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Introduction

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Introduction

António de Almeida Mendes and Clément Thibaud

- 1 At the junction between modern and contemporary history, this dossier is an opportunity to reflect on an improbable intersection between two ostensibly contradictory notions: slavery and citizenship. This contrast concerns, of course, the period of Western abolitions of slavery in the European empires, between the end of the 18th century and the end of the 19th century, but one of the challenges of the articles presented herein is precisely to destabilize this chronology. Would the notion of counter-citizenship help us to understand this tension over the long term (*la longue durée*)? Certainly, the concept is undoubtedly as counter-intuitive as the realities it is supposed to reflect, but it could nevertheless enable us to address the unthinkable: the social and political forms of ambiguous, even paradoxical, inclusion of enslaved people and groups, both during the abolitionist moment and before and after it, given the fact that the prohibition of slavery as an institution did not end the strong dependency of the descendants of the enslaved people. Counter-citizenship makes it possible to reflect on the many experiences that have marked not only the transition from the condition of slave to that of citizen, but also the ambiguous situations in which they may, on occasion, have overlapped. This notion could thus designate two intertwined dimensions of the identity of discriminated groups. First, it would describe the process by which individual or collective actors, kept at the edge of the communities where they live, strive to acquire signs of social recognition and rights to act or take action in society. In turn, these alternative forms of citizenship would affect the definition of “that which makes for common ground” in a given society. With considerable variations in time and space, slaves, freedmen and freedwomen, or free persons of color, also had their own conceptions of the *polis*, the city, and emphasized these through both words and actions.
- 2 In writings dating back to the 17th century, and embracing examples located in the Caribbean and Hispanic-American regions, passing through West Africa and India, the angle chosen thus addresses a paradox or, at the very least, a tension. Citizenship is, by definition, the very opposite of the condition of slavery. It appears to be commonly attached to places and times, those of “political modernity,” which emerged in the age of the great Atlantic revolutions. The modern citizen derives his existence from a new

way of establishing society, based on a social contract that guarantees individual rights and based on the values of equality and freedom. This is not precisely the case of the slave, whom all revolutionary rhetoric refers to as the antonym of the citizen. A slave, at that time by definition, according to Roman law, was an “animated thing,” *i.e.* an object devoid of any rights by nature. The enslaved embodied a humanity foreclosed upon by the new community of equals. Slave represented a monstrous singularity—both for us and for some contemporaries—in how they were viewed by new normative constructions emerging with the revolutions and independences in the Euro-American world. However, for a long time now, this counterpoint between slave and citizen has been shown to be less cut and dry than previously evidenced. The servile condition did not prevent certain individuals or collective actors, established in this condition, from participating, within very precise limits, in collective life, especially if they lived in the city, having escaped the plantation. In the Iberian world, enslaved were baptized, participated in religious life, could marry, associate in brotherhoods, pursue their own interests. Some presented complaints to the courts and could, if necessary, have their master convicted. While the appalling harshness of the enslaved living conditions must never be trivialized—as it was in the golden legend recounted by the historian Gilberto Freyre in the 20th century—the fact remains that these particular coordinates must be taken into account in order to better understand how the escape from slavery and the passage to freedom, still partial for many heirs of this history, towards full and complete accession to citizenship and participation in the life of the city took place. This is precisely what Ahmadou Séhou’s article discusses.

- 3 The five texts that make up this dossier combine historical density, geographical diversity and a plurality of approaches. This triple orientation invites us to situate ourselves in the *longue durée* of speeches, representations and practices associated with the theoretically unnatural articulation between slavery and citizenship. Placed in a situation of domination, enslaved and freedmen and women played a decisive role from the very beginning of colonization in the course of how their legal situation evolved, through attitudes that oscillated between resistance to the slavery system and assimilation of the values and culture that governed their daily lives in a colonial situation. Political and social measures were introduced at the time of the Atlantic abolitions to enable former enslaved to have local access to freedom and civil and legal equality. These measures resulted in the reaffirmation of social and statutory control measures designed to enshrine former enslaved in systems of obligations, dependencies and racial hierarchies supposedly compatible with often abstract principles of equality. If the counterpoint between citizenship and slavery actually hides superimpositions, it is also because the definition of the first term is not as clear-cut as we usually believe. If we refuse to identify the citizen with his contemporary, revolutionary and post-revolutionary definition, we can restore its proper temporality. In the vein opened by Tamar Herzog, *Ancien Régime* citizenship must be linked to a spectrum of social values and practices rather than to a political definition, linked to national belonging, or to the possession and exercise of constitutional rights. This concrete citizenship—sensitive to the qualities and attributes of individuals such as honor, reputation, family status, lineage,—probably excluded enslaved from the circle of recognized community members. Nevertheless, it defined more a spectrum of possibilities than a binary integration modality, open or closed. This is why individuals without rights could assume certain attributes of the citizen over time. The authors of this paper invite us to

explore the complexity of these social processes, both in relation to major political upheavals and in everyday life.

- 4 These remarks apply particularly to Iberian slave societies, which are addressed in Rodrigo Salomón Pérez Hernández's articles on 17th century New Spain and Thomas Mareite's articles on independences Chile. These societies have singularities that make it easier to see the intertwining of citizenship and counter-citizenship. Iberian slave societies were early and long-lasting examples of this for a number of reasons: first of all, with the establishment of the Atlantic and transatlantic slave trade networks by the Portuguese in the 15th and 16th centuries; their links with the construction of complex societies in island areas, on the African coasts, and then in the Americas where the mixed race and the free of color very quickly represented a very large proportion of the population; their truly Atlantic and global character, since both Portugal and Castile sheltered large populations of slaves on metropolitan soil—the former, in particular, controlled large areas on the African continent, perfectly linked to the Brazilian provinces—and finally, their longevity, since the Iberians were the first to invent the sugar plantation and the last to abolish slavery in Cuba in 1886 and in Brazil in 1888. It is therefore not surprising that this particular history conditioned both certain types of integration and social exclusion of slaves and shaped the process of their liberation during the 19th century.
- 5 In both Hispanic America and Brazil, the descendants of Africans were considered to be foreigners, since their ancestors came from lands outside the two monarchies. Both the Spanish Charter of Cadiz (1812) and the first Brazilian Constitution (1824) kept records of this, the first by excluding the descendants of Africans from citizenship because of the birth of their ancestors outside the lands of the Catholic monarchy, the second by reserving political rights only to those who were freed and born in Brazil. Nonetheless, many emancipated enslaved, or their descendants, had thus gained local recognition as early as the 17th century, as Rodrigo Salomón Pérez Hernández¹ shows, and had made this publicly clear, for example, by earning military rank, obtaining stripes, and sometimes the *épaulette*, in urban militias. Thus defined, citizenship was acquired in degrees, sometimes through strategies deployed over generations. It had to overcome the racial stigma associated with blood impurity attributable to the real or supposed servile condition of the ancestors. It is against this background, which is also known as “race passing,” that so-called modern citizenship, with its electoral and legal translation, was built, leaving it with a concrete dimension, in which race would certainly play an important, but not always primary role, as Jean Hébrard suggests in the case of Saint-Domingue after the abolition of 1793. Race, as a devaluing criterion of social classification, linking body and temporality, hindered access to full recognition of citizenship, both before and after the revolutionary triumph of abolitionist repertoires, whether religious, liberal or republican, in the first half of the 19th century.
- 6 This is what Rodrigo Salomón Pérez Hernández's article brilliantly shows us by presenting an extraordinary but isolated case, that of the mulatto enslaved Miguel de la Flor. Born in Oaxaca, New Spain, this individual did not correspond well to what his servile condition, the color of his skin, his “infamous” birth to a slave mother, would suggest. The inquisition trial established against him reminds us that he knew Latin, claimed to be a poet, was a reader and scholar, gambled and drew in his spare time, which is why he was judged. With such strong cultural and social capital, and so well

integrated into urban social life, this slave was hardly like his fellow slaves who worked in *haciendas* and mines. We see that the servile condition concealed a set of very diverse social positions that brought some individuals closer to the status of *vecino*, despite the servile *macule*, while others remained left to the arbitrariness of the masters and subjected to strenuous work.

- 7 Much later, in the 19th century, the abolition of slavery raised the question of the fate of the freedmen and freedwomen and their descendants. The history of the citizenship of the “free of color,” since their position was indissolubly linked to that of slaves, even at several generations’ distance, was far from linear. This dossier invites us then to ponder these vicissitudes and sinuous paths to emancipation and citizenship by questioning the liberating role of the abolitionist moment, including a focus on the centrality of its chronology. It is also because of the intensity of the transatlantic slave trade to Cuba and Brazil—a trade that was made illegal by the Congress of Vienna in 1815—that the era of the abolitions, together with the era of the Atlantic revolutions and Ibero-American independences, was contemporaneous with a surge in the slave trade and slave plantation economy. Thomas Mareite’s fine article thus invites us not to consider the period from the Enlightenment to the last Iberian emancipations (as mentioned, as late as these were) as a necessary, teleologically inscribed process in the liberal or republican constitutional repertoires that the Americas and the Caribbean adopted from the late 18th century to the early 19th century to found their independent nations. By emancipating themselves from European control, the latter did not necessarily intend to put an end to slavery. As Claude-Olivier Doron pointed out, despite their universalist principles, the ideological registers of liberalism or republicanism have, on the contrary, been able to shelter new racial ideologies that justify the maintenance of slavery. This is also true of the first republican leaders of Chile. Here, as elsewhere, the involvement of enslaved in the military was a much more operative factor than ideologies—which should not be neglected—in the process that would weaken the institution of slavery in Hispanic America. However, slaves, born and raised in the shadow of the tutelage of masters who were themselves accustomed to the “yoke of Iberian despotism,” could not become citizens without a long process of regeneration. This was the argument put forward by the Republicans to postpone immediate emancipation, while voting for gradual abolition, and thereby creating new forms of dependence that deprived the liberated of their rights as citizens.
- 8 Jean Hébrard’s article shows in a new light the functioning of the slave society of Saint-Domingue during the Haitian Revolution. The multiple individual statuses that made up this society and the relationships between colonial subjects must be analyzed from the perspective of both the framework of slavery and especially in the light of the social, religious and legal structures that shaped the societies of the Ancien Régime over the long term. The critical and rigorous analysis of documentation produced by the State and the Church in the Catholic empires also highlights the choices made by individuals to integrate into the social and political life of the colony, to make their wishes heard and the strategies they adopted. It also highlights the complexity of the relationship between whites and people of color, and the subjectivity of the notion of freedom. In Saint-Domingue, the first name tells much more than one would think about who gave it, when and where, the “state,” the “condition,” the “status” of an individual and his/her descendants. The Church, continued, during and after the revolutionary upheaval, to act as guardian of civil status, making baptism the naming place which defined a space of resistance as became apparent in the first names chosen when the birth of a

child was declared and reported to the civil registrar. The first name and surname sign the social destiny of an individual, tightly restricted by both family history and major public institutions. The cases studied by Jean Hébrard show that the first names given to an individual are as important as ancestry, lineage or professional activity in placing the descendants of enslaved in categories of dependency: associated with a discourse on social “order,” these have maintained the illusion of an unchanging society. The continued reference to “order” and respect for tradition limited the rights of former enslaved who were thus placed in a situation of servitude and prevented from enjoying many rights to which they would otherwise be entitled.

- 9 Likewise, in many African societies, slavery has long been associated with the slavery of traditions, practices that are part of a natural order that has always organized societies. Ahmadou Séhou’s study on the *lamidats*, chieftainship slaves of Adamaoua, in northern Cameroon, shows in a remarkable way how slavery-like practices and discourses have survived the abolition of the Atlantic slave trade. The transmission of a servile status through heredity and the persistence of a servile stigma that is inscribed in the “blood” remain important factors in the construction of identity and in the distribution of social and economic functions within society. The terms that continue to be used to designate the descendants of enslaved create an impassable gap between the free man by birth and the freedman. This slavery, which could be described as metaphorical, strongly stigmatizes the descendants of enslaved in public life and builds hierarchies based on birth. Embedded in the long-term and complex nature of human relationships, these birth-based hierarchies are difficult to eradicate, including by members of dominated social groups who eventually assume this subordinate social and economic status.
- 10 Here we touch on another aspect of “counter-citizenship,” this time, a negative one. Casting a shadow over civil and political citizenship, counter-citizenship reveals a more or less hidden stigma that some groups of individuals bear. In Africa, as elsewhere, universalist modernity has not erased this underground history, which, under the Ancien Régime, as nowadays, marks the—real or supposed—descendants of slaves.
- 11 As Harsch Mander, Indrajit Roy, Priyanka Jain and alii show, the liberalization of the Indian labor market since the 1990s has produced significant economic and social changes. It has helped to redesign migration practices in response to labor needs and to the development of circular and seasonal migration in particular. The persistence of many exceptions to free employment and the reappearance of contemporary forms of enslavement, of neoslavery, raise the question of the status of these new practices. They are much the vestige of a traditional organization, of a “refeudalization” of the labor market, as they are the mark of new forms of work placements into a modern capitalist model. All of this speaks to the unfortunate present-day pertinence of the historical issues addressed in this dossier.

NOTES

1. But, in fact, this was already the case in the 16th century, especially in urban militias...

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