in the sugar industry of Pernambuco, Brazil, 1850-1920" in K. Duncan and I. Rutledge (ed.) Land and Labour in Latin America (Cambridge: Cambridge University Press, 1977) pp.369-396.

¹³³ "Congresso Agrícola de Recife, 1878", Relatório do Ministerio da Agricultura, Commercio e Obras Públicas, 1879, *op.cit.*, pp.5-6.

¹³⁴ R.E. Conrad, World of Sorrow. The African Slave Trade to Brazil (Baton Rouge: Louisiana State University Press, 1986) p.179.

Bahia, acted to stop the exportation of slaves, imposing taxes on the transfer of slaves to other provinces. However, the trade did not stop, and reached a peak during the 1870s. By this time southern planters, fearing the great concentration of slaves in the area and the narrowing of the political support for slavery, started to campaign against the internal trade. But the prohibition of the trade was no longer of interest to northern planters. The trade had become a significant source of capital which could be used to liquidate debts or modernize sugar production and the issue of labour supply was not as acute as in the coffee provinces. The northern historian Cabral de Melo pointed out that to prohibit the trade would reduce the value of slaves in the northeast while leading to a corresponding increase in the south. Melo quotes a Paraíba member of Parliament, Meira de Vasconcelos, who opposed prohibition in 1879. Vasconcelos argued that to prohibit the trade would damage the planter who usually sold a slave to cover debts.¹³⁵

By the end of the 1870s, continued trade and resultant accentuated concentration of slaves in the southern provinces while supporting coffee expansion became a politically explosive issue. It could spell an early end of slavery. The reduced importance of slave labour in the sugar provinces could lead northern planters to support measures more radical than the Rio Branco Law, thereby jeopardizing the recent investments coffee planters had made buying high priced slaves. There was a risk that the south would become the only area supporting slavery. Hence in 1880 and 1881 Rio de Janeiro, Minas Gerais and São Paulo imposed prohibitively high taxes on slaves imported from other provinces.¹³⁶

The increasingly divergent views between the two areas on the problem of slavery and alternative labour schemes would become clearer during the 1880s. Until the end of the 1870s planter

¹³⁵ E.C. de Melo, op.cit., p.31.

¹³⁶ R.E. Conrad, The Destruction of Brazilian Slavery, op.cit., pp.170-174.

interests in the sugar and coffee districts appeared to concur on the route of ending slavery established by the Rio Branco Law. As mentioned before, the 1871 law was designed to keep initiatives leading to freedom under control and, furthermore, to keep under control those liberated. But it was also accepted at the outset that, "to attend the consequences of the Law", several measures regarding labour and the movement of freedmen should be taken. New legislation on **locação de serviços** and anti-vagrancy were the main suggestions.

Soon after the approval of the Rio Branco Law, policy-makers started to work on new legislation for **locação de serviços**.¹³⁷ Demands for changes to the **locação de serviços** legislation had been repeated frequently. Initially it had been agreed that there was a need ~~to~~^{for} up-to-date legislation to meet the new requirements of free immigrant and domestic labour after the experiments of the 1850s and 1860s. From the 1870s, however, the main reasons would be to attend to the consequences of the Rio Branco Law and related plans for the importation of European and, especially, Chinese contract labour. After several debates, the new law on **locação de serviços**, prepared by Nabuco de Araujo, was finally approved in 1879.

The approval of the 1879 **locação de serviços** Law indicates a certain confluence of interests that would be sustained until the end of the decade. The law attempted to embrace all the concerns inherent in the process of gradual emancipation and "transition to free labour". The new **locação de serviços** law was aimed exclusively at labour relations in the agricultural sector.¹³⁸ A complex, detailed piece of legislation it could be describe as a rural labour code. It stipulated conditions of contracts of services to be agreed with various potential labourers _ Brazilians, immigrants, and

¹³⁷ For the legislative debates see M.L. Lamounier, Da Escravidão ao Trabalho Livre: a Lei de Locação de Serviços de 1879 (Campinas: Papirus, 1988), pp.77-99.

¹³⁸ Decreto 2827, March 15, 1879. Collecção das Leis do Imperio do Brazil, 1879 (Rio de Janeiro: Typ. Nacional, 1861-1880) v. of 1879, pp.11-20.

slaves liberated by the 1871 Law. Long term-engagements were devised: 7 years for freedmen; 6 years for Brazilians; 5 years for immigrants. It also stipulated imprisonment for non-compliance with contract conditions. The 1879 Law was devised as a reaffirmation of, and a complement to, the Rio Branco Law. Contracts of those freed under the Rio Branco Law would in the future be regulated by the *locação de serviços* law. By providing legal guarantees for the fulfilment of contracts agreed with Brazilians, it sought to guarantee the reliability of, and thus encourage the employment of, nationals. It might be that with this measure the 1879 Law attempted to meet the requirements of northern planters. But as has already been shown, measures to promote the employment of domestic labour were also demanded by São Paulo and Minas Gerais planters. The 1870s long drought in the northern backlands had driven hundreds of *retirantes* to other areas of the country, including São Paulo. Several lists of *retirantes* who had arrived in São Paulo by the end of decade can be found in the state archive in São Paulo.¹³⁹ Once they arrived, they were quickly distributed amongst the coffee plantations.

The 1879 Law also attempted to stabilize the employment of immigrants. Several of its clauses detailed conditions of engagement of immigrants, clarifying many points that had been the cause of dispute between planters and immigrant labourers in the past. Indeed, one of the main arguments for the approval of the Law was that it would facilitate immigration. It was assumed that by detailing the rights and duties of planters and contracted workers, the image in Europe of free labour on Brazilian coffee plantations would be improved in Europe.¹⁴⁰ The Rio Branco Law and the 1879 Law

¹³⁹ Solicitações de passagens ao Sr. Joaquim José do Rego Rangel, agente de Colonização, 1878 APESP, Manuscritos, ordem 7215, lata 3.

¹⁴⁰ During the debates in the Senate, in several occasions supporters of the law emphasised the provisions protecting immigrant workers. Criticism, however, was directed to many other provisions that could obstruct immigration, especially the stipulation of imprisonment for non-completion of contracts. See debates Brazil. Anais do Senado, sessions 27 July 1877, pp.94-97 and 31 July 1877, for instance. As it will be shown, the law would be later revoked

devised a route of gradual emancipation and "transition to free labour". They attempted to transform existing labour relations with slaves about to be liberated and with existing free workers, subjecting all labourers to long contracts of services. And by providing guarantees, and incentives, for the employment of the domestic labour force and immigrant labour the new legislation appear to be attending to the interests of the north and south.

However, by the end of the 1870s circumstances were changing rapidly. The reiteration of the 1871 policy by the 1879 *locação de serviços* Law, although providing a possible solution to the problem of ending slavery and of establishing the labour market, was soon questioned. Current debates about the best methods of advancing the process of transition and the resolution of the labour problem revealed at least two distinct positions. On one side, there were those who continued to support the compromise established by the 1871 Law, namely a very gradual, smooth and safe process abolition. Representing interests from various provinces, those who espoused this position demanded more rigorous legislation to encourage the participation of domestic labour in the market and to assure discipline and stability. They aimed to draw upon the labour of poor Brazilians as well as that of slaves freed by provisions of the 1871 Law. These interests usually opposed large-scale European immigration either because they recalled earlier failures or because of the high costs it would involve. However, they accepted Asian immigrants under long contracts as a transitional^d expedient. On the other side, were those representing mostly the interests of the prosperous western Paulista coffee areas who considered that it was too risky to depend on Brazilian labour and the supply of former slaves. Instead they proposed European immigration subsidized by the government. At the same time they accepted that mass immigration would "whiten" the population. They were also ready to accept Chinese immigration, regarded as an "element of transition".

because it was an obstacle to immigration!

A critical point had been reached by the early 1880s. The gradual, safe, long-drawn out process of abolition was still viewed as the most desirable. Several proposals to import Asian contract labour, to apply the 1879 **locação de serviços** Law to domestic free labour and the application of anti-vagrancy legislation to freedmen and **ingênuos** indicated the desire to extend for as long as possible coercive forms of labour. In 1883 a Representation drawn up by northeastern slaveowners was sent to the Lower House of Parliament supporting the course of gradual emancipation established within the 1871 Law. "The Law of 28 of September of 1871 must be supported and conserved by the government, in order to avoid the triumph of assaults and aggressions that fanatical supporters of sudden, anarchical emancipation have addressed and whose dangers are incalculable."¹⁴¹

But this position was no longer sustainable. The abolitionist movement became more incisive. It fostered a change in public opinion while at the same time promoting direct initiatives such as helping slaves with legal action and encouraging radical acts such as flights. Slaves protests, expressed in various ways, such as crimes against masters and overseers and in flights, heightened fears that final abolition could arrive sooner than planned.¹⁴²

¹⁴¹ Representação, APB, session 9 August, 1883, p.56. Several Representations were sent to the Lower House by that time; see, for instance, Representação da Bahia, APB, session 14 July, 1884, p.158; and representations from Conceição da Boa Vista and Mar de Hespanha, Minas Gerais, APB, session 19 May, 1884, pp.236-237, both demanding the guarantees and strict execution of the 1871 Law and of **locação de serviços** Law.

¹⁴² On the Brazilian abolitionist movement see J. Nabuco, O abolicionismo. (São Paulo: Ipê, 1949); E.V. da Costa, Da senzala à colônia 2nd ed. (São Paulo: Ed. de Ciências Humanas, 1982) pp.420-438; E.R. Conrad, The Destruction of Brazilian Slavery, op.cit., chap. 10; for different analysis of the impact of the Brazilian antislavery movement on the final abolition of slavery is examined in R.E. Conrad, The destruction of Brazilian Slavery, op.cit., chap.16; R.B. Toplin, The Abolition of Slavery in Brazil(New York: Atheneum, 1972); L.L. da Gama Lima, Rebeldia negra e abolicionismo. (Rio de Janeiro: Achiamé, 1981); J. Gorender, A escravidão reabilitada (Sao Paulo: Atica, 1990) esp. pp.158-168 ; slave protests, crimes and revolts see C. Moura, Os quilombos e a rebelião negra (São Paulo: Brasiliense, 1981), R. B. Toplin, The Abolition of

Acute regional differences became even more evident. In many northern province slavery had been dramatically reduced. Fears of an early end of slavery increased with the abolition of slavery in the northern province of Ceará in 1884.¹⁴³

The gradual emancipation of slaves continued with the approval in September 28, 1885, of the Saraiva-Cotegipe Law, freeing the aged. Those over 60 years of age were to be free but had to work three more years for their masters. The law continued the process of gradual abolition established in 1871 and at the same time extended a "transitory" period of coercive labour. Another slave registration was ordered. The value of the slaves was fixed according to their age, and those not-registered would be considered free. Freedom for individual slaves was again encouraged with government help, the Emancipation Fund and private manumissions. Those freed under the provisions of the Law could not move from their place of residence and should continue to provide services for five years. Absence without permission would be considered vagrancy, and delinquents could be seized by the police and compelled to perform public works. Freedmen should produce evidence of a regular occupation. They were obliged to engage their services within a term defined by the police, under pain of fifteen days imprisonment or exile to agricultural colonies.¹⁴⁴

During the whole decade, before the final abolition of slavery in 1888, to attend the consequences of the gradual process of abolition there were several proposals for the reorganization of labour

Slavery, op.cit.; M.H.P.T. Machado Crime e Escravidão. Trabalho, luta e resistência nas lavouras paulistas, 1830-1888 (São Paulo: Brasiliense, 1987).

¹⁴³ On the early abolition in the province of Ceará see R. Conrad, The Destruction of Brazilian Slavery, op.cit., chapter 11. At the time the slave population of Sao Paulo was relatively stable, see Table 23, Appendix.

¹⁴⁴ Lei n.3270 de 28 de setembro de 1885, Collecção das Leis do Imperio do Brazil (Rio de Janeiro: Typ Nacional, 1886); transl. in R.E. Conrad, The Destruction of Brazilian Slavery, op.cit., Appendix III, pp.310-316.

through more repressive legislation.¹⁴⁵ The great number of slaves and the large number of **ingênuos** (those born to a slave mother and freed by the 1871 Law) made freedmen and **ingênuos** the main target of new projected repressive legislation. They were a great source of continued forced labour. In 1885 the government reported a total of 439,831 **ingênuos**.¹⁴⁶ The 1879 **locação de serviços** Law continued to point to the direction of official policy and was claimed to be the only possible means of avoiding a labour crisis and the disruption of production that was still feared from abolition. But by this time there was already opposition to the enforcement of coercive measures. Countering arguments that the period of "transition", of the transformation of the slaves into free labourers and "the reorganization of labour", should be guided and controlled through labour contracts and draconian legal framework were opposing claims that "free labour" required "no ties", no iron circles restraining it.¹⁴⁷ These conflicting views would be observed in Cuba in a later period. The idea of free labour seemed to have changed. When slavery

¹⁴⁵ There were proposals for further changes in the **locação de serviços** legislation, more efficacious sanctions for non-completion of contracts. See, for instance, project n.241 of 1882, **APB**, session 19 September, 1882, proposed by planters from Minas Gerais and São Paulo, which covered Brazilian workers and stipulated no limit of time for imprisonment in case of non-completion of contract obligations. See also Representations from planters of Barbacena and Juiz de Fora, both in Minas Gerais, **APB**, sessions 10 June, 1887, and 11 June, 1888 (after abolition) respectively. Other proposals were concerned about freedmen and **ingênuos**, and the consequences of the emancipation such as vagrancy and disturbances. See for instance, proposals of the member of Parliament Mr. Jaguaribe Filho, **APB**, session 20 September, 1886, p.253 and immediately after abolition, project-of-law on "Repressão à Ociosidade" (anti-vagrancy) discussed **APB**, sessions 4 June, 10 July, 14 August, 8 October, 9 November, 1888.

¹⁴⁶ R.B. Toplin, The Abolition of Slavery in Brazil, op.cit., p.35.

¹⁴⁷ These views became clear during debates about changes on **locação de serviços** legislation which reopened in 1884 in the Lower House of Parliament. Some, as the leader of the Immigration Society Alfredo E. Taunay, were frankly opposed to the "draconian" "vexatious" **contratos de serviços**, believing they obstructed European immigration. Others did not reject totally the "**locação de serviços**" scheme, but advocated that more general legislation, more freedom for the forms of arrangements attuned to provincial or commodity requirements. See M.L.Lamounier, op.cit., pp.151-153.

was untouchable, the term "free labour" was employed to describe a "transitory" stage, where coercion and dependence prevailed over market rule. Before he could be transformed into a free labourer, the slave needed a period in which he was neither slave nor free, when his "savage" instincts would be repressed and positive rules of the labour market inculcated. Anti-vagrancy measures and the requirement to engage in labour contracts was the means through which that aim could be achieved. On being freed, repressive measures would still be needed to ensure that the slave would continue to work on the plantation. On the other hand, when the end of slavery seemed imminent, the discourse changed and repressive legislation was condemned. There should be no rules nor regulations to control and guide the "free labour market". Planters and workers should be free to agree between themselves the conditions of labour.

However, looking at the course of events in Cuba and Brazil it is difficult to discern what exactly had changed. Was it the general idea of "free labour" or the views about the nature of the labourer. Changed attitudes towards "free labour" ^{were} ~~was~~ coincident with the arrival of European immigrants. As has been shown, attitudes towards Europeans in both areas had never been the same as those with regard to Asians, domestic workers or former slaves. Those proposing repressive legislations~~y~~ usually doubted the viability of European immigration and they also believed that Europeans would not work for low wages under repressive conditions supposedly reflecting the heritage of slavery. Those who now modified their ideas about "free labour" did so facing an auspicious wave of European immigrants in the 1880s. Whether this had been promoted by the abolition process or came to help the abolition process is not relevant to this point.

The project which envisaged a system of "contract labour" embracing Europeans, domestic labour, freedmen and poor Brazilians, and Chinese contract workers was formally end in 1890 with revocation of the 1879 *locação de serviços* legislation in Brazil. The *locação de serviços* project was abandoned with the arrival of thousands of immigrants who, entering the country in family groups,

were seen as cheaper and more productive than forced labour. Between 1884 and 1914 some 900,000 subsidized immigrants, mainly from Italy, arrived in São Paulo, mostly to work on coffee plantations. Mass immigration promoted and subsidized by the provincial government and the *colonato* system not only helped coffee planters to abolish slavery (1888) but at the same time created the conditions for sustaining coffee production in the province.

Repressive measures imposed by the 1879 Law, reportedly approved to attract immigrants, would for the same reason be revoked in 1890, a few years after final abolition. According to the decree revoking the law, the intention was to attract immigrants: "...in order to attract to the Brazilian territory a flow of abundant, spontaneous immigration it is necessary that alongside of the extraordinary advantages of the climate and soil, the country also needs to offer the benefits of free legislation..." (my stress). It was observed that the *locação de serviços* laws were not currently enforced, for planters had recognized the convenience of replacing vexatious (*vexatórios*) *contratos de locação* with acts of "pure convention, based in mutual consent, raising the *colono* to the category of a contracting party, what was denied to him by that legislation" (my stress). It was also clearly stated that confronted by dramatic differences among the states, the decree transferred to the states competence to regulate labour relations agreed.¹⁴⁸ The decree was in harmony with the views of the new Republic, decentralization and states' rights.

The influence of the by then powerful Paulista coffee interests on these measures was clear. Immigration policy and the system of *colonato* mitigated the disruptions created on the eve of final abolition by mass slave desertions of plantations and for the next decades would help to meet the labour demand of the great coffee expansion of the 1880s. Other provinces continued the search for alternative solutions. Many would yet claim that "*uma boa lei de*

¹⁴⁸ Decreto n.213 de 22 de fevereiro de 1890, Decisões do Governo Provisório; here quoted cf. O Direito (Revista de Legislação, Doutrina e Jurisprudência) XVIII, 1890, v.51.

locação de serviços" and other coercive measures were necessary to assure a stable and disciplined labour force. But times had changed and the influence of São Paulo was paramount preventing the enactment of coercive legislation.

The process of gradual abolition implemented with the sanction of Moret Law and Rio Branco Law initiated a process of "transition to free labour". The impact of these new institutional and legal mechanisms on the process of freeing slaves was limited. This had been the objective. Both laws sought to facilitate a very gradual slave emancipation. However, the legislation created a new order of pressures that accelerated transition. Along with slave initiatives and a growing antislavery movement there was a more urgent need to devise a new structure of labour relations. Initially in both areas, laws, regulations and contracts were the envisaged mechanisms to fashion a new configuration of labour relations. In Brazil, there was an attempt to tie formally both processes of "gradual abolition and transition", embracing former slaves and free workers. In Cuba, gradual abolition was more narrowly conceived, it meant the gradual, controlled, emancipation of individual slaves. In contrast with Brazil, Cubans could rely on existing legal mechanisms and their experience with contract labour. But in the end, both countries pursued policies for the "gradual abolition and transition to free labour", irrespective of whether they were formally connected, in which the maintenance of labour constraints were essential. Coercive measures were considered essential to the period of "transition" and to extend the phase of gradual abolition.

CONCLUSION

At mid-century Cuban and Brazilian planters were confronted with the problem of finding an alternative source of labour. Slaves had comprised the mass of the workforce needed by the plantations. But as soon as the massive expansion of Brazilian coffee and Cuban sugar got under way, external pressures to end the trans-Atlantic slave trade began. Elsewhere, slavery came under increasing attacks and started to be replaced by other labour arrangements. Faced with the spectre of an imminent labour crisis, planters and policy makers in the areas started searching for alternative supplies of workers as for a general solution to the "labour question". However, special circumstances of Cuba and Brazil unfolded to reveal different solutions to the common problem, as the analysis of the first experiments with non-slave labour demonstrated.

In Cuba, the acute labour demand provoked by the great expansion of sugar plantations in the mid-century led planters to an incessant search for labourers. The Cuban quest was profoundly shaped by Spanish colonial policy and the rapid development of sugar production as well as by Cuba's strategic position in the Caribbean and proximity to the United States of America. As a result of several experiments, Chinese coolies proved an important source of labour supply. Thousands were imported to complement slave labour which continued to be supplied by means of the international slave trade until late in the 1860s.

Paulista planters began experiments with European sharecroppers at about the same time as Chinese coolies started to be imported into Cuba. But Paulistas were less exercised by the labour problem than Cubans. As a result of the different timing of the development of plantation production, Paulista coffee planters were well stocked with slaves illegally imported during the years immediately before the final end of the trans-Atlantic slave trade just as the boom in

coffee took off. In addition they could draw upon internal supplies of slaves. It is no coincidence that the internal^{trade} slaves grew substantially during and after^{the} 1850s. These factors eased initial adjustment to the end of the Atlantic trade and gave Paulistas more flexibility to experiment with non-slave labour.

^{Like the}
~~As~~ Cubans, Paulistas started experimenting with Europeans, regarded in both regions as the best alternative to replace slaves. The regime of plantations and the working conditions devised for these immigrants failed to accommodate the expectations of either party. European workers deserted plantations and planters started to search for other sources and systems of labour more attuned to their needs and expectations. In both areas, that meant a search for labour as cheap as and as disciplined as that provided by slaves. In their quest, Cubans met their needs with Chinese coolie labour and Brazilians would turn their sights to the domestic slave and free labour force.

The international and domestic trade in Chinese resembled very closely slavery. Chinese coolies worked alongside the slaves. The severe conditions of their contracts were further reinforced by regulations designed to assure discipline and low wages. Chinese coolies were imported into Cuba mainly to supplement, rather than to replace, slave labour. Notwithstanding, Chinese were also perceived as a potential and desirable temporary replacement device, in case of a final fall in slave supply or a "catastrophic" end of slavery. That did not imply, however, that as potential substitutes for slaves, the Chinese were viewed as free workers. They were considered only an "element of transition" occupying an intermediate position between free and slave. This position was defined by the juridical terms of long-term fixed contracts, which removed the rights of a free worker, and by his colour, viewed as an intermediate between black and white. And it was this position in the labour and colour hierarchy that appealed to Spanish authorities

and Cuban planters, unwilling to disrupt the system of sugar production.

The introduction of European sharecroppers in São Paulo coffee plantations answered the completely different needs of the Brazilian province. It was also shaped by distinct expectations. Like their Cuban counterparts, Paulista planters were concerned about origin, costs, discipline and profitability of alternative labour schemes. But those who introduced European sharecroppers were also anxious about an early end of slavery and being in the frontier coffee zone they were particularly preoccupied by the threat to supply posed by the effective end of the trans-Atlantic slave trade. Initially they believed that immigration would promote long-term population growth and in the short-term speedily displace slave labour. And most importantly the scheme would not alter existing patterns of land ownership.

Brazilian sharecropper contract conditions were evidently different from those spelt out in Chinese coolie contracts in Cuba. Further, European sharecroppers were not subject to the severe regulations like coolies were in Cuban sugar plantations. Even Brazilian planter attempts to create a more rigid and coercive legislation covering all new labour schemes did not reach the same severity as *colono* regulations in Cuba. However, that does not necessarily reflect greater liberality on the part of Brazilian planters in their views of "free labour". They actually experimented with a wide range of schemes and with the failure of European sharecroppers, many once again came to rely ^{on} slave labour. Disenchanted with Europeans, Brazilian planters would be keen to suggest coolies and more severe labour regulations. This became even clearer in the 1870s when they were pressured by the great expansion of coffee production and the implementation of gradual abolition.

In Brazil and Cuba, the evolution^{ution} of free labour relations was inextricably linked to the future of slavery. It was believed that "free labour" — a vague idea at that time but which in most cases meant European labour — could not develop while slavery existed. Additional labour to slaves could be provided only by transitional schemes or "transitional" labourers. This is what was really meant ^{by} the idea of gradual abolition and transition to free labour. Gradual abolition involved a transitional period and an intermediate status for workers, in which individual slaves would be gradually shifted to the condition of "freedom" and a new organization of labour relations. Gradual and transition meant time. Slaves needed time to adjust themselves to new conditions, learning how to live in a "free society", as citizens and labourers. Agriculture needed time to rearrange labour relations and find new sources of labour. And the state needed time to legislate and guide the process in a smooth and safe way.

For almost two decades, Cuba and Brazil shared the difficult problem of defining a framework for the transition from slavery to "freedom", simultaneously seeking to preserve the status quo in social relations while at the same time beginning a process that would ultimately dissolve those relations. The resulting processes — although quite different — were shaped by the particular circumstances of domestic slavery and the national and international context. The Moret Law was approved in a context completely different from that of Rio Branco Law and consequently differed in content and purpose. The Ten Years' war and the struggle for independence shaped Cuban slavery and gradual abolition and so did the changed conditions of sugar production. But the views on gradual abolition and transition to free labour of planters and policy makers in both areas were mostly coincident. Particularly about the organization of labour relations during the transitional period.

During this exceptional time, while slavery still existed and individual slaves orderly and systematically would be set free, labour ^{sh}ould be carefully controlled to avoid the disruption of production, the disturbance of society, and most important a sudden,

and unexpected, violent, general emancipation. Labour regulation was assumed to have an important function guiding, impelling and restraining the process. And to a certain extent the gradualist legislative initiative worked. It did partially incorporate slaves into the legalistic process of achieving freedom, and contributed to the avoidance of disruption of production. Compounded with a more general labour legislation, it attempted to set the parameters for the reorganization of labour relations during the transitional period compatible with yet existing system of slavery, targeting former slaves as well as free workers. By doing so, it delayed final abolition and prolonged the transition to free labour.

APPENDIX

TABLE 1
Agricultural Wealth Distributed by Departments, Cuba, 1846

	Sugar estates	Coffee	potreros	haciendas (ranches)	Tobacco	sitios de labor
Western	735	1,012	1,548	193	3,990	12,286
Central	404	78	4,305	576	967	6,678
Eastern	303	580	2,838	470	4,145	6,328
Total	1,442	1,760	8,691	1,239	9,102	25,292

Source: A. Humboldt, Island of Cuba. Transl. by J.S. Trasher.
 (New York: Derby and Jackson, 1856) p.280.

TABLE 2
Cuban Sugar Production, 1840-1894

Year	Metric Tons	Year	Metric Tons	Year	Metric T.
1840	161,248	1861	533,800	1882	620,565
1841	169,886	1862	454,758	1883	601,423
1842	192,769	1863	445,693	1884	626,477
1843	182,081	1864	525,372	1885	628,990
1844	208,506	1865	547,364	1886	657,290
1845	98,437	1866	535,641	1887	707,442
1846	205,608	1867	585,814	1888	662,758
1847	267,474	1868	720,250	1889	569,367
1848	260,463	1869	718,745	1890	636,239
1849	239,128	1870	702,974	1891	807,742
1850	294,952	1871	609,660	1892	1,000,797
1851	365,843	1872	772,068	1893	945,035
1852	329,905	1873	742,843	1894	1,110,991
1853	391,247	1874	768,672		
1854	397,713	1875	750,062		
1855	462,968	1876	626,082		
1856	416,141	1877	516,268		
1857	436,030	1878	553,364		
1858	426,274	1879	775,368		
1859	469,263	1880	618,654		
1860	428,769	1881	580,894		

Source: M. Moreno Fragnals, El Ingenio. Complejo económico social cubano del azúcar (Havana: Editorial de Ciencias Sociales, 1978) III, pp.36-37.

TABLE 3
Sugar mills in Cuba, 1860

Depart.	Number of Sugar mills	Source of Power			Area under cultivation (caballerias)(b)	
		Steam	Ox	Water	Sugar	Others
Western	1,065	829	231	5	19,2501/2	26,8252/3
Eastern	330	120	178	2	1,507	11,8633/4
Total	1,365	949	409	7	20,7571/2	38,6895/12

Source: C. Rebello, Estados relativos a la producción azucarera de la isla de Cuba (Havana, n.p., 1860) p.108.

(b) one **caballeria** equals 33,3 acres

TABLE 4
Cuban Sugar Production, 1860 Harvest

Province	Total Product (metric tons)	Caball. in Cane	Number of mills	Average product per mill per caball.	
Matanzas	265,644	9,661	442	601	27,5
S.Clara	145,163	5,068	395	368	28,6
Havana	38,999	2,537	126	310	15,4
P.del Rio	38,644	1,986	102	379	19,5
S.de Cuba	31,953	1,093	198	161	29,2
P.Principe	15,434	414	102	151	37,3
Total Cuba	535,857	20,759	1,365	393	25,8

(cont.)

No of Steam pow. mills	Percent of Steam pow.	Average No of Caball. per mill	No of Mills with Vacuum Apparatus
409	93%	21,9	44
235	59%	12,8	10
97	77%	20,1	4
88	86%	19,5	7
84	42%	5,5	0
36	35%	4,1	
949	70%	15,2	66

Source: R.J. Scott, Slave Emancipation in Cuba. The Transition to Free Labor, 1860-1899. (Princeton: Princeton University Press, 1985) p.22.

TABLE 5
Slaves Imported into Cuba, 1840-1867 (a)

Year	Number
1840	14,470
1841	9,776
1842	3,000
1843	8,000
1844	10,000
1845	1,300
1846	1,500
1847	1,000
1848	1,500
1849	8,700
1850	3,100
1851	5,000
1852	7,924
1853	12,500
1854	11,400
1855	6,408
1856	7,304
1857	10,436
1858	16,992
1859	30,473
1860	24,895
1861	23,964
1862	11,254
1863	7,507
1864	6,807
1865	145
1866	1,443
1867	-
Total	246,798

Source: D.R. Murray, Odious Commerce. Britain, Spain and the abolition of the Cuban slave trade (Cambridge University Press, 1980) p.244.

(a) These totals are the estimates published by the British Foreign Office and are based on reports of the British commissioners in Havana; except for 1841 when no figure was published, and the figure included is taken from the commissioner's reports.

TABLE 6
Average Slave Nominal Prices, 1845-1879 (pesos)

Year	Male	Female
1846	440	420
1847	510	460
1848	480	470
1849	490	410
1850	500	430
1851	530	450
1852	530	530
1853	660	570
1854	670	660
1855	630	660
1856	770	710
1857	880	810
1858	1,290	1,210
1859	1,390	1,200
1860	1,270	1,290
1861	1,200	1,180
1862	940	900
1863	870	800
1864	850	800
1865	850	800
1866	800	750
1867	740	700
1868	730	710
1869	610	550
1870	620	630
1871	690	550
1872	830	820
1873	720	780
1874	1,400	1,250
1875	1,520	1,410
1876	1,660	1,330
1877	1,400	1,300
1878	1,140	1,050
1879	900	760

Source: M. del Carmen Barcia, Burguesia esclavista y abolición (Havana: Editorial de Ciencias Sociales, 1987) p.176.

TABLE 7
Cuban Population, 1817-1862

	1817	1827	1846	1862
Whites	291,021	311,051	425,767	729,957
Free Coloured(a)	115,691	106,490	149,226	221,417
Emancipados(b)				4,521
Slave	224,268	286,946	323,759	368,550
Asian				34,050
Yucatecan				743
Total	630,980	704,487	898,752	1,359,238

Sources: figures for 1817, from A. Corwin, Spain and the Abolition of Slavery in Cuba, 1817-1886 (University of Texas Press: 1967) p.45; "census of 1827" in K.F. Kiple, Blacks in Colonial Cuba: 1774-1889 (The University Press of Florida: 1976); 1846 and 1862 data from R.J. Scott, Slave Emancipation in Cuba. The Transition to Free Labor, 1860-1899. (Princeton: Princeton University Press, 1985) p.7.

TABLE 8
Distribution of Slave Population by Place of Residence, 1862

Residence (census category)	Males	Females	Total
Ingenios (Sugar plantations)	109,709	62,962	172,671
Poblados (towns)	37,014	38,963	75,977
Potreros (stock-raising farms)	20,414	11,100	31,514
Cafetales (coffee plantations)	14,344	11,598	25,942
Sitios de labor (small farms)	14,253	10,597	24,850
Vegas (tobacco farms)	11,622	6,053	17,675
Estancias (small farms)	4,220	2,698	6,918
Haciendas (ranches)	4,311	1,909	6,220
Other establishments	2,675	1,500	4,175
Other farms	1,655	769	2,424
Total	220,217	148,149	368,366

Percentage of slaves in island	Slave as percentage or Residence	Males slaves per 100 female slaves
47%	79%	174
21%	15%	95
9%	35%	184
7%	11%	135
5%	15%	192
2%	8%	156
2%	18%	226
1%	19%	178
1%	20%	215
Total		149

Source: R.J. Scott, Slave Emancipation in Cuba. The Transition to Free Labor, 1860-1899. (Princeton: Princeton University Press, 1985) p.12.

TABLE 9
Cuban Population, 1861

Jurisdiction	White	Free Coloured	Slave	Total
Bahia Honda	4,352	839	5,890	11,081
Bejucal	15,416	2,191	7,052	24,659
Cardenas	28,355	2,214	27,418	57,987
Cienfuegos	29,714	7,812	16,985	54,511
Colon	26,476	2,706	33,699	62,881
Guanabacoa	16,278	5,998	4,775	27,051
Guanajay	18,998	3,653	17,708	40,359
Guines	32,630	4,473	24,817	61,920
Havana	138,895	37,768	29,013	205,676
Isla de Pinos	1,366	221	480	2,067
Jaruco	23,085	3,303	11,309	37,697
Matanzas	47,677	7,952	32,181	87,810
Nuevitas	4,165	505	1,608	6,278
Pinar del Río	41,466	10,251	14,590	66,307
Puerto Príncipe	42,243	11,398	12,875	66,516
Remedios	27,855	5,652	7,182	40,689
Sagua la Grande	30,420	2,416	19,150	51,986
San Antonio	19,648	2,491	11,189	33,328
San Cristóbal	17,888	3,290	7,760	28,938
S. Espíritus	29,698	7,318	8,828	45,844
Villa Clara	35,455	10,847	6,921	53,223
S.M.del Rosario	5,368	884	2,307	8,559
Santiago	11,226	2,555	4,897	18,678
Trinidad	18,471	9,353	10,141	37,965
Total West D.	667,145	146,090	318,775	1,132,010
Baracoa	4,905	4,804	1,576	11,285
Bayamo	17,046	13,900	2,727	33,673
Cuba	27,743	36,030	32,255	96,028
Guantánamo	5,331	5,727	8,561	19,619
Holguin	41,392	7,243	4,391	53,026
Jiguani	12,473	4,734	620	17,827
Manzanillo	12,900	11,271	1,184	25,535
Tunas	4,549	2,694	464	7,707
Total East D.	126,339	86,403	51,778	264,520
Total	793,484	232,493	370,553	1,396,530

Source: K.F. Kiple. Blacks in Colonial Cuba, 1774-1889 (Gainesville: The University Press of Florida, 1976). Data compiled from Spain. Censo de la población de España segun el recuento verificado en 25 de diciembre de 1860 (Madrid: Junta General de Estadística, 1863)

TABLE 10
Chinese Contract Workers Imports, 1848-1874

Year	Number
1848	571
1853	4,307
1854	1,711
1855	2,985
1856	4,968
1857	8,547
1858	13,385
1859	7,204
1860	6,193
1861	6,973
1862	344
1863	952
1864	2,153
1865	6,400
1866	12,391
1867	14,263
1868	7,368
1869	5,660
1870	1,227
1871	1,448
1872	8,160
1873	5,093
1874	2,490
Total	124,813

Source: J. Pérez de la Riva El Barracón. Esclavitud y capitalismo en Cuba 1st ed 1975 (Barcelona: Editorial Crítica, 1978) p.58.

TABLE 11
Chinese Population, 1861-1877

Province	1861	1872	1877
Pinar del Río	2,221	3,396	3,137
Havana	9,456	11,365	10,108
Matanzas	15,782	27,002	20,054
Santa Clara	6,274	15,878	13,301
Puerto Príncipe	341	297	94
Santiago de Cuba	754	462	422
Total	34,828	58,400	47,116

Source: R.J. Scott, Slave Emancipation in Cuba. The Transition to Free Labor, 1860-1899. (Princeton: Princeton University Press, 1985) p.90.

TABLE 12
Cuban Slave Population, 1862-1877

Province	1862	1867	1871	1877
Pinar del Río	46,027	44,879	36,031	29,129
Havana	86,241	84,769	63,312	41,716
Matanzas	98,496	102,661	87,858	70,849
Santa Clara	72,116	68,680	56,535	42,049
Puerto Príncipe	14,807	14,889	7,167	2,290
Santiago de Cuba	50,863	47,410	36,717	13,061
Total	368,550	363,288	287,620	199,094

Source: R.J. Scott, Slave Emancipation in Cuba. The Transition to Free Labor, 1860-1899. (Princeton: Princeton University Press, 1985) p.87.

TABLE 13
Coffee Export through the port of Rio de Janeiro, 1851-1872
(Arrobas)

Year	Total	RJ	SP	MG
1851-52	9,694,127	7,535,844	1,247,938	784,034
1852-53	8,330,085	6,535,113	1,030,642	648,698
1853-54	10,145,122	7,998,551	1,249,339	792,971
1854-55	12,052,310	9,369,107	1,562,477	930,010
1855-56	10,968,828	8,602,658	1,300,927	853,880
1856-57	10,445,593	8,097,879	1,356,246	803,823
1857-58	9,431,509	7,593,200	924,773	753,733
1858-59	10,319,801	8,082,953	1,232,454	802,342
1859-60	10,618,085	8,746,361	1,015,770	634,935
1860-61	10,559,473	7,554,735	1,344,135	1,427,014
1861-62	7,460,753	5,136,564	1,150,692	893,947
1862-63	9,937,710	4,869,182	793,534	1,145,486
1863-64	7,460,753	5,479,544	721,158	1,144,536
1864-65	9,114,153	6,284,651	1,202,309	1,297,724
1865-66	9,802,992	7,072,961	1,054,603	1,422,977
1866-67	13,202,691	9,308,654	1,120,159	2,390,220
1867-68	11,399,901	7,755,790	1,113,863	2,149,354
1868-69	12,844,794	8,920,247	1,387,249	2,155,182
1869-70	11,037,023	6,723,550	1,251,252	2,515,116
1870-71	11,961,440	7,722,608	1,303,803	2,392,922
1871-72	10,089,741	6,988,412	889,543	1,783,461

Source: A.E.Taunay, História do Café no Brasil (Rio de Janeiro: Departamento Nacional do Café, 1939) III, pp.62-63.

Table 14
São Paulo Population, 1819-1886

Year	1819	1854	1872	1886
Free	160,656	294,612	680,742	1,114,065
Slave	77,667	117,238	156,612	107,329
Total	238,323	411,850	837,354	1,221,394

Source: Estatísticas Históricas do Brasil. Séries Econômicas, Demográficas e Sociais de 1550 a 1985 (Rio de Janeiro: IBGE, 1987) p.30; for 1854, R. Bastide and F. Fernandes. Branços e negros em São Paulo 3rd ed. (São Paulo: Cia. Editora Nacional, 1971) p.49.

TABLE 15
Coffee and Sugar Exports, 1850s (Arrobas)^a

Product	1854-55	1855-56	1856-57
Coffee	846,184	796,867	746,673
Sugar	136,917	52,740	39,706

Source: A.E.Taunay, História do Café no Brasil (Rio de Janeiro: Departamento Nacional do Café, 1939) III, p.156.
 a Arroba equals 14,40 kilogram or 31,7 pounds.

TABLE 16
São Paulo Exports, 1862-1867 (Arrobas)

Year	Coffee	Cotton	Tobacco	Bacon	Sugar
1862-63	2,413,385	87	4,963	26,551	11,144
1863-64	1,611,729	61	3,539	20,228	8,831
1864-65	2,993,151	7,107	102,706	26,719	6,005
1865-66	2,242,254	194,958	2,334	20,623	1,735
1866-67	2,343,994	295,119	4,261	36,558	111

Source: A.E.Taunay, História do Café no Brasil (Rio de Janeiro: Departamento Nacional do Café, 1939) III, p.212.

TABLE 17
Price of Coffee in Rio de Janeiro, 1840-1872

Year	Price (Arroba)
1840-41	3\$588
1842-42	3\$381
1842-43	3\$084
1843-44	2\$824
1844-45	2\$912
1845-46	3\$064
1846-47	2\$718
1847-48	2\$599
1848-49	2\$492
1849-50	3\$884
1850-51	3\$097
1851-52	3\$396
1852-53	3\$764
1853-54	3\$896
1854-55	3\$890
1855-56	4\$031
1856-57	4\$627
1857-58	4\$167
1858-59	5\$199
1859-60	5\$829
1860-61	5\$500
1861-62	6\$440
1862-63	6\$739
1863-64	6\$468
1864-65	6\$285
1865-66	6\$670
1866-67	5\$513
1867-68	6\$199
1868-69	6\$164
1869-70	6\$301
1870-71	6\$064
1871-72	7\$694

Source: A.E.Taunay, História do Café no Brasil (Rio de Janeiro: Departamento Nacional do Café, 1939) III, p.30 and pp.62-63.

TABLE 18
Coffee Export through port of Santos (Arrobas)

Year	
1859-60	1,450,912
1860-61	1,261,800
1861-62	1,343,196
1862-63	1,361,876
1863-64	1,040,584
1864-65	1,637,700
1865-66	1,427,748
1866-67	1,142,684
1867-68	1,872,416
1868-69	2,316,072
1869-70	2,187,216
1870-71	1,942,280
1871-72	1,740,340
1872-73	2,117,440

Source: A.E.Taunay, História do Café no Brasil (Rio de Janeiro: Departamento Nacional do Café, 1939) VI, p.355.

TABLE 19
Brazilian Sugar and Coffee Exports, 1821-1890

Year of	Sugar			Coffee		
	Annual Tons	Average value, in £ (a)	% total value of export	Annual Tons	Average value, in £	% total value export
1821-25	41,174	983,600	23,2	12,480	739,600	17,6
1826-30	54,796	1,369,600	37,8	25,680	698,200	19,7
1831-35	66,716	1,091,500	23,5	46,980	2,001,500	40,7
1836-40	79,010	1,320,800	24,3	69,900	2,428,000	46,0
1841-45	87,979	1,264,600	21,6	85,320	2,058,200	42,0
1846-50	112,830	1,650,600	27,5	120,120	2,472,800	40,9
1851-55	127,874	1,882,200	21,5	150,840	4,113,000	48,6
1856-60	98,864	2,445,400	21,2	164,160	5,635,000	48,7
1861-65	113,551	1,943,600	14,0	153,300	6,863,400	49,3
1866-70	109,001	1,717,800	10,7	192,840	6,737,400	42,5
1871-75	169,337	2,353,400	11,8	216,120	10,487,800	52,0
1876-80	167,761	2,354,600	11,8	219,900	12,103,000	60,7
1881-85	238,074	2,646,000	13,7	311,760	11,359,000	58,8
1886-90	147,274	1,537,200	7,0	307,800	14,380,800	64,5
1891-95	153,333	2,182,800	7,2	361,092	20,914,000	69,2

Source: P.L. Eisenberg. The Sugar Industry in Pernambuco. Modernization Without Change, 1840-1910 (Berkeley: University of California Press, 1974) pp.9-10.
a nominal values

TABLE 20
Estimates of Africans disembarked in Brazil, 1820-1855

	Total	South of Bahia	Bahia	North of Bahia
1821-1825	181,200	120,100	23,700	37,400
1826-1830	250,200	176,100	47,900	26,200
1831-1835	93,700	57,800	16,700	19,200
1836-1840	240,600	202,800	15,800	22,000
1841-1845	120,900	90,800	21,100	9,000
1846-1850	257,500	208,900	45,000	3,600
1851-1855 (a)	6,100	3,300	1,900	900

Source: Estatísticas Históricas do Brasil. Séries Econômicas, Demográficas e Sociais de 1550 a 1985 (São Paulo: IBGE, 1987) p.58.

(a) No disembark^{ment} was registered in 1853 and 1855. Only one ship transporting 300 slaves arrived in Rio in 1856.

TABLE 21
Brazil, Slave Population, 1864-1887

Province	1864	1874	1884	1887
North				
Amazonas	1,000	1,545		
Pará	30,000	31,537	20,849	10,535
Maranhão	70,000	74,598	49,545	33,446
	101,000	107,680	70,394	43,981
Northeast				
Piauí	20,000	23,434	16,780	8,970
Ceará	36,000	31,975		108
R.Grande do Norte	23,000	13,634	7,209	3,167
Paraíba	30,000	25,817	19,165	9,448
Pernambuco	260,000	106,236	72,709	41,122
Alagoas	50,000	36,124	26,911	15,269
Sergipe	55,000	33,064	25,874	16,875
Bahia	300,000	165,403	132,822	76,838
	774,000	435,687	301,470	171,797
West and South				
Mato Grosso	5,000	7,054	5,782	3,233
Goiás	15,000	8,800	7,710	4,955
Paraná	20,000	11,249	7,768	3,513
Santa Catarina	15,000	15,250	8,371	4,927
R.Grande do Sul	40,000	98,450	60,136	8,442
	95,000	140,803	89,767	25,070
Centre-South				
Minas Gerais	250,000	311,304	301,125	191,952
Espírito Santo	15,000	22,297	20,216	13,381
Rio de Janeiro	300,000	301,352	258,238	162,421
Município Neutro	100,000	47,084	32,103	7,488
São Paulo	80,000	174,622	167,493	107,329
	745,000	856,659	779,175	482,571
Total	1,715,000	1,540,829	1,240,806	723,419

Source: R. Conrad. The Destruction of Brazilian Slavery, 1850-1888 (Berkeley: University of California Press, 1972) p.285.

TABLE 22

Registered Gains of Slaves through Interprovincial Trade, 1874-1884

Minas Gerais	5,936
Espírito Santo	3,187
Rio de Janeiro	31,941
Município Neutro	7,353
São Paulo	41,008
Total	89,425

Source: R. Conrad. The Destruction of Brazilian Slavery, 1850-1888 (Los Angeles: University of California Press, 1972) p.290.

TABLE 23

Estimated Slave Population of Province of São Paulo, 1836-1887

Year	East and Paraiba Valley	Coast	Centre	North and West (Mogiana Paulista)	Total
1836	24,460	12,317	38,417	3,584	78,858
1854	33,823	15,445	47,574	20,143	116,985
1864					80,000
1872					156,612
1873					174,622
1874					174,622
1882					130,500
1885					128,000
1886	43,361	4,148	53,545	67,036	168,090a
1887					107,829

(Conrad= 107,329)

Sources: R. Conrad. The Destruction of Brazilian Slavery, op.cit., p.296; Stanley J. Stein. Vassouras. A Brazilian Coffee County, 1850-1900. paper back ed., Princeton University Press, 1985. p.295.

a includes ingênuos

TABLE 24
Immigration to São Paulo, 1882-1900

Year	Number
1882	2,743
1883	4,919
1884	4,868
1885	6,500
1886	9,534
1887	32,110
1888	91,826
1889	27,664
1890	38,291
1891	108,688
1892	42,061
1893	81,755
1894	44,740
1895	136,142
1896	94,987
1897	94,540
1898	42,674
1899	28,367
1900	21,038

Source: T. Holloway, Immigrants on the Land: Coffee and Society in São Paulo, 1886-1934 (Chapel Hill: 1980) p.179.

TABLE 25
World Coffee Production by Region, 1880-1891 (thousand of sixty-kilogram bags)

Year	Rio	Brazil		Total	Other Countries	World Total
		Santos	Other ports			
1880	4,521	1,126	136	5,783	4,192	9,975
1881	3,841	1,723	126	5,691	4,113	9,804
1882	4,737	1,968	147	6,852	4,944	11,796
1883	3,186	1,872	108	5,166	3,979	9,145
1884	4,276	2,095	121	6,492	4,149	10,641
1885	3,870	1,665	235	5,770	3,900	9,670
1886	3,510	2,620	190	6,320	4,145	10,465
1887	1,805	1,115	155	3,165	3,760	6,925
1888	4,125	2,610	190	6,925	4,090	11,015
1889	2,350	1,870	185	4,405	4,015	8,420
1890	2,395	2,915	215	5,525	3,760	9,285
1891	3,720	3,655	320	7,695	4,245	11,940

Source: Thomas Holloway. Immigrants on the Land. Coffee and Society in São Paulo, 1886-1934 (Chapel Hill: University of North Carolina Press, 1980)

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