Presentation

From the 16th to 19th centuries, between 12 and 15 million human beings, mostly young men (two out of every three victims of the slave trade), were uprooted from their homes in Africa and carried across the Atlantic to the coasts of America. Anglo-Saxons say this gave birth to the "third branch" of American colonization, but the truth is that the descendants of those slaves came to form diverse human groups through various processes of ethnogenesis: *zambos de Esmeralda* (Ecuador), *zambos-mosquito* and *garífuna* (Central America), negroes and mulattoes (Haiti), Seminoles and Afro-Americans (United States), and a plethora of Afro-descendants In Brazil, the Caribbean, and elsewhere, especially in coastal areas….

Perhaps it is this contemporary, variegated character that should be highlighted, for its links to the unprecedented conditions that led to the conformation of the American population, circumstances marked by the ravages of the decades following the Conquest, before a gradual restoration through miscegenation. But this distinctiveness also revolves around the essential characteristics brought by those groups from Africa (and sometimes Asia, via Manila) over four centuries. The abuse of those groups –under slavery– including sexual exploitation, produced varied "mixed-races", groups stigmatized and treated as production machinery or animals (consider: mule/mulatto, cattle/chattel, and names like *coyote* or *lobo* [wolf] that appear in the stratification of the so-called castes). Thus, every drop of blood of African origin became indelible, increased in quantity and diversity, insidiously; and this just intensified the uneasiness –even fear– that

Africans and their descendants struck into the hearts of the dominant class. However, their diversity led them to form separate groups that, due to the stigma they bore, were dragged downwards or, at least, to a primordial unity. The mulatto Obama "is a North American Negro". But today the appellative "Negro" is still a complex characterization –as it has been since the 1960s with the appearance of the motto "Black is beautiful"– to the point that in the slums of France the term "Black" (in English) is now seen as a symbol of racial vindication.

Lest we forget: for the four centuries after 1492, much (if not all) of the American continent shared the sad honor –with ancient Greece and Rome– of being the only spaces where economic and social systems based primarily on slavery prospered. In Cuba and Puerto Rico, abolition would have to wait until 1886, while Brazil delayed two years more. But the "advanced" countries were hardly more enlightened in this respect: France, with its Rights of Man, did not decide definitively until 1848, while the democratic U.S. needed a civil war before decreeing abolition in 1865.

This raises key issues: that the Iberians so unscrupulously transported slavery to the New World is hardly surprising as it was, after all, a fairly widespread practice in Spain's dominions (perhaps 10% of the population in some areas in southern Spain in the 16th century were slaves), one bequeathed by both the Roman and Arab traditions. But the French and British cases are more disconcerting, for slavery was unknown there since the early Middle Ages (it must not be confused with the condition of medieval serfs). Indeed, a proclamation held that any slave who set foot on their soil became, *ipso facto*, a freedman. The French maintain that they descended from the *Francs*… Even Iberian vocabulary was adopted by northern Europeans in their colonies: the derogatory terms *mulâtre* and *mulatto*, *nègre* and *nigger*, the *marron* (runaway slave) of Martinique and Santo Domingo, come from Spanish linguistic reality, which included the softened form "darkie" from early times (turn of the 17th century).

But in America, *Francs* and Anglo-Saxons built more efficient systems of slavery –in terms of economics and containment– than the Iberians. Thus it was that Louis XIV's *Le Code noir* ("Black

Code", 1685) preceded by a full century, and served as a model for, the *Código negro carolino* ("Carolinian Black Code", 1789) in Spanish America. The system of social segregation and agroindustrial organization on the U.S.'s southern plantations have no parallel in either 19th-century Brazil or Cuba, characterized by more traditional, less integrated practices.

Might the bristling perceived around this thorny issue, especially in the English-speaking world, be the result of these contradictory circumstances? Catholic France knew how to position herself better: when in the 17th century English Catholic gentlemen settled in what would become the southern U.S., did introducing slavery represent a way to break ties with a Puritan-dominated metropolis? Given that there were no scruples or established rules of behavior to constrain them it is logical that the early criticisms of, and direct actions against, that "particular institution" (Thomas Jefferson) arose in England and Protestant circles, at least after the mid-18th century.

This issue of *Relaciones* is not so much concerned with the theme of slavery in itself, its rules and circumstances, a topic that historiography has only recently begun to examine in its true dimensions as a fundamental fact. Rather, our approach centers more closely on the fate of those who found themselves in a process of transition that, by diverse pathways (escape, buying freedom, manumission, State policies…),[1] could lead to obtaining the ambiguous status of liberty, a theme that historiography has not yet probed in its full extension. Truth be told, those men were never truly free, but always burdened by obligations –material or moral– that tipped the scales in favor of their former owners, with whom they continued to participate in, at least, patron-client relationships. It was only with their descendants that real freedom arrived, though that was also circumscribed by the limitations that accompanied the status of Negro or free mulatto. According to Rosa María Spinoso Arcocha's article on Araxá (Brasil), the case of Josefa Pereira da Silva (*ca.* 1830) is exemplary: daughter of a white man and a "colored woman", and wed to a white man, she

[1] See note 4 in Vergara's article, based on the *Siete Partidas* by Alfonso X. This Thematic Section was prepared by Nora Reyes; our thanks for her collaboration.

faced a mother-in-law who, in court, dismissed her with the racist appellative "darkie", but Josefa defended herself, proudly affirming that she was a "Brazilian citizen".

This suggests that in the logic of slavery and racism, the process that began with people being chained on the coasts of Africa and ended with them walking freely, without prejudice, along America's streets, took several generations. While over time it certainly produced a multitude of Uncle Toms, there also emerged Yanga and other rebels (eg., Macute in Córdoba, New Spain, 1767). All the rest, submissive and conforming, accepted their role in the system, negotiated with their masters and the authorities, and more than once were caught up in confrontations among themselves, as in the case of Negros and mulattos in Haiti. But when all is said and done, this multiplication of freedmen and free men never put society or its rules in peril. In the 1832 census of Araxá, the home (*fuego*) that heads the list and is, therefore, of some note, belonged to a dark-skinned merchant who lived with his 10 slaves.

When the system finally broke down, the causes were much more economic (linked to the mechanization of the Industrial Revolution) than social or cultural: modernization and the rise of democracy and its representations in the west. While religious reasons cannot be excluded, especially in the Anglo-Saxon world, we place little weight on them. Though it is true that by the 18th century the issue of slavery caused some unease among the more enlightened High Catholic clergy, it seems they had little trouble easing their consciences, though this was surely one factor that led Miguel Hidalgo to adopt his more radical posture in 1810.

By at least the late 17th century (perhaps from time immemorial, though it leaves few records aside, perhaps, from a Seneca in Antiquity), slavery was battling the increasingly unsustainable ambiguity that accompanies the status of the slave: while human (created in God's image, according to some theologians) he is at the same time reducible to a simple piece of merchandise. This contradiction surfaced in Araxá as early as 1832, where "pieces" (slaves, property) were counted in the census beside freemen, though in the same period they appeared in wills and transactions beside "8 head of cattle".

The fact that in 1827 the defense lawyer for a former slave penned these words: "Prison, Sir, is meant for criminals. A slave's condition as such does not make him one", might lead us to argue that the law had finally begun to incline in favor of slaves (see Ana Vergara's article). But in the 18th and 19th centuries there was a second ambiguity that impeded a broader awareness of this phenomenon: the oppressed social position that had weighed on Negros for hundreds of years precluded any hope of equal treatment, a situation worsened by religious paternalism. This is demonstrated with total clarity in the hundreds of engravings that we sum up in the one reproduced on the cover page of this section, where we see two slaves, on their knees, supplicants imploring humanity and pleading for brotherhood, but from below, chained, almost naked, their savagery still clearly depicted. But we must beg the reader's pardon: the picture shown (like others) has been falsified; from two hangings published separately in the 19th century we made one single image to represent a family, where contemporary people perceived only individual, subjugated beings. Of course, as secularizing republicanism emerged this attitude changed somewhat, but the tearful, pitiful aspect (no value judgment intended) remains: the verses by J.G. Whittier, a 19th-century Quaker poet, that appear on one engraving of chained men, read:

What, ho !—our countrymen in chains !—
    The whip on WOMAN's shrinking flesh !
Our soil yet reddening with the stains,
    Caught from her scourging, warm and fresh !
What ! Mothers from their children riven !—
    What ! God's own image bought and sold !—
AMERICANS to market driven,
    And bartered as the brute for gold !

Speak ! —shall their agony of prayer
    Come thrilling to our hearts in vain ?
To us —whose fathers scorned to bear
    The paltry *menace* of a chain ;—

> To us whose boast is loud and long
> Of holy liberty and light —
> Say, shall these writhing slaves of Wrong
> Plead vainly for their plundered Right ?

No doubt the tone was less plaintive south of the Río Grande, especially after the independence wars (yet more civil wars). One cannot omit from this context the abolitions of slavery decreed in Mexico, Venezuela, Río de la Plata, and Cuba, though that island began the process much later. Here, we must recognize the grand perspicacity of Bolívar, so well aware of how to act upon circumstances. As Ana Vergara writes, his *Decreto de guerra a muerte* (Decree of War til Death, 1813) proved a terrible weapon, one that divided the province-republic of Venezuela well beyond its ethnic bases: as royalist slaves like Ramón Piñero had no option but to enlist in the King's army. But why did Piñero choose the Spanish side from the first moment? Because that is what his master did, and they promised him freedom in exchange for his blood: thus, even in the perverse system of slavery the sequelae of paternalism can bond to the "moral economy" and individual interests. A second merciless system of exploitation, the debt peonage of Mexico's hacienda, acted no differently during the 1910-1917 Revolution. And the atrocities committed by both sides had overtones of caste wars: in Venezuela, 1814 was the year of the *guerra de colores* (war of colors).

It is true that in confrontations between personal interests and paternalism each person's "sacred egoism" tends to win out, as in the case of the slave Ledesma who enlisted in the Royalist army because it promised him freedom (in October 1813). His role in the war consisted in raiding herds of cattle on the haciendas of the Creole elite where he had been raised. Of course, that egoism was not one-sided: the Republican faction, dominated by slave-owners, did not offer its slave-soldiers the hope of liberty until June 1816, under Bolívar. But the fact is that the measure was accepted without enthusiasm and real abolition had to wait until 1854. An additional case is that of Anastasio Romero, a slave who fought on the side of the Patriots but did not become free until 1825, and only after great hard-

ships and being gravely wounded; significantly, that expression of republican generosity did not extend to the soldier's family.

Vergara's article ends with a commemoration of the slaves "who perished on the battlefields" of Venezuela. Though dramatic, even more tragic was the case of Río de la Plata, where the independence wars and "nationalist" struggles that followed were occasions to use folk of African descent as cannon fodder, and thus rid (read: "whiten") the population of that African stain. During the second half of the 19th century, a pronounced racism persisted against one group, one fast on its way to extinction. In what is deemed the masterwork of the forging of the Argentine identity we find verses that strike us as repugnant (there are many others, but none mark so clearly this inhumanity): Martín Fierro insulted a Negro couple at a dance with these words:

> "God made the white men,
> Saint Peter made the brown,
> and the Devil made the black ones
> for coal to keep the hell-fires goin'"
>
> A duel between gaucho and "darkie" is inevitable.
>
> "Finally, in one attack
> I lifted him on the knife –
> and I threw him against the fence
> like a sack of old bones."[2]

That poem also compares the Negro to a pig (*chanchito*), bull, "a calving tigress", and ram, though the gaucho never questions his adversary's virility or sturdy resolve. Precisely when José Hernández penned those lines (1872), a man named Juan Filgman fell into the hands of justice in Guadalajara, accused of assault. We have his pho-

[2] Verses 1167-1170 and 1231-1234 from *El gaucho Martín Fierro*; English version accessed on 08/06/11 at: http://sparrowthorn.com/MartinFierro_PART_ONE.pdf

tograph, taken on the roof of the jail,[3] which shocked us from the moment we saw it. We decided to put it on the title page of this article because it moves us beyond fiction and reality… North and South… all the tricks seen in varieties of support documentation. This photograph strikes us as the best counterpoint to *Martín Fierro's* text, as it takes us, almost by magic, out beyond the dimension of slavery and its shadows (exploitation, racism, freedom, abolition…). In Juan's (John) integrity, in his apparel imitative of the elegance of the southern *gentlemen* (like a black Clark Gable), there is no questioning freedom, no room for prejudice: in an extraordinarily brief lapse of time, a page had turned.

But it did not turn completely, as the Imilcy Balboa's essay reminds us: for many, even at the dawn of the 20th century, the abolition of slavery meant only a change from one kind of exploitation to another. There we find a logic replete with cynicism: the profits that accrued from slavery in America enabled the accumulation of capital in Europe that the capitalist Industrial Revolution required for "take off". The freedmen had no choice but to suffer the transformation into a subordinate class, while their former masters mutated into employers. The Cuban case that the author analyzes is illustrative: though the abolition decree of 1880 purported to conserve the old-style "patron" –or protector– in reality it paved the way for the emergence of entrepreneurial "bosses", while the supposed "beneficiaries" (*patrocinados*) were none other than a rural *lumpenproletariat*, given form by that same law; a Caribbean variant was the *conuquero* with his small plot of land to till. Freedmen were obliged by law "to prove their labor had been hired". Just as before, those of African descent became simple workers (*braceros*), whose shoulders and menial labor constituted the sum total of their wealth. But even this cost seemed too high for factory owners to bear, so in the late 1900s they sought more white and Asiatic workers.

[3] Obtaining a high quality reproduction of the original was an arduous task, for which we are indebted to the personnel of the *Biblioteca Pública del Estado de Jalisco*, especially its Director, Juan Manuel Durán, and to Laura Benítez, Claudia Larios and Alejandro Solís. From the grave, don Juan Filgman also sends his thanks.

As in 18th-century New Spain, the colonial bourgeoisie that held power in Cuba in the late 19th century espied no more perilous enemy than "the vagabond (and idler)", in this case the hordes of freedmen and other disadvantaged (including a few whites): a kind of sinister rural rabble. The fines levied on them could be crushing, an element that fostered the development of a system of indebtedness that favored creditors. With the creation of a wage-earning class, stores flourished, but so did freedmen's indebtedness. Those circumstances (social and economic crises, State pressure) can be analyzed parallel to one of their consequences: the banditry that thrived in New Spain from the late 1700s and continued unabated through the independence wars. As the 19th century closed, the phenomenon of outlawry (*cangaço*) surged in mestizo northeastern Brazil; a result of the recent traumas that nation had suffered (*i.e.*, the birth of the Republic, the end of slavery). The same can be said of Cuba in from 1880-1890, where an association with the struggle for independence is also clear. It is important to note that none of these cases centers on an Afro-mestizo reality: the famous Cuban desperado Manuel García was white, and died as a hero in the war against Spain in 1895. Seen in a certain light, this was a logical reaction by the well-off, who mixed their anti-African phobia with a commitment to defend property and order at all cost. As elsewhere, it was more fear and phantasmagoria than objective reality: freedmen were still firmly tethered to the land, sugar production flourished, and the workday was 13 or 14 hours long.

Does the case of the *Colegio de San Francisco* in Sales move us out of the African-American world? Of course, yet we can hardly fail to recognize that at the root of that dispute was a genuine act of ecclesiastic piracy, when the disciples of Saint Felipe Neri, recently arrived in San Miguel el Grande (1712), settled into the edifice that had served as the chapel of the confraternity of *Santo Ecce Homo*, one founded by mulatto cowboys. Just a few decades later, that confraternity was literally expelled from its temple by the Congregation of San Felipe Neri.

The aggressiveness of those Philippians –who reached their apogee in the 18th century through operations focused on education–

was largely due to the presence among its members of some particularly strong personalities, especially New Spain's leading Enlightenment philosopher, P. Dr. D. Juan Benito Díaz de Gamarra, one of the protagonists of the events narrated in the document that Rafael Castañeda presents. The other key actor was Dr. D. Joseph Pérez Calama, Enlightenment prebendary of the Miter in Valladolid and, later, renowned bishop of Quito. In reality, this confrontation had nothing to do with the Enlightenment, but emerged from the very core of the mechanisms of power that were gradually being imposed upon the empire (a term still applicable in the late 1700s). At issue were certain casuistic procedures, where royal decrees and edicts (*cédulas*) affecting such disparate regions as Mexico, Lima, Guadalajara and, of course, Castile were discussed. But simultaneously with those circumstantial events, and associated with them, were attempts to find answers for the case of San Miguel, and based on those conclusions approach the Law –what the fiscal called "concrete law" (*ley cierta*)– "of the Universal *Patronato* of the Indian Kingdoms" ("*Patronato Universal en los Reinos de las Indias*"). Every word of this quotation from the Bourbon epoch (1709) carries a weight and content that merits attention.

In another vein, one essential pillar of that machine was "embedded in [the King's] bones, a sign of superiority and dominion": the *Real Patronato*, the instrument that anabled the Church to become integrated into the apparatus of the State. Recourse to the use of force, one of the issues at the center of the debate, was part of that apparatus and constituted a significant brake on ecclesiastical freedoms, especially in the late 18th century when attempts were underway to restrict the immunities that the Church enjoyed and that another *ilustrado* (Abad y Queipo) so obstinately defended. Clearly, in the Hispano-American context, the Enlightenment allowed all postures, all of which were equally affected by the wave of enlightened royalist despotism: thus it was that in 1782 a jurisdictional dispute among a congregation, its college and the bishop was brought before the fiscal of the Royal Treasury (*Hacienda*) of the *Audiencia*. Even the holy Council of Trent was flushed down the drain. But the final lesson could hardly have been clearer: the two pillars of the Em-

pire would be reconciled, and the way to do so was by punishing the other, weaker power; so the *alcalde ordinario* of San Miguel was forced to pay for a violation committed by the bishop, just one more triumph of justice "and its unalterable justification".

The unalterable, coercive justice of enlightened despotism, the implacable, paternalistic injustice of the wealthy slave-owner; was it not perhaps this dissonant quartet –justice and paternalism, injustice and power– that produced much of the harsh clamor that atemporally enveloped humanity?

Atemporally? If this were indeed the case, it would constitute a negation of history; that is, of a broad multigenerational and cultural opus on memory. One day, slavery was an assumed reality; the next, an evil that was necessary to integrate savages into civilization; today a hideous scandal. So we must ask ourselves: are there atemporal crimes of absolute *lesa humanidad*? The unpardonable indifference with which the world community accepted the Nazi persecutions pre- 1939 perhaps still haunts us today, on long sleepless nights: do we not also turn our heads away?

Perhaps the article by Jorge Trujillo on sexual violence against the unprotected can supply some answers by examining a crime that is absolute in nature, marked by perversion and cowardice: but no doubt real *ca*. 1990-2011. Being a historian, Trujillo places this crime in context: Jalisco, 1885-1911, Mexico's Victorian era. As he is familiar with the art of the nuance –"the excesses of desire"– surely we will find a scale that leads from abuse through scandal to inhumanity. The author correctly states that violence against minors (in terms of age or status) is a relatively recent topic in historiography: perhaps out of a sense of propriety… or maybe disinterest? Other crimes have taken the reverse path, but "the abominable sin" (*pecado nefando*), considered during the *Ancién Régime* together with patricide as the most terrible of all offenses, is today no longer deemed either a sin or abominable.

Thus, abuses are colored not by some atemporal measure of injustice or inhumanity, but by the hues with which society endows them. In 1900 Guadalajara, sexual violence was judged reprehensible because "it violates the order of the family […], [and] good cus-

tom", "the good public reputation" of victims and their families. The reader will recall the distinction from olden times between the "chaste maiden" (*doncella*) and "single women" (*solteras*, women with a past).

This threat to honor, added to the taboo that surrounded sexuality more generally, means that the historian must confront a documental challenge, as the figures that Trujillo presents demonstrate: around the year 1900 in Guadalajara at least 800 perpetrators were arrested each year, around 3,200 in four years. But during that same period only some 200 sexual crimes were reported, just 6% of all criminal activity: little questioning, little, or no, repression. And what emerged from this? Why, "unalterable" justice, left to its own subjectivity, such that one pedophile could be sentenced to 10 years in jail, while the next one was acquitted.

This article is an occasion to celebrate the potential richness of judicial sources, often the only records capable of restoring the breath of life. They open a window, for example, on an ordinary day of a gang of shoeshine boys in Guadalajara, who leave downtown in search of adventure in *Agua Azul* Park. There among the shrubbery they play some cards, gaze raptly as a horse is quartered and then, just to break the monotony, gang rape one member of the group, usually the youngest. As the day draws to a close, their mischief ends in the town square (*Plaza de Armas*): perhaps they are trying to lose themselves in the crowd there so as to forget their "devilry". But their nonchalant demeanor reproduces the attitude of the "decent folk" who worry little about defining the crime of pedophilia.

Some (Anglo-Saxon) historians have seen the phenomenon of slavery as an antecedent of capitalism. While this is not the place to discuss this assertion, the example that José Manuel Martínez provides in his essay on the Tzatzio sawmill, property of the Slades –father and son– for much of the first half of the 20th century, allows each reader to reconstruct more or less parallel paths. The topic is predatory capitalism, which destroyed the environment and natural wealth of the region around Uruapan and the Sierra Tarasca while offering no recompense to the towns into which it sunk its claws. Not even the revolutionary governments could put an end to it, or

did so only when it was too late, while market expansion allowed the Slades to export their products to ever more far-flung places.

Controlling the labor force was, of course, essential, so they firmly applied the familiar, time-tested formulae of industrial capitalism: creating population centers by uprooting people from other localities at the production site or close by it. Thus, the Tzatzio sawmill witnessed the birth of a well-planned town of some 400 relatively comfortable wooden houses; dwellings widely separated, of course, from the "big houses" of the directors, like in some Brazilian *fazenda* in the era of slavery. "It was a pretty little town [...]. They were the loveliest years of my life", former inhabitants recall. But, of course, this shrouded a darker reality: the presence of a white guard and the murder of anyone who dared interfere in the despoiling policies of the owner-masters.

Who today would dare to call an executive "master" in front of other employees? All of those workers would feel insulted, dispossessed. And that is because the vocabulary related to forms of power is extremely sensitive, though also highly instructive, as the analysis by Damián González and Vladimir Jiménez of the Zapotec term *golaba* illustrates. In the universe of New Spain, this word can be added to a long list of similar ones: cacique, *mandón*, *topil*, *tequitlato*.... (boss, master, lord, big cheese...) As always, the multiplicity of terms from different milieus raises the problem of determining each one's precise fit; that is, defining each one's proper attributes and jurisdictions, though these are rarely clear in context. Moreover, time adulterates all things, so by the early 20th century in Teotitlán del Valle, the *golaba* had become a folkloric position, a kind of leader of shivaree (probably from the French *charivari*).[4] But, more generally, and in recent times, the *golaba* was a simple intermediary between the religious authorities and the community, which at times led him into confrontations with political power. Going back in time with the aid of the *Vocabulario* in the Zapotec language by Fray Juan de

[4] Who led a form of community censure against marriages considered socially unacceptable, such as when an older man (often a widower) endeavored to take a wife from among the stock of young women (Translator's note).

Córdova (1578), we can trace the etymologies of this term and, therefore, the reality of its force in Prehispanic and colonial times, where the *golaba* appears as a second-level authority entrusted with collecting tribute. So, how did it come to acquire its relation to religious service? It turns out that Zapotec religion survived for a very long time that spanned both the colonial and republican periods. Its most essential manifestations were grand collective ceremonies that involved animal sacrifice and the hearty consumption of tortillas and drink. As those rites had to be financed by the community, an official was named to collect funds; usually an alderman [*regidor*] who thus fulfilled a role approximately equivalent to that of the *golaba*.

According to the authors, those were some of the avatars of power; *i.e.*, transformations of the deity, if we trace the term "avatar" back to its source. And this is, in effect, what we have been able to discern during our perusal of issue 127: power, that of a lord/master over human beings/merchandise; that of the State freed from the fetters of religion; that of a man reduced to demonstrating his sexual dominance on weaker victims; that of the predatory, calculating capitalist over his surroundings; that of tradition over its community, though distorted over time. Proteus and Power are differentiated by just a couple of letters. No mere coincidence.

English translation by Paul C. Kersey Johnson

NB: the authors are not responsible for the opinions of the editor.