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Editors

# Slavery as a Global and Regional Phenomenon

HILGENDORF · MARSCHELKE · SEKORA (Eds.)  
Slavery as a Global and Regional Phenomenon

**S**lavery is a phenomenon that can be traced back to antiquity. Until the middle of the 19th century, it was socially accepted in many parts of the world. Today it is universally outlawed. The Rome Statute (2002) of the International Criminal Court lists slavery as a crime against humanity. Nevertheless, slavery still exists in many countries – in which human beings continue to be treated as mere goods. Unfortunately, our knowledge of slavery is still fragmentary. Gaps exist both with regard to certain historical periods as well as to regionally specific features of its emergence, forms and abolition. To this day, the traces slavery has left are not only visible, but its impact can still be felt around the world.

In this work, international scholars examine the concept and history of slavery, its regional forms in the Caribbean and Latin America, and its contemporary guises. Our twin goals have been both to highlight the diverse features of slavery as well as to elucidate its universal structures.

This collection includes a contribution by the 1986 Nobel laureate Wole Soyinka.

HILGENDORF · MARSCHELKE  
SEKORA (Eds.)

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and Regional Phenomenon

*“It is not difficult  
to establish  
an abundance of reasons  
why the history of slavery  
must continue  
to plague the memory  
of the world.”*

WOLE SOYINKA



stigma of slavery still operates in a powerfully symbolic way in the Western Hemisphere. And Obama's blackness remains an untranscendable quality. Categories of blackness are connected to legal discourses that have some important linguistic and imperial specificities. Obama and Chavez's candid exchange provides us with a powerful reminder of the ways in which slavery and blackness are cultural constructions that have been produced and reproduced through language-specific legal and cultural categories across the centuries.

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# Slavery as a Global and Regional Phenomenon

Edited by

ERIC HILGENDORF

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ROBERTO STRONGMAN

## On the Non-Equivalence of Black and Negro: Origins of the Cultural Constructions of New World Blackness in Iberian and Northern European Slave Codices



“Barack Obama greets his Venezuela counterpart Hugo Chavez before the opening ceremony of the 5th Summit of the Americas. Photograph: Reuters”, from Rory Carroll: “Barack Obama offers olive branch to Chávez, Ortega and Latin America”, in: *The Observer*, Saturday 18 April 2009, Web, 14 June 2014, <<http://www.theguardian.com/world/2009/apr/19/obama-latin-america>>.

### 1 Black vs. Negro

The election of the first Black president of the United States has provided ample opportunities for the study of changing racial formations not only in the U.S., but also hemispherically and globally. One of the first diplomatic appearances of President Barack Obama took place on April 18, 2009 – only three months after he assumed Office – in Port-of-Spain, Trinidad at the Summit of the Americas. Among Mr. Obama’s social exchanges with various Latin American and Caribbean heads of state, one stands tall among the others, given its importance in the study of ethnicity in the Americas. In a photo released by the Venezuelan government, which was published in newspapers all over the world, often times on the front page, was featured the first face-to-face meeting between Barack Obama and the late Hugo Chavez, shaking hands and smiling in a lounge area of the Hyatt Regency Hotel.

One of the most salient aspects of the moment, as captured by the photo, is how

similar phenotypically both presidents are. Racial markers such as skin pigmentation, prognathism, and hair texture are comparable, yet only Obama is referred to as “the Black president”. My paper uses this encounter to unravel the cultural constructions of Blackness in the Americas through Iberian and Northern European legal texts to answer the following questions: Are these two Black presidents? How is it that Obama is Black and Chavez not Negro? How is it that Negro is not equal to Black? What are the historical sources and development of these racial categories? Delving into an archeology of meaning, I believe that looking at Iberian and Northern European slave codices can function as a cultural bedrock from which we may begin to unearth the complex sedimentation of racial categories that has engendered these semantic and social differences observable in the racial matrices of the United States and the Hispanophone Caribbean up to today.<sup>1</sup>

## 2 Slave Codes

In spite of the interesting assertion by Orlando Patterson in *Slavery and Social Death*,<sup>2</sup> that slaves are not defined by property rights but through natal alienation as socially dead beings, we cannot ignore the very evident fact that the *Code Noir*<sup>3</sup> (1685) insists on the notion of slaves as “*biens meubles*” [movable property]. The notion is well attested throughout the *Code*, but most succinctly expressed in the following three articles:

Article 44: Déclarons les esclaves être meubles...

Articles 45: ...et autres choses mobilières.

Articles 46: Dans les saisies des esclaves seront observées les formalités prescrites par nos Ordonnances et les coutumes pour les saisies des choses mobilières.<sup>4</sup>

[Art. 44: We declare the slaves as chattel...

Art. 45: ...and other movable objects

Article 46: In matters of slaves, we shall follow the formalities prescribed by our laws and the customs for movable objects.]

In contrast to this definition of the slave as property in the French Code, the Iberian slave codes present us with a very different paradigm with which to understand the nature of the slave. Here, I want to argue that *Las Siete Partidas*<sup>5</sup> (XIII Century, Alfonso X, 1252-1284) and the *Código Negro Carolino*<sup>6</sup> (1784) present the slave not so

<sup>1</sup> For a general overview on the historical background, see Magnus Mörner: *Race Mixture in the History of Latin America*, Little Brown 1967.

<sup>2</sup> Orlando Patterson: *Slavery and Social Death: A Comparative Study*, Cambridge 1985.

<sup>3</sup> Louis Sala-Molins: *Le Code Noir ou le calvaire de Canaan*, Paris 2002.

<sup>4</sup> *Ibid.* pp. 179-183.

<sup>5</sup> Gregorio Lopez (ed.): *Las Siete Partidas /del sabio rey Don Alonso el Nono; glosadas por el licenciado Gregorio Lopez. Reproducción digital basada en la de Madrid, en la Oficina de Benito Cano, 1789*, Alicante 2009.

<sup>6</sup> Javier Barceló: *Código Negro Carolino (1784)*, Santo Domingo 1974.

much as property but as a child. In the language of the *Siete Partidas*:

Siervos, son otra manera de omes, que han debidos, con aquellos, cuyos son, por razon del señorío, que han sobre ellos. Onde, pues que en el titulo ante deste, fablamos de los criados, que ome cria en su casa, que son libres: queremos aqui dezir de los siervos, porque son de casa. E primeramente, mostraremos, que cosa es servidumbre, donde nació, e quantas maneras son della. E en que cosas es tenuto el siervo, de guardar su Señor de daño: e que poderio es aquel, que los Señores han en sus siervos.<sup>7</sup>

[Servants are another form of men who have debts with those who have power over them. That is why in the previous section we discussed the domestic staff, who men bring up in their house, who are free. Here we want to speak of the servants, since they are of the house. And firstly, we will show what is servitude, and where it was born and how many kinds there are of it. And what the expectations of the servant are, to keep his lord from harm and what kind of power masters have over the servants.]

It is important to note here the difference between “*criados*” – domestic staff – and “*siervos*” – slaves/serfs. The *criados* “grow up in the house”, while the *siervos* “are of the house”. The *criados* are free, but the *siervos* are subjected to the authority of the master of the house. While there is an undeniable power relationship between the master and its *criados* and *siervos*, all three are subjectified by the house, “*la casa*”, and achieve their identity through the house, which is in reality both property and proprietor. Applying more critical pressure to the *siervos* category, as this is the precursor category of the slave, we see how s/he is presented as a child, connected to the context and space of “*familia*” and “*casa*”. The text itself displays an awareness of the constructedness of slavery as it purports to give us a history of “*donde nació la servidumbre*”. It continues its exposure of the social and historical fabrication of slavery by presenting it as an unnatural state. In fact, *Las Siete Partidas* presents “*libertad*” as the only natural state of humans and animals.

*Las Siete Partidas* presents us with the various mechanisms through which people are enslaved. According to *Las Siete Partidas*, the following categories of people are eligible for enslavement: war captives, those born from female servants, and free persons who sell themselves. The first category prefigures aspects of slavery that would be explained much later by Hegel in the “Master and Slave Dialectic” in his *Phenomenology of the Spirit*,<sup>8</sup> where the fight for life is articulated as a duel that produces slavery as a substitution for death in battle. Patterson also invokes this in his elaboration of the notion of social death and Caribbean allegorizations of slavery as a form of zombification. Perhaps as a result of its singularly volunteeristic aspect, the *Partidas* are very detailed with respect to the third category. They outline that the slave must consent, that he receive the profit, that he was a free person, that the buyer believes him to be capable of being a *siervo*, and that he be over 20 years old. Similarly to the war captive category, here we see an early articulation of Hegel’s understanding

<sup>7</sup> Lopez (n. 5), p. 54.

<sup>8</sup> Georg Wilhelm Friedrich Hegel: *Phenomenology of the Spirit*, Oxford 1977. See also Alexandre Kojève: *Introduction to the Reading of Hegel: Lectures on the Phenomenology of the Spirit*, Ithaca, New York 1993.

of slavery as a quest for subjectivity and consciousness through the always elusive attainment of “reflection”. Only a conscious being can reflect consciousness to the master, who must ensure not to completely deplete the reserves of this valuable commodity in his enslaved counterpart. The *Siete Partidas* in this respect, provide us with an early instance of the exchange of power between the master and the slave and of the curious dependence of the master on the slave, as elaborated by Hegel later, in the early XIX Century.

Further, the religious aspects of enslavement in *Las Siete Partidas* are of particular relevance to our initial research questions. The children of priests are made servants. So are those who aid the Moors, as perceived “enemies of the faith”. Furthermore, Jews or Moors cannot have Christian siervos. These causes of enslavement imply that slavery operates as a type of original sin or heresy, implying that atonement, recantation or conversion can procure its overcoming. Islam and Judaism – as religious and racial formations – are associated with slavery vis à vis Christianity, which is presented as related to freedom and mastery.

Without mentioning the *Siete Partidas*, Estelle T. Lau establishes how the racial nomenclature of colonial Spanish America, the “*castas*”, are an outgrowth and New World adaptation of XV Century Spanish notions of “blood purity”:

The doctrines of *Limpieza de Sangre* (cleanliness of blood) and *Nobleza de Sangre* (nobility of blood) were the most well established mechanisms to prove and measure descent. The doctrine of *Limpieza de Sangre* stratified society according to an individual’s direct legitimate descent to White ancestors of the Christian faith. *Nobleza de Sangre* further stratified society based on nobility. In addition to recognizing the “cleanliness of blood” of blancos in the colonies, Spain awarded all persons deemed blancos – from whatever social class – *Nobleza de Sangre*.<sup>9</sup>

I would like to extend Lau’s remarks by presenting how as whiteness became proof of Christian lineage in the New World, African and Amerindian ancestry become associated with heresy, analogizing Africans and Amerindians with and as the enslavable associates of the Moors. This is clearly visible in Lope de Vega’s *El Mundo Nuevo Descubierto por Cristóbal Colón*<sup>10</sup> (1604), in which the Amerindian character of Dulcanquellín is modeled to a large extent on an Orientalistic regime that likens him to a Moor. The understanding of ethnic pigmentation as the mark of religious unorthodoxy under the Spanish colonial legal system implies that the possibility of conversion can be translated from the realm of religion to that of race. In the Iberian model, blackness can be transcended because, like religion, it is subject to public renunciations and affirmations that “convert” the subject from one category to another.

A comparative study of the *Code Noir* and the *Siete Partidas* presents us with very

<sup>9</sup> Estelle T. Lau: *Can Money Whiten? Exploring Race Practice in Colonial Venezuela and its Implications for Contemporary Race Discourse*, in: Kevin Johnson (ed.): *Mixed Race America and the Law*, New York 2003. Originally published in: *Michigan Journal of Race and Law* 2:2 (1998), pp. 417-474 (436).

<sup>10</sup> Félix Lope de Vega y Carpio: *El Mundo Nuevo Descubierto por Cristóbal Colón: una comedia en tres actos*, New York 2001.

different conceptualizations of slavery in the Iberian and the Northern European models. While the *Code Noir* presents slaves as property, *Las Siete Partidas* (as substratum of *Código Negro Carolino*) presents slaves as children. In other words, he whom the Northern European code fetishes, the Iberian code infantilizes. As I elaborate further, this difference is of great relevance for an understanding of blackness in linguistic and post-colonial communities in the Western Hemisphere and accounts for the non-equivalence of the categories of “Black” and “Negro.”

Certainly, the different historical periods of composition – XII Century Iberia and 1635 France/French West Indies – affect the implementation of categories of bondage – *esclavitud*, slavery, *esclavage* – and the evolution of racial categories – *noir*, *negro*, black – associated with these in the Atlantic world. In large part, slavery was non-existent in north-western Europe by the time northern Europeans reached the Americas, so they had to draft laws anew. In contrast, the Spaniards still had a dying and decaying slavery in Spain with laws that were still valid. A comparative study of both legal codices points us towards the constructed nature of slavery and productively gestures towards the potential dismantlement of the ongoing cultural, political and economic effects of this unjust institution.

### 3 Slave Narratives: Juan Francisco Manzano & Mary Prince.

Two slave narratives published by the English Anti-Slavery Society in the first half of the XIX Century help us to illustrate both the persistence and evolution of these differences between the Iberian and Northern European concepts of slavery: *Autobiografía de un Esclavo*<sup>11</sup> (1840) and *The History of Mary Prince: A West Indian Narrative*<sup>12</sup> (1831).

Few critical works have addressed both narratives comparatively and those which have focus on the differences of gender, the oral transcription in Prince vs. the written composition by the literate Manzano, and the national rivalries between England and Spain. I seek to intervene in this discourse by presenting how both narratives employ significantly different rhetorical strategies based on divergent legal metaphors of slavery developed in parallel fashion in the Spanish slavery codes and in the *Code Noir*.

While *Autobiografía de un Esclavo* by Juan Francisco Manzano emphasizes development from childhood to adulthood, the self characterization of the slave remains decidedly infantile. Throughout, Manzano laments his arrested emotional development. His psychological stuntedness is evident in his relationship to his mother:

Mi madre... . “Juan, aquí llevo el dinero de tu libertad. Ya tú ves que tu padre se ha muerto y tú vas a ser ahora el padre de tus hermanos. Ya no te volverán a castigar más. Juan, cuidado he... .” Un torrente de lágrimas fue mi única respuesta y ella siguió.<sup>13</sup>

<sup>11</sup> Juan Francisco Manzano: *Autobiography of a Slave / Autobiografía de un Esclavo*, Detroit 1996.

<sup>12</sup> Mary Prince: *The History of Mary Prince: A West Indian Slave Narrative*, Mineola 2004.

<sup>13</sup> Manzano (n. 11), p. 92.

[My mother... "Juan, here I have the money for your freedom. You see how your father has died and now you are going to be your siblings' father. They will no longer punish you. Juan, careful, I... ." A torrent of tears was my only answer and she continued.]

Here we see how Manzano is characterized through the slave-as-child metaphor. He is childlike and childish, prone to crying, stunted in an oedipal phase, and can only be free – that is a “man” – after his mother dies, since she will leave him money after her death.

This slave narrative is in reality mostly a childhood narrative, given that the second part, the one focusing on his adult life, is lost to history. The truncated warnings of Manzano's mother are marked by the ellipsis, like the life of the author-slave. In addition to his childlike self-presentation, Manzano's suffering presents him as a Christ-like martyr, who has atoned for his original sin / stain of slavery and deserves his freedom. The representation of slavery as a protracted childhood and as original sin in Manzano's narrative have their origins in the *Siete Partidas* and share the commonality of being transcendable states. This articulation of slavery with temporary states that can be overcome in the Iberian legal world stands in marked contrast to the literary presentation of slavery in the Anglophone world, as we shall see next.

The oral author of *The History of Mary Prince: A West Indian Narrative* (1831) also presents herself as a saintly martyr – Mary – but, unlike Manzano, she does not use her suffering as a sanctifying and emancipating *auto-da-fe*. Instead, she deploys the cult of true womanhood to rally against the institution of slavery to prove that she could only have one master and this ought to be her husband – not the white plantation owner. Forcing her to submit to both would be akin to a type of political bigamy that would be scandalous and dangerous.

Mary Prince articulates her identity through property – both in relation to her planter owner and to her husband. Unlike Manzano, Prince downplays her childhood and emphasizes her adulthood through marriage. In London after her masters had thrown her out, she says:

At last I went into the service of Mr. and Mrs. Pringle, where I have been ever since, and am comfortable as I can be while separated from my dear husband, and away from my own country and all old friends and connections.<sup>14</sup>

Marriage not only helps to present her as an adult, but it helps her to argue for her freedom in a curious way. As a wife, through the cult of true womanhood, Prince upholds the notion of chattel in her identification as her husband's rightful property. She tries to undo the conflict in notions of property to husband and master: one prevents the other, so she seeks to undo the bondage to slavery so she can be properly bonded to her husband.

Mary Prince's adulthood is also thoroughly emphasized through her complaints of the illnesses of old age:

When we drew near to England, the rheumatism seized all my limbs worse than ever, and my body was dreadfully swelled. When we landed at the Tower, I shewed my flesh to my

<sup>14</sup> Prince (n. 12), p. 32.

mistress, but she took no notice of it... . In the West Indies we wash with cold water – in England with hot. I told my mistress I was afraid that putting my hands first into the hot water.<sup>15</sup>

Prince's and Manzano's slave narratives use markedly different vocabularies and rhetorical strategies to explain their condition as slaves. While Manzano's is an emasculated masculinity forever stunted in childhood, Prince foregrounds a very adult version of her womanhood to argue for her need to freely travel to her husband's side. While Prince utilizes the maternal imagery of Mary, she does not deploy the pathos of a martyr to the extent used by Manzano, whose suffering is presented as a series of expiatory acts that will eventually guarantee his overcoming the “racial” stain of original sin and his movement to a higher plane, which is both social and celestial. Manzano has much more potential for mobility than Prince, whose best hopes are to lose the shackles to her master so she can serve her husband. Prince always remains a slave to a certain degree, even if her freedom is granted. While the endurance of this quality owes something to gender, it also deserves to be studied in terms of the legal definition of the slave based on property rights as elaborated in Northern Europe through the *Code Noir*. In contrast to Prince, Manzano's greater chances for liberation stem from *Las Siete Partidas'* presentation of the slave as a child and as a sinner, both of which are conditions that can be transcended through growth and penance – that become pecuniary processes in the system of manumission in the Spanish colonies.

#### 4 *Cédulas de Gracias al Sacar*

An important process that illustrates the unique way in which money not only enabled Afro-descendants to purchase their freedom from slavery but also to change racial categories in the Spanish Americas are the “*Cédulas de Gracias al Sacar*”. The Spanish Royal decree of February 10, 1795 established standard fees for some seventy-one exemptions to regulations of social and monetary statutes ranging from powers of attorney to the official age of majority. Called “*cédulas de gracias al sacar*,” this Royal decree also granted nonwhites the right to purchase dispensations of color. Functioning as de facto certificates of whiteness, they entitled free people of color to bypass restrictions regarding dress, marriage, education, and employment in late colonial Spanish America. Most of the buyers of these certificates procured them for the purposes of obtaining a university title, joining the church hierarchy, securing a public office or attaining the honorific title of “*Don*”.

The intriguing name of “*gracias al sacar*” has engendered much confusion in the historical literature, where several critics mistake them as certificates that allowed the holder to be “thankfully extracted” from the ranks of color. Similar to a “*perdón*”, a “*gracia*” is a prerogative outlined in the legal code of *Las Siete Partidas* that allows the monarch to extend a benefit toward one of his subjects as an act of royal kindness. In this sense, here “*gracias*” is more akin to the meaning of “mercy” or “grace” than an expression of gratitude. When these “*gracias*” were acquired through payment to the

<sup>15</sup> *Ibid.*, p. 27.

Crown, they received the name of “*al sacar*”, which here implies “purchase” rather than “removal”. Thus, “*gracias al sacar*”, in the Spanish legal tradition, implies the dispensation of a royal exemption purchased by the bearer.

The 1795 “*cédulas*” allowed an exemption of the qualities of “*pardo*” and “*quinterón*” for 500 reales and 800 reales, respectively. In order to raise additional revenues, the Crown increased the fees in the “*Real Cédula de 3 de Agosto de 1801 de ‘Gracias al Sacar’*”, which repeated almost verbatim the text of the 1795 decree. The fee for racial waivers increased from 500 to 700 “reales” in the case of “*pardos*” and from 800 to 1,100 “reales” for “*quinterones*”.

The separate fees for these two racial categories raise a number of questions that historical research has not yet fully explained. It is not entirely clear why exemptions existed only for the categories of “*pardo*” and “*quinterón*” and not for the many other color and lineage gradations recognized by the colonial practice of “*castas*”. It would appear that the complex ethno-social nomenclature of the Spanish “*casta*” system was simplified in late colonial legal discourse. In the “*cédulas*,” the category of “*pardo*” seems to apply to mixed-race individuals of visible African or Amerindian background. Since the *casta* system allowed for the children of a “*quinterón*” and a Spaniard to be considered biologically white, the category of “*quinterón*” was likely to be ascribed to mixed-raced individuals so light that they could pass for white. Therefore the “*gracias al sacar*” appear to cover the entirety of the mixed-race spectrum of the Spanish colonial world by reducing it to only two categories that distinguish individuals of visible and imperceptible non-European lineage. But this raises another important research question: Why should the whiter “*quinterón*” have to pay a greater fee than the darker “*pardo*” for a certificate of whiteness? The difference in fee probably functioned as a fine for passing as a white. It is also likely that the Crown assumed that the “*quinterón*” occupied a more privileged socio-economic position than the “*pardo*” and would therefore be better prepared to pay more for a full measure of entitlement.

The “*gracias al sacar*” were dictated by the financial and imperial considerations of the Spanish Bourbon monarchs. The revenue from the “*gracias*” was used to finance the Spanish military activities against France and England. The “*gracias*” also responded to the desire to counterbalance an increasingly politically suspect “*criollo*” elite in the American colonies. It sought to neutralize this restless elite by adding to its ranks wealthy colored subjects who would be loyal to the Crown. Also, by drawing out potential leaders from the ranks of the colored masses, it sought to prevent popular insurrections. As they sought to avert “*criollo*” independence movements or slave uprisings in the likes of the contemporaneous revolt in Saint-Domingue, the “*gracias*” became ingenious ways to harness demographic shifts of power to ensure the continuation of Spanish colonial rule. However, an important area of historical research remains how the “*gracias al sacar*” galvanized the resentment of the “*criollo*” elite and thereby fueled the revolutionary wars that led to the formation of the Gran Colombia.

One of the most salient “*gracias*” concerns the case of José Ponciano de Ayarza,<sup>16</sup> who in 1797 requested a dispensation of color from the Crown. Citing his distinguished military service in the Spanish colonial city of Portobello, Panamá, the king granted him

<sup>16</sup> See James F. King: *The Case of Jose Ponciano de Ayarza: A Document on Gracias al Sacar*, in: *The Hispanic American Historical Review* 31:4 (1951), pp. 640-647.

and his children waivers of the quality of “*pardo*”. After a series of bureaucratic entanglements with university officials and colonial administrators in the New Granadan capital city of Bogotá, this “*gracia*” enabled his son to graduate from the University of Santa Fe, which had been until then closed to people of color. Illustrating an interesting ambivalence towards his subject, in spite of the dispensation of color, the Crown refused his request for the honorific noble title of “*Don*”. Indeed, the power of the *Cédulas de Gracias al Sacar* to enable the bearer full entrance into the ranks of the elite was questionable. Following his voyage to Venezuela during the first decade of the nineteenth century, one French traveler observed that the only benefit one “*pardo*” family acquired through the purchase of a racial dispensation certificate was the right for the women to carry rugs to the church so as not to get their dresses dirty as they knelt to pray during the mass, a privilege then granted only to elite white families.

The *Cédulas de Gracias al Sacar* demonstrate the social constructedness of race. Undermining biological theories of race, the “*gracias al sacar*” expose how power assembles racial categories for strategic affiliations at convenient historical moments. The implication that color might be removable through payment reveals the religious and criminal metaphors underlying the construction of subaltern ethnicities in Latin America. Unlike Anglo-Saxon North America, where race is legally presented as an intrinsic and heritable stigma, Latin American racial formations represent color as a religious or criminal condition that, like sin or an infraction, can be atoned for through the purchase of an indulgence or the payment of a fine. As such, the “*gracias al sacar*” shed historical light on the proverbial Spanish phrase “*el dinero blanquea*”, literally: “money whitens.”

## 5 Conclusion

The *Cédulas de Gracias al Sacar*, the slave narratives of Prince and Manzano, and the legal codices of *Las Siete Partidas* and *Le Code Noir* provide us with ways in which we can answer the questions with which we began this study. Why is Obama Black and Chavez not Negro? Chavez is inserted into a Hispanophone discursive strategy of overcoming blackness – as the stigma of slavery – through social achievement and acquisition of resources which is outlined in the cultural history of the *Cédulas de Gracias al Sacar*.

“*Negro*” carries some of the semantic vestigial connotations of the “*Siervo-Esclavo*” as a condition, not as an intrinsic identity, both as a child – who can outgrow his early years – and as the bearer of the stigma of a type of theological and cultural original sin that can be atoned for via obedience, dutifulness, and sacrifice – i.e. saving wages – or through offerings – manumission payments as a form of indulgence – in order to appease angry parent-masters-deities.

As permitted by the *Cédulas de Gracias al Sacar*, Chavez has outgrown his blackness – as legacy and proof of ancestral slavery – through his attainment of high social status. Obama remains black, on the other hand, because “*Black*”, unlike “*Negro*”, is not a permutable condition; in the legal tradition of the *Code Noir* and in the English language “*Black*” speaks to an intrinsic notion of metaphorical ancestral ownership. Yes, his ancestors were not slaves in the Americas, but blackness as a

stigma of slavery still operates in a powerfully symbolic way in the Western Hemisphere. And Obama's blackness remains an untranscendable quality. Categories of blackness are connected to legal discourses that have some important linguistic and imperial specificities. Obama and Chavez's candid exchange provides us with a powerful reminder of the ways in which slavery and blackness are cultural constructions that have been produced and reproduced through language-specific legal and cultural categories across the centuries.

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