Freedmen and Freedwomen: Processes of Social Re-configuration in Post-emancipation Puerto Rico (1873-1876)

by

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A thesis submitted in partial fulfillment of the requirements for the degree of

Master of Arts
Latin American History

at the

University of Wisconsin-Madison
1997

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Introduction

> En los montes del sitio del Blandito, de esta Hacienda, se encuentran viviendo varios libertos que sólo sirven para perjuicio de la finca y del vecindario. Hace algunos meses se participó a esa Alcaldía, la cual se sirvió ordenar que desocuparan. lo que no han verificado, a pesar de cuanto se ha procurado. Los últimos hechos a [sic] tales libertos dan lugar a suplicar al Señor Alcalde que nuevamente decrete su lanzamiento(...)Sus hechos son como siguen: se roban el bejuco, las yaguas, la leña; se estropean las reses(...)[1]

> Señor Alcalde:
> Ayer venció el plazo que se servió usted conceder a los libertos que se encuentran en los montes del sitio del Blandito, en esta finca, para mudar de residencia los contratados y activarse de ellas los que la [sic] estuvieren y, como quiera que continúan en la misma vivienda, sin moverse a cumplir la orden de esa Alcaldía.[2]

The two quotes above are excerpted from different letters addressed to the Alcalde of Vega Baja, Puerto Rico, by Don Leonardo Igaravídez, owner of the hacienda Santa Inés in the same municipality in which the hacendado requested help from the local authorities in order to control a group of libertos who were "harming" Igaravídez's property. According to the documents, the official eviction process for this group of former slaves lasted more than twenty days. It is evident, however, that the libertos were still settled within the hacienda's boundaries at the time the second request was made.

This particular case provides a picture of the conflictual relationship that was established after the emancipation of slavery between elite groups, such as the hacendados, and popular sectors, which included the

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[1]This request was officially sent in 28 October 1874. The document suggests that the owner of the hacienda began dealing with this issue much earlier than what is expressed in this particular document. See, *El proceso abolicionista en Puerto Rico: Documentos para su estudio* (San Juan, Puerto Rico: Centro de Investigaciones Históricas and Instituto de Cultura Puertorriqueña, 1978), 441.
[2]This letter was written on 7 November 1874. Ibid., 443.

libertos and libertas. Clearly, the abolition of slavery in Puerto Rico not only had an impact on the island's economic structure, which was mostly based on sugar production, but also it led to drastic transformations of social relations. As this case shows, libertas and libertos had more opportunities after abolition to directly challenge the system that subordinated them. Prior to emancipation slaves did not have the freedom to settle within the plantation area other than the places assigned to them in the "barracones" where hacendados already had organized a system to order and discipline their slaves.

The challenges made by the libertas and libertos, however, were not always as clear as in Igaravídez's case. Although the contesting of systems could be very visible, in this study, I will be examining the subtle ways in which subaltern groups were able to work within the system of oppression in order to subvert it.[3] Two main questions are under consideration all throughout this study. First, my research has focused on defining the means or strategies employed by libertas and libertos in order to accommodate, transform, change, or subvert new circumstances during and after the processes of emancipation. In addition, I felt it necessary to study how the dominant groups responded to these transformations. In summary, this study attempts to be a reflection on the dynamics of negotiation and contestation in post-emancipation Puerto Rican society during the period of 1873 to 1876. For this purpose, I will analyze in this project freedpeople's contracts in addition to other sources, such as fines,

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[3]James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985). In this book, Scott argues that peasants perform a wide range of activities that express opposition to the various sources of exploitation distinct from the most conventional form of resistance recognized by scholars: armed rebellion. In the next chapter, I will talk more about Scott's argument and how it theoretically informs my project.

complaints, and municipal registers in order to outline the various social dynamics between elite and popular groups at the very moment of abolition of slavery in Puerto Rico. By studying this primary documentation, I will offer a picture of the different interests among the various member groups of Puerto Rican post-emancipation society.

Freedmen and freedwomen are the window through which I will look at the Puerto Rican society of the period of 1873-76. Their experiences as freedpeople, however, cannot be disassociated from their experiences as slaves on the island. Therefore I decided to include some descriptions of the transformations of the slave system on the island.[4]

The first group of slaves arrived on the island around 1509, during the first years of the colonization period. These small group of slaves were considered "ladinos" which meant that they were already acculturated to Iberian cultural tradition and converted to Christianity. During these first decades, however, slaves were not the main labor source. At the beginning, Spaniards exploited the numerous Indigenous population of the island to work on the gold deposits. Unfortunately, this Indigenous population decreased rapidly due to illness, labor exploitation, and their rebellions against the Spaniards. The decrease of the Indigenous population forced the colonizers to import slave labor to work on the gold deposits. In the period of 1519 to 1530, Spaniards imported five hundred slaves. This large number of slaves was threatening to the colonizers because black slaves suddenly became the largest population group on the island (five times larger than the Spanish group).[5]

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[4]This general description is informed by the work of Francisco Scarano, *Puerto Rico: cinco siglos de historia* (Bogotá, Colombia: Mc Graw Hill, 1993), Fernando Picó, *Historia general de Puerto Rico* (Río Piedras: Ediciones Huracán, 1979), and Luis Díaz Soler, *Historia de la esclavitud en Puerto Rico* (Río Piedras: Editorial Universitaria, 1969).
[5]Scarano, 192.

In addition to the Spaniards' fear of slave rebellions, they were also concerned about the frequency of marronage (runaway slaves) which meant not only their loss of capital but also a threat to the Spanish villages. Runaway slaves tended to create communities and frequently depended on thefts and attacks to the Spanish villages for their support. Miscegenation was also very frequent among the population. The scarcity of Spanish women led many Spaniards to engage in intimate relations with Indian and Black women. This miscegenation evinces that although there was a social hierarchy which defined Spaniards as superiors, those social boundaries were frequently blurred.[6]

The sixteenth and seventeenth centuries are characterized by their low population, caused by the colonizer's emigration in order to engage in more profitable conquest enterprises, and illness. Small agriculture and cattle ranching were the most important economic enterprises on the island after the exhaustion of gold deposits. In the seventeenth century the commercial relationship with Spain was interrupted by military attacks from rival empires settled in other islands of the Caribbean. The island economy was based mostly on the revenues from cattle ranching and smuggling. In the cattle ranching industry, control over slave labor was very flexible. Cattle ranching did not need many laborers and slaves experienced great physical mobility.

The island's economy experienced a dramatic change during the eighteenth century. During this century the island witnessed a fast and continuous economic and population growth. The colonial government

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[6]Ibid., 195-198, 263.

enacted economic reforms which allowed free trade with Spain.[7] In combination with contraband activities, the incentive of "free trade" led to a development of agricultural production and increased the need for a slave labor force. For example, the colonial government assigned the Aguirre-Aristegui y Compañía a contract to introduce five to six hundred slaves per year. According to Francisco Scarano, the population of the island increased from 75,000 people in 1765 to 155,000 people in 1800.[8]

As I will explain in the following chapters, the most dramatic changes for slaves took place during the nineteenth century. The Haitian revolution (1791-1804) and the short Liberal period in Spain (1808-1814), in combination with the *Cédula de Gracia* of 1815, set the stage for the development of a profitable sugar industry on the island. The peak of the sugar industry took place from 1815 to 1835. The expansion of the sugar industry on the island demanded intense labor. Between 1815-1845 the slave population increased roughly around 60,000 to 80,000 slaves.[9] The increase of the black population took place even when Spain had signed several pacts with Britain to end the slave trade. The gradual decline of sugar prices on the international market in the 1850s forced hacendados to intensify labor. Slaves had to work more and longer hours to achieve the same profit level of previous years. The inhumane living conditions of slaves and the severe exploitation they were subjected to led them to frequent rebellion. Exploitation is also evinced by the State enactment of the *Reglamento de esclavos* of (1819) and the *Bando contra la raza negra* (1848). Puerto Rican hacendados, however, avoided abolition of slavery

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[7]Previously, Puerto Rico (and the Antilles) had market relations with just one Spanish port in Seville. After the reforms, the Antilles were able to establish contact with other companies in different geographical points of Spain. Ibid., 313.
[8]Ibid., 329.
[9]Ibid., 396.

for a long time even when abolitionist movements were organized already in the 1850s. Planters' and state's resistance to abolition is evinced in the enactment of *Moret Law* of 1870. This law freed slaves born after 1868 and also those over 60 years old but maintained the majority of the productive labor force under slavery. Abolition finally took place in 1873 and a contract system was established until 1876. According to José Curet, at the moment of abolition there was 29,335 slaves on the island.[10] Luis Figueroa argues that from this population of slaves, 27,337 former slaves engaged in contract arrangements.[11]

The resistance and challenges posed by slaves and later by freedpeople to the systems of control coincided with a diversification of economic and political interests among members of the elite (colonial and local government officials, merchants, and hacendados). These two factors evince the fragmentation of post-emancipation society in Puerto Rico. In this project, I use the term "fragmented society" in opposition to the organic perception of the post-emancipation society in Puerto Rico provided by Luis Díaz Soler.[12] My purpose is to emphasize the libertas and libertos as important agents in shaping post-emancipation society. This term refers to the contradictions and paradoxes among and within the various social groups. "Fragmentation" emphasizes the large variety of interests of individuals that lead them to control, challenge, accommodate or to look for alternative relationships that would shift the balance of power between the social groups.

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[10]José Curet, "From Slavery to Liberto: A Study on Slavery and Its Abolition in Puerto Rico, 1840-1880" (Ph.D. diss., Columbia University, 1980),

[11]Luis Figueroa, *Cutting Cane and Terrain: Lives and Struggles in the Transition from Slavery to Free Labor in Guayama, Puerto Rico, 1850-1900* (unpublished manuscript, 1995, chapter 5, 29.

[12]Luis Díaz Soler, *17-24.*

The agency of popular groups, specifically former slaves, was not a new experience sparked by the particularities of the processes of emancipation. This agency had a long tradition in Puerto Rico and is most evident during the nineteenth century because it coincided with and contributed to the fragmentation of Puerto Rican society. Therefore I will be arguing that there is an historical dimension to this fragmentation which can be traced to the first decades of the nineteenth century when various elite groups such as metropolitan and local colonial authorities, merchants, and planters were able to articulate a political and economic project that allowed for some cohesiveness among dominant groups. The enactment of the *Cédula de Gracias* in 1815 prompted the development of the sugar industry by opening ports to free trade, abolishing taxes, expediting the introduction of machinery, and attracting foreign capital for investment in profitable activities. Spain understood this legislation as an opportunity to revitalize the island's economy, which was not the main priority for the colonial state in hundreds of years. The Haitian Revolution and the emergence of strong groups struggling for independence in other areas of Latin America pushed Spain to strengthen its hold on its last possessions in the Caribbean. During this period, the colonial government articulated an interrelated set of political and economic projects which operated on the international, regional, and local level. In sum, Spain's main objective was to reinforce its power as an empire. In this essay I will show how the concerns of the Spanish government were reflected in its decisions about Puerto Rico in terms of politics and social regulations, and I will also demonstrate how their actions were contested at a local level by members of the elite and also by the popular classes.

The economic interest of the Spanish government on the island intensified after the devastation of the plantation economy in Haiti by the Haitian revolution which made sugar a profitable industry. The 1815 legislation prepared the economic landscape for the development of an infrastructure that would transform the economy of the island from cattle ranching and subsistence production to monoculture for export. Creole landowners, merchants (mostly immigrants), and the colonial authorities had a common point of interest: the expansion of a profitable industry. According to Astrid Cubano's study of Arecibo, merchants and hacendados developed an intimate relationship.[13] Merchants intermarried with the hacendado class in order to establish contacts for their investments. Hacendados in turn saw these familial relationships as an advantage for greater access to credit for sugar production. For the purposes of this study, planters and the state are considered to be among the main elite characters. Legislation on behalf of hacendados that made it possible for them to control labor is evidence of the engagement of the colonial authorities in this alliance.

Throughout this project I will make continuous reference to the concept of a hegemonic project. I stated previously that various elite groups at a particular historical conjuncture had a common political and economic agenda. In order to advance such agenda, dominant groups attempted to establish certain relations of power, such as, a more direct system of domination as manifested in slavery or a system based on "free" labor force. Nevertheless, these attempts to forge power relations between themselves and the subaltern groups were continuously challenged by

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[13]Astrid Cubano Iguina, *El hilo en el laberinto: claves de la lucha política en Puerto Rico, siglo XIX* (Río Piedras: Ediciones Huracán, 1990), 49-74.

those whom they sought to control. Therefore, this "hegemonic" project which I schematically described above went through processes of continuous change. Rearticulation of the alliance between planters and the State was shaped by economic and social forces that emerged from different sources. The decline of sugar prices in the international market which started in the decade of the 1850s dramatically affected the Puerto Rican industry.[14] Indirectly, the market situation affected not only the profitability of the sugar industry but initiated the erosion of the political and economic power of planters and the State. Pressure from below was another threat to the social stability of the colony.[15] Numerous slave rebellions and absenteeism of free jornaleros forced planters to demand legislation for labor and social control. Due to the critical economic and social conditions, the gradual decline of the sugar plantation economy in the traditional sugar zones in Puerto Rico continued during the second half of the century although the peak of the crisis really was in the 1880s and 1890s.

As a result of this gradual decline, a dramatic divergence among sectors of the elite was evident during the emancipation process, specially after 1873. Spain's international position was weakened by the economic development of other European countries, the disintegration of its colonial empire by the revolutions for independence in Latin America, and the first years of the revolts in Cuba (Ten Years War, 1868-1878 and 1879-80). Moreover, the Spanish Liberal Revolution of 1868 strongly influenced the

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[14]Ibid., 37.

[15]See examples in Baralt Guillermo, *Esclavos rebeldes: conspiraciones y sublevaciones de esclavos en Puerto Rico, 1795-1873* (Río Piedras: Ediciones Huracán, 1981), Picó Fernando, *Libertad y servidumbre en el Puerto Rico del siglo XIX* (Río Piedras: Ediciones Huracán, 1988), and García Gervasio, "Economía y trabajo en el Puerto Rico del siglo XIX," *Historia Mexicana* XXXVIII, No. 4 (1989), 855-879.

emancipation processes immediately following the enactment of the *Abolition Act* in Puerto Rico by providing freedpeople legal means to contest and subvert the legal system. These revolts at the international and regional level in addition to the internal challenges posed by the various social groups in the island forced colonial authorities to negotiate with both the elites and subaltern groups in order to retain their preeminent position in the country. The contract regulations imposed over former slaves is the best example of this negotiation. Although freedpeople were forced to engage in a contractual relationship with their former masters, the State, or a new employer, they had the right to negotiate the contract obligations and also to rescind them, if their employer agreed. This legislation created an opening in the system which former slaves molded and expanded in order to achieve more autonomy and re-establish familial and community ties. On numerous occasions, freedpeople successfully managed to subvert the system which they saw as a continuation of slavery. Although this opening of the system was not the main objective of the law, this article of the law did allow for an amazing mobility of former slaves and also contributed to the fragmentation of colonial society.

The gradual decline of the sugar industry and the lack of control over the labor force threatened the project of a large sector of the hacendado class which sought to increase its political power. Sugar planters could not count on merchants as partners when coffee emerged as a new profitable business.[16] Hacendados were, therefore, forced to demand assistance from

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[16]It is noteworthy that sugar export production gradually depended more on the North American markets. Astrid Cubano argues that many peninsular merchants, advocates of economic reforms, perceived coffee production as an opportunity to strengthen commercial links to Spain and increase the exchange for Spanish products marketable on the island. For this merchants coffee production was an

State authorities. Although, on several occasions the hacendado demands for control over labor (of not only former slaves but also of free jornaleros) were supported by the authorities, the colonial government recognized the intrinsic economic and political power of subaltern groups and made a special effort to negotiate alternatives that allowed for a fragile balance of power.

In sum, in this essay I attempt to explore the fragmentation of the colonial project as manifested during the months immediately following the *Abolition Act.* I use the experiences of libertos and libertas as a window on the processes of contestation and negotiation among different social groups in order to fulfill their particular agendas including demands for freedom, personal autonomy, and rights to re-establish family and community links. To this end, I have divided this essay thematically. In the first chapter, I provide a description of the scholarship in the Caribbean and Puerto Rico that informed this project. In addition, I introduce the theoretical framework that has guided my interpretation of social relations in nineteenth-century Puerto Rico. I use the concept of hegemony as defined by Florencia Mallon to understand the constant struggle for power among the various social groups. Mallon defines

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opportunity to re-direct the economy toward Spain and to diversify an insular economy dependent on just one market. Cubano also argues that coffee production was more attractive to merchants because they required less amount of capital and less number of laborers. See, Cubano, 59-74. Furthermore, Fernando Picó argues that investments on coffee were much more stable and profitable for the merchant: "Pero la refacción del café implicaba una relación de mayor estabilidad que la refacción anual de los dueños de cañaverales. El café tardaba cinco años en entrar en producción, y aunque en ese periódo el corte de madera y las cosechas de frutos menores ayudaban a llevar el peso de las obligaciones del terrateniente, por lo general sus rendimientos no bastaban para desobligar la propiedad. La refacción de café, por lo tanto, implicaba cierta estabilidad en la relación prestamista-terrateniente, que le permitía al primero disfrutar el mercadeo del café cosechado y que le garantizaba al segundo el constante crédito que necesitaba." Picó, *Amargo café: los pequeños y medianos caficultores de Utuado en la segunda mitad del siglo XIX* (Río Piedras: Ediciones Huracán, 1981), 76.

hegemony as a continuous process and also as an apparent end point in which power over meanings are challenged and transformed. Understanding power relations through the concept of hegemony highlights the processes of negotiation and contestation not only between members of subaltern groups and the elite, such as between former slaves and the state, but also among members of the elite. The second chapter attempts to look at the various regulations over labor in order to highlight the dynamism of the systems of social control. I contend that this dynamism was provoked by various circumstances, but particularly by the agency and initiative of subaltern groups, such as slaves, and later, freedpeople. The following two chapters explore the differences and similarities in the experiences of libertos and libertas in rural and urban areas. Through the study of the southern area of Ponce, I argue that the fact that emancipation coincided with the harvest season and the general crisis of the sugar industry empowered freedpeople to bargain for better material benefits and more autonomy. In the case of the urban area of San Juan, the complex and numerous economic dynamics developed in the capital through intense commercial activities, continuous building construction, and the settlement of the Church, Government and Military offices demanded a flexible labor force. This diverse economic activity offered former slaves various alternatives for integration into society, with less dependence on their employers. Finally the fifth chapter explores how gender constructions of identity and gender roles within the family influenced the alternatives and choices made by former slaves. I also demonstrate that during emancipation process many former slaves, especially freedwomen, initiated a process of reconstitution of family and community relations.

Chapter I
Libertos and Libertas:
The Interplay of Resistance and Participation

My work has been inspired by the new trends within the Caribbean and Puerto Rican scholarship about slavery. This scholarship has expanded its focus of analysis to look at slavery not just as an economic system but also as social and political one modified by the agency of social actors other than members of the elite. The limitations of this scholarship in the Caribbean and Puerto Rico, precisely in their approach to the agency of popular sectors, have motivated me to do this project. Therefore, I believe necessary to provide a short description of the most recent and important works that have informed my project, while at the same time, placing myself within the Caribbean and Puerto Rican scholarship.

This chapter has four objectives. First, I will provide a description of the major academic works in Puerto Rico and the Caribbean about the issues concerning this project. Secondly, I insert the process of the transition from slavery to contract labor in Puerto Rico within the theoretical notion of hegemony to reveal the dynamics of contestation and negotiation between dominant sectors (such as the colonial authorities, planters, and merchants) and their subaltern groups (i.e., the libertos and libertas). This theoretical approach can also be applied to other areas of the Caribbean that experienced slavery. Therefore, in the third section, I attempt to briefly present an overview of the socio-economic reconfiguration that took place after the abolition of slavery within plantation systems in the Caribbean area. I provide some background about the different strategies through which planters and the government authorities tried to coerce former slave laborers and limit their

alternatives. In addition, I mention some of the strategies created by freedpeople to counteract those attempts.

Finally, I return to the specificity of the Puerto Rican case. In this last section of the chapter, I argue that the international, regional, and local historical context in which emancipation took place on the island caused fractures in the system of coercion. Libertos and libertas recognized such fractures within the system and used them to achieve a certain degree of mobility which facilitated their integration to civil society.[1] I will argue that these fractures are key to distinguishing the Puerto Rican case from the rest of the Caribbean.

Slavery and Emancipation in the Scholarship about the Caribbean

In contrast to previous scholarship, slavery studies during the last two decades have focused on emancipation as a period of transition from slavery to a wage labor system.[2] The end of slavery is seen in these studies as initiating a mobilization of material and human resources which altered the nature and organization of the plantation as an economic system and allowed the emergence of different modes of social struggle. Moreover, Nigel Bolland explains that the conceptual dichotomy between slavery and freedom of previous academic works narrows our understanding of the remarkable consequences of this historical event.

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[1]My work is strongly influenced by the research of Rebecca Scott about this very same issues in Cuba. Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Princeton: Princeton University Press, 1985).

[2]This historiography is well represented by the collection of essays compiled in Frank McGlynn and Seymour Drescher, eds., *The Meaning of Freedom: Economics, Politics, and Culture after Slavery* (Pittsburgh: University of Pittsburgh Press, 1992.) In regard to the Spanish Caribbean, the best example is by Rebecca J. Scott, *Emancipation in Cuba.*

Emancipation, he argues, should be understood as slow processes of transformation of production, labor, and social relations.[3]

Much of the recent Caribbean scholarship also reveals a more fragmented slave and post-emancipation society. For example, Pieter Emmer points the similarity of interests between the "public" and the "private" elite (i.e. the colonial state and the planter class).[4] Emmer argues that in slave societies in America local planters regularly occupied "positions of authority in administration, the judiciary, and the army."[5] In addition, Nigel Bolland uses the administration of land as a lens to look at the common interests among elite groups, and he argues that in places where land was scarce, former slaves were forced to remain as field workers. According to Bolland, control over land by planters was a result of their influence over the local legislature and support from imperial government. Nevertheless, continuous struggle and negotiation characterized those alliances and transformed them over time. Many times, the planter classes wanted more autonomy from the colonial authorities and attempted to avoid state interference in the labor arrangements concerted between planters and workers. In other instances, colonial authorities were more interested in maintaining their

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[3]See, O. Nigel Bolland, "Systems of Domination after Slavery: The Control of Land and Labour in the British West Indies after 1838" in *Caribbean Freedom: Economy and Society from Emancipation to the Present*, Hilary Beckles and Verene Shepherd, eds., (London: James Currey Publishers, 1993), 107-123; and Phillip McLewin, *Power and Economic Change: The Response to Emancipation in Jamaica and British Guiana, 1840-1865* (New York and London: Garland Publishing, Inc., 1987).

[4]Pieter C. Emmer, "The Price of Freedom: The Constraints of Change in Post-emancipation America" in *The Meaning of Freedom*, 24-49.

[5]Ibid., 32.

power and did not support all planters' demands to reinforce the coercive system of labor.[6]

In addition, this historiography also includes the analysis of the transformation of former slaves and colored workers into a politically organized working class in the twentieth century.[7] During the 1930s, the Caribbean islands experienced numerous riots and rebellions that were clearly identified with militant plantation workers of African descent. The scholarship also addresses the emergence during the nineteenth century of active middle sectors made up of free people of color. According to Bridget Brereton, colored middle classes had a strong racial identity. The author critiques prior works that suggest that colored middle sectors identified with and imitated the white elite. Brereton contends that this is an erroneous approach. In her study of Trinidad, she found that colored middle sectors showed great pride of their racial inheritance and frequently manipulated it in order to create or disrupt alliances.[8] Moreover, the main contribution of Brereton, Bolland and the other scholars has been their emphasis on the clash between the notion of freedom embedded in the mind of white elites and the meaning of freedom as understood by the former slaves.[9] On one hand, freedpeople looked for better employment, distance from their former masters, control over their lives, and re-establishment of their family connections. On the

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[6]O. Nigel Bolland, "The Politics of Freedom in the British Caribbean" in McGlynn and Drescher, 130-138.

[7]Richard Hart, "The Labour Rebellions of the 1930s" in *Caribbean Freedom*, 370-375. Also, Tony Martin, "Marcus Garvey, the Caribbean, and the Struggle for Black Jamaican Nationhood," Ibid., 359-369.

[8]Bridget Brereton, "The Development of an Identity: The Black Middle Class of Trinidad in the Later Nineteenth Century," Ibid., 274-283; Patrick Bryan, "The Black Middle Class in Nineteenth Century Jamaica," Ibid., 284-295.

[9]This clash between the elites' and freedpeople's expectations is clearly developed in O. Nigel Bolland, "The Politics of Freedom," 113-146.

other hand, planters were mainly concerned with the profitability of the sugar industry and their need for a reliable labor force. Very few academic works, however, have analyzed how these two groups with very different understanding of the same process not just fought for their respective interests but continuously negotiated with each other in order to achieve their goals.[10] My work attempts to analyze these negotiations by examining the specific case of Puerto Rico.

Puerto Rican Scholarship

This project has been informed by the contributions of several Puerto Rican scholars who have dealt with issues related to slavery on the island. Among them, Luis Díaz Soler is one of the first to identify slavery as an institution worthy of study.[11] In his view, an exploration of the development of slavery revealed that there was in fact the presumed lack of racial discrimination on the island. In contrast to other Caribbean islands, Díaz Soler contends, slavery in Puerto Rico was a more flexible institution. Therefore, once emancipation took place, slaves experienced a smooth transition from servile labor to free labor:

> Quedaron, pues, conviviendo en la pequeña Antilla la raza blanca conquistadora y el elemento negro conquistado, sumiso, esclavo. Para este último resultó altamente beneficioso que su clase en Puerto Rico estuviera constituída por un número limitado de individuos. Los amos, en su deseo de conservar los negros que poseían y obtener de ellos mayores rendimientos ofrecieron mejor trato a sus esclavos que los españoles, ingleses y franceses de otras colonial del área del Caribe. De ahí que, en el momento de decretarse la abolición de la esclavitud en Puerto Rico, muchos esclavos permanecieron con sus amos

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[10]Among those very few scholars see, Michel-Rolph Trouillot, *Peasant and Capital: Dominica in the World Economy* (Baltimore, Johns Hopkins University Press, 1988).
[11]Luis Díaz Soler, *Historia de la esclavitud negra en Puerto Rico* (Río Piedras, Puerto Rico: Editorial Universitaria, Universidad de Puerto Rico, 1969).

> en calidad de jornaleros. Treinta mil seres humanos pasaron de la esclavitud a la libertad en 1873, para confundirse rápidamente con la clase libre. Tres años más tarde, el negro entraba en pleno goce de sus derechos, en igualdad de condiciones con los blancos.
> Jamás se conoció en la isla un movimiento general de insurrección por parte de los esclavos. Las conspiraciones de negros fueron de carácter local y jamás tuvieron serias repercusiones.[12]

Díaz Soler's portrait of the smooth processes of integration and assimilation provides us with a view of an organic, harmonious society. More recent literature has problematized this perspective. Puerto Rican scholarship has evolved in order to reveal the multiple dimensions of slavery as well as, post-emancipation society. Historians such as Francisco Scarano and José Curet have emphasized the importance of slavery for sugar production on the island. In his study of the evolution of the plantation system in the southern part of the island, Scarano points out the intimate relationship between the expansion of sugar production and the gradual intensification of social differences.[13] He argues that slave labor was essential for efficient sugar production. This slave labor force was subjected not to a paternalistic relationship with dominant sectors, but instead mostly to extreme repressive and exploitative structures. José Curet's research about the transition from slavery to freedom illustrates the importance of slavery for sugar production by showing the correlation between the diminishing of the slave population and the decline of the sugar industry.[14] In addition, Curet provides clear examples of planter's recognition of the advantages of employing a slave force instead of free workers. Curet also explains some of the limitations faced by the planter

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[12]Ibid., 22-23.
[13]Francisco Scarano, *Sugar and Slavery in Puerto Rico: The Plantation Economy of Ponce, 1800-1850* (Wisconsin: The University of Wisconsin Press, 1984).
[14]José Curet, "From Slavery to Liberto: A Study on Slavery and Its Abolition in Puerto Rico, 1840-1880" (Ph.D. dissertation: Columbia University, 1980).

class during the second half of the nineteenth century. In particular, he points to the unavailability of credit to invest in technological innovations. This credit limitation led planters to increase productivity through increasing the concentration of land and the intensification of slave labor. Curet concludes that the high degree of planter reliance on slave labor explains their unwillingness to abolish slavery on the island.

Additional contributions, such as Guillermo Baralt's study of slave rebellions and Félix Matos' research on San Juan, provide a another dimension to the scholarship on slavery by focusing on the agency of slaves and women. Matos' study focuses mostly on the elite women of San Juan. The author argues that the economic and social transformations experienced on the island, particularly in San Juan, allowed elite women to perform roles as administrators, fund raisers, and managers that were not open to them previously.[15] Matos' descriptions of San Juan during the first half of the nineteenth century reveal the great diversity of social relations and economic occupations among the many subaltern groups. The complex socio-political and economic dynamics of the capital are relevant to the understanding of the various alternatives available to former slaves after emancipation. In contrast, Baralt's study deals directly with slaves and focuses on individual and collective attempts at slave resistance, offering a view of a more contradictory and paradoxical society.[16] Baralt, however, avoids the more subtle forms of resistance in his study and argues that slaves only practiced blunt rejection:

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[15]Félix Matos, "Economy, Society, and Urban Life: Women in Nineteenth Century, San Juan, Puerto Rico, 1820-1870" (Ph.D. dissertation, Columbia University, 1994).
[16]Guillermo Baralt, *Esclavos rebeldes: conspiraciones y sublevaciones de esclavos en Puerto Rico, 1795-1873* (Río Piedras: Ediciones Huracán, 1981).

> En el período que comprende los años 1795-1848, los esclavos de Puerto Rico expresaron colectivamente su repudio al sistema de esclavitud mediante dos formas: la confrontación directa contra el sistema de la esclavitud y las fugas. El método que utilizaron más frecuentemente fue el primero, es decir, la lucha abierta contra la ley, las instituciones, los hacendados, los mayordomos, y en muchos casos, contra todos aquellos que se interpusiesen con los fines de los insurrectos.[17]

Other studies more directly explore the processes of emancipation on the island. Andrés Ramos Mattei focuses on the strategies used by planters to maintain the profitability of the sugar industry during the last decades of the nineteenth century.[18] Ramos Mattei shows how many hacendados introduced technical innovations in order to increase product quality. He also demonstrates how technical innovations and the abolition of slavery altered the relations of production on the hacienda. He also argues that planters faced great difficulties in holding onto their laborers, and he argues that libertos and libertas were important to sugar production because they had developed specialized knowledge essential to maintaining the high quality of the sugar-making process. This element is relevant for understanding the position of power held by the "powerless" former slaves at the moment of contract negotiation. Ramos Mattei is the first Puerto Rican scholar to recognize that slaves and later freedpeople had leverage in their negotiations with overseers and planters.

Finally, a more complete work about the experiences of libertas and libertos is presented by Luis A. Figueroa.[19] In his research on the area of Guayama, Figueroa looks at the different alternatives and limiting

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[17]Ibid., 155.

[18]Andrés Ramos Mattei, "El liberto en el régimen de trabajo azucarero de Puerto Rico, 1870-1880" in *Azúcar y esclavitud*, Andrés Ramos Mattei, ed., (Río Piedras: Universidad de Puerto Rico, 1982); Andrés Ramos Mattei, *La sociedad del azúcar en Puerto Rico, 1870-1910* (Río Piedras: Universidad de Puerto Rico, 1988).

[19]Luis A. Figueroa, "Facing Freedom: The Transition from Slavery to Free Labor in Guayama, Puerto Rico, 1860-1898" (Ph.D. dissertation, University of Wisconsin, 1990).

conditions of former slaves after emancipation: migration, lack of access to land and the contract system. Using a statistical analysis of the contracts negotiated in this area, Figueroa outlines the general tendencies in freedpeoples' behavior. He, however, studies this group of contracts as a whole, overlooking the particularities of each contract. Up to now, then, Puerto Rican scholarship has not paid attention to the richness of the apprenticeship contracts as documents.

Motivated by the vibrancy of the existing historiography as well as by its limitations, my research will evaluate the challenges posed by former slaves to the system of coercion organized by the state and various elite groups and how these challenges forced changes in the political and social structures during the processes of emancipation.

Hegemony and Counter-Hegemony: Processes of Contestation and Negotiation

> En cuanto a los libertos, es admirable el buen sentido y la circunspección que éstos demuestran; de modo que todo cuanto se anunciaba del alboroto, de las pertubaciones y de la holganza que serían la consecuencia obligada de la Ley de abolición, se ha puesto en evidencia que era purísima farsa.[20]

Several Puerto Rican historians, among them Luis Díaz Soler, highlight the "smooth transition" from slavery to emancipation. Influenced by partial descriptions contained in several documents from the emancipation years, these historians understand emancipation as an organized, pacific, and well-ordered process. In their view, former slaves

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[20]A rich hacendado's letter in regard to the island situation addressed to and published by *El Abolicionista.* Año V, No. 16, 15 de abril de 1873. *El proceso abolicionista en Puerto Rico: Documentos para su estudio,* Centro de Investigaciones Históricas and Instituto de Cultura Puertorriqueña, (San Juan, Puerto Rico: Instituto de Cultura Puertorriqueña, 1978), Vol. II, 298-299.

did not flee the plantations or abandoned field work. Moreover, former slaves were grateful for the "gift" granted to them (freedom) and responded cordially and respectfully to their former masters. Luis Díaz Soler makes his case for such a position by describing the pleasant reactions of former slaves and several planters at the moment that emancipation was legally recognized.[21] According to Díaz Soler, in the capital, the excited *pueblo* (the masses) went to the Cathedral to celebrate a "Te Deum."[22] After the religious ceremony the masses proceeded through the streets of the city where the houses had been specially lighted to celebrate the occasion. In other towns such as Ponce, site of the largest concentration of slaves, the pueblo also publicly manifested after the celebration of a Te Deum. Hacendados such as Don Gustavo Cabrera and Don Guillermo Oppenheimer offered parties with dance and food to celebrate the freedom of their slaves. Other hacendados, Don Guillermo Tirado and "Mr. Lee" among them, also organized various celebrations. The outstanding abolitionist, Don Román Baldorioty de Castro, actively participated in such festivities. He took advantage of the occasion to emphasize the "pact" established by the *Abolition Act*, which to him meant that finally justice and freedom had arrived in the colony, and to note that in exchange for this freedom, slaves had to commit to work continuously. Also, in the neighboring town of Guayanilla, freed slaves offered a banquet to a group of reformists grateful for abolition.

The Governor of the island at the time of the *Abolition Act*, Juan Martínez Plowes, also highlighted the stability of the process of transition:

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[21]Díaz Soler, *Historia de la esclavitud negra en Puerto Rico*, 346-347.

[22]Te Deum is a thanksgiving chant performed by the Catholic Church during or at the end of the mass.

> La noticia que tengo de los Departamentos sobre la situación de las negradas en las haciendas de esta Provincia al enterarse de tan plausible acontecimiento son en extremo satisfactorias, pues, según ellas, en todas partes se han mostrado altamente agradecidas y sumisas a la voz de las Autoridades y sus antiguos amos; con quienes, por el buen trato que éstos les dan, no cabe duda seguirán trabajando la mayor parte de aquellas, en calidad de contratados, cuando tenga aplicación dicha ley.[23]

Díaz Soler argues that opposition to the process of emancipation was mainly posed by the members of the pro-slavery Conservative party. For example, in San Sebastián the town priest refused to perform the Catholic ceremony and the Te Deum under the conditions requested by a group of freedpeople. The Municipal Council, which canceled all its functions in order to celebrate the event and participate in the festivities, had to intervene with the priest and demand that the ecclesiastical clerk substitute for the priest. Díaz Soler also provides us the example of Sabana Grande where, although the Municipal Council granted freedom to the slaves, planters remained in disagreement with the recent law. Similar circumstances were also experienced in Guayama.

Díaz Soler understood these events as examples of the passivity of slaves during the era of transition without problematizing its contradictions. The author states:

> Lejos de darse a la vagancia, los libertos se habían limitado a dar vivas a España y a la libertad, procediendo a firmar contratos con los antiguos amos, no obstante el mal trato recibido de algunos de ellos durante su cautiverio. Los esclavos permanecieron con sus amos bajo contrato, y hubo ocasiones, en el caso de esclavos heredados por viudas o huérfanos, en que los negros contribuyeron con parte de su jornal al sostenimiento de los amos. No hubo deseo alguno de parte de lo esclavos de sustraerse de la obligación del trabajo.[24]

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[23]Letter to the Marine Minister from the Governor of the island, Don Juan Martínez Plowes, 11 de abril de 1973 in *El proceso abolicionista en Puerto Rico*, 389-390.
[24]Díaz Soler, 347-348.

According to Díaz Soler, the scarcity of slave labor after the 1840s forced Puerto Rican hacendados to provide better treatment to their slaves than their counterparts in the French or British Caribbean. Therefore, after emancipation former slaves chose to stay with their former masters as free *jornaleros* (day laborers). Moreover, Díaz suggests that freedpeople experienced an easy integration into free Puerto Rican society. The large amount of former slaves that signed contracts with their former masters or new employers supports his interpretation.

The number of former slaves engaged in contractual relationships, which were stipulated by law, can be understood as a sign of success not only of the contract system as perceived by the planters but of the system of coercion implemented by the colonial authorities.[25] Based on figures reported to the Ministerio de Ultramar by the Governor José Primo de Rivera in September 1873, José Curet points to 27, 032 contracts out of a total 29,335 former slaves in the whole country.[26] Curet assumes that the 2000 former slaves who did not engage in contracts were under twelve or over sixty years of age. According to Ramos Mattei's research, 21,584 former slave contracts were registered in a report by the local colonial government published in December 1873 in the local newspaper, *La Gaceta de Puerto Rico*; while a group of almost 8,000 were not within the required contracting age.[27] Ramos Mattei mentions that the State formally

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[25]The *Abolition Act* established that former slaves had to contract with their former master, the State or a new employer for at least three years. The regulations enacted by the governor Primo de Rivera organized the contract process. He divided the island in three departments. Each department had a Protector de liberto and several other officials who supposedly prepared the document, approved the labor arrangement, and witnessed the signing of the contracts by each party (the employer and the employee). I will describe the contract system in depth in the following chapters.

[26]José Curet, "From Slavery to Liberto."

[27]According to the law, former slaves between the ages of twelve and sixty were forced to engage in contractual relationship. Andrés Ramos Mattei, "Technical

recognized that 818 of the 8,000 former slaves without contract were not to be found. The discrepancy between Curet's and Ramos Mattei's figures can be explained maybe by the type of documentary evidence they employed. Curet's figures are based on a report from the governor who had a particular interest in demonstrating the success of the contract system to metropolitan authorities . In contrast, Ramos Mattei's figures are based on a report published in San Juan probably for more local purposes and based on different sources. Nonetheless, using the *Registro de Esclavos de 1872* as reference, Luis Figueroa finds that there was only a group of 5,800 libertos and libertas who were not within the contracting age.[28] I am interested in explaining what happened to those 2000 libertos and libertas who were within the contracting age but did not comply with the contract legislation. I attempt to analyze how these figures challenge the notion of a "stable" transition from slavery to emancipation.

Documents from the Corregimiento de Ponce demonstrate the great mobility of former slaves and the strategies they used to avoid the contract. An outstanding example is the case of the liberto and liberta Catalino and Fidela, former slaves of Don Pablo Guilart, who left the plantation in July 15, 1873. The Ponce mayor had heard that the couple had gone to Barranquitas without signing contracts. The Mayor ordered their capture and return to Ponce. In July 17, 1873, another liberto, Bartolo, obtained permission to go to Humacao in order to "contratarse con

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Innovations and Social Change in the Sugar Industry of Puerto Rico, 1870-1880" in *Between Slavery and Free Labor: The Spanish-Speaking Caribbean in the Nineteenth Century*, Manuel Moreno Fraginals, Frank Moya Pons, and Stanley L. Engerman, eds., 158-178.

[28]This discussion is in Luis Figueroa, *Cutting Cane and Terrain: Lives and Struggles in the Transition from Slavery to Free Labor in Guayama, Puerto Rico, 1850-1900* (unpublished manuscript, 1995), chapter 5, 29.

quien le convenga."[29] There is no reason, however, to believe that this liberto actually was going to engage in a contract relationship. We do not even know if he really had the intention to go to Humacao or changed his mind and settled down somewhere else.

In contrast to the documents and the studies that highlight the smooth change after abolition, other primary sources point to a more complex picture in which transition is portrayed as a moment of confusion and conflict. The following excerpt is from a newspaper article written by probably an hacendado who complains about the inefficiency of the contract system and the need to bring immigrants to work at the plantations:

> El Reglamento de libertos, que no se cumple, porque son muchos los antiguos esclavos que vagan por su cuenta, sin estar sujetos a contratos ni cosa que lo valga, es un reglamento perfectamente inútil. Si previniera que los contratos se hiciesen por tres años, como manda la Ley de 22 de marzo, entonces los hacendados tendrían la seguridad de contar, durante un período determinado, con brazos suficientes para producir y hallarían dinero para refaccionar sus fincas. Pero, con la interpretación que se ha dado a la ley, no solamente se inutilizaron como brazos forzados los libertos, sino que se hacen igualmente inútiles como brazos libres.[30]

The fines and complaints filed at the Ayuntamiento de Ponce also offered some examples of such "chaotic" change. One remarkable example is the case of the liberto Mauricio who was detained in May, 1875 by the authorities because he threatened and disobeyed the orders of the overseer of the hacienda.[31] Other cases, such as Lina and José Primo,[32]

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[29]Both cases belong to the *Copiador de Oficios a Autoridades locales y particulares, 1872-1875*, No. 129, Archivo Municipal Histórico de Ponce, Corregimiento del Distrito de Ponce.

[30]"Trabajadores," *Boletín Mercantil de Puerto Rico*, 4 de julio de 1873 in *El Proceso abolicionista en Puerto Rico*, 303-304.

[31]May, 1875, *Libro para anotar los correccionales por faltas gubernativas 1874-1880*, Ayuntamiento-Secretaría Judicial, Archivo Histórico Municipal de Ponce.

[32]Ibid., 21 de enero de 1875 and 23 de enero de 1875.

who were both arrested because their unwillingness to work, are evidence of the resistance posed by freedpeople to the attempts of coercion from the planter sector.[33]

Primary documents, such as those cited above, and Díaz Soler arguments lead us to create a dichotomized perception of reality.[34] On the one hand, we have a picture of a smooth transition from slavery to contracted labor. This interpretation presents libertos and libertas as a mass of people manipulated by elite groups without any resistance. In this interpretation libertos and libertas are portrayed as blind people demanding to be led through this transition toward freedom by dominant groups. On the other hand, documents of the period, mostly written by members of the planter class, emphasized a more problematic situation. In their perception, the harsh resistance of libertos and libertas led the island to a critical state in which it was impossible to control the labor force.[35] My purpose in this project is to make sense of these two contradictory perceptions. I attempt to provide an understanding of the fact that 21,584

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[33]Attempts at coercion from planters and the authorities were evinced by the contract system itself. Former slaves were subjected to a three years contract with their former master, the State, or another party. They would be granted with civil rights five years after the abolition. In addition, the contract system experienced several changes in which the rights of former slaves for rescission was derogated, their physical mobility was restricted, and a *cédula de vecindad* (a register with their personal information) was demanded at every time. Other legal regulations were issued such as vagrancy laws in order to push former slaves to plantation work.

[34]It is important to emphasize that the documents of the time mostly responded to political and economic arguments of that period. One can argue that most of the documents describing the organized transition from slavery to emancipation were edited by advocates of Liberal ideas, among them, some were members of the government. In contrast, those who focused on the troublesome transition were mostly members of the planter class. In my opinion, more reliable information is found on the register of complaints, fines, and municipal issues.

[35]These contemporary interpretations of "disorder" among freedpeople influenced the work and interpretations of Guillermo Baralt. Baralt's study of slave rebellions narrows slave actions to blunt resistance evident in rebellions or running away from the plantation. Guillermo Baralt, *Esclavos rebeldes.*

libertos and libertas signed contracts and also that a group of 2000 former slaves successfully avoided such a process.

These dichotomies narrow our understanding of the past and therefore need to be analyzed. In his research on peasant studies, Steve Stern has developed the concept of "resistant adaptation," which offers an alternative model for analyzing the transition from slavery to emancipation.[36] This theoretical framework is further elaborated by Florencia Mallon's refined concept of hegemony.[37] Both Stern and Mallon emphasize the continuous process of negotiation established between subaltern groups and the elites which reveals the complexity of subalterns' actions and attitudes even when there is not an overt revolution.

Stern's and Mallon's conceptual frameworks are inserted in a larger debate that attempts to explore the participation of peasant sectors in armed revolts as well as their apparent political disengagement at other moments. Discussions about subaltern resistance and struggles against and within dominant groups are frequently inspired by the discussion of hegemony by Antonio Gramsci[38] and by more recent authors, including James C. Scott.[39] According to William Roseberry, Gramsci recognized an "organic" relationship between the State and the civil society.[40] In

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[36]Steve Stern, "New Approaches to the Study of Peasant Rebellion" in *Resistance, Rebellion, and Consciousness in the Andean Peasant World, 18th to 20th Centuries*, Steve Stern, ed., (Madison, Wisconsin: University of Wisconsin Press, 1987), 3-25.

[37]Florencia Mallon, *Peasant and Nation: The Making of Postcolonial Mexico and Peru* (Berkeley and Los Angeles: University of California Press, 1995.)

[38]Antonio Gramsci, *An Antonio Gramsci Reader: Selected Writings, 1916-1935*, David Forgacs, ed. (New York: 1988).

[39]James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985); Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990).

[40]William Roseberry, "Hegemony and the Language of Contention" in *Everyday Forms of State Formation: Revolution and the Negotiation of Rule in Modern Mexico*, Gilbert M. Joseph and Daniel Nugent, eds. (Durham: Duke University Press, 1994), 355-366.

Roseberry's view, Gramsci defined the State as an object to be control led by elite groups. In addition, subaltern classes are seen as fragmented and unorganized groups which have an active and confrontational attitude towards the ruling elites. These popular sectors, however, struggle within the same organizations and institutions that maintain them subordinated. In Roseberry's interpretation, Gramsci argues that subaltern groups work within a political and social framework created by the same structures that oppress them. Therefore, a cyclical process is developed. As Roseberry argues, Gramsci did not recognize that the activities and organizations of members of the popular classes are expressions of their own subaltern politics and culture.

James C. Scott sidesteps other scholars' revisions of the hegemony concept and works with Gramsci's idea of "ruling by consent".[41] The revision Scott offers is the contention that hegemony does not really exist in many situations of domination. In his perception, there is no consensus between elite groups and subaltern classes in situations of domination. In other words, Scott argues that hegemony does not exist. In his view, subaltern groups are completely aware and conscious of their subordinated position in society. Therefore, subaltern groups develop and create numerous and continuous strategies of resistance that include everything from jokes and folk tales to armed revolts. The basic problem with Scott's conception is that he works within dichotomies. In his view, dominant groups and subaltern sectors belong to different universes. Fragmentation and hierarchies within dominant and popular classes are not present in

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[41]Scott, *Weapons of the Weak,* 304-350. See discussion about James C. Scott in Roseberry, Everyday Forms of State Formation, 355-366; Alan Knight, "Weapon and Arches in the Mexican Revolutionary Landscape" in Ibid., 24-66; and, Derek Sayer "Everyday Forms of State Formation: Some Dissident Remarks on 'Hegemony'" in Ibid., 367-377.

Scott's work. Therefore, this leads to a certain romanticization of the peasantry. On the other hand, he asserts that very rarely subaltern groups can really stimulate changes over the economic and political structures of oppression. Scott argues that the only avenue for change are armed revolutions which mostly fail. The author fails to address the issue of possible negotiations (and at the same time, contestation) between sectors of the elite and members of the popular classes that allow for survival, advancement of subaltern demands and legitimacy for the ruling elites.

In regard to the question of how we explain the active political role of peasants at moments of overt rebellion, Stern argues that scholars should look at the way in which politics are negotiated and contested at different levels during more peaceful times. By focusing on such dynamics, scholars would be able to discover that underneath the apparent accommodation of subaltern groups there are many ways to express resistance to oppressive conditions. In his view "resistant adaptation" is a dialectical process which on one level provides partial legitimacy to the dominant project because there is no direct confrontation; however, within resistant adaptation there also are degrees of contestation and struggle. Evidence of these continuous forms of resistance, however, allows us to better understand collective outbursts of violence:

> It is when we study the bases of apparent and real accommodations to authority, consider the patterns of resistant assertion and self-protection incorporated into such accommodations, the ways such "resistant adaptation" made accommodation partial and contingent, and the values and ongoing political evaluations that lay behind partial accommodations, that we discern more clearly why peasants sometimes became rebels or insurrectionists.[42]

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[42]Stern, 10.

Stern highlights the process of partial accommodation of members of subaltern groups to oppressive circumstances. In the Caribbean, particularly Puerto Rico, former slaves accommodated to oppressive systems in a similar manner. After emancipation, many former slaves engaged in contract relations that translated into partial accommodation. As I will demonstrate later on however, struggle and contestation were continuous. Although former slaves did not often organize politically during the first stages following emancipation, they managed to subvert the system of oppression.

In my opinion, Mallon's research of subaltern politics in Peru and Mexico during nineteenth century also provides alternative tools to understand the apparent contradiction in the dynamic of resistance within participation. She introduces two interrelated definitions of hegemony. First, hegemony is defined as an endless process in which "power and meaning are contested, legitimated, and redefined at all levels of society." Furthermore it is also defined as an "actual end point." Hegemony implies a balance, a precarious and fragile one as when, "a contract or agreement is reached among contesting forces."[43]

Applying Mallon's theoretical framework to the case of former slaves in Puerto Rico could be problematic. Her framework is applied successfully to those tied peasant communities which experienced a long tradition of resistance activity with clear political consciousness. This is not the case of former slaves in Puerto Rico. Slavery disrupted many aspects of the individual, family, and community lives of freedpeople. The three-year period after emancipation that I discuss in this project is a period of transition and reconstitution of family and community relations. For this

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[43]Mallon, 6.

reason it is very hard to argue (if any evidence is really available) that all freedpeople's actions had clear political meaning or a political agenda, although that would be the ideal case. The frequency, however, of specific actions, such as cases in which freedpeople used the legal mechanisms to avoid contract arrangements or families using the state to demand custody over their relatives, suggest that many of the freedpeople's actions were not only acts of resistance, as James C. Scott have them understood. I believe there are instances in which these freedpeople's actions show us at least a partial picture of what could be perceived as a process of not only contestation but mainly a negotiation of the system of oppression. Therefore, I chose to use Mallon's definition of hegemony in a broader sense in order to provide a new reading to the processes of emancipation in Puerto Rico.

The metaphor of a "contract or agreement among contesting forces" assumes concrete forms as actual contracts in the cases of libertos and libertas. As in other areas of the Caribbean, in Puerto Rico contracts, as legal documents, provide us with an example of hegemony as an end point and as a process. The relative success of the Puerto Rican contract system, which involved almost seventy-five percent of the former slave population (according to Luis Figueroa's figures), can be understood as an example of that precarious balance. Looking closely at the legally registered documents we can appreciate the different kind of negotiations, particularly between planters and former slaves. The request of Catalina Rivera to the authorities is a good example of the various negotiations initiated by former slaves:[44]

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[44]It is important to point out that contestation exists at all levels of the social hierarchy. As it emerges in the initial quotes in this chapters, contestation among elite groups (Liberal and Conservative planters, the Church, the Colonial authorities,

> Catalina Rivera, esclava que fue de la sucesión Caparrós manifestó no convenirle contratarse con su dueño ni con otra persona alguna en razón de que hace muchos años vive sola trabajando por su cuenta propia, de cuya manera puede continuar en lo sucesivo con mayor motivo no teniendo que abonar al jornal que satisfacía a su dueño, y juzgándose razonable y aceptable lo que espera dicha liberta.[45]

This request exemplifies the hegemonic process of contestation as well as the implicit fragile balance. While Catalina Rivera is legitimizing the coercive system by recognizing the power of the authorities, she also uses the legal system to escape from the apparatus of control. The authorities legally recognize her right to live on her own, at the margins of the apparatus of control.

Examining the negotiations and struggles within the boundaries of the coercive system is essential for understanding the different dimensions of the social transformations emerging from the emancipation process. Although I am not able to examine the specifics of emancipation processes everywhere in the Caribbean, I will try to provide an overview of this transition while emphasizing the process of negotiation and contestation between dominant and subaltern groups.

Other Areas of the Caribbean

Looking at the abolition of slavery as either complete rupture, on the one hand, as a continuation of the slave system, on the other, limits our

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etc.) are evident and influenced the particular way in which emancipation evolved in the island.

[45]Request registered in *Libro de Contratos de Libertos de San Juan, 1873-75,* Archivo Histórico General de Puerto Rico, 26 de abril 1873, 24. As I will discuss in Chapter 3, slaves and later, freedpeople experienced exploitation differently. I will argue that in urban areas former slaves managed to develop more autonomy from their employer. This document establishes that she was working alone before emancipation. During this period, it was not unusual for women to work as street vendors which seems to be one of the most autonomous occupations available for women.

understanding of the transition process. This process is actually worthy of study because of its complex contradictions. Traditionally, the main objective for scholars who study the aftermath of abolition in sugar areas has been centered in understanding the strategies used by planters to maintain access to a constant flow of labor. The danger of this tendency rests in understanding emancipation society as only a "labor" problem. The end of slavery allowed for a movement of labor which affected the nature and organization of plantation production. Recent literature about the Caribbean and the U.S. South provides us more insightful analysis. These researchers attempt to address the response of freedpeople to the different coercive projects as well as how those actions corresponded not only to their basic material needs but also to their cultural understanding of the idea of freedom.[46]

Due to the difficult nature of growing and producing sugar cane, slave labor was one of the very few alternatives for the planters to sustain the plantation system. Since the earliest discussions of the possibilities for abolition in the Caribbean, the labor issue was a priority on the agenda. The colonial government, the metropolitan authorities, planters, and abolitionist groups all continuously negotiated in order to avoid a drastic change in the labor system that could affect their profitable business.

In the British West Indies these negotiations resulted in the *Abolition Act*, issued in 1833 and enforced as of August, 1834.[47] The government, however, immediately established an apprenticeship system

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[46]See the collection by Mary Turner, ed., *From Chattel Slaves to Wage Slaves: The Dynamics of Labour Bargaining in the Americas* (Bloomington: Indiana University Press, 1995.)

[47]Douglas Hall, *Five of the Leewards, 1834-1870: The Major Problems of the Post-emancipation period in Antigua, Barbuda, Montserrat, Nevis and St. Kitts* (Barbados: Caribbean University Press, 1971.)

which stipulated that former slaves six years of age or older should stay as "apprenticed laborers" with their former masters for at least six years. They would be paid only for those hours over the required forty and a half hours per week. Apprentices were not supposed to be sold unless the whole estate was also sold; then they would be transferred to the new owner as a part of the whole property. Former slaves were allowed to buy their full freedom at the price negotiated by the master, the apprentice, and the magistrates. According to the authorities, the goal of the apprenticeship system was to teach former slaves their future obligations as wage-earnings laborers. Freedom for apprenticed laborers (non-field workers) was legally formalized in 1838-39. For those in the field, it became a reality two years later in 1840.

According to Nigel Bolland, the apprenticeship period did not fulfill the expectations of either the planters or the former slaves.[48] He argues that planters thought that the system was not strict enough to keep freedpeople working regularly in the fields. Former slaves, on the other hand, understood the system as a conspiracy to keep freedom away from them. These circumstances pushed the planter class to explore different avenues of coercion. Among those strategies, arrangements in which land was provided in exchange for labor had greater importance. Much scholarship has pointed out the need to focus on the control over or the availability of land as key to the understanding of the former slaves' alternatives.[49] It would be inaccurate to suggest that former slaves were passive victims of the oppressive measures framed by planters and the colonial authorities. Freedpeople, however, managed to negotiate and

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[48]Bolland, 117-118.

[49]Herbert S Klein and Stanley L. Engermen, "The Transition from Slave to Free Labor: Notes on a Comparative Economic Model" in *Between Slavery and Free Labor*, 255-269.

contest the repressive system that continued treating them as commodities. The Jamaican case provides examples of these dynamics.

The Jamaican case illustrates the problem that the planters' lack of control over land posed to their control over labor. At the moment of emancipation, Jamaica had a large amount of uncultivated land available. These lands were not Crown property but mostly privately owned. They had to be rented or purchased in order to be occupied.[50] At the moment of freedom, a large number of former slaves withdrew from the plantation areas.[51] Douglas Hall argues that former slaves left the plantations not because they rejected plantation work nor were they running away from the "horrors of slavery" but rather they rejected the inequalities of "early freedom."[52] Hall contends that former slaves were attached to their houses and small plots in the plantations but Jamaican planters raised the rent of these properties which pushed them out of the plantation area. Rent for housing was particularly high. For example, former slaves used forty percent of their wages just to pay rent.[53] Although planters and the state attempted to limit access to land, many former slaves bought small pieces of land and others settled in free villages. Jean Besson argues that former slaves' protopeasant[54] experience enabled them to develop

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[50]Philip McLewin, *Power and Economic Change*, 26.

[51]In Jamaica women, in contrast to men, withdrew from the plantation in larger number. In the literature about post-emancipation societies, female withdrawal from the plantations is a recurrent topic. I will discuss this in more detail later in this project.

[52]Douglas Hall, "The Flight from the Estates Reconsidered: The British West Indies, 1838-1842" in Beckles and Shepherd, 62-63

[53]Bolland, "The Politics of Freedom," op.cit., 119.

[54]The authors makes reference to the concept of protopeasantry. Sydney Mintz has used this concept to describe the early experiences of slaves with cultivation of small plots and marketing of produce. See Sydney Mintz and Douglas Hall, " The Origins of the Jamaican Internal Marketing System" in *Caribbean Slave Society and Economy: A Student Reader*, Hilary Beckles and Verene Shepherd, eds., (London: James Currey Publishers, 1991), 319-334.

marketing and cultivation skills that would allow for the accumulation of capital and to establish communities.[55] Access to land facilitated a peasantization process of the former slaves.[56]

In Jamaica, the British government's and the planter class's interests coincided, both wanted to maintain the profitability of the sugar industry although they disagreed about the future of the slavery system. Despite the opposition of Jamaican planters, Britain decided to abolish slavery. After emancipation, the metropolitan government realized that the Jamaican plantation system was in crisis mostly because of the lack of reliable labor. The British government allied with the planters in order to design strategies to force freedpeople to wage-work.[57] A series of masters and servants acts were passed in the island. Expenditure in prisons and courts rose sharply after emancipation. The local judiciary system was in the hands of the planters and was used as another mechanism to discipline black labor. In addition, the government raised the import duties of basic necessities in order to force former slaves to wage-work. Furthermore, the state recognized that they needed to alienate land from former slaves, therefore the metropolitan government forbid selling land to freedpeople. Former slaves, however, managed to buy land. The role of Protestant missionary churches was relevant for freedpeople's' acquisition of land. Although missionary churches were mostly reformists and advocated for

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[55]Jean Besson, "Freedom and Community: The British West Indies" in Ibid., 191-192.
[56]Thomas C. Holt, *The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832-1938* (Baltimore-London: The Johns Hopkins University Press, 1992), 155. He states that in the period from 1840-1845, freeholds (that ranged from ten to fifty acres) increased a 91.2 percent. This statistic only accounts for those freeholds properly registered.
[57]Bolland, "The Politics of Freedom," 119, 126, 130-131.

respect and deference to the state, they provided capital to purchase land for freedpeople.[58]

According to Holt, freedpeople did not totally abandon field work. Former slaves were willing to work for wages. Planters, however, could not rely on them to be consistent. Freedpeople imposed their own rhythm of work, which can be understood not as a rejection of work, or more specifically, of sugar cane work, but as a reaffirmation of their right to decide how and when to realize their tasks. Holt argues that former slaves migrated particularly to areas with mixed economies (sugar, coffee, cattle and minor products), and to him these actions suggest:

> First, that they [former slaves] sought out areas for settlement where they could combine market gardening with wage labor; and second, that peasant proprietors moved quickly into the production of export as well as subsistence crops.[59]

Access to land allowed former slaves to not rely totally on plantation work for daily sustenance. For this reason, freedpeople were able to negotiate demands with planters. In their desperate need for workers, planters were willing to negotiate with former slaves and respond to their demands. Holt mentions that at the moment of emancipation planters hoped to count on children's work because of the apprenticeship obligations. Many former slaves managed to keep their children away from plantation work. For this reason, many planters built schools on their estates in order to encourage children to remain in the area.[60]

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[58]Ibid., 136.

[59]Holt, 156.

[60]Ibid., 151. The results of these strategies varied according to the estates. Holt establishes that in various estates children under six years of age were allowed to work in groups in exchange for one hour or one hour and a half of education per day. In some instances, children were allowed to cultivate provisions in the backyard of the school. On the other hand, on other estates former slave parents did not trust the actions of their employers. Very few children attended school. In other

The lack of a reliable work force, in combination with other factors, deeply affected the Jamaican sugar industry. Other areas in the Caribbean such as Trinidad and British Guiana sought to solve this problem through the importation of workers. In the latter two colonies, indentured labor, mostly from India, was crucial to the growth in sugar production after 1850. This option was not successful in Jamaica. Some interpretations state that free people of color, along with black members of the Jamaican Assembly, opposed immigrant workers because it would have meant heavy taxation for them.[61] More recently, James McLewin has argued that the Jamaican planter class thought it had enough power to coerce the labor force.[62] They also tried to maintain a more autonomous position vis-a-vis the Colonial government. As a result, during the decade of 1840, the Jamaican planter class experienced the total decline of their plantation system. In contrast, in areas such as Trinidad and British Guiana, the planters recognized their lack of resources as a class. In these two islands, the Colonial government developed a stronger role regarding this particular issue. The Colonial government led the processes of recruitment of immigrant labor. The planter class in Trinidad and British Guiana relied on the Colonial government to maintain the sugar industry.

Another strategy that was used in general in different areas of the Caribbean was the wage-rent system.[63] Antigua exemplified one variation of this kind of relationship. The wage-rent system combined the role of employer with that of landlord and that of the employee with that of

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cases, parents totally refused to allow their children to work at the plantation even when education was provided.

[61]This is the argument of Claude Levy as reviewed by Kevin D. Smith, "A Fragmented Freedom: The Historiography of Emancipation and Its Aftermath in the British West Indies," *Slavery and Abolition* 16 (1995), 101-130.

[62] McLewin, *158-167.*

[63]Bolland, 121.

tenant. The objective was that workers would occupy their former house and garden plot at the estate in exchange for work. In Antigua, Bolland argues, many former slaves preferred to live in their pre-abolition houses and grounds. Planters took advantage of this situation. Frequently, planters threatened to exercise their property rights as regards land if former slaves did not fulfill the planters' demand for cheap and regular labor.

Sharecropping was another common type of land arrangement.[64] According to Gavin Wright, sharecropping was key in the U.S. South. The U.S. South also experienced diverse labor arrangements such as share-wage contracts and/or standing wages. The first meant that the labor force would be paid with a share of the crop. The second stipulated that the wages would be withheld until the end of the harvest.

Other strategies set up to keep control of labor and society as a whole included high taxation over land, official acts against vagrancy, emigration laws, and the creation of police forces, magistrate posts and prison houses. Although mostly articulated by the dominant elites, all these strategies demanded a process of negotiation and contestation posed by subaltern groups such as former slaves. Nevertheless, it is worth to pointing out that although members of the subaltern classes had power, and cleverly used it to struggle and negotiate, it was not always successful. Unfortunately, there were unequal relations of power among the various social groups.

In the Cuban case, emancipation took twenty years to be completed. Due to political and economic differences, emancipation was not

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[64]Gavin Wright, "The Economics and Politics of Slavery and Freedom" in *The Meaning of Freedom*, 85-111. Sharecropping means that a tenant farmer would provide with a share of the crop as rent to their landlord.

experienced uniformly in all provinces of the island.[65] In the 1870s, planters in provinces such as Matanzas and Santa Clara had a pro-colonial stance. In contrast, the small-scale planters and farmers of the eastern provinces were negatively affected by heavy taxation.[66] Their financial crisis led them to revolt against the Spanish government in 1868. These rebels liberated their slaves in exchange for their support to the rebel cause. Strategically, the Spanish State also liberated selective groups of slaves by the enactment of the *Moret Law* in 1870. At the end of the war, in 1878, the state officially liberated those slaves who participated in the revolts. A year later, slaves from the eastern provinces rebelled against the government demanding freedom. This time, Eastern planters wanted to wait four more years before abolishing slavery completely. In order to create a balance between the slave demands and the planters' need, the Spanish state granted the Patronato system in 1880.[67] After this short discussion of events, it is evident that the Spanish state held unto slavery for a long time. The metropolitan state tried to maintain the profitability of the sugar industry by pleasing the planter groups. Scott contends that Cuban planters knew that abolition was inevitable but they preferred if it vanished gradually. Although plantation work employed diverse population groups, in the planters' perception slaves provided regularity and stability.[68]

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[65]Rebecca Scott, "Explaining Abolition: Contradiction, Adaptation, and Challenge in Cuban Slave Society, 1860-1886" in *Between Slavery and Free Labor*, 28.
[66]Ibid., 27.
[67]Abolition of slavery in Cuba took place in 1880. Then a system called Patronato was established and lasted until 1886. Its regulations are discussed further in this chapter.
[68]Ibid., 44.

It is noteworthy that former slaves managed to create alternatives for more autonomy than many scholars have recognized. Rebecca Scott's work about Cuba looks not only at the planters' and authorities' framework for control but also explores the different strategies employed by the freedpeople in order to overcome such obstacles. The author provides us with a short summary of the possible actions of former slaves:

> With these limitations in mind, it is possible to sketch out the options that former plantation slaves faced, dividing them into rough categories. A freedman or freedwoman might: 1) remain on the plantation, move to another plantation, or join a labor gang to work in sugar by the day or by the task; 2) undertake the growing of sugar as a colono; 3) seek to achieve a certain distance form the plantation through a family division of labor or through part-time wage labor and part-time cultivation; or 4) migrate out of the sugar regions either to the city, the hills or the more open land of the east. Of course, not all of these options were available to every slave, and the degree of access to different alternatives varied both geographically and across time.[69]

Scott's evaluation, however, does not reflect the full complexity of former slaves' options. According to Scott, during the "Patronato" system (apprenticeship) in Cuba (1880-86) former slaves took initiatives to reconstitute their family ties (in a broader sense) through migration or by paying a monetary price informally arranged between the parties in order to be exempted from fulfilling the Patronato obligations. Others established links with mutual aid societies which had free black membership. Mistreated former slaves or those whose employers did not fulfill the stipulations indicated in the Patronato contract (such as food, clothing, and stipends) cleverly appealed to local authorities. Others established links with abolitionist groups who were concerned with the abuses suffered by freedpeople. In the areas closer to the plantations

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[69]Rebecca Scott, *Slave Emancipation in Cuba*, 228.

many former slaves stayed closed enough to work at the plantation and to maintain a small plot of land to cultivate. Others migrated to the eastern provinces where more land was available. Land at the eastern provinces were hilly and mountainous, not suitable for sugar but rather for foodstuff. These actions demonstrated freedpeople's awareness of their circumstances and of their opportunities to assert their few rights. Although her work is very complete in contrast to previous scholarship, Scott does not discuss how freedpeople's perception of themselves as gendered beings or members of particular communities influenced their choices about work or migration.

This brief overview offers the opportunity to look at the Puerto Rican case as part of the Caribbean. It also provides us with a set of key issues useful to look at the transition in Puerto Rico. What were other strategies employed by the dominant sectors to coerce labor? On the other hand, what strategies did the libertos and libertas create in order to avoid and/or manipulate the oppressive system? Which factors should we take into account in order to understand why libertos and libertas chose particular strategies? What were the conflicts or points of contention among the diverse elite groups? How did such conflicts influence the way in which the transition from slavery to wage-labor evolved throughout time? How did the interplay of gender, racial, ethnic, and age differences influence or alter the decisions of former slaves and the alternatives available to them?

The Puerto Rican case allows us to look at the strategies framed by the planters, the authorities, and libertos and libertas, which were similar to those experienced in other Caribbean areas. We will also examine some

particularities in the way in which those strategies were developed on the island.

Puerto Rico: a Particular Case among the Caribbean Islands

During the nineteenth century, Spain witnessed the decline of its empire. At the international level, other European countries, such as England and France had the economic advantage that the Industrial Revolution provided. In Latin America, numerous politically organized groups emerged to fight for and successfully achieved the independence of their countries. At the end of the century, at the regional level, the neighboring country of Cuba experienced an intense and brutal war challenging the Spanish political and social structures. In Puerto Rico, several political groups also organized to fight for the independence or autonomy of the island and the abolition of slavery. These international, regional, and local historical contexts in which emancipation took place in Puerto Rico created specific characteristics in the system that make the island an interesting case study.

In Puerto Rico, the decade of the 1860s constituted the climax and the critical juncture in discussions about the future of slavery. The abolition of slavery in the United States after the Civil War, the internal efforts of abolitionist groups such as the Sociedad Abolicionista Española, and international pressure (specifically from England) were elements that sparked the debate about the abolition of the slave trade, and eventually about slavery, in the Spanish Caribbean.[70] Abolition efforts on the island

[70]La Sociedad Abolicionista Española was organized in 1863 by a group of Puerto Ricans, Spaniards, and Cuban settled in Spain. Its main purpose was to advocate emancipation in the Antilles. La Sociedad invited famous European intellectuals to speak out for their cause and also published the newspaper *El Abolicionista Español.* For more information about their work, see: Díaz Soler, 268-273 and *El proceso abolicionista en Puerto Rico: documentos para su estudio,* Vol. I and II.

were exemplified by the abolition project submitted to the Junta de Información by Puerto Rican and Cuban delegates.[71] Also the Grito de Lares in 1868, an armed revolt against Spanish rule carried out by groups of the Puerto Rican Creole elite and members of the popular classes, was an example of attempts to advance Creole political demands, which also included the abolition of slavery.[72]

A significant step towards emancipation was the *Moret Law*, passed in 1870, which established that every child of slave born after 1870 would be free, as would slaves over 60.[73] Among other provisions, the *Moret Law* stipulated that slave children born after 1870 were to be subordinated in a form of tutelage to their mother's master. Each master was to provide for the basic needs of the child in exchange for unremunerated work. Scholars agree that this law was a conciliatory solution between the abolitionists who asked for immediate emancipation and those pro-slavery advocates who defended the status quo.[74] Scholars also emphasize that the Moret Law opened a crack in the structure of slave

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[71]The Junta de Información was organized in 1867-68 by the Liberal Spanish government in order to discuss the political and economic demands of Puerto Rico and Cuba. By opening this forum for debate, Spain hoped to avoid more internal struggle inspired by separatist ideas in its Caribbean possessions. The abolition project presented to the Junta by the Puerto Rican delegates was very radical: "En cualquiera de los casos, con indenmización o sin ella, la esclavitud no debe durar un sólo día." However this proposal was not successful. The colonial authorities continued under conservative influence and ordered the persecution and exile of these supporters of reformist ideas. See, Segundo Ruiz Belvis, José Julián Acosta y Francisco M. Quiñonez, *Abolición inmediata de la esclavitud en la isla de Puerto Rico, presentado en la Junta de Información sobre Reformas Ultramarinas, 10 de abril de 1867* (Madrid: Establecimiento Tipográfico de R. Vicente, 1870.)

[72]For more reference about the Grito de Lares, see: Olga Jiménez de Wagenheim, *Puerto Rico's Revolt for Independence: El Grito de Lares* (Boulder: Westview Press, 1985).

[73]The *Moret Law* is also known as the *Preparatory Law*. For more details about the specifics of this law, see: Díaz Soler, 307-310. In regard to Cuba, see Rebecca Scott, *Slave Emancipation in Cuba*, 63-83.

[74]Díaz Soler, 307; Rebecca Scott, *Slave Emancipation in Cuba*, 65; and Figueroa, "Facing Freedom," 174.

power that many slaves tried to use to their advantage in order to advance their freedom and that of their families.

Finally, the *Abolition Act* was issued in March 22, 1873. Abolition in Puerto Rico came in the context of radicalization of the Spanish revolutionary process.[75] The revolutionary process in Spain started in September, 1868. According to Arthur Corwin's interpretation, the Spanish Liberal Revolution was a delayed expression of eighteenth-century rational and republican ideals influenced by the ideas over liberty, individual rights, and citizenship promulgated by the French Revolution.[76] As a manifestation of its liberalism, the new government enacted reforms in peninsular Spain such as universal male suffrage and freedom of the press, of assembly, association, education and religion. Corwin argues that the Spanish Crown was responding to the liberal ideology already well spread not only in Europe but also in Latin America. Florencia Mallon looks at this adoption of liberal ideology in the nineteenth century as part of the hegemonic process in Latin America (Peru and Mexico) in which the Creole elites attempted to impose their liberal goals on the overall society. During the first half of the nineteenth century, the liberal ideology well suited the interests of groups in favor of independence in Latin America. It represented a great ideological plan to challenge the conservative Spanish tradition as well as to attract other groups (mostly subaltern classes) to participate actively in the struggles for independence under the flag of liberty, equality and nationhood. The influence of liberal ideology in the Caribbean islands, particularly in Puerto Rico, well suited former slaves' expectations. Slaves, and later libertos and libertas, also had clear ideas

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[75]Rebecca Scott, *Slave Emancipation in Cuba*, 194.

[76]Arthur F. Corwin, *Spain and the Abolition of Slavery in Cuba, 1817-1886* (Austin-London: The University of Texas Press, 1967), 217-222.

about freedom, equality, rights and national identities that led them in their negotiations with masters or other authorities for autonomy and reconstitution of family and community in the years after emancipation. In Puerto Rico, the brief Liberal tendencies expressed by the authorities were molded, manipulated, and expanded by former slaves.

In contrast to Puerto Rico, the influence of liberalism was not as evident in the emancipation processes of the neighboring island of Cuba. Cuba experienced a revolution with a well organized Afro-Cuban participation from 1868 to 1878. The revolt started in October 1868 in the eastern area of the island. The rebellion was primarily a call for Cuban independence from Spain. Despite the ambiguity of the leaders, abolition in the eastern provinces was announced in 1869. Abolition at this point, however, did not mean a recognition of libertos and libertas as free workers with equals rights. In pragmatic terms, revolutionary leaders recognized the advantage of recruiting former slaves to their cause. Although it is not clear what number of former slaves participated in the revolt, available sources indicate that liberto and liberta performance as active agents was important.[77]

These experiences seemingly led the Spanish authorities to realize the need for a more immediate transition to a "free labor" system in a colony like Puerto Rico in order to avoid radicalizing Puerto Rico in the manner of Cuba. In contrast to Cuba, the Puerto Rican slave groups were not perceived as well organized. According to Guillermo Baralt's study on slave resistance, despite individual attempts of resistance, there are no reports of well-organized slave revolt between 1850-1873,[78] but those

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[77]Rebecca Scott, *Slave Emancipation in Cuba*, 45-62.
[78]Baralt, *Esclavos rebeldes.*

three decades were incredibly tense for the slave population. Planters were dealing with two difficult economic situations: first, the restrictions and pressures by Spain, other European countries, and US against the continuation of the international slave trade meant a gradual scarcity of slave hands in the market (although contraband existed as an alternative, slave prices were too high). In addition, sugar prices fell in the international market. The planters' solution to this economic depression was to increase production in order to maintain a constant level of profits. Expansion of production signified a brutal exploitation of the scarce slave force available. The island was highly militarized, which also contributed to the prevention of overt collective resistance on the part of the slaves. Baralt makes constant reference to the efficiency of the military force in Puerto Rico in controlling earlier attempts at revolt. Military repression was effective in and out of the island. In 1848, colonial authorities in Puerto Rico sent a 500-man battalion and other resources to Santa Cruz in order to control the slave revolts spreading throughout some of the closest Caribbean islands.

Factors such as the liberal tendency of the metropolitan and colonial government embodied in the set of legal regulations created in order to control the emancipation process, the Ten Years War in Cuba, and the relative social stability of Puerto Rico explain why the two successive governors appointed to the island by metropolitan authorities in 1873 had strong reputations as liberal politicians.[79] This liberal influence also explains the short length of the *Abolition Act* as published in the island in

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[79]At the moment of issuing the *Abolition Act* the governor of the island was Juan Martínez Plowes. Shortly after the Act's publication Martínez was substituted by General Rafael Primo de Rivera. See, Luis A. Figueroa, "Facing Freedom," 183-187.

22 March 1873 and the physical mobility[80] granted to the newly freedpeople. Surprisingly the *Abolition Act* had eight articles,[81] but only three articles dealt with the former slaves themselves while the rest of the items dealt with the indemnization process. The Act emphasized that freedpeople were forced to engage in a contractual relationship with either their former master, some other party, or the State. Such contractual relationships should last at least three years. Freedpeople would be granted political rights five years after the publication of the law.[82] Notably, the *Abolition Act* provided extra indemnization for those planters whose former slaves abandoned their hacienda in search of new employers. The government would pay those planters twenty-three percent more than the standard indemnization. This article suggested that the authorities were aware of the possible reaction of potentially high number of freedpeople to cease laboring for their former owners as had happened in other areas of the Caribbean.[83] The article also exemplified the tension between the authorities and the planter class created by the

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[80]Physical mobility was still restricted under emancipation but they had permission to look for contracts somewhere else which led to migratory waves. In addition, freedpeople managed to move around in search of relatives and friends or to find better employment opportunities.

[81]Asamblea Nacional de Puerto Rico, *Ley de Abolición* in *El proceso abolicionista en Puerto Rico*, 144.

[82] Political rights included the right to vote which, ironically, was restricted to those individuals over twenty-one years old who had writing and reading knowledge, and paid taxes. See, Lidio Cruz Monclova, *Historia de Puerto Rico, Siglo XIX* (Río Piedras: Editorial Universitaria, 1957), Vol. II, 282.

[83]See: "Acta inaugural de la Junta Central Protectora de Libertos: Abolición de la esclavitud y fomento del trabajo", *El proceso abolicionista en Puerto Rico*, 282-285. In this document issued January 23, 1873, two months before actual abolition on the island, the Colonial authorities encouraged *hacendados,* farmers, and slaveholders to get together in small councils in order to help the authorities regulate labor once abolition takes place: "dichas asociaciones acuerden y pongan en planta, desde luego todo lo que conduzcan a evitar perjuicios y a regularizar la marcha del trabajo agrícola e industrial, y aun lo relativo al servicio doméstico."

abolition of slavery, as well as the State's attempts to smooth out the impact of emancipation on the plantation system.

Once Primo de Rivera took office, he enacted the regulations for the processes of contracting freedpeople.[84] Although the ordinance included thirty-seven detailed articles evoking a well structured system, the "reglamento" provided evidence of the prevalence of some liberal ideas ebullient in Europe. The aura of liberal ideology, exemplified by the provision that either of the parties could rescind the contract, was well manipulated by freedpeople.[85] This was the rupture in the system that allowed libertos and libertas to create a social space for themselves and their families. The thirteenth and fourteenth articles of the ordinance gave a sense of freedom and convenience not only to the employer but also to the employee (former slaves) that is uncommon in a coercive system:

> Artículo 13.º Los contratos serán libres por ambas partes; y se expresarán en ellos con toda claridad todas las claúsulas que estipulen, y muy especialmente las que se refieren al precio del trabajo, duración de éste en cada día, con designación de horas. Fuera de las de trabajo, el liberto dispondrá de su tiempo para actos lícitos como cualquier hombre libre.
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> Artículo 14.º Pueden rescindirse los contratos a voluntad de las partes cuando les conviniere, sin perjuicio de las responsabilidades de los que falten a sus pactos causando daño al contratante.[86]

Many former slaves in Puerto Rico engaged in contract arrangements because there were not many other alternatives available. In contrast to Jamaica, freedpeople had very limited access to land. The peak years of

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[84]General Rafael Primo de Rivera, *Reglamento para la aplicación y cumplimiento de la Ley de 22 de Marzo de 1873 sobre abolición de la esclavitud en su parte relativa a la contratación del servicio de los libertos*, Ibid., 149-154. This set of regulations were published in April 20, 1873.

[85]This rescission process within the contract system is more evident in the data for the urban area.

[86]Ibid., 150-151.

the sugar industry (1815-1835) led to a concentration of land in the coastal areas in the hands of planters.[87] The decline of sugar prices in the international market accelerated that process of concentration of land. Planters needed to cultivate more land in order to maintain the level of profitability of previous years. The concentration of land in the coastal area pushed many small-holders to the mountain area. After 1850s, coffee production gradually became a profitable industry. A similar process of concentration of land took place in the mountain area. Many small farmers lost their land and became landless peasants.[88] In plantation areas, land was scarce and after the development of the coffee industry in the mountains, most of former slaves could not afford to buy land. In addition, Luis Figueroa contends that Puerto Rico did not have a protopeasantry among the slaves.[89] Few slaves had the opportunity to cultivate small plots and market their produce. Therefore, the majority of slaves did not have the opportunity to accumulate capital. It is not surprising that freedpeople had such a limited access to land.

In addition to Puerto Rico, the contract system was institutionalized in other areas such as Cuba and Antigua. In those places, however, the system as a legal formula was much stricter.[90] According to Rebecca Scott the Patronato system established in Cuba stipulated that patrocinados must be employed by their former master for eight years.[91] The State did

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[87]Pedro San Miguel, *El mundo que creó el azúcar: Las haciendas en Vega Baja, 1800-1873* (Río Piedras: Ediciones Huracán, 1989), 33.

[88]Francisco Scarano, *Puerto Rico: Cinco siglos de historia* (Bogotá: Mc Graw-Hill, 1993),467-468.

[89]Figueroa, "Facing Freedom," 352.

[90]The more strict formulation of the contract system and its lack of a liberal stand do not mean that freed people's resistance actions were weaker or that former slaves had less agency. My point here is that there were ruptures in the system that allowed former slaves to participate and also manipulated them from within.

[91]Rebecca Scott, *Slave Emancipation in Cuba*, 128.

not pay indemnization to the former masters because libertos and libertas would still work for them. Former masters could transfer their rights to some other party through the legal means established by the authorities, such as through a sale or by a bequest. Moreover, the libertos and libertas had the opportunity to buy their way out of the Patronato by paying a price as high as in former times.[92] The facts that former slaves bought their freedom from the apprenticeship system, and that former masters sold their rights over libertos and libertas, meant that legally freedpeople were still considered to be commodities. The Cuban situation contrasted with the Puerto Rican case in which transferring or selling rights over freedpeople, at least legally, was not recognized.

The ambiguity of the *Abolition Act* in Puerto Rico, and its subsequent modifications, provided an opportunity for libertos and libertas to assert their agency as subjects instead of objects. The island presented cases in which the agency of former slaves in search of new employers was clear. A good example is the case of the liberto Lope, former slave of Francisco Subirás in Ponce, who left and headed toward Peñuelas "con objeto de contratarse con quien le convenga."[93]

To understand this contrast between the legal perception embedded in the Cuban and Puerto Rican *Abolition Acts* it is necessary to point out that the processes of emancipation in Cuba in 1880 took place during the aftermath of the conservative restoration of the Bourbon Monarchy in Spain and after the defeat of the Cuban rebels in the Ten Years War.[94] The continuous armed struggle that took place mainly in eastern Cuba during

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[92]Corwin, 301-302.
[93]*Copiador de Oficios dirigidos a las autoridades locales y particulares, 1872-1875,* 16 de Julio, 1873.
[94]Luis A. Figueroa, *Cutting Cane and Terrain,* footnote 4, 65.

the 1868-1879 delayed any social reform that could disrupt the social order in other places on the island (e. g. the western side of the island where the most profitable sugar plantations were located). The Puerto Rican experience in 1873 alarmed many sugar planters who feared the decline of the sugar industry sustained mainly by slave labor. In contrast to Puerto Rico, the Cuban sugar industry even after the Ten Years War was extremely profitable.[95] Therefore, one can argue that the Cuban hacendado groups had more economic power which translated into a stronger political influence.

The Cuban labor force during the 1870s was diversified; there were numerous free colored people, former slaves, whites, and Chinese indentured workers. Black slaves, however, remained as the core of the labor force, which highlights the importance of slaves for sugar production even when slave prices and maintenance cost were higher than other kinds of laborers. This fact indicates that in the hacendados' perception, slavery was not only a labor system that provided a regular work force, but most importantly, a rigorous social system based on race and ethnicity which enhanced hacendados' (and also colonial authorities') social control. The creation of a Patronato system in Cuba in 1880 is evidence of this economic dependency on slavery and fixation with a particular social order. The events of 1870s (among them the active slave participation in the revolts) in Cuba warned the authorities and several elite groups about the need for some changes. As the *Moret Law* of 1870, the Patronato system was another intermediate step toward abolition. The basic slave-master relationship was intact. The Patronato system was not based on a

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[95]Rebecca Scott, *Slave Emancipation in Cuba*, 119.

contractual relationship, the "patrocinados" were forced to work for their "patrono" (the former master).

In the case of British West Indies, Antigua is an example of restrictions embedded in the contract system. Antigua, as well as Barbados, rejected the apprenticeship system. Planters and colonial authorities thought that the lack of available land would force freedpeople to engage in contract relationships. In Antigua, contracts were made orally only requiring the presence of two witnesses. Although the contract law did not specify if laborers were to contract only with former employees, it stipulated that freedpeople were allowed to live in their old cottages in exchange of labor.[96] Nigel Bolland highlights the severity of punishment even in the most minor cases, such as when an employee was absent from work without an excuse.[97]

On the other hand, the experience of the U.S. South was also strongly influenced by liberal tendencies.[98] As part of her comparative study, Scott looked at the overlap of the Civil War and the processes of emancipation in Louisiana. Although the provision of small pieces of land in the surroundings of the plantations, as well as other land arrangements, in exchange for labor as a post-emancipation policy added a different dimension to the social re-structuring process in the U. S. South, Scott highlights the importance of contract agreements for long periods of time as the main tool for control and coercion of labor.

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[96]Hall, 26-28.
[97]Bolland, 120.
[98]Rebecca Scott, "Defining the Boundaries of Freedom in the World of Cane: Cuba, Brazil, and Louisiana after Emancipation," in *The American Historical Review*, 99 (Fall, 1994), 73-74.

Conclusion

I started this chapter with a description of selective academic works about slavery and the processes of emancipation in the Caribbean and Puerto Rico that informed this project. I also analyzed the liberto and liberta experience in Puerto Rico not only in a broader picture that includes the Caribbean area but also within a theoretical discussion about processes of negotiation and contestation among various social groups. The concept of hegemony as both a continuous process of negotiation and end point, or fragile balance, is essential for this study.

Although the discussion of hegemony has taken place mainly within peasant studies, its general definition can be applied to the liberto and liberta experiences. I attempt to use this concept in order to reconcile the various and contradictory interpretations about the way in which the transition from slavery to wage labor evolved. The idea is not to present a sharp dichotomy between blunt acts of resistance and blind participation in such oppression. Instead, the main point is to understand resistance and participation in a hegemonic project, participation formally and informally imposed on freedpeople.

In the Puerto Rican case, some scholars have perceived emancipation as a smooth and stable process, while other sources highlight the more radical contestation to the processes of emancipation. The dichotomy presented by these interpretations does not allow for a clear understanding of the complexities of social reconfiguration after emancipation. Looking at hegemony we can explore the limited alternatives available for libertos and libertas to enjoy their freedom. While participating within the hegemonic project (in this case, participation was through the contract system), many former slaves were able to assert

their rights. This discussion is not limited to Puerto Rico. I provide a brief overview of the struggles developed in other areas of the Caribbean which are also illuminated by the discussion of hegemony.

An interesting contrast between the Puerto Rican case and other Caribbean islands is the ambiguous subjectivity of the libertos and libertas.. In the British Caribbean and Cuba, the extreme limitations on mobility and the transferring and selling of rights over freedpeople point to the former slaves' status as commodities. The historical context in which emancipation took place in Puerto Rico had a more liberal touch. The legal recognition of contracts as mutual agreements between employer and employee, and the recognition of the rescission of the agreement as a mutual decision, were perceived by freedpeople as cracks in the coercive system. Former slaves took advantage of such legal previsions to create their own spaces, reconstitute family ties, and reassert their rights as individuals. These attempts did not take place without resistance from elite groups. It is only through local history in sugar areas and urban areas that we can actually explore the processes of negotiation and contestation among the various social sectors.

Chapter II
It is Hard to Keep Up with Resistance! The Colonial State and the Transformations within the System of Social Control

> [Necesitamos] Una reglamentación justa, legal y equitativa del trabajo libre, que deslindare, fijase y asegurase completamente los recíprocos deberes y derechos del hacendado y el jornalero, dado un contrato de obra entre ambos; medios y facultades otorgadas a las Autoridades gubernativas para poder compeler al cumplimiento de esos contratos, reprimiendo prudencialmente la vagancia, como origen de vicios y disturbio que comprometen el orden público y social, producirían como consecuencia inmediata: para el jornalero, el hábito del trabajo, el cumplimiento del deber, un sobrante nacido del mayor número de jornales percibidos y, de aquí, el acumular ahorros y el crear más tarde un pequeño capital, ensanchando el círculo de sus aspiraciones; para el capitalista o hacendado, el no verse expuesto a las grandes pérdidas que le produce el verse abandonado por el jornalero que se comprometiera a servirle, porque éste, en un momento dado, no necesite el trabajo convenido y le deje desamparado cuando su ausencia por la índole de la eleboración de que se trate, traiga la paralización de ella y gran detrimento en la materia prima o en los frutos.[1]

In 1877, four years after the *Abolition Act* and two other sets of labor regulations, some hacendado groups were concerned about the irregular flow of laborers. In the epigraph above the president of the Sociedad de Agricultores de Ponce, don Antonio Alfau, suggests that the previously implemented regulations were not sufficient to compel jornaleros to work efficiently. It is noteworthy that "efficiency," in the hacendados' terms, meant to work continuously from sunrise to sunset, under miserable conditions, in exchange for low wages and poor material benefits. In his letter, Alfau contends that the abolition of slavery is the main reason for the decline of the sugar industry on the island. Many

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1Letter to the Ministerio de Ultramar from the president of La Sociedad de Agricultura de Ponce, Antonio Alfau, in 12 August 1877. See, *El proceso abolicionista en Puerto Rico: Documentos para su estudio* (San Juan: Centro de Investigaciones Históricas and Instituto de Cultura Puertorriqueña, 1978), 356-359.

former slaves managed to evade fulfilling the contract obligations despite stipulations of the *Abolition Act.* According to Alfau, Puerto Rican planters could not, therefore, rely on a continuous labor force, and this in turn was the cause of the hacendados' economic problems. In the letter, Alfau also compares the Puerto Rican and the Cuban economy. In Alfau's perception, Puerto Rico had been defeated by Cuba, in the competition for domination of the Caribbean sugar market. He argues that in the Cuban case, planters had permanent slave labor which the hacendados did not have to pay wages or benefits to and, therefore, Cuban hacendados were able to produce more sugar for lower prices.[2] According to Alfau, this economic advantage held by the neighboring island was detrimental to the sugar industry in Puerto Rico.

The demands presented by Alfau concerned not only the libertos and libertas, but other subaltern groups that represented sources of labor. Demands from elites and the attempts by government authorities to maintain control over the labor force were continuous during the nineteenth century. The labor force consisted not only of slaves and later, freedpeople, but also subaltern whites and free non-white groups. Recurrent attempts throughout the nineteenth century to maintain a constant flow of labor indicate something more than the presence of a labor problem, that is, the fragmentation of Spanish colonial power on the international, regional and local level. The devastation of the Spanish

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2It is important to clarify that Cuba had a much more complex labor dynamics than the one suggested by this letter. Cuba also had a large free non-white population working in the sugar industry. For a better understanding of this issue see, Rebecca Scott, *Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Princeton, New Jersey: Princeton University Press, 1985)

empire caused by inefficient economic structures[3] and the contestation posed by their Latin American colonies through the numerous independence wars during early nineteenth century pushed metropolitan authorities to focus on their previously neglected Caribbean possessions. During this period, Spanish Caribbean territories flourished as profitable sugar colonies. Since they were the remnants of a declining empire, control over these colonies was essential. Social control was negotiated and contested at every level of society and in different ways. In Puerto Rico, the various regulations that attempted to control labor reflect these dynamics at a more local level.

In order to understand the notion of hegemonic negotiations between popular and elite groups as it developed after the emancipation, I believe it is important to look at the long tradition of resistance, accommodation, and negotiation in Puerto Rico during the nineteenth century among the various social groups already described, specifically free jornaleros and slaves. For this purpose, in this last chapter I explore the ways in which the colonial state in Puerto Rico attempted to maintain its power and authority. In order to get a glimpse of these dynamics, I look at several of the numerous labor regulations passed by the authorities on the island throughout the majority of the nineteenth century.[4] I focus mainly on the

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3In contrast with other European countries, the Spanish political economy during most of nineteenth century remained based on trading. Spain did not experience rapid economic transformation to a more sophisticated capitalist system that prioritized industrial production. Countries such as France and England went through a transformative process of industrialization which gave them a more advantageous political and economic position in Europe. See, James L. Dietz, *Historia Económica de Puerto Rico* (Río Piedras: Ediciones Huracán, 1989), 29-33.

4In this chapter, the discussion of government legislation concerning labor only covers up until the 1877 planter's demands for assistance to the authorities because I think that period provides enough evidence for my argument. A more in depth

regulations that dealt with former slaves. Contestation of labor regulations during the nineteenth century was so clear and continuous that authorities had to renegotiate constantly, even with the lowest strata of the colonial social hierarchy: the former slaves.

After the Latin American independence wars and the Cuban revolts during 1860s and 1870s, political and economic power was so threatened that colonial authorities were forced to open more spaces for negotiation. The Spanish-American Independence Wars that took place during the 1808-1826 evinced the fragile political and economic position of the Spanish empire. According to George Reid Andrews, Spain had been aware of its weaknesses since the eighteenth century.[5] The empire was threatened not only by the emergence of other European empires such as those of France and England, but also by the autonomy and control achieved by Creole elites in Spanish America. Therefore, the Crown enacted the Bourbon Reforms, which were an attempt economically to increase profitability in Spanish America and an effort, administratively, to magnify the Crown's control over the colonies.[6]

The Bourbon economic reforms included for example, heavy taxation. Higher taxes for Creole elites meant the intensification of labor in order to achieve greater productivity. The intensification of labor was not welcomed by the masses of workers who started to organize in order to exercise pressure against these regulations. At first Creole elites sided with workers because they were also negatively affected by the new set of

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discussion of the last two decades of the nineteenth century Puerto Rico is out of the scope of this project.

5George Reid Andrews, "Spanish American Independence: A Structural Analysis," *Latin American Perspectives*, Issue 44, Vol. 12, No. 1, (Winter 1985), 105-132.

6Bourbon Reforms were issued during the reign of Charles III, 1759-1788. Andrews, 105.

taxes. Nevertheless, the racially mixed groups of workers had their own agendas, which included the abolition of compulsory Indian labor and, slavery, and therefore, they were eventually seen as a threat not only to the Crown but also to the Creole elites' interests. The Creoles, in response to this, expected the Spanish Crown's assistance. The Crown, however, was interested in asserting their power over the Creole elites. However, the still prevalent practices of clientelism and corruption by the Creole elites made it difficult for the Crown to exert sufficient control over its colony. Following the Napoleonic invasion of Spain and the resulting political upheavals, Spain was further weakened as a colonial power because the loss of their monarchy symbolized a loss of their legitimacy in their colonial posessions. These historical processes led to not only the Latin American independence wars but also the erosion of Spain as a world power in the nineteenth century.[7]

The Ten Years War in Cuba during 1868-1878 exemplifies the threat posed to the colonial authorities by members of the Creole elite and the subaltern classes. The war started as an initiative of small Creole planters in the province of Oriente. Rebecca Scott states that the insurgency came about after Spain's failure to respond to these planter's complaints about economic hardships and the new taxes that had been imposed on them.[8] Several planters freed their slaves so they could participate in the revolt. Although the rebel planters did not intend to abolish slavery, economic pressures and political exigencies push for emancipation in order to

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7As George Reid Andrews argues, it is important to remember that these processes did not take place equally in all Latin America. Anyhow, I believe it is helpful to draw some general lines of a framework that allows us to see the Spanish empire's historical trajectory during the nineteenth century.

8Rebecca Scott, "Gradual Abolition and the Dynamics of Slave Emancipation in Cuba, 1868-86,) *Hispanic American Historical Review*, Vol. 63, No. 3 (1983), 449-477.

strategically broaden their popular support base and to receive international support. At the beginning, according to the *Reglamento de LIbertos* issued by the rebels in 1869, freed slaves would be required to provide forced labor; however, this requirement was revoked in 1870. Interestingly, in the same year Spanish authorities enacted the *Moret Law* for Cuba and Puerto Rico. As I have mentioned previously, the *Moret Law* granted freedom to those slaves who were born after 1868 (it was retroactive) and arranged for them a "tutorship" with the master of their mother. Those slaves older than 60 years old were also released from their masters. One can argue that the *Moret Law*, among many other things, was a counter-response to the decisions made by the rebels, the Crown's attempt to "reward" the "loyal" slaves. Scott argues that slaves (freed slaves) played an active role in the relative success of the Ten Years war. The participation of slaves and the need for black's and colored people's support will become more clear later during the Guerra Chiquita of 1879-1880.[9]

In addition, the colonial authorities in Puerto Rico were deeply influenced by the ideology that emerged from the Liberal Revolution in Spain during 1868-1874. The emphasis on individual rights and equality came straight from the French Revolution and although it had influenced Spanish policy periodically during the nineteenth century, it was not until the Spanish Liberal Revolution of 1868 that it had a more palpable impact on Puerto Rico. The convergence of these factors worked on behalf of former slaves, who were able to take advantage of Liberal ideas to achieve more freedom. In this chapter I argue that the colonial government was

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9Ada Ferrer, "Social Aspects of Cuban Nationalism: Race, Slavery, and the Guerra Chiquita, 1879-1880" in *Cuban Studies*, Louis A. Pérez, ed., Vol. 21 (1991), 37-56.

willing to negotiate different economic and political pacts with various social groups, such as planters, merchants, and former slaves, in order to create some sort of a balance that would allow them to maintain their political position. Those pacts were disrupted and re-negotiated as part of a continuous and dynamic process.

In Search of Power: "Bando de Vagos" and "Reglamentos"

In his article about labor and economy in the nineteenth century, the historian Gervasio García highlights the intimate relationship between the attempts of the planters and the State to regulate the labor force and the development of the sugar industry.[10] He argues that official systems of servile labor in Puerto Rico gained strength when the sugar industry on the island was at its peak. Although García is correct about the peaking of the slave labor system, he only considers the sugar industry as an economic activity, and his analysis of the colonial strategies to deal with labor problems in the 1870s is, as a result, one dimensional. In García's view, the crisis within the most relevant economic industry on the island forced the state to, for example, enact the abolition of slavery and the Libreta system. One might argue that the decline of the sugar industry was one of many factors that pushed the colonial state to look for more subtle ways of managing the labor force, such as the contract system implemented among former slaves. Other factors, as for example, the revolts and conflicts at the regional (e.g., the Ten Years War in Cuba) and international level (e.g., Independence wars in Latin America, competition with other European countries, and the erosion of the empire by the economic stagnation of Spain) which surrounded the Spanish empire

10Gervasio García "Economía y trabajo en el Puerto Rico del siglo XIX" in *Historia Mexicana* XXXVIII, No. 4, (1989), 855-879.

during nineteenth century are also crucial for better understanding the disposition of the colonial state to negotiate with subaltern groups such as former slaves and free jornaleros. Unfortunately, García does not take into account these external factors. Without this larger frame of reference colonial state policies cannot be explained.[11]

García observes that there was an intimate correlation between the development of the sugar industry and the labor regulations that augmented the intensity of work. This correlation can be seen as early as the period 1815-1828, when Puerto Rico witnessed a notable increase in their slave population. In 1815 the government authorities enacted the *Cédula de Gracias* , which created the landscape for the emergence of a profitable sugar industry on the island.[12] According to Francisco Scarano's study of Ponce, during that particular period the slave population grew at an annual rate of 4.2 percent.[13] Although the slave population of Puerto Rico never outnumbered whites and/or free people of color, sugar production relied heavily on the slave population. As evidence of this, Scarano statistically demonstrates that the main districts for sugar

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11It is also problematic that García conflates the planters' economic and political project with the colonial authorities' ambitions. Planters and the state were doubtless concerned about the profitability of the island's sugar industry. However, each one had different agendas to defend. Beyond their strategic differences, hacendados were looking forward to more autonomy and power as a class, and this desire was not necessarily dependent on their colonial status. As I will show in this chapter, the colonial state, at the same time, was trying to maintain its preeminent position as the metropolitan power, and as the head of the colonial structure. This fragmentation within the elite sectors was more evident in post-emancipation Puerto Rico.

12The *Cédula de Gracias* promoted the development of cash-crop agriculture, increased commercial trade, abolished taxes and duties on imports, such as slaves and machinery, and opened up to immigrants and foreign investments. These components of the decree were vital to the development of a plantation economy. For more details see, Francisco Scarano, *Sugar and Slavery in Puerto Rico: The Plantation Economy of Ponce, 1800-1850* (Wisconsin: University of Wisconsin Press, 1984), 18-19.

13Ibid., 27.

production, Ponce, Mayaguez, and Guayama, experienced enormous increase in the slave population relative to the increase in growth of the sugar industry. This increase also reflects the population growth on the island as a whole during the same time period. In 1815, Puerto Rico's slave population was 19,000, and it grew to 32,000 in 1828.[14]

Slavery on the island had its peak at the same time it was in crisis as a labor system in the rest of the world. As a consequence, after the 1830s, Puerto Rican planters had to rely more on contraband slaves. England and France had already banned the slave trade, and they pushed Spain to abandon that commercial activity. Additionally, the ban on the official slave trade meant an increase in slave prices. The scarcity of slaves to work in sugar production pushed planters and the colonial authorities to frame strategies such as decrees and anti-vagrancy regulations which would incorporate other sectors of the subaltern population to be a continuous source of labor for sugar production.

García states that the authorities issued vagrancy laws up until 1862.[15] Among those, the 1838 and 1849 decrees were the most relevant for the first half of the nineteenth century. In 1838, Governor López de Baños initiated the first registry for jornaleros. The law established that every free worker had to present evidence of his/her occupation to a Junta de Vagos, which consisted of officials of the Municipal Council, who met once a month to discuss denunciations against individuals considered to be vagrants.[16] According to Fernando Picó's study of Utuado in the nineteenth

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14Ibid.

15These vagrancy laws and related decrees were issued in 1838, 1839, 1841, 1843, 1844, 1847,1849, 1850, and 1862. See García, 857-858.

16Fernando Picó, *Historia General de Puerto Rico* (Río Piedras: Ediciones Huracán Academia, 1986), 170.

century, resistance to these regulations happened often.[17] According to the sources, in 12 October, 1839, eight people from Utuado were arrested and sent to the Puntilla area for forced work. They were accused of being "incorregibles en la vagancia." Picó is convinced that these workers were responding directly to López de Baños' regulations. Among those eight workers, two of them escaped a month and half later, but they were arrested once again in 1841. That same year, the *Actas* (records of proceedings) of the Junta de Vagos y Amancebados were first issued in Utuado. The enactment of these records responded to a governor's letter that circulated that year complaining about the Juntas' lack of efficiency. According to the governor there was a need for more regular meetings, and he also demanded that the local authorities comply with the dispositions of the law. One can argue that the inefficiency of the Junta de Vagos and Amancebados was the result not only of the lack of reinforcement from the local authorities but evidently also of the continuous resistance or avoidance of the workers which it attempted to control.

A decade later, in 1849, Governor Juan de la Pezuela enacted the *Bando de Jornaleros* or *Reglamento de la libreta.* This law defined a jornalero as any man over sixteen years old who did not have enough property to support himself.[18] The *Reglamento* required that jornaleros carry with them some sort of a notebook in which was registered their names, physical characteristics, occupations, employers, and any other comments about the behavior of the jornalero. The authorities made periodical inspections and arrested for vagrancy anyone who did not

17Fernando Picó, *Libertad y servidumbre en el Puerto Rico del siglo XIX* (Río Piedras: Ediciones Huracán, 1979), 117.
18Picó, *Libertad y servidumbre*, 45.

present evidence of being employed.[19] In addition, the law also forbade social activities and gatherings such as cockfights, drinking, and dancing.[20] The Reglamento was not intended to force only jornaleros (wage laborer) to work full time, but also others, such as small peasants, who did not have the economic means to be totally independent. Many of these half-time jornaleros and small peasants who did not have a contract or a property title were forced to move to a town (or urban center) to be employed. The case of Eulogio Vélez exemplifies this situation. Vélez was denounced to the Junta because he did not want to leave his life as an *agregado* who cultivated for his subsistence.[21] According to Fernando Picó, the libreta system was the first attempt of the state to interfere directly with the most intimate dimensions of jornaleros' lives. Many workers opposed and avoided these impositions, among them, for example, two jornaleros from Utuado. Nicolás Velásquez, 1850, and Calixto Sánchez, 1856, were fugitives from the law because they did not want to abide by Pezuela's regulation.[22] More interesting is the challenge posed by the jornalero Gregorio Ayala to his employer, the hacendado Buenaventura Roig. The hacendado complained to the authorities that "[Gregorio] se ha jactado ante la autoridad... serle indiferente que lo remitan a la Puntilla porque ya conoce, a estado en el y le ha ido muy bien."[23] In this case it is clear that the

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19Picó, 173.
20 Dietz, 62.
21In Puerto Rico, the *agrego* was a very common practice. The *agregados* lived in other people's land. There was an amazing series of different arrangements between the agregados and the landowners. The most frequent arrangement established that the agregado would give some sort of service or a certain amount of their harvest to the hacendado; in exchange the latter would allow the agregado tenant and the family to live in his land. Dietz, 57.
22Picó, Libertad y servidumbre, 119.
23Ibid., 120.

jornalero Gregorio had resisted in the past and that although he had been punished before he still did not wanted to go along with a set of regulations that did not benefit him. Picó argues that in spite of the coercive structures of this system, jornaleros did create familial and community solidarity that allowed them to avoid the regulations of the *Reglamento.* Picó mentions that by the 1860's, this regulation was no longer enforced. Moreover, García states that according to a survey among the municipalities in 1866, the libreta system was considered inefficient because jornaleros always managed to avoid rigorous agricultural work.[24]

Prior to emancipation, the continuous threat of slave rebellions and the need for a reliable labor force led the State to establish more coercive measures to control slaves. In May 1848, a year before the *Reglamento de la libreta,* Governor Prim issued the *Bando Contra la Raza Negra,* which established severe punishments people of black ancestry who committed any crime against an individual or property and which also regulated all of their social activities.[25] The *Bando* was issued in response to slaves conspiracies and to actual insurgencies that took place during the first half of the nineteenth century. Guillermo Baralt 's book about slave rebellions in Puerto Rico narrates several of these conspiracies.[26] For example, Baralt recounts the story of the slave conspiracy in Guayanilla during September 1840.[27] The plan was to burn down one of the haciendas in order to distract the inhabitants. In the meantime, slaves would attack the town. The authorities discovered the conspiracy on September 16. Thirty-four

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24García, 859.
25Picó, *Historia General,* 173.
26Guillermo Baralt, *Esclavos rebeldes: conspiraciones y sublevaciones de esclavos en Puerto Rico, 1795-1873* (Río Piedras: Ediciones Huracán, 1981).
27Ibid., 88-89.

slaves were arrested and punished either with whipping, chains, or imprisonment. After this conspiracy, the Governor circulated a letter demanding military commanders to send a report every three months about foreigners and slaves, and he also demanded that they enforce the 1826 *Reglamento de Esclavos*.

One year after the Guayanilla events in 1841, the authorities found out about a conspiracy in Ponce.[28] Several slaves were arrested, but some of them managed to escape in order to continue with further planning. According to the declaration of the slave Isidoro, one of the participants, the insurgents had three basic goals: a) slaves should be free, b) abuse and exploitation from their masters should end, and c) the slaves should not be forced to work almost naked and and they should not be confined to their quarters. Another participant slave, Telemaco, confessed that the leader was Jaime Bangua, slave of Don Luis Font, and that he planned to leave for Haiti, where he was promised assistance. The insurgency was planned for 1 January, 1842 during the New Year's celebrations. Four white men participated in the conspiracy by providing advice and weapons. The slave Marco, who had a very special relationship with his master (who also was his godfather), revealed the insurgents' plan to his master, and then, the latter told the authorities in December 21, 1841. Some of the slaves were sentenced to death and others were imprisoned for a long time. The informer, slave Marcos, was freed and the authorities granted him 500 pesos.

The severity and regularity of slaves conspiracies pushed the authorities to enact the *Bando Contra la Raza Negra*. Nevertheless, slave conspiracies continued. For example, in 15 July, 1848 the authorities

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28Ibid., 92-94.

discovered another conspiracy in Ponce where the slaves decided to burn out the sugar cane fields, destroy the town, abolish slavery, and finally, kill the white inhabitants.[29] In August, the town of Vega Baja also mobilized the police forces because of another conspiracy.[30]

As I have shown, both laws, the *Reglamento de la Libreta* and the *Bando contra la Raza Negra*, were the planters' and the state's responses to the challenging social and economic situation on the island. Interestingly, both acts of legislation were enacted at the end of the 1840's when the sugar prices started to decline. As a consequence, planters decided to expand production to at least maintain the previous level of profitability of the sugar industry. In order to expand production, planters appropriated more land, and work in the fields and mills intensified. Discontent among subaltern populations was evident. As I have mention above, Guillermo Baralt's study of slaves demonstrates that in the first half of the nineteenth century there were many organized attempts or actual slave revolts, and numerous individual acts of rebellion from slaves. These slave revolts and state regulations exemplify a troublesome and complicated development in Puerto Rico's sugar industry.

The decline of the sugar industry on the island, in conjunction with regional and international processes, pushed the colonial authorities to deal with contestation from the elites and from the subaltern groups, such as slaves and the jornaleros, in strategically different ways. In the 1860s, the discussion of the abolition of slavery gained momentum on the island. After the abolition of slavery in the United States, Spain felt international and also local pressure to take measures that would balance the

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29Ibid., 132.
30Ibid., 135.

abolitionist impetus and the planters' sugar interests. To this end, in 1870, the colonial authorities issued the *Moret Law* which granted freedom to slave children born after 1870 to slaves older than sixty years. These children, however, were subordinated to their mother's master in a tutelage system. The law was considered a moderate step in which the authorities granted some sort of "freedom" to certain sectors of the slave population, while the most productive sectors of the slaves remained under their master's control.

In his work about the transition to post-emancipation society, Luis Figueroa argues that planters felt threatened by this law, which was promoted by the authorities.[31] For this reason, the law was published on the island four months after it was issued. Several planters altered the birth certificates of their slaves in order to keep them under their service. Slaves were aware of the general situation. Figueroa points to a report about a group of slaves in Juana Díaz, who refused to work because of their understanding that they had been granted freedom.[32]

In 1873, the abolition of slavery and the *Reglamento de la Libreta* became a fact in Puerto Rico. Creole elite sectors, such as some hacendados, intellectuals, and professionals, who pursued political autonomy from Spain, incorporated the abolition of slavery as part of their agenda. Their discourse was based on the concepts of rights, citizenship and, of course, free trade, all of which resonated with the liberal ideology of the Spanish government after their Revolution in 1868. The

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31The Moret Law was promoted by the authorities as a step in the preparation for the abolition of slavery.

32Luis A. Figueroa, *Facing Freedom: The Transition from Slavery to Free Labor in Guayama, Puerto Rico, 1860-1898* (Ph.D. dissertation, University of Wisconsin, 1990), 174-178.

combination of factors such as the internal dynamics of the Spanish government and the political and economic processes in Puerto Rico pushed colonial authorities to engage in more open negotiations with subaltern groups on the island.[33]

Although most planters opposed the abolition of slavery, the government was forced to negotiate with these contradictory internal forces on the island. As a consequence, the regulations implemented by the governor Primo de Rivera on 20 April 1873 coerced freedpeople to engage into contractual relations with their former master, the state, or another party. Nevertheless, the new regulations for the contract process guaranteed the right of former slaves to search for better employers and to rescind their contracts. These legal stipulations did not mean that it was an easy task for freedpeople to live in post-emancipation society but they provided an opening in the coercive system which former slaves took as an opportunity to achieve more independence.

The continuous processes of negotiation and contestation between employers and employees (former slaves) threatened the planters' abilities to maintain their profits. For this reason, planters tended to manipulate the labor situation in order to force the authorities to legislate on their behalf. One hacendado, for example, wrote to the colonial authorities in 1874, to complain about the lack of efficiency of the contract system:

33After my discussion of the great creativity and powerful initiative of freedpeople in the aftermath of abolition, it would be inaccurate not to give credit to the agency of the slave population in the processes that led to emancipation. Up to this point in my research I do not have direct data that that demonstrate collective slave organizations with the main objective of terminating slavery in the immediate years prior to 1873. The only exception is the slave participation in the 1868 revolt, the Grito de Lares, which definitely attracted slaves who sought the possibility of abolition. One can argue that, during this period, slaves tended to put pressure on the slave system on a more individual level.

> La abolición de la esclavitud es otro de los escándalos más remarcables, porque absolutamente no se ha cumplido con lo que acordaron las Cortes, pero se ha tenido mucho cuidado en nombrar tres Protectores de Esclavos con dos mil quinientos (2,500) pesos anuales cada uno, que aún están percibiendo, que jamás se han cuidado de que se conserven los contratos que por tres años debían cumplir amos y libertos, antes al contrario, autorizaban al liberto para que cambiara de amo cuantas veces queisiera, eludiendo la Ley en tales términos que todos los prorietarios nos hemos obligados a abandonar los contratos por ilusorios.[34]

One can argue that the hacendado's complaints indicate not that the system was inefficient but that it was not strong enough to keep total surveillance over freedpeople who subverted the contract system to suit their needs.

The contract system experienced many changes in the subsequent years. The restoration of the conservative forces in Spain directly affected the island and the ensuing changes in the contract system. In 1874, a new governor, José Laureano Sanz, arrived in Puerto Rico. Responding to the complaints such as those of the conservative planter cited above, Sanz issued a new set of regulations. Many former slaves managed not only to arrange short-term contracts instead of the three-years contracts stipulated by law but also to make use of the articles in the previous regulations that allow them to revoke contracts that did not benefit them. Primo de Rivera's regulations indirectly empowered freedpeople to bargain benefits and wages. This bargaining process undermined the power of the hacendado class which was not able to rely anymore on their previous labor force. As a consequence, Sanz states there was the need for a change, a change that could revive the economy of the island:

34Letter from the Márquez de la Esperanza to the Ministro de Ultramar on January 24, 1874. Lidio Cruz Monclova, *Historia General de Puerto Rico, siglo XIX* (Río Piedras: Editorial Universitaria, 1957), Tomo II, 380.

> Resultado de todo ha sido la completa desorganización que existe en el trabajo; los daños grandes que sufre la agricultura; lo ilusoria que ha venido a ser una contratación hoy desprestigiada y gravosa para los propietarios...
> Es preciso, de momento, acudir al remedio de tanto mal accediendo a las justas reclamaciones que de toda la Isla se me han hecho, restablecer el imperio de la Ley, cortar los abusos al amparo del citado Reglamento introducidos, y prevenir puedan reproducirse los grandes males que la agricultura y la sociedad lamentan actualmente.[35]

In comparison to Primo's legislation, Sanz's ordinance was more strict. It demanded a revision of the contracts signed prior to that point in time in order to nullify those that did not meet the formal standards. It also demanded the obligatory extension of those contracts until April 20, 1876, in order to fulfill labor needs for the next three years. The ordinance stated that libertas and libertos could not rescind their contracts and that they would need special permission from their employers and the Protector de Libertos to move away from their municipality. The freedpeople were obliged to live with their employers. Moreover, the libertas and libertos were to have with them, at all times, a "cédula" that contained all information relevant to the employer and the location of the job.

In a desperate attempt to provide a more stable labor force, Sanz also promulgated a *Bando de Vagos* in April 15, 1874 which applied also to free jornaleros.[36] In this decree, the governor defined anyone who was not engaged in a stable job as a vagrant. Paradoxically, the *Bando* was derogated by the Junta Suprema on the basis that a capitalist system should not regulate free labor:

35*Decreto [de 10 de abril de 1874 expedido por el governador don José Laureano Sanz regulando el sistema de contratación de libertos] 1874, El proceso abolicionista,* 162-164.

36Ibid., *Bando de Vagos,* 449-450.

> [El] Estado no tiene ningún género de relaciones ni con los jornaleros ni con los hacendados para reglamentar el trabajo libre; porque todas las prohibiciones que coarten la libertad de contratación y todo cuanto tienda a limitar la actividad personal, equivale a alterar las leyes económicas de la oferta y el pedido, del capital y del interés, y de la medida y concepto de los valores; porque la reglamentación produce vilezas y estafas de casi imposible corrección y crea cierta pugna entre propietarios y jornaleros...[37]

Interestingly, during the second half of the nineteenth century, several entrepreneurs attempted to incorporate the Puerto Rican sugar industry into a more sophisticated capitalist structure.[38] This more sophisticated system of production required of the concentration of sugar elaboration in central mills. The objective of the central mills was to increase production, but also to produce a more refined sugar that could compete in the market with other countries. The central mill system, however, was not successful during this period. Contradictorily, the tax policy of the colonial authorities was one of the many factors that impeded its development. One can argue that although Spain showed interest in engaging in more sophisticated capitalist practices, it was not willing to relinquish power to a group of planters who could be dangerous to their already fragile political position.

It is noteworthy that labor relations also affected the development of the central mill system. According to Teresita Martínez's study of the central mill San Vicente, the administration failed to organize a labor force that responded to the exploitative needs of the most mechanized sugar production.[39] Workers (whites and non-whites) at the San Vicente central

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37Cruz Monclova, 389.

38Andrés Ramos Mattei, *La sociedad del azúcar en Puerto Rico, 1870-1910* (Río Piedras: Universidad de Puerto Rico, 1988)

39Teresita Martínez-Vergne, *Capitalism in Colonial Puerto Rico: Central San Vicente in the Late Nineteenth Century* (Florida: University Press of Florida, 1992), chp. 5.

mill resisted the whole concept of labor done in exchange for only wages. Martínez mentions that although San Vicente had a reliable work force, there was a continuous movement among workers in and out of the central mill. Many workers managed to have alternative means of support, such as a small plot or cattle, which allowed for some independence from the employer. The challenges posed by workers subsequently forced the administration of the central mills to offer material benefits, such as land, housing, and meals, which resembled labor relations in a more traditional plantation system, and in particular, they were very similar to these relations achieved by post-emancipation workers by bargaining.

In general terms, the new and reinforced apparatus of control implemented by Sanz was not totally successful. Instead, it was constantly challenged. We can explore some of those challenges through the complaints against freed people presented to the Secretaría Judicial in Ponce. Many strategies were open to contestation. Several former slaves resisted the attempts to control their physical mobility. For example, the liberto Andrés was denounced to the authorities because he left the plantation in the direction of Peñuelas, a neighboring town, without permission.[40] The liberto Alberto was denounced because he was frequently late for work at the plantation. Similarly, the liberto Clemente was detained for twenty days because he did not sleep in his employer's house.[41] Some of these actions seemed to be coordinated by a few of the libertas and libertos. An example of possible conspiracy among libertos is the case of a group of former slaves hired by Don Francisco Salich who

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404 February 1875, *Libro para anotar las correccionales por faltas gubernativas, 1874-1880,* Ayuntamiento Secretaría Judicial, Archivo Histórico del Municipio de Ponce.

41Ibid., May 1875 and 13 January 1875.

were denounced and imprisoned for thirty days each.[42] The libertos José, Lino, Fernando, Rodulfo, and Juan Bautista were accused of temporarily abandoning the hacienda. Were they taking care of some sort of business in common? Were they with libertas or libertos of other haciendas?

In these complaints, it is also evident that freedpeople continued to bargain for higher remuneration. For example, Loreto Archeval was denounced because he refused to go back to his employer. The case of the liberto Simón Archeval is clearer, Simón was detained because he refused to work "al precio del contrato."[43] Others were more interested in achieving total freedom, such as the liberto Vidal Lorán, who escaped into the mountains.[44]

This desire for freedom is also manifested in the claims made by libertos and libertas for the right to enjoy basic elements of life. Many women were accused and detained because they decided to participate in a dance or chose to drink. The liberta Dominga was detained for attending a dance without permission, along with the liberta María Belén who got drunk and did not show up to work.[45] According to the authorities, social activities such as those mentioned above interrupted the stability and regularity of the labor force.

Although these complaints and detentions suggest some sort of efficacy in imposing control, the need for constant punishment may also suggest the opposite. Speculating on the response of these libertas and libertos to the strict vigilance, I conclude that many of them did not feel threatened, but rather they continued to challenge the coercive system.

42Ibid., 28 June 1875
43Ibid., 4 February 1875
44Ibid., 6 May 1875
45Ibid., 9 May 1875

Liberto Salo is a good example. He was sentenced to thirty days because he "abandoned" his contract, but he escaped prison four days thereafter.[46] The liberta Felícita Garrats, who had been denounced on several occasions before, was detained for thirty days for the same reason, and she also escaped.[47] The case of the liberta Josefa Cortada is most amazing. According to the set of complaints I studied, she had been arrested three times at which point the authorities made the decision to find a contract for her: "detenida hasta que se contrate."[48] Nevertheless, Josefa was subsequently arrested eight times because of her refusal to engage in a contractual relationship. Josefa is a striking example of the freedpeople's determination to control their own lives.

The agency and contestation of subalterns such as Josefa Cortada were engines that transformed the systems of social control. In March 1876, a group of influential hacendados proposed a plan to regulate the labor of former slaves (thus also included all jornaleros) labor. According to the *Abolition Act* and the regulations of the Governor Primo de Rivera in 1873, former slaves were not forced into a contractual relationship after April 20, 1876.[49] Alarmed by the consequences this could have on production in the sugar plantations, planters did not have an alternative other than appeal to the colonial authorities for protection. In the introduction of the plan to the Ministerio de Ultramar, the governor Don Segundo de Portilla states:

46Ibid., 24 November 1875
47Ibid., 22 August 1875
48Ibid., 8 July 1875
49See. Article 2 and 7 in *Abolition Act* and Article 1 in the *Reglamento para la aplicación y cumplimiento de la Ley de 22 de marzo de 1873 sobre abolición de la esclavitud en su parte relativa a la contratación del servicio de los libertos, El proceso abolicionista*, 144, 149.

> El término de la contratación forzosa está expirando. Treinta mil libertos, obligados a ser hoy laboriosos, quedarán desligados de todo compromiso el 20 de abril próximo. Fácil es comprender cuál será su conducta cuando resulten dueños de libertad completa. Comprendo la posibilidad de que todos ellos abandonen aquel día las fincas, ávidos de gozar ese supremo bien que tanto ambicionaron, pero también declaro que agotaré los medios de corregir el mal, si no cabe evitarlo. No podré consentir que aquellos infelices, sin hogar, sin familia, sin educación que modifique y encauce sus pasiones, se derramen por los pueblos de la Provincia causando verdadera perturbación en los intereses morales y materiales de ella, y constituyendo un peligro para el orden público.[50]

In this introductory letter, Governor Portilla reflects the fears of the hacendado groups who felt that even during Sanz's era (with the 1874 regulations and the vagrancy laws) they were not able to push freedpeople to work with the intensity hacendados required. What would happen if freedpeople were not compelled by a rigorous system such as the one imposed by Sanz? Furthermore, Portilla's argument about freedpeople spreading all over the country also reflects fears of a racial threat. If freedpeople achieve "rights", then what would it be the difference between the white Creole elites and theblacks and colored people?

The *Proyecto de Reglamento sobre las relaciones entre el capital y el trabajo destinados a la industria agrícola* defined "jornalero" as all individuals, including single women, who needed to be employed by someone else for their support, although of course this was determined by the judgment of the Municipal Council. Among the many detailed articles, the *Reglamento* primarily stipulated that workers should work every day from sunrise to sunset. Workers had a "cédula de vecindad," which they exchanged for a "cédula de contratación" once they were employed. The latter recorded the conditions of the work agreement. Jornaleros had the

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5014 March 1876, Letter by the Governor don Segundo de la Portilla to submit the project to the Ministro de Ultramar, *El proceso abolicionista*, 340-342.

opportunity to look for jobs out of their municipality, but had inform the Ayuntamiento. Their permission lasted only for three days. Moreover, former slaves were not allowed to leave the municipality unless they had already agreed to a contract with an employer.[51]

Interestingly, the Ministerio de Ultramar did not agree to implement this *Reglamento.* Instead, the Ministerio de Ultramar commanded the colonial authorities on the island to issue the previous *Bando de Vagos* (1874). In 1877, planters once again voiced their concerns. D. Antonio Alfau, president of the Sociedad de Agricultura de Ponce, wrote to the Ministro de Ultramar demanding regulations to coerce jornaleros to work on the sugar fields:

> Allí, donde la vida animal constituye el limitado horizonte de las aspiraciones para las clases bajas esa vida animal está satisfecha dos días con el jornal adquirido en uno, la consequencia inmediata es que el obrero, con honrosas excepciones, trabaje un día para hogar al siguiente, aun violando sus compromisos y sus contratos de obra.
> Y todo esto, Señor, trae en pos de sí el que la agricultura languidexca y arrastre en aquella Provincia una vida de decadencia notable, que concluiría en la ruina absoluta de los predios, especialmente aquellos que están dedicados al cultivo de la caña.[52]

Once again, the Spanish government refused to directly interfere in the establishment of contract agreements. Why did the colonial state refuse planters' demands? One argument is that the planters' political power was eroded once their economic project started to decline. Another industry, coffee, emerged during this period and attracted the attention of many investors, particularly merchants. In addition, the *Reglamento sobre las relaciones entre el capital y el trabajo* and the demands of Antonio

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51Ibid., 344-355.
52Letter from D. Antonio Alfau to Ministerio de Ultramar, *El proceso abolicionista,* 357.

Alfau were addressed not only to coerce former slaves but also others, white or free people of color, who worked small pieces of land or established other kinds of land arrangement which were not enough to support themselves. The Ministerio de Ultramar's refusal to accept the hacendados' plan could mean a recognition of the agency of those subaltern sectors. Members of subaltern groups, particularly former slaves demonstrated through their challenges to the contract system and Sanz's dispositions that more direct repression could create more problems. A social crisis on the island could affect Spain's already fragile position as colonial power. Finally, Spain needed to incorporate itself into the world market. This required a transformation of economic structures in order to survive in the Liberal capitalist world. Paradoxically, in the eyes of the colonial authorities, forced contract labor was inappropriate for the development of these economic dynamics, although they already issued a *Bando contra la Vagancia.*

Conclusion

Many factors influenced transformations within systems of social control on the island. In this chapter I have looked at the challenges posed in both the international and the regional context to the previous leading position of Spain in Latin America. The stagnating economic structure of Spain, the Independence Wars in Latin America, and the Ten Years War in Cuba, seriously diminished Spanish power. I have argued that as a remnant of the colonial empire, Puerto Rico witnessed, throughout the nineteenth century, the constant reconfiguration of political and economic forces among different social groups such as the fragmented planter class,

the racially diversified jornalero sector, former slaves, local government, and metropolitan authorities.

A primary objective of this chapter has been to look at more than external factors to explain the rationale behind colonial authorities' strategies to maintain control over specifically subaltern groups. I attempt to explore the internal dynamics of Puerto Rican society which posed a source of danger to the authorities. I chose to look at legislation over labor for two main reasons. First, it is a window for exploring the contradictory and complex relationship between different sectors of the elite. In addition, it indirectly demonstrates the agency and initiative of subaltern groups, which always managed to take action or negotiate in order to achieve more autonomy.

From the official regulations, we are able to see the planters' need to ally with the state in order to recover their prominent economic status, which would in turn allow them to push for more political autonomy. The colonial authorities had similar interests in terms of the profitability of the sugar industry, but maintaining colonial power was their priority. To this end, government authorities moved from highly repressive legislation during the first half of the nineteenth century to a system of control based largely on negotiation with subaltern sectors, particularly former slaves.

Chapter III
It is Harvest Time!
The Liberto and Liberta Experience in an Agricultural Setting

In 1 August 1873, the liberta Dominga presented a complaint to the mayor of Ponce against her employer, Doña Manuela Cuesta. Dominga argued that Doña Manuela had not complied with her part of the contract, and she was "demandándola por falta de cumplimiento al pacto celebrado entre ambos." According to the sources, the authorities ordered the employer to attend a hearing but unfortunately, there is no further information about the resolution of this case.[1]

Dominga's case provides some insight into the negotiation process that was part of the struggle between employers and their new employees, the freedpeople. In addition, this case highlights how former slaves took the initiative in asserting their rights through legal channels. The fragile balance created by the constant negotiations in the struggle between these two large social groups was influenced by many factors, including racial, ethnic, and gender differences. In this study of the liberto and liberta experience, I will also explore how the interplay of different rural and urban economic dynamics molded the experiences of former slaves.

It is characteristic of slavery studies to center research mostly on agricultural settings, and particularly within the plantation system. Although black slavery was not present in every sugar plantation area and sugar cane was not only dependent on black slavery, both elements were highly correlated. Therefore it is not surprising that advances in the

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[1] *Copiador de Oficios dirigidos a las Autoridades locales y particulares, 1872-1875,* Corregimiento del Distrito de Ponce, No. 129, Archivo Histórico del Municipio de Ponce.

historiography regarding emancipation processes have privileged sugar cane settings. It is important to emphasize that a rural/urban dichotomy is present in most of the scholarship that deals with slavery, abolition, and post-emancipation society. Throughout this project, I argue that this division between both settings is not absolute, and there was a constant flow of former slaves from one area to the other when it was convenient for the slaves.

For practical reasons, in this thesis, I deal with both urban and rural economic settings in separate chapters. I am aware of the interconnection between both economic settings but I believe that focusing on each one separately but not in isolation allows me to look at two main issues: how different production systems influenced the experience of former slaves and how the agency of freedpeople altered the production system predominant in a particular area. In this chapter, I will explore the socio-economic reconfiguration that took place after the abolition of slavery within the plantation system in Puerto Rico. In the previous chapter, I provided some background about various struggles between dominant groups, on the one hand, who attempted to coerce former slave labor and limit their alternatives, and former slaves, on the other, who counteracted those attempts of coercion in several areas of the Caribbean.

In this chapter, I provide a more detailed discussion of similar situations by focusing specifically on Ponce. Ponce was the richest plantation area, located in the southern part of Puerto Rico. A local historical analysis of Ponce offers the opportunity to look closely not only at the performance of elite groups but also to examine the various ways in which freedpeople in Ponce took advantage of fissures within the colonial coercive system. As I mentioned before, these fissures were partially

consequences of the particular historical context in which emancipation took place on the island. Additionally, these cracks in the system were recreated and expanded through the initiative of freedpeople.

In this chapter I provide a short description of the sources concerning Ponce, that I examined in order to look at the experiences of libertos and libertas in the Puerto Rican plantation setting. The chapter also includes a brief summary of the socio-economic background of Ponce. Then, I offer a more in-depth analysis of the dynamics of this particular agricultural setting, including a brief discussion of the reorganization of labor after emancipation.

Sources

This chapter is mainly informed by three documentary sources: a set of liberto and liberta contracts, the *Copiador de Oficios dirigidos a las autoridades locales y particulares* of the Corregimiento de Ponce, and the *Libro para anotar las correccionales por faltas gubernativas.*[2] The collection of 148 contracts dates from April 28 to May 9, 1873 and are filed at the Archivo Histórico del Municipio de Ponce.[3] This sample seems to be very small if one considers that Ponce was the richest plantation area in Puerto Rico. According to the census, in early 1873 Ponce had 3379

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[2]This primary documentation was gathered, and shared with me, by another scholar, Eileen Findlay, who does research on Ponce in the same time period. I am eternally grateful to Eileen Findlay, not only for sharing with me these primary documents from the Archivo Histórico de Ponce and Archivo General de Puerto Rico but also for her unconditional support throughout the different stages of this project. Without this documentation, this project would not be possible. However, I did not directly examine the documentation of Ponce. It was gathered by Ms. Findlay and it responded to her research interest on gender relations during the 1870 to 1920. This fact limits this study in terms of the amount of cases that deal with former slaves, time period and location.

[3]The 148 contracts were distributed among five specific dates: 28 and 29 April and 3, 5, and 9 May.

slaves, which was the largest concentration of slaves on the island.[4] Nevertheless, this small collection is useful to illustrate the fast pace of the process of contracting by libertos and libertas after the April 20th ordinance.[5] In a period of only twelve days, there were 148 contracts registered. Despite the short period of time, this excerpt of the *Registro de Contratos de Ponce* also exemplifies the dynamics of such contracts during the busiest moments of the process. For example, the majority of those engaged in contracts were women and the largest number of these contracts were for field work. Additionally, some of the conclusions drawn from this collection regarding former slaves' migration to more urbanized areas and changes in work relations are reaffirmed by other studies on various plantation areas in the island.[6] The comparison of these other case studies also brings out issues that we should rethink and expand on, such as the increased power of former slaves, the constant re-negotiation among elite groups, and the active role of women in this process.

The second source of primary documents, *Copiador de oficios dirigidos a las autoridades locales y particulares*, collects the daily events that took place in the municipality of Ponce. In the sample available to me, the Copiador mostly registers the migration of former slaves from neighboring towns to the villa (the most urbanized zone) of Ponce and

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[4]*Censo de libertos* (Hecho entre febrero y marzo de 1873), *El proceso abolicionista en Puerto Rico: documentos para su estudio* (San Juan, Puerto Rico: Centro de Investigaciones Históricas e Instituto de Cultura Puertorriqueña, 1978), 157.

[5]The April 20th ordinance is the set of regulations issued by the Gov. Primo de Rivera: *Reglamento para la aplicación y cumplimiento de la Ley de 22 de marzo de 1873 sobre la abolición de la esclavitud en su parte relativa a la contratación del servicio de los libertos, El proceso abolicionista*, 149-154.

[6]Mainly, I consulted the works on Guayama by Luis A. Figueroa, "Facing Freedom: The Transition from Slavery to Free Labor in Guayama, Puerto Rico, 1860-1898" (Ph.D. diss., University of Wisconsin, 1990); and others such as Andrés Ramos Mattei, "El liberto en el régimen de trabajo azucarero de Puerto Rico, 1870-1880" in *Azúcar y esclavitud*, Andrés Ramos Mattei, ed. (Puerto Rico: Universidad de Puerto Rico), 91-124.

several migration cases of former slaves in Ponce to other places out of town. It is important to note that Ponce was not only a plantation area. It included a dynamic urban area with an active commercial and mercantile life. Unfortunately, my sources do not provide enough information about those urban dynamics to explore them in this project.[7] The excerpt of this register relevant to this chapter consists of a small set of 120 cases of libertos and libertas, which date from 24 April to 31 December 1873. In addition to their migration, legal or illegal, this register also includes few direct complaints about former slaves' lack of discipline. Notably, women constituted the majority (fifty-three percent) of freedpeople in this register. These documents illustrate the complex relations between officers of the government, the various strategies used by the authorities to keep track of freedpeople, and the weakness of the apparatus of coercion.

In this chapter I also rely on a set of 342 fines and complaints that concerns libertos' and libertas' crimes and legal offenses that were compiled in the *Libro para anotar los correccionales por faltas gubernativas* of the Ayuntamiento de Ponce. This document also includes the punishment that was implemented by the authorities in these cases. This collection dates from April 1874 to April 1876. Although these documents are from a later time period, they provide a window on the responses of former slaves to the changes in regulations during the

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[7]As I mention in the description of the *Copiador de Oficios*, we know that there was migration of former slaves from neighboring towns to the *villa* of Ponce. One can argue that due to the economic difficulties of the sugar industry, smaller plantations such as those in the surrounding towns could not succeed after emancipation. This fact suggests a possible explanation for this migration and explains why the migration, particularly to the *villa,* by former slaves in Ponce plantations is not as evident. The migration factor, however, suggests that the most urbanized areas of Ponce also experienced many transformations during the emancipation process, which could be an interesting subject for further research.

contract period.[8] In 1874, the colonial authorities initiated changes that more strictly regulated and disciplined former slaves' activities. The documents I examined show those instances in which freedpeople's resistance and agency forced the renegotiation of the hegemonic "pact" concerted between former slaves and dominant groups. As result of such renegotiations, other forms of more direct repression were implemented.

Southern Puerto Rico: Ponce

In 1873, Ponce, in addition to Mayaguez and Guayama, was one of the most profitable sugar plantation areas in Puerto Rico. Therefore, it had one of the largest slave communities on the island. Ponce emerged as a profitable agricultural zone during the second half of the eighteenth century when local "hateros" and "estancieros" were "caught in a sort of 'coffee fever'."[9] Before coffee emerged as a profitable staple, Ponce's economy was based on pastoral activities. During the seventeenth and early eighteenth centuries, social relations in the area of Ponce were not characterized by as sharp racial or ethnic differences as in other places of Latin America. At that time, Ponce's economy was less developed and, therefore, the social distinctions were not as accentuated. Later on, the cultivation of coffee initiated a transformation of social relations intimately linked to the redistribution of, and access to, productive land.

Once the cultivation of cane began in 1815, these social transformations accelerated. Since cane cultivation required intensive use of land, labor, and capital, it was during this period that slavery came to play a major role in the island's economy. High international sugar prices

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[8] According to the *Abolition Act*, the contract system should last three years.

[9] Most of the historical background on Ponce as well as the quote are taken from Francisco Scarano, *Sugar and Slavery in Puerto Rico: The Plantation Economy of Ponce, 1800-1850* (Madison, Wisconsin: University of Wisconsin Press, 1984), 40.

motivated Ponce's planters to expand production, which implied expanding the lands under cultivation.[10] Productivity also demanded intensified labor, which planters supplied through slavery. In contrast to its neighbors in the Caribbean, Puerto Rican plantations were smaller in size. Nevertheless, productivity in Puerto Rican plantations, specifically Ponce, was almost equivalent to production in areas of British West Indies and Cuba.[11]

Planters relied on slave labor because of their incapacity to attract free workers in a consistent way to the rigorous work on the hacienda. Although the importation of slaves was gradually diminishing because of international restrictions on the slave trade, the impossibility of maintaining a constant labor influx of free people was the reason that planters sought to prolong slavery. During the 1850s, slaves comprised eighty percent of the Ponce labor force.[12] This picture suggests not only the importance of slavery in Ponce (and other similar sugar cane areas on the island such as Mayaguez, Guayama, and Arecibo) but also the intensity and brutality of slavery on sugar plantations. Although not in such large numbers, slavery also was important in the smaller and scattered sugar production in neighboring areas of Ponce such as Juana Díaz, Guayanilla, Villalba, and Santa Isabel. These areas had a larger concentration of food crops and subsistence cultivation, and several of them also had small-scale fishing activity.

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[10]The notes about land are from José Curet, "De la esclavitud a la abolición: Transiciones económicas en las haciendas azucareras de Ponce, 1845-1873" in Ramos Mattei, 59-86.

[11]Scarano, 42.

[12]José Curet, "About Slavery and the Order of Things: Puerto Rico, 1845-1873" in *Between Slavery and Free Labor: The Spanish-Speaking Caribbean in the Nineteenth Century*, Manuel Moreno Fraginals, Frank Moya Pons, and Stanley Engerman, eds. (Baltimore: The Johns Hopkins University Press, 1985), 117-140.

In 1870, the signs of decline of the Puerto Rican sugar industry were already evident. Through a comparison of plantation accounts from 1845 and 1861, José Curet shows an increase in the free labor force employed in the plantations on the island and, therefore, a reduction in the number of slaves. Curet argues that this increase in the employment of free laborers did not indicate the hacendado's commitment to a free labor force. Instead, it points to the serious economic constraints faced by planters who could not compete against Cuban planters for the few slaves available in the market when fewer slaves were available because of decreases in the slave trade.[13]

Curet also demonstrates that although sugar production on the island increased after 1865, its value decreased and earnings were considerably lower for the plantations. Beet sugar had become very popular, particularly in Europe and the United States, and as a consequence, sugar prices in the international market started to decline. Ironically, in 1870 when the value of sugar was at its lowest level, Puerto Rican plantations produced their largest harvest, which was 95,824 tons of sugar. Figures show that in a period of ten years, sugar production diminished to only 50,282 tons in 1880.[14] The number of sugar plantations also diminished in the years after 1860. Of the 550 haciendas actively producing sugar in 1870, only 325 of them were still open ten years later. In the particular case of Ponce, the numbers are more striking. In 1845, Ponce had eighty-

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[13]We have to remember that since the 1820s, the official slave trade by Spain was suspended due to constant political pressure from England. Although, this did not mean a complete disappearance of the slave trade in the Caribbean, the regulations decreased it substantially. As a consequence, slave prices increased considerably.
[14]These figures are in Andrés Ramos Mattei, "Technical Innovations and Social Change in the Sugar Industry of Puerto Rico, 1870-1880" in *Between Slavery and Free Labor*, 160.

six estates. In 1861, there was eighty estates and finally, in 1886, only twenty-two estates remained in Ponce.

In the same study, Curet makes references to an increase in the number of complaints that were registered in Ponce about planters' indebtedness, and also he notes there was a constant process of repossession of sugar estates. Additionally, Curet points to the slow process of mechanization of the sugar making process as another sign of the economic stagnation in the sugar industry. The lack of adequate technology pushed planters to extend work days and to deploy more cultivable land. The large amount of work put enormous amount of stress on the workers. This stress can explain the increase on criminal incidents which, according to Curet, were registered by the authorities in Ponce during this period.

The difficult nature of sugar cane work, particularly during this economic crisis, made it difficult for planters to recruit laborers. The lack of a continuous flow of workers, aggravated by the abolition of slavery, contributed to the decline of the plantation system on the island. Subsequent attempts to control former slave labor reflected the economic crisis.

Other factors are also relevant for understanding the decline of the plantation economy. First, the *Abolition Act* coincided with the harvest season in the sugar areas, which posed a threat for plantation owners. During previous harvest seasons, exploitation of the slave force had intensified. Slaves were required to stay all throughout the nights working in the sugar mills in order to maintain the pace of production. Once emancipation took place, however, freedpeople managed to bargain for

better wages and benefits among different *haciendas.* Planters, afraid of loosing their investments, were desperate to recruit workers.

In the second place, sugar prices in the international market were very low, therefore, sugar production was not providing high profits. As I mentioned above, sugar cane prices started falling during the late 1840's. The planters' response to this problem was to expand production in order to maintain a certain level of profit. Expansion of production meant an increase in the amount of land under cultivation and a brutal exploitation of the slave force. Puerto Rican planters could not compete with the beet sugar production in Europe and Louisiana or with sugar production of the neighboring island of Cuba. An hacendado's complaint, published in the newspaper *El Abolicionista*, provides us with a better picture of this situation:

> Por lo que hace a la situación económica de la Isla, estamos corriendo, amigo mío, la crisis más terrible que imaginarse puede. El azúcar, que es la mayor riqueza del País, no tiene demanda por no haber quien compre, al extremo que una gran parte de los hacendados han tenido que embarcar por su cuenta los azúcares para el extranjero por falta de compradores, a causa de que muchos comerciantes han quebrado y otros se hallan en vísperas de quebrar.[15]

The hacendado also mentioned the difficulties created by a terrible drought that affected the entire production of the island:

> Todo lo que le dejo manifestado se relaciona con la gran sequía que hace sobre dos años que estamos experimentando, al extremo que en algunos Departamentos, cual lo es el de Guayama, ingenios ha habido que no han llegado a 100 bocoyes de azúcar en la presente cosecha. Los frutos menores de toda la costa sur de la Isla se han perdido y con especialidad el maíz, que es el recurso de la pobreza y que se cultiva en grande escala.[16]

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[15]"La situación de Puerto Rico," *El proceso abolicionista en Puerto Rico,* Vol. II, 298-300.

[16]Ibid., 299.

Modernization was also seen as necessary for the survival of the Puerto Rican sugar industry.[17] The colonial authorities promised slaveholders indemnities for the lost human capital, but these were delayed. The planter class needed better access to capital in order to update sugar production through technical innovations. Planters expected to use the indemnization money for this purpose. In this context of economic crisis, it was imperative to modernize the mechanical techniques of production, as well as the structures of production itself.

The Spanish government, however, took a long time to pay the indemnizations to the hacendados. Many hacendados purchased steam mills and other machines through credit hoping that they would be able to pay soon with the promised indemnization; instead they were indebted with no resources for paying their debts. The process of paying the indemnizations took seventeen years, from 1873 to 1890. The government committed to pay hacendados two hundred pesos for each slave (according to the market value at that particular time) as indemnization. The colonial authorities did not have enough currency to pay right away, for this reason, the government issued certificates for the value of hundred pesos each. Each year just a selected group of hacendados was able to exchange the certificates for currency. Due to the economic crisis and the inflation at the moment of exchange, the certificates were already devalued. Furthermore, Ramos Mattei informs us that by the time in which indemnizations were paid, the Spanish government already managed to increase taxes on sugar export and property in order to pay off the promised indemnization. Indemnizations paid to hacendados were taken

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[17]Andrés Ramos Mattei, "Technical Innovations and Social Change in the Sugar Industry of Puerto Rico," 158-162.

from them through other mechanisms. Any financial benefit provided to hacendados by paying them the indemnizations was canceled by the imposition of higher taxes and commercial tariffs. The delay in payments from the government to the hacendados definitely made it more difficult to them to survive economically.

In addition to the instability of sugar prices and the shortage of labor, insufficient access to capital was a fundamental reason for the deterioration of Puerto Rican sugar industry. The merchant sector, the main source of capital on the island, was reluctant to invest in an industry already in decline. Many merchants were directly affected by the uncertainty in sugar production, which prevented them from continuing to provide capital for re-investment. Furthermore, coffee production in the interior of the island gradually emerged as an important industry during the second half of the nineteenth century. Many merchants and also the colonial authorities preferred to finance and encourage coffee production which they thought at that moment to have more possibilities for success than the sugar industry.[18]

The decline of the plantation economy on the island highlighted the fissures within the hegemonic project articulated by the various elite groups during the first half of the century, when the sugar industry was at its peak. Although with different political and social agendas, these groups had a common interest in the profitability of the sugar industry and were able to work together (although with much friction and many contradictions) in order to advance their agenda. The fissures among the groups were not only caused by the introduction of liberal ideas into the

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[18]Astrid Cubano Iguina, *El hilo en el laberinto: Claves de la lucha política en Puerto Rico, Siglo XIX* (Río Piedras: Ediciones Huracán, 1990), 16.

ideological realm but also by the instability of the economic foundations of that hegemonic project.

During the 1860s and 1870s there was a more drastic experience of fragmentation and transformation of the hegemonic forces. Different social groups understood differently how to survive the economic crisis and maintain or achieve some social or political control. Even forces such as the military (which supposed to offer unconditional service to the colonial authorities) faced instability during this period. In March 1873, the Captain General received notice that the Spanish troops stationed on the island were in state of revolt. The Spanish troops argued that with the Republican regime in Spain and the emancipation of slavery, they also should have some benefits such as shorter compulsory military service and better wages.[19] Apparently, the Spanish troops really posed a threat to the island's security since the Brigadier of Marine and the Volunteers Corps thought it necessary to guard the governor's Palace by land and by sea.

The fragmentation of the hegemonic project owes much to the conflicts of interests between merchants and planters during this particular historical conjuncture. On the one hand, the merchant sector was not interested or not able to provide capital for reinvestment in sugar production. On the other hand, the planter class was weakened by its economic problems. The unstable economic situation of planters threatened their political influence over the colonial authorities. Although not radically opposed to the planter class, the colonial authorities also had their own project: to maintain control over the colony and to avoid

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[19]Letter from the U.S. Consul in Puerto Rico, March 31, 1873, *El proceso abolicionista en Puerto Rico*, 287-288.

destructive conflicts.[20] Nevertheless, they also faced the resistance of freedpeople, who always challenged and threatened the economic and political ambitions of the dominant groups. The processes of emancipation and the contract system are evidence of these objectives and challenges.

The Contracts

Studying the contracts as documents, allows for not only an appreciation of the weak points of the system but also of how it paradoxically allowed freedpeople to recreate a more independent life. The texts of the contracts illustrate the liberal stance of the metropolitan authorities in the early stages of the process of emancipation, and how that ideological influence allowed for few liberties, which were expanded on skillfully by former slaves:

> En el pueblo de Manatí, a 30 de abril de 1873, ante el señor alcalde Don Juan R. Ramos, comparecieron el hacendado de esta juridicción Don Bonocio Llenza, mayor de edad, y la liberta Lucía, soltera, de oficio doméstica y de 44 años de edad asistida del delegado protector, caballero síndico Don Ricardo Martínez, *quienes manifestaron haber ajustado libre y espontáneamente el contrato* de servicio personal bajo las cláusulas siguientes...
>
> *Leído que fue este contrato a Don Manuel Paz y a la liberta Martina, manifestaron estar conformes con las cuatro cláusulas que contiene y de que están enterados, y a cuyo cumplimiento se obligan*, lo mismo que a abonar los daños y perjuicios que la falta de observancia origina (emphasis mine)[21]

There is also documentary evidence from the perspective of local authorities that shows the fragmentation of the apparatus of control and the vanishing of elite groups' hopes for total subjugation of the

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[20]One cannot forget the influence of liberal ideas, and more importantly, the conflicts in the neighboring island of Cuba in the fragmentation of the hegemonic project.

[21]Contratos de libertos, Municipio de Manatí, *El proceso abolicionista en Puerto Rico,* 420-421.

freedpeople. In this letter, the alcalde of Manatí complains about the "inefficiency" of the contract process:

> En vista de su comunicación, fecha 7 de próximo pasado, a la que acompaña acuerdo de aquel Municipio *proponiendo la supresión del Negociado de Libertos,* toda vez que, a pesar de los gastos que ocasiona al pueblo, no produce resultado alguno por el estado de vagancia en que se encuentran dichos libertos, y pidiendo al mismo tiempo que se regularice el trabajo (emphasis mine).[22]

Local authorities were reacting against the institution created by the colonial government to carry out the contract process. As established in the 20 April 1873 ordinance, the contract process was mediated by the *Protector de Libertos.*[23] The island was divided into three departments, each one with a Protector de Libertos. In addition, each Protector had the assistance of several "síndicos" who kept the contracts on file. According to the law, each employer together with his/her employees was obliged to go to the Protector de Libertos' office in order to sign the contracts. In his study of the southern plantation area of Guayama, Luis Figueroa shows that the usual procedure was for planters and employees to join together to visit the Town Hall.[24] Andrés Ramos Mattei, like Figueroa, also provides few hints about the way in which contracts were negotiated.[25] He mentions the active role of third parties. For example, Don Juan Serrallés, a rich hacendado in Ponce, recruited 14 laborers through a mediator from

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[22]Letter from the Alcalde de Manatí to the Governor of the island, 2 March 1874, *El proceso abolicionista de Puerto Rico,* 436.

[23]The functions of the *Protector de Libertos* are described in the *Reglamento para la aplicación y cumplimiento de la Ley de 22 de Marzo de 1873, El proceso abolicionista en Puerto Rico,* 149-154

[24]Luis Figueroa, *Cutting Cane and Terrain: Lives and Struggles in the Transition from Slavery to Free Labor in Guayama, Puerto Rico, 1850-1900* (unpublished manuscript), chp. 5, 46-49.

[25]Andrés Ramos Mattei, "El liberto en el régimen de trabajo azucarero de Puerto Rico, 1870-1880" in *Azúcar y esclavitud,* Andrés Ramos Mattei, ed. (Río Piedras, San Juan: Universidad de Puerto Rico, 1982), 91-124.

Yauco, a neighboring town. Yet, it is difficult to obtain a clear picture of how these contracts were negotiated between the parties.

In both areas, urban and rural, the contracts shared some general traits. A high percentage of the documents included food, housing, health care, clothing or some sort of combination of these items. Compared with the documents from San Juan cases, however, documents from Ponce show a slightly higher tendency to provide the above mentioned benefits to a larger number of freedpeople. For example, eighty-five percent of the contracts in Ponce provided for medical care.[26] Ponce employers also provided housing in ninety-four percent of the cases. Notably, the provision of housing may be understood as a possible tool for coercion in that it regulated physical mobility. It may be that since Ponce had a more fragile situation, the provision of housing could actually have been understood by the planters as an imperative.

Table 2.1
Benefits Included in Contracts
Ponce
April-May 1873

Benefits	Housing	Medical Assistance	Clothing	Wage	Food
Women	87	77	66	74	84
Men	53	56	36	57	54
Total of contracts with benefits	140	126	102	131	136
Percent	94%	85%	60%	76%	91%

Source: Contratos de Libertos
Archivo Histórico del Municipio de Ponce

[26]Medical care was one of the most recurrent benefits included in the contracts. Although the contracts did not specify what "medical care" embraces, the contracts did say that the employer would take care of the employee in case of illness but the latter would not receive salary for the time s/he was sick.

Although the data for San Juan in regard to wages is not enough to attempt to make a reliable comparison with Ponce as it is possible in regard to other benefits, it is noteworthy to point out that the wages paid in Ponce seem to be higher. One can argue that the high demand for labor on the plantation at this point of time, the tendency of many liberto and libertas to change employers, and the competition for labor among hacendados were good reasons to offer better wages. In Ponce, seventy-six percent of the employees in the collection of contracts I analyzed received wages that ranged from two to eight pesos per month; in contrast, in San Juan only thirty percent of the contracts recorded wages within that range.[27] As I mentioned above, emancipation took place during the harvest season; therefore, it is noteworthy that those workers engaged in field work received higher wages.[28]

I also investigated bargaining power and physical mobility as key elements for analyzing the various ways in which libertos and libertas took initiatives and developed strategies to improve their life conditions and to achieve some freedom. Looking at San Juan and Ponce documents as a whole, the data reveal that fifty-seven percent (sixty-four percent women and thirty-five percent men) decided to work for another employer. In the Ponce documents an interesting example of this bargaining was found. In May 7, 1873, Doña Bernardina Franco hired two of her former slaves and provided them with clothing, housing, food, and medical care but no wages. However, the liberta Andrea, a former slave of Doña Bernardina,

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[27]It is important to highlight that the data about wages from San Juan is limited which does not allow for an accurate reading of the wage situation in that urban area; however, I decided to speculate a little based on the very small sample I gathered.

[28]Better wages and benefits for field work are factors important to understand why fifty percent of women stayed at the plantation during the early stages of the emancipation process. I will get back to this issue later in this project.

did not stay with her. Instead she was hired by Don Santos Almiroti who provided her with all of the above mentioned items plus a wage of four pesos a month.[29] In contrast, Don Salvador Mas was successful in keeping his fieldwork team (a group of twenty-four liberto and libertas) by providing all benefits and high wages.

It is necessary to point out that the majority of the contracts in Ponce were signed for short periods of time, ranging from two to eight months. This is significant because the *Reglamento para la aplicación y cumplimiento de la Ley de 22 de marzo de 1873* establishes in the first article that the contracts should be signed for a period of no less than three years. The common practice of establishing short-term contracts while the law required long-term arrangements can be understood only within the contradictory dynamics of the processes of emancipation in a plantation area. First, contracting for a short period of time was, in part, a planter's strategy. Harvest time lasted from January to May. Therefore, the former slave labor force was needed only for two or three months. Nevertheless, this interpretation does not take into account that planters had to think not only about that harvest season but also about the future of the sugar industry and their investments. The planters had to consider how they would be able to have enough workers in future seasons to produce their sugar crops, and the scarcity of labor did not place planters in an advantageous position to negotiate. One could argue, hence, that former slaves sought contracts for short period of times so as not compromise their recently acquired freedom. Contracts for two to eight months provided slaves with enough room to bargain with other parties for better

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[29]Contratos de Libertos, 7 de mayo de 1873, Fondo de Gobernadores Españoles, Municipalidad de Ponce, Archivo General de Puerto Rico.

benefits since the law allowed former slaves to contract with former masters, another party, or the State.[30] Former slaves did not have material investments such as provision grounds that tied them to any specific plantation as they did in other islands such as Jamaica.[31]

The process of emancipation as it developed in other areas of the Caribbean earlier in the nineteenth century, brought up doubts among the elite and foreign visitors about the success of the legal regulations that attempted to control former slaves' labor and migration in Puerto Rico:

> With regard to the law itself, it seems to me that the obligation of the freedmen to engage themselves for three years will not prove successful. This sort of apprenticeship is no more likely to be so here than in the British colonies; and, as they are allowed a choice of employers, the men cannot be expected to choose, and the women certainly will not choose, labor in the cane field, where they are wanted, and will seek service in the towns, where they are wanted, and will seek service in the towns, where they are not.[32]

This illustrates that the elites were aware of the continuous mobility of former slaves before emancipation took place. In addition, the provision of extra indemnization to planters whose former slaves moved out and engaged in contract relations with others, implied that freedpeople would migrate. All these factors suggest that many planters were forced to make concessions, such as short-term contracts, to former slaves.

The collection of contracts from both San Juan and Ponce indicates that a group of 293 libertos and libertas established contracts with new employers. Unfortunately, a large portion of those contracts do not

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[30]Artículo 1, *Reglamento para la aplicación y cumplimiento de la ley de 22 de marzo de1873, El proceso abolicionista en Puerto Rico,* 149.

[31]As I will discuss later in this project, providing garden plots to slaves to cultivate small subsistence crops was not a common practice in Puerto Rico. See Luis A. Figueroa, "Facing Freedom," 352-353.

[32]Letter from the British Consul in the island, H. August Cowper, April 6,1873, *El proceso abolicionista en Puerto Rico,* 288-289.

provide enough information about the age of the libertos and libertas. Nevertheless, I have a set of 169 contracts which do enlighten us about the age distribution of this population. There were forty former slaves in the age group of twelve to nineteen years and forty-four libertos and libertas in the age group between thirty-six to fifty-two years. I would like to highlight that a large portion of those (fifty percent or, more exactly, eighty-five libertos and libertas) who changed employer in Ponce, fell in the most productive age group, twenty to thirty-five years. Thirty-seven former slaves fell in the group of twenty to twenty-five years. Another thirty libertos and libertas were in the age group of twenty-six to thirty years, and finally eighteen of them were between thirty-one and thirty-five years. Former slaves within this age group, twenty to thirty-five years, were the most productive and useful during the harvest season. Therefore, it is not surprising that this group of former slaves was in a better position to bargain for benefits among different plantations. The following table shows that among the freedpeople who arranged contracts with new employers, women were in a higher percent.[33]

[33]In the next chapters, I will attempt to explore freedwomen's experiences in more depth.

Table 2.2
Contracts with New Employers
Ponce-San Juan
April-May 1873

	Ponce	Percent	San Juan	Percent
Women	44	65%	145	64%
Men	23	34%	81	35%
Total of contracts with new employers	67	45%	226	59%
Total of contracts with former masters	81	55%	154	41%
Total of contracts	148		380	

Sources: *Libro de contratos de libertos de San Juan, 1873-1875*
Archivo General de Puerto Rico and
Contratos de libertos en Ponce
Archivo Histórico de Ponce

Liberto and liberta physical mobility was not confined to the plantation areas. Many former slaves moved to more urbanized areas of the *villa* or to other towns searching for better opportunities. As the documents from Ponce suggest, if former slaves wanted to move away they had to apply for permission to the town mayor. Legally, the mayor was the only officer with authority to grant that type of permission.

In the *Copiador de oficios*, almost fifty percent of the entries were about former slaves who moved into the *villa* of Ponce from places, such as Santa Isabel, Juana Díaz, and Peñuelas. This evidence highlights the status of Ponce as a center for opportunities. On the other hand, twenty-two percent of the entries register former slave migration out of Ponce towards areas such as Coamo, Humacao, Juana Díaz, and San Juan, among others. For example, the liberta Eleuteria, former slave of Don Jaime Clavel, had permission to move to Aibonito with her mother. Eleuteria "va a

contratarse," which suggests that she did not have an employer yet.[34] According to the legal procedures, the Mayor of Ponce was supposed to communicate with local authorities in the area in which the former slaves wanted to settle, in order to keep them under surveillance. Eleuteria's example brings up three issues: first, the importance of family ties for freedpeople; second, the gender roles within the family according to their cultural understanding, and third, the actual opportunities for inter-town migration. This case also raises the issue of the incapacity of the authorities to follow every step taken by former slaves. Although Eleuteria did not have a contract already set up in Aibonito, the local authorities allowed her to leave the villa.

Although I do not have a complete statistical breakdown of the *Copiador de Oficios* and the *Libro para anotar las correccionales*, there was a clear tendency for women to migrate to the *villa*. As Luis Figueroa indicates in his study on Guayama, women had the opportunity to develop easily marketable skills in urban settings. The movement of females to mountainous areas such as Adjuntas, Barranquitas, Aibonito, and Utuado is also noteworthy. It may well be that there is a connection between the decline of the sugar industry, the mobility of freedpeople and their possibilities of making a living from the coffee. Another question for research would be to find out what about the nature of coffee production made it specially attractive to female former slaves.[35]

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[34]*Copiador de oficios dirigidos a las autoridades locales y particulares*, 27 de junio, 1873.

[35]There is a body of literature dealing with the emergence, development and decline of coffee production on the island. See, Fernando Picó, *Amargo café: Los pequeños y medianos caficultores de Utuado en la segunda mitad del siglo XIX* (Río Piedras: Ediciones Huracán, 1981.) However, it lacks an analysis of the overlapping connections between coffee and sugar economic systems. See, Gervasio García, "Comentarios" in Ramos Mattei, *Azúcar y esclavitud*, 53-58.

Migration of former slaves to other towns or cities within the island could also be source of tension among towns. In March 24, 1873 the mayor of Santa Isabel, a neighboring town, authorized a group of libertos and libertas (Viviana, Rita, Felix, Capracio, Feliciano, Tacio and Raimundo) from the hacienda of Don Gaspar Alomar, to move to the Ponce to search for an employer. Upset with the situation, the mayor of Ponce argued that the official in Santa Isabel was not following the correct procedures. Apparently the Governor had recently sent a circular ordering, that, whenever possible, the contract of libertos and libertas should be with their previous owners. In other words, freedpeople should stay in their original areas. The mayor of Ponce sent the group back to their original place arguing "es muy peligroso para el orden público que Usted permita el tránsito a varios libertos sin recursos para subsistirlo que razona que busquen su alimento por medios ilicitos y reprovados."[36] This tension between local authorities is noteworthy because it further confirms the existence of a hegemonic project in the process of fragmentation.

Despite the conflicts between local authorities over the control of resources, a certain degree of collaboration made the system cohere. This cohesion is evident in the attempts for inter-town collaboration in order to look for those former slaves who migrated without the required authorization. For example, on 7 July 1873 the mayor of Ponce was attempting to capture a group of "black" people who had been sought by the mayor of the neighboring town of Guayanilla.[37] Also, in July 3, 1873, he wrote to Adjuntas wondering about the liberta María Concepción, a former slave of Don Ramón Aguil. There was a rumor that liberta María

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[36]*Copiador de oficios dirigidos a las autoridades locales y particulares, April 4, 1873.*
[37]*Ibid.*

Concepción was wandering around Adjuntas without any documents or permission to move to that town. Ponce's mayor requested that the mayor of Adjuntas find her and also find out who was housing or contracting her. The case of the liberto Juan Leoncio obeyed to similar circumstances. The mayor of Ponce found out that Juan Leoncio was settled in San Juan, where he had more opportunities to employ his artisan skills. The Mayor demanded that the San Juan authorities to confront the liberto and send either his contract or his person back to Ponce.

Sometimes the system of collaboration worked efficiently, as in the case of Juan Rosa, the liberto from Santa Isabel, who was found by the authorities "vagando" in Ponce without documentation. On 22 July 1873 he was sent to Juana Díaz to be contracted. In some other cases, former slaves who did not have authorization for migration or a contract were not found. An example was the group of "blacks" I mentioned above. In the documents, it is specified that the search for this group of former slaves had gone on for a long time. This case illustrates the weakness of the structures of control.

The colonial government had organized a series of mechanisms to maintain control over the subaltern groups. In his study on Guayama, Luis Figueroa provides a portrait of structures of institutionalized oppression in the municipalities. The most important position at the local level was the mayor, who was elected by the municipal council, which was apparently controlled by the planters. *Comisarios de barrios* were municipal officials in charge of collecting tax and census information and reporting any extraordinary incident, including crimes. There were two police forces. The *Cuerpo de Seguridad y Orden Público* was assigned from San Juan and worked mostly in the urban areas. In addition, the *Guardia Civil* was

under the strict supervision of the authorities in San Juan. It was comprised of "peninsulares" and was stationed only in the rural areas. It is noteworthy that the military was under strict control from the central authorities in San Juan, which made it difficult for local authorities to control the military.[38]

Despite moments of efficient performance by the apparatus of control, the system was contested and challenged by those whom it sought to control. Consequently the structures of oppression evolved throughout time. There were changes in regulations and numerous supplementary laws were issued by the authorities in order to control the work force. The system, however, was still open to contestation.

Among the complaints filed in the *Secretaría Judicial* in Ponce, there were numerous cases of freedpeople trying to avoid work in different ways, from very subtle strategies to more direct confrontation.[39] On 27 January 1875, the liberta María de los Angeles was denounced to the authorities. The authorities recorded that María de los Angeles tried to detach herself from work by "escusarse a trabajar." She was detained for ten days.[40] The recurrence of this and other similar complaints, such as "faltar al contrato" and "por desobedecer," (forty percent of the fines and complaints), suggests the dissatisfaction former slaves had with their working conditions. In another example, the liberta Candelaria was accused of: "no querer trabajar dando mal ejemplo."[41] Planters were concerned about the consequences of former slaves' "misbehavior." These

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[38]Figueroa, *Cutting Cane*, chp. 8, 3-4
[39]*Libro para anotar los correccionales por faltas gubernativas, 1874-1880,* Ayuntamiento Secretaría Judicial, Archivo Histórico del Municipio de Ponce.
[40]Ibid., 27 de enero de 1875.
[41]Ibid., 11 de febrero de 1875.

actions posed challenges to the stability and control over the rest of the labor force not only because they came from recently freedpeople but mostly from women. These concerns are also evident in the reports against the libertos Felipe Chiquito and Juan Mata, both accused of "no querer trabajar y desobedecer al dueño."[42] On the other hand, some libertos, such as Juan Ferrer, provided more direct challenges to the plantation authorities: "por resistirse a trabajar, haber estropeando un caballo de la hacienda donde está contratado y es incorregible."[43] Sometimes they acted violently against the overseer of the estate. Baldomero, for example, was detained for "levantarle la mano al mayordomo."[44] Also, Calisto was imprisoned "por amenazar con un hierro al segundo mayordomo de la Hacienda Matilde."[45] These cases lead us to wonder about the continuation of violence and coercion within plantations even after abolition.

Other behaviors can also be considered as challenges to the system. One example was petty larceny. The liberto Nemesio, for example, was arrested and detained for thirty days "por no trabajar y tumbar palmas en la hacienda donde está contratado." On the other hand Rosalía, stole a "tina de melao," for which she was detained for twenty days. Other libertos and libertas stole sugar cane. The possession of items from the estate can be understood as an act of appropriation of basic elements that freedpeople thought they should have the right to enjoy. The register also includes complaints about "escandalos" (usually parties and dances), drunkenness, and former slaves not sleeping on the grounds of the hacienda. As I

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[42]Ibid., 19 de febrero de 1875.
[43]Ibid., 20 de marzo de 1875.
[44]Ibid., 11 de marzo de 1875.
[45]Ibid., 27 noviembre de 1875.

emphasized before, these complaints were filed after 1874, when a new set of stricter regulations was implemented. It is noteworthy that these restrictions attempted to limit the most private activities of former slaves. These actions were considered to threaten and destabilize a control system, the foundations of which were already weakened.

Organization of Work

In Puerto Rico, in contrast to other slave societies, slaves never outnumbered the total white and/or free colored population. There was also a higher degree of miscegenation within the population. *El Anuario Estadístico de 1860* states that the white population was 300,406 and free colored was 241,037. In that same year, the number of slaves was to 41,738.[46] According to Nistal Moret's study of the 1872 slave register, thirty-five percent of the slaves were described as mixed (mulattos or pardos).[47] By no means am I trying to diminish the importance of the slave community, but one can suggest that these traits in the Puerto Rican population evince that although in highly stratified societies racial differences tend to be exacerbated, there was a close interaction between the different social groups.

The way in which some contracts were edited provides evidence as to the employer's and/or the hacienda staff's knowledge of common practices and also suggests that they had close interactions with some of the libertos. An example of this familiarity with libertos and libertas is the registration made in Ponce by Don Ramón Cortada for the liberto Felipe

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[46]Luis Díaz Soler, *Historia de la esclavitud negra en Puerto Rico* (Río Piedras, Puerto Rico: Editorial Universitaria, 1969), 259.

[47]Benjamín Nistal-Moret, "Problems in the Social Structure of Slavery in Puerto Rico during the Process of Abolition, 1872" in *Between Slavery and Free Labor*, 141-157.

which also contains his nickname, "Chiquito".[48] The registration of the nickname allows for distinction between Chiquito and another Felipe working in the same place. This practice reflects the employer's or/and other mediator's (overseers) recognition of individual identities and characters of the laborers possible only through a close interaction between the employer, the staff, and the employee. Urban areas provide cases in which familiarity was more evident probably because domestic slavery (and consequently, more physically close interaction among the members of the household and the servants) was much more common. Nevertheless, close physical contact did not diminish racial struggle. In a place such as the capital, San Juan, familiarity and physical contact did not prevent the emergence of a very complex racial hierarchy in which colored people were concentrated in the lowest ranks of society and had very few possibilities for upward mobility.[49]

In terms of the organization of work, in the contracts, the importance of the regulation of time is noteworthy. Stipulations such as "trabajará de sol a sol" or " trabajará de 6:00 a 6:00" are numerous. In former times, slaves were forced to work from three in the morning until midnight specifically during harvest season. Work during the day was in the field, and at night, slaves worked in the production of sugar amidst noisy machinery and in intense heat.[50] Limitations on work shifts were not, however, a recognition by the authorities of slaves' need for spare time. It was a response to the former slaves' direct or indirect demands. After

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[48]Fondo de Gobernadores Españoles, Contratos de libertos en Ponce, 9 de mayo de 1873.
[49]Jay Kinsbruner, "Caste and Capitalism in the Caribbean: Residential Patterns and House Ownership among the Free People of Color of San Juan, Puerto Rico, 1823-46," *Hispanic American Historical Review* 70, No. 3 (1990), 433-461.
[50]Andrés Ramos Mattei, *La sociedad del azúcar en Puerto Rico, 1870-1910* (Río Piedras, Puerto Rico: Universidad de Puerto Rico, 1988), 69.

emancipation, freedpeople were able to better express their expectations regarding working conditions. Through their everyday challenges, former slaves stated that they would never accept such abusive working conditions.

Seasonal work was another alternative available to former slaves. Ramos Mattei states that many freedpeople went to the mountains to work in coffee production, which peaked in the 1870s and 1880s.[51] During cane harvest time, those who were working in the mountains came to work on the plantations. This was a possibility for former slaves in Ponce given that Ponce had a mountainous coffee-growing area. One can suggest that seasonal work and the other mechanisms used by former slaves to assert more control over their labor had an impact in the way in which tasks were redistributed within the plantation.

Rebecca Scott highlights differences between the Puerto Rican and Cuban cases in terms of the redistribution of tasks within the post-emancipation plantation system.[52] According to the author, tasks varied in importance. The importance of a particular task determined who performed it and the status it provided to people with the needed skills. For example, in Cuba ditch-digging did not required any kind of special skill therefore new immigrant workers performed it. In contrast ditch-digging in Puerto Rico, because of the importance of irrigation, was a skilled and prestigious job. Ramos Mattei argues that liberto and libertas in Puerto Rico occupied superior positions in the labor hierarchy in field work as well as in the hacienda factories because of their knowledge and

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[51]Ibid., 72.

[52]Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Princeton, Princeton University Press, 1985), 232.

experience.[53] Pertinent to this dynamic was the statement of the British Consul in 1874:

> The 'liberto' is appreciated not only on account of his superior ability for the work, but also because he is available at all times. In fact, in the process of sugar making, the more skilled 'libertos' is generally employed within the boiling house while the free laborer does the rougher task of cutting and carrying the cane.[54]

Because their experience, former slaves enjoyed a better position in the labor hierarchy, and the fact that planters had problems to face with the introduction of technological innovations also made the former slaves more valuable because of this experience. Highly specialized work also implied better benefits which women also enjoyed when working in the field. In contrast to what the scholars have argued until now, the set of contracts from Ponce shows that forty-seven percent of field workers were women. These data suggest that, at least, during the first months after the abolition, women did not massively migrate to the urban areas. Field work provided benefits, such as better wages, which they could immediately use to support their families and to finance their future migration.

Ramos Mattei makes the significant assertion that the artisan skills developed by libertos and libertas actually "led to a redistribution of tasks in which conventional racial criteria had no place."[55] One can argue that even in a traditional, segregated economic system such as sugar cane production, race was a very fluid category which was defined in relation to many other factors. According to Ramos Mattei, the most important aspect of the period right after abolition, that is from 1873 to 1900, was the emergence of the rural proletariat. The plantation system declined and

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[53]Ramos-Mattei in *Between Slavery and Free Labor*, 172.
[54]Ibid.
[55]Ibid.

evolved into the central-mill system. Since the 1840s, planters on the island debated about the possibilities of developing this particular system of production; however, central-mill production did not materialize until 1873. The central mill system consisted of the entire mechanization and centralization of sugar production being controlled by a few corporations.[56] As a corporation that demanded large amounts of capital, the central mill controlled directly and indirectly (many hacendados were forced by the circumstances to just cultivate sugar cane and sell it to the central mill for processing) large extensions of territory dedicated to the cultivation of sugar cane. The impoverishment of the haciendas was a slow process which negatively affected its labor force. In the meantime, the central mills grew, expanding their territorial boundaries and dispossessing people from their land.

Former slaves did not have easy access to land. The lack of access to land is an important factor for understanding the high number of former slaves who engaged in the contract system. Since the beginning of the nineteenth century, colonial authorities privileged agricultural production for export. During the nineteenth century there was also an increasing process of consolidation of land in the hands of sugar hacendados. It was difficult for peasants to acquire land because of its increasing prices. Moreover, retaining land at the same time hacendados attempted to consolidate land property to expand sugar production was also a difficult task because many peasants lacked legal titles over their land; titles were required by the state for the recognition of property ownership. The process of consolidation of land accelerated in the second half of the century due to the crisis in sugar cane prices. As I mentioned above,

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[56]Ramos Mattei, *La sociedad del azúcar*, 25-52.

planters increased production and incorporated larger extensions of land in order to maintain their level of profit. Peasants and other small landholders established various land arrangements, such as leasing their land to planters or sharecropping in order to maintain their land. Francisco Scarano argues that the willingness of planters to establish these sort of land arrangements, in addition to the existence of sugar cane cultivation in the uplands, are signs of the scarcity of fertile land for sugar cane production in coastal area.[57] In the 1870s, access to land in the interior was also difficult. Cattle raising activities as well as subsistence production and the emergence of coffee cultivation (in addition to high prices) posed obstacles to former slaves for land ownership.[58] Moreover, the central mill system initiated another stage on the process of consolidation of landholdings. Therefore, freedpeople were a majority in the group of dispossessed who did not have any other alternative than to enroll in central mill work. Central mill sugar production, along with the penetration of advanced capitalist forces with the US invasion in 1898, drastically transformed the alternatives available to re-create a more independent life.

Conclusion

Through primary sources that documented contracts, fines, complaints, and requests for migration, I have examined the socio-economic reconfiguration of forces in post-emancipation plantation society. To this end, I use Ponce as a lens through which to focus on the dynamics between and within sectors of the elite and subaltern groups in moments of transformation in a plantation zone.

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[57]Scarano, *Sugar and Slavery*, 112-119.
[58]Figueroa, "Facing Freedom", 73.

The main objective of this chapter has been to demonstrate the fragmentation of a hegemonic process which emerged during the first half of the nineteenth century, the peak of the sugar industry in Puerto Rico. After looking at the case of Ponce, one can argue that fissures within the hegemonic process came from the interplay of various factors. Metropolitan authorities showed a more liberal political position which threatened local elites' profits. The decline of the plantation sugar industry led to the fragmentation of the main economic project of the century. In addition, fissures were, in some instances, created and, definitely, molded and expanded by slaves, and later, by freedpeople as well.

The case of Ponce is an excellent example because it was the richest plantation area on the island. Ponce provides evidence of the complex conflicts among the various social actors. I have mentioned the tension among local authorities, as well as the dissatisfaction of local authorities with metropolitan government regulations. The economic fragility of the sugar industry during this period contributed to the weakening of the planters as a political force. But most important, the Ponce documents offer rich sources to look at the assertive actions and initiatives of former slaves. While engaging in contractual relations, freedpeople actively participated in negotiating within the hegemonic process. When the hegemonic "pact" was violated, former slaves had a wide range of responses. Many went from subtle to more violent acts of resistance while others turned around the legal system to legitimize their demands. This performance was not exclusive to sugar plantation areas. Urban areas such as San Juan also offer a great opportunity to look at the variations in former slave responses. The complex commercial and bureaucratic

activities in the San Juan area led to different kind of exploitation of former slaves but also freedpeople were able to work in occupations that allowed for more autonomy from their employers.

Chapter IV
Too Close but Distant: Urban Life

For the last seventeen years, the inhabitants of San Sebastián Street in the northeastern part of Old San Juan, have organized celebrations, sometimes with the help of local authorities, to honor in late January the day of San Juan's patron saint, Saint Sebastian.[1] Initially, the celebrations on San Sebastián Day were a neighborhood party because of the belief that San Sebastián Street had a noteworthy historical background which San Juan residents should not forget. At present, San Sebastián Street and its surroundings are a busy area. There are many important historical sites, local and national government offices, and small businesses in the vicinity. Although a small area, Old San Juan also has the second largest port for cruise liners in the world. Therefore, there is an overwhelming number of visitors wandering around the streets every day. Because of the convergence of these varied factors in the area, it is not surprising that the small neighborhood party turned into a national celebration.

Every year, attracted by the music performances, food, exhibitions, and art crafts displayed in the street, the San Sebastián Street celebrations bring together a diverse and colorful population. Ironically, while the Ballet of Tony D'astro performs a beautiful "danza"[2] in the San José Square, numerous "rumbones," spontaneous formations of people, spring up along

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[1]At the present, San Juan is the largest city in Puerto Rico, with numerous suburban areas. Old San Juan, "viejo San Juan," refers to the oldest part of the city where more of the historic sites are found.

[2]"Danza" is a ballroom dance whose music and soft rhythm was the creation of the Puerto Rican Juan Morel Campos during the last century. As music performance, the main audience for the *danzas* was the hacendado classes. Angel G. Quintero Rivera, *Patricios y plebeyos: burgueses, hacendados, artesanos y obreros: las relaciones de clase en el Puerto Rico de cambio de siglo* (Río Piedras: Ediciones Huracán, 1988), 70-75.

the street singing and dancing to the rhythms of the "plena" and the "bomba."[3] Late at night with the plena and the bomba as musical background, conflict and confusion start when the police forces come to break up the celebrations. This close interaction among racially diverse groups and the tension this interaction creates is a present-day illustration of the legacy of the complex social dynamics of nineteenth century San Juan.

Throughout its history, San Juan, the capital of Puerto Rico, has been the recipient of internal and external migratory waves which shaped the phenotype of its population. During the early colonial period the population of the island was relatively small, particularly during the sixteenth century when many Spaniards were attracted by the adventure and richness of the recently discovered South American colonies. In the eighteenth century, the island, and specifically San Juan, experienced an increase in population that would steadily continue into the next century. For example, in 1700 the island had 7400 inhabitants. At the end of the century, in 1799, this number had multiplied to 153,232 inhabitants.[4] According to Aníbal Sepúlveda, this increase in population was a response to the more dynamic economic activity on the island mostly during the second half of the eighteenth century. Cattle ranching and agriculture started to develop at this time stimulated by the opportunities of engaging in illegal trade with the English, the French, and the Dutch who had already initiated the colonization of the other small Caribbean islands.

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[3]"Bomba" and "Plena" are music manifestations of African heritage. They are performed with African percussion instruments such as the "bongós" and "congas," Ibid.

[4] Aníbal Sepúlveda Rivera, *San Juan: Historia ilustrada de su desarrollo urbano, 1508-1898* (San Juan: Carimar, 1989), 97.

In the particular case of the city of San Juan , the population increase responded not only to commercial or agricultural activities but also to military dynamics. In order to defend their Caribbean possessions from foreign attacks, the Spanish government turned San Juan into a militarized zone in the early colonial period. The Crown ordered the construction of several forts and a wall around the city, in addition to permanently deploying several military troops in the area. Foreign attacks, however, continued and were even more threatening. In 1765, the Crown ordered the re-fortification of the military defenses in the San Juan area; a process that initiated not just an increase in the number of military soldiers but also a large number of free civilians (of diverse social status) and slaves who came to the island and engaged in re-construction works or in other economic activities, such as food service and entertainment. During the nineteenth century, the population growth on the island continued, increasing from 155,406 inhabitants in 1800 to 953,243 inhabitants in 1899.[5] This population growth was sparked by the enactment of the 1815 *Cédula de Gracia* whose purpose was to stimulate the island's economy. The *Cédula de Gracia* allowed for free trade, abolished taxes on imports, and attracted foreign capital but most importantly, it allowed the entrance of immigrants who were friendly to the Crown, and had, in most instances, fled those Latin American countries that were disrupted by their Independence wars.[6] This *Cédula de Gracia* was an important factor in the

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[5] San Juan experienced a similar population growth. In 1816, San Juan had 8907 inhabitants and in 1899 it increased to 32,048 inhabitants. Ibid., 159-162.

[6] It is important to highlight that in the nineteenth century San Juan was not the only important urban center on the island. Areas such as Ponce, Mayaguez, and Arecibo evolved into important commercial locations. Aníbal Sepúlveda explains that the lack of infrastructure that could facilitate the transportation from the interior to the capital motivated the development of ports and other commercial activities in these particular localities. Ponce, Mayaguez, and Arecibo ports were characterized

development of the plantation economy in Puerto Rico because of the foreign capital and numerous entrepreneurs it attracted.

These changing political and economic roles played by San Juan during the nineteenth century are important factors for understanding the various types of social relations that were present in this urban center. Although San Juan was not the only urban center on the island and areas such as Ponce, Mayaguez, Arecibo, and later on, Guayama competed for commercial importance, San Juan was the seat of political, military and ecclesiastical power. According to Sepúlveda, the most important government functionaries, the civilian bureaucracy, and the high commanders of the marine corps and the militia resided in San Juan. The headquarters of the colonial military were also built in this city. The bishop and higher members of the Church were settled in the capital. Moreover, many of the immigrants who were responsible for the emergence of the sugar plantation economy in the coastal areas also lived in San Juan, although periodically. Finally, it is important to highlight that although Ponce, Mayaguez, and Guayama surpassed San Juan in terms of export activity, San Juan was the most important port area for imports. Foreign and Spanish cargo ships often landed in San Juan to bring manufactured goods for commerce, and also supplies and food for the military.

Although scholarship on the Caribbean and Puerto Rico has always privileged the study of slavery in plantation areas, in this chapter I attempt to explore the experiences in San Juan of libertos and libertas after their emancipation in 1873. In my opinion, urban slavery has been

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by their export activities. See, Sepúlveda, 173. In regards to the *Cédula de Gracia*, see Francisco Scarano, *Sugar and Slavery in Puerto Rico: The Plantation Economy of Ponce, 1800-1850* (Wisconsin: The University of Wisconsin Press, 1984), 18.

overlooked by scholars for two main reasons. First, the primary economic role of slavery in the nineteenth century Caribbean was to sustain the sugar industry. Second, the number of urban slaves was significantly smaller when contrasted with the slave population in the plantation areas. One can argue, however, that the urban slave population, along with the free people of color, performed an important role in shaping the dynamics of urban life. This tendency in the scholarship to focus on rural slavery also creates an unreal division between rural and urban areas.[7] The Puerto Rican case offers many examples of the constant interaction and interdependence between the urban and the rural, exemplified by the interactions between Ponce and San Juan.

Nevertheless, the socio-economic dynamics characteristic of urban life shaped slavery differently than in the plantation areas. In urban settings, exploitation of slaves and former slaves after emancipation took different forms. Physical mobility of these subaltern groups was crucial for the survival of the San Juan inhabitants, and it allowed for a great diversity of social relationships. According to Jay Kinsbruner the continuous interaction among slaves, free colored people, white Creoles and immigrants was not an obstacle for the emergence of a caste system in San Juan.[8] In contrast to Kinsbruner, Franklin Knight argues that in the

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[7]This dichotomy between the urban and the rural has a tradition in Puerto Rican historiography. This is evident in relevant studies such as Tomás Blanco, *El prejuicio racial en Puerto Rico* (New York: Arno Press, 1975 [c 1942]); Arturo Morales Carrión, *Auge y decadencia de la trata negrera en Puerto Rico, 1820-1860* (Centro de Estudios Avanzados de Puerto Rico y el Caribe, Instituto de Cultural Puertorriqueña, 1978); and Jalil Sued Badillo y Angel López Cantos, *Puerto Rico Negro* (San Juan: Editorial Cultural, 1986).

[8]Among the studies that attempt to look at social relations in San Juan during the nineteenth century, some scholars such as Jay Kinsbruner, "Caste and Capitalism in the Caribbean: Residential Patterns and House Ownership among the Free People of Color of San Juan, Puerto Rico, 1823-46," *Hispanic American Historical Review*, Vol. 70, No. 3 (1990); Adolfo de Hostos, *Historia de San Juan: ciudad murada* (San Juan: Instituto de Cultura Puertorriqueña, 1979), and also, to a certain extent, Mariano

nineteenth century Puerto Rico's race relations were as not rigidly determined by race as they were in Cuba because of the presence in Puerto Rico of a large, free colored population.[9] In this chapter I will argue that although San Juan evidently had a racial hierarchy, it was not inflexible. San Juan's inhabitants were defined not just by their race and social status (free or enslaved) but also in combination with occupation, class, and gender.

In this chapter, I look at that close interaction among the diverse racial groups as an endless interplay of negotiation and contestation within the hegemonic process. For the purpose of this research I am defining the hegemonic process as the process through which certain dominant groups attempt to organize social, political, and economic relations in a way that allows them to held power over society. This involves not only power struggles among themselves but also continuous struggles with other social groups who have fewer material resources and who resist and/or negotiate with those dominant social sectors in order to transform the particular power relations that have been established with the objective of controlling them. It is my contention that the intense nature of sugar

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Negrón Portilla and Raúl Mayo Santana, *La esclavitud urbana en San Juan* (Río Piedras: Ediciones Huracán, 1992) state that a caste system emerged in San Juan. In Kinsbruner's article, he defines caste as a system in which "social status was still determined primarily by race, and the large mixed population enjoyed little discretion in the matter." As I mentioned above, the San Juan case shows the existence of a racial hierarchy but one that seems to have the possibility of being much more fluid than what Kinsbruner proposes. R.D. Cope's study of castes in Mexico City at the turn of eighteenth century is relevant to expand the definition of the concept as it was used in other areas of Latin America. R. Douglas Cope, *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City, 1660-1720* (Wisconsin: The University of Wisconsin Press, 1994)

[9]The author, however, goes to an extreme when arguing that in Puerto Rico slavery did not have much importance; therefore occupations on the island were racially integrated. Contrary to what I have shown in previous chapters, Knight argues that in Puerto Rico there was not a difference between white and non-white participation in urban and rural activities. Franklin Knight, *Slave Society in Cuba During the Nineteenth Century* (Wisconsin: The University of Wisconsin Press, 1970), 184-185.

plantation work made it more difficult for the subalterns to carry out this struggle for resistance and negotiation. In urban settings, however, slaves were able to create more spaces to work out their own agendas. The intense nature of sugar plantation work meant that those spaces were more difficult to create in Ponce.

Throughout this project I have viewed the 1873 enactment of the *Abolition Act* in Puerto Rico as a response to various external and internal pressures such as the Liberal Revolution in Spain, the weakening of the Spanish empire in Latin America and specifically the Ten Years War in Cuba. Economically the factors that led to the *Abolition Act* were the low prices for sugar in the international market because of the popularity of beet sugar, the decline of the sugar industry on the island, the rise in labor conflicts and lack of enough credit combined the need for technical innovations. As a consequence, emancipation as a process was the result of the fragmentation of the political and economic elite on the island. In this chapter we focus on how freedpeople took advantage of those fissures to assert their rights as subjects in order to achieve equality of participation in the process of transformation taking place in the city.

The chapter starts with the historical background of San Juan in order to provide some insight into the development of social relations among the many groups of the city. I then discuss how these relations changed after emancipation. Finally, I will compare the experiences of libertas and libertos on plantations with the experiences of former slaves in urban settings to show that there were not only differences but also similarities.

In order to make this comparison I rely on a set of 380 contracts of libertos and libertas in San Juan registered from April 25 to May 7, 1873.

These contracts are drawn from the first volume of the *Libro de Contratos de Libertos de San Juan 1873-1875.* [10] Although the data is only based on thirty-eight percent of the population of former slaves, it provides sufficient detail and is representative enough to capture the dynamics of the accelerated contracting process.[11] The data reveal important information about the diversity of opportunities available in San Juan for former slaves. These documents clearly evince the processes of negotiation and contestation. In contrast to the contracts in Ponce, the collection of documents in San Juan provides more details not only about employees' obligations but also about their agency in these negotiations. Finally, the register is also helpful for exploring the different ways in which the libertos and libertas strategically used the legal system to gain recognition of, and to legitimize, their rights as subjects.

San Juan: 500 Years of History

In 1521, the original capital of Puerto Rico, Caparra, was moved north, and closer to the coast to a site which the colonizers called San Juan. During the first years of the Spanish colonial era, San Juan and the southwestern town of San Germán were the main settlements on the island. The island did not have large amounts of minerals or other rich resources. Therefore, it is not surprising that Puerto Rico, as well as the

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[10] *Libro de contratos de libertos de San Juan, 1873-1875: Cumplimiento del artículo 27 del Reglamento para el cumplimiento de la Ley de Marzo 22,* Archivo General de Puerto Rico. This book is the first part of two volumes but the second is still missing.

[11] Due to the lack of information on the number of libertos and libertas in San Juan who engaged in contracts, the percentage included here is based on the 1872 census of slaves. However, I am aware of the migration of many former slaves to San Juan but at this point is not possible for me to determine out how many freed people migrated into the city. *Censo de libertos (Hecho entre febrero y marzo de 1873), El proceso abolicionista en Puerto Rico: Documentos para su estudio* (Puerto Rico: Centro de Investigaciones Histórica and Instituto de Cultura Puertorriqueña, 1978), 157.

Spanish Caribbean, became a peripheral zone within the Spanish empire once conquest and colonization began in Perú and México.[12] This meant that the island as a whole had very sporadic interaction with the Spanish government. During the early colonial period the city of San Juan was the center of the colonial government, and the military, and it was the largest settlement on the island. Its excellent port was the only one that was defensible against attacks from pirates and foreign military. Up to the mid-eighteenth century, San Juan developed in hands of secondary officials as the island's military and bureaucratic center. The rest of the island was engaged in subsistence crops and in contraband exchange with other Caribbean islands.[13]

During the second half of the eighteenth century, the metropolitan government changed its policies toward the island as part of the Bourbon Reforms. The main concern of colonial authorities was to make the island more profitable for the Spanish Crown and the merchants. Coffee and tobacco exports were encouraged by Spanish policies. The authorities finalized the defenses around the capital: military fortifications and the construction of the wall around the city symbolized their investments in the colony.

The metropolitan government was concerned with the possibility of losing its colony not only to foreign attacks but also to the island's elite because of their discontent due to the lack of economic development.

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[12]Quintero Rivera, 26-32.

[13]The historian Fernando Picó argues that San Juan was the main center of contraband exchange on the island. He bases his argument on the fact that thirty-one out of eighty-one cases of illegal trade in which the authorities interfered were in San Juan. I believe this is not enough evidence to argue that San Juan was the main point for contraband but the area of best controlling illegal trade due to the presence of the military. Some areas where contraband was an essential economic activity are San Germán, Ponce, Aguada, Coamo, and Arecibo. Fernando Picó, *Historia general de Puerto Rico* (Río Piedras: Ediciones Huracán, 1986), 94-97.

During this period, which continued up to the second third of the nineteenth century, much important infrastructural work was done in San Juan, such as the building of the Town Council Hall, the Dominican and Franciscan convents, the military barracks in Ballajá, and several public squares. Construction work mobilized the economy of the city by generating contracts for merchants as well as a market for other jobs, such as domestic work and entertainment activities. These activities meant an increase in population, particularly of people of color.[14] A widely diverse group of people worked on these construction works. Adolfo de Hostos informs us that the construction of the Cathedral in 1530 relied heavily on the work of slaves, and slave labor was also important for the construction of military defenses.[15] Although Sepúlveda overlooks the role of slaves in San Juan, he mentions that according to the list of workers registered by the governor Miguel Muesas in 1765, the reconstruction was possible because of the labor of numerous engineers, architects, bricklayers, unskilled workers, soldiers, slaves, and prisoners, all from many different cultural backgrounds.[16]

There are not many primary sources that provide a description of San Juan before the nineteenth century, however, the few available are extremely helpful. In this case Iñigo Abbad y Lasierra provides an account of the living conditions of the various groups in San Juan:

> La construcción de las casas es tan varia como las castas o clases de sus habitantes. Las de los españoles y ciudadanos

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[14]The historical development of San Juan during the nineteenth century included in this section is informed mostly by the work of Adolfo de Hostos, *Ciudad Murada*, Aníbal Sepúlveda, *San Juan*, and Félix V. Matos, "Economy, Society, and Urban Life: Women in Nineteenth Century, San Juan, Puerto Rico, 1820-1870" (Ph.D. dissertation, Columbia University, 1994).

[15]Hostos, 15.

[16]Sepúlveda, 115.

> acomodados están hechas de cal y canto, cubiertas de teja, algunas tienen techo de azotea. Nunca les echan más de un piso que generalmente es de tabla, algunas veces cubierto de ladrillo [...] Las casas que habitan los mulatos y gente de color son de tabla y vigas [...] los negros y gente pobre forman sus casas a esta misma idea, aunque más groseras y reducidas. Apenas son otra cosa que una jaula hecha de cañas, sostenidas por dentro de estacas, que ponen para darles firmeza. El techo es también de cañas, cubiertas con yaguas, como las antecedentes. A estas casas llaman bujíos.[17]

Furthermore, Adolfo de Hostos explains that during the eighteenth century blacks and other poor inhabitants were clustered together in areas within the city walls close to important points such as the forts and commercial streets:

> Los bohíos, llamados por algunos escritores antiguos "casas de negros" y "casas de pobres" se agrupaban, en el siglo XVIII, junto al costado norte de la fortaleza, en el ángulo, todavía sin urbanizar, formado por la calle de San José, desde la calle de la Luna hasta la de San Sebastián y a lo largo de la mitad este de la calle Luna hasta el fuerte San Cristóbal, y en la esquina sudeste de la ciudad, desde el extremo este de la calle Bella Unión (hoy Tetuán) hasta la plaza de Santiago, actualmente llamada de Colón. También se formó un caserío de bohíos frente al castillo de San Cristobal.[18]

In 1815, the Spanish authorities issued the *Cédula de Gracias* which loosened immigration regulations.[19] The island received many refugees who felt threatened by the political instability and social uprisings in areas such as Haiti, Santo Domingo, and Venezuela. Many inhabitants of other Spanish possessions that were also going through the process of independence were attracted by the political stability of Puerto Rico.[20] A

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[17]Iñigo Abbad y Lasierra, *Historia geográfica, civil y natural de la isla de San Juan Bautista de Puerto Rico,* as quoted by Sepúlveda, 122. The French naturalist André Pierre Ledrú also describes living conditions in a very similar way when he visited the island in 1797. Ibid., 123-124.

[18]Hostos, 27-28.

[19]Francisco Scarano, *Sugar and Slavery in Puerto Rico,* 81.

[20]In 1815, the island lacked a politically powerful group that advocated drastic changes in the colonial relationship with Spain.

large group of peninsular Spaniards also migrated to the island motivated by the difficulties experienced during the Napoleonic wars (1808-1814) between Spain, France, and Britain.[21] In addition, the possibilities for agricultural development on the island also motivated an inter-Caribbean migration of people who had a great diversity of occupations which included entrepreneurs, professionals, slave traders, sailors, artisans and merchants.

These immigrants brought capital crucial to the development of the sugar industry. Intermarriage with the Creole population was key for the new immigrant groups in order to be allowed to invest on the island. Notably, sugar cultivation started in areas such as Río Piedras, Bayamón, Loíza, and Toa Baja, the only accessible port in San Juan. When other ports such as Ponce and Mayaguez opened, hacendados took the opportunity to move to more fertile land on the south and southwestern coasts of the island. San Juan remained an important commercial city. The ports of Ponce and Mayaguez were devoted to export while San Juan received most of the imports from Spain.

During the nineteenth century, the largest merchant group was settled in San Juan. The capital depended on imports from the rest of the "municipios" to fulfill its needs for food and other goods for its inhabitants, which included soldiers, the crews of visiting fleets, and Church and government officials. The city was divided in four quarters ("barrios") which consisted of clusters of wooden houses and poor huts. The barrios of San Francisco and Fortaleza, in the southern area of the city, had the best

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[21]France organized a successful military campaign led by Napoleon against Spain. As a consequence, Spain initiated a process of re-conquest of their territory. For this purpose, they sought an alliance with England. For further information in how this European conflict affected the Spanish colonies see, Luis Díaz Soler, *Historia de la esclavitud negra en Puerto Rico* (Río Piedras: Editorial Universitaria, 1979), 102.

stores and other businesses because they had easy access to the harbor and docks. On the other hand, the quarters of Santo Domingo and Santa Bárbara, in the northern zone, did not have the same commercial activity. In his study of San Juan, Félix Matos suggests that because this area was far from the market, street vendors probably satisfied the demands of workers in the construction operations and the military installations concentrated in this area. The largest concentration of artisans, such as shoemakers, carpenters, bricklayers, and blacksmiths, was settled in these barrios. San Sebastián Street was part of the barrio Santo Domingo. At that time, it was known as the "*calle del mondongo*" because of the numerous street vendors and other establishments that regularly sold this popular local stew.[22]

During the first half of the nineteenth century, the population of Ponce and Mayaguez increased steadily in response to the boom of the sugar industry on the island. San Juan's population also experienced an increase but this was later, when new construction works began during the 1850s. In order to understand some of the changes in San Juan after the 1850s, we need to look at a description of the city during the first half of the century.

In *La esclavitud urbana en San Juan*, Negrón Portillo and Mayo Santana provide a short study of the slave population in several of the quarters in San Juan according to the census of 1846. The authors point to the great interaction between the middle and lower sectors. In their research of the Barrio Santo Domingo (northwest of San Juan city), Portillo and Santana found that although there were streets such as del Cristo and

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[22]"Mondongo" is a stew made with the cow's stomach, common among the black slave population and other subaltern groups. For more details about the different barrios of San Juan see, Félix Matos, 71-76.

Cruz Street, where inhabitants were mostly landlords, military and government officials, other areas such as Luna, San José and Sol Street were more racially diverse. Many clerks, merchants, doctors, and other professionals resided close to laundresses, candymakers, breadmakers, and shoemakers. The authors also mention that very often landlords lived in the same residential buildings as their tenants. In the memoirs of Fernando de Ormachea published several decades after the Census of 1846, he makes reference to this residential patterns:

> Las casas de alto son las más, o por mejor decir, las únicas habitables de la ciudad, no obstante los inconvenientes mencionados y algunos otros cuya enumeración fuera prolija, entre los cuales el más atroz, el más intolerable suele ser la vecindad de los inquilinos de todas clases, castas y pelajes que habitan el sin número de aposentos que desembocan al zaguán, hacinados y repartidos sin orden ni concierto, ni consideración siquiera, en la planta inferior de los edificios por la insaciable codicia caseril. Los inquilinos de abajo, gentes por lo regular chillonas y bullangueras, cantan, bailan, alborotan y se hacen sentir por todos los estilos. Muchas veces llegan al extremo de entablar relaciones, siempre perjudiciales para el principal inquilino, con sus "alquilados", y en ocasiones hasta con los industriales que más frecuentan la casa, todo ello con el plausible objeto de conocer la vida, las costumbres y la posición social de su vecino.[23]

Slaveowners were also of diverse racial backgrounds. Negrón Portillo and Mayo Santana found a considerable number of mulatto and black slaveowners in the Barrio de Santo Domingo. For example, Saturnina Peña, a black seamstress owned a female slave, and Petrona Miró, a black candymaker, also owned a slave.[24] The African Ramón Cedeño lived in Ballajá with his daughter and two slaves.[25] The authors discovered about slaves in San Juan worked in many different occupations. In the *Padrón*

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[23]Fernando de Ormachea, *Popourrit de aires puertorriqueños* as quoted in Negrón Portillo and Mayo Santana, 72.
[24]Ibid., 72.
[25]Ibid., 76.

del Barrio de Santo Domingo of 1846, the majority of the slaves were listed as domestics. It is noteworthy that many domestic servants also worked outside the household which paradoxically granted some autonomy but also increased exploitation.[26] Female slaves had the opportunity to also engage in more specialized domestic services, such as being laundresses, candymakers, and cooks, which allowed them to get out of the household. On the other hand, thirty-five percent of the slaves in the Barrio de Santo Domingo were registered as working in non-domestic occupations such as shoemakers, breadmakers, cooks, cigarmakers, bricklayers, butchers, and journeymen.

This admixture of people took place within the walls of the city as well as in the outside of the city walls. According to Sepúlveda, the port area known as La Puntilla-La Marina developed steadily through the nineteenth century as a consequence of the growth in maritime commercial activities stimulated by the *Cédula de Gracia.*[27] As Adolfo de Hostos describes it, stevedores and other workers in the marina area, although laboring in the outskirts of the city walls, were continuously involved with inner city dynamics. The city walls had several gates through which workers carried the merchandise from the docks to the stores. Negrón Portillo and Mayo Santana mentions the presence of many slaves working and living in La Puntilla. Many of them worked in the warehouses and as stevedores. Negrón Portillo and Mayo Santana provide an account of some of the inhabitants of the area. They describe the warehouse of the Arazamendi family which was inhabited by Ygnacio

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[26]This contradiction between increased levels of exploitation and more autonomy among urban slaves is discussed in the study of Brazil by Mary Karasch, *Slave Life in Rio de Janeiro, 1808-1850* (Princeton: Princeton University Press, 1987).

[27]La Puntilla-La Marina area was outside the walls of the city. Sepúlveda, 195.

Echeguren, originally from Madrid, and three slaves of the family.[28] The warehouse next door was owned by the Masón family and was inhabited by the clerk Geraldo Más and eight slaves. Finally, the neighboring building, another storage, structure owned by the Genevese Juan Bautista Biñones was inhabited by another Genevese, Antonio Badilla, and seven slaves. Negrón Portillo and Mayo Santana argue that in San Juan, "lower classes", slaves and free people, worked in very similar occupations.[29] This statement contradicts Jay Kinsbruner's perception of San Juan as an inflexible caste system.

After the 1850s, San Juan's population experienced meaningful transformations. The city walls contained and limited the growth of the city geographically. The city's population became more dense and housing also became more limited. Landlords in the inner city took advantage of the housing problem by raising rents. Merchant and civilian groups advocated the expansion of the city and struggled against the military's opposition.[30] Nevertheless, due to the construction of military installations in the northern area, close to Santo Domingo and Santa Bárbara, and other buildings such as the Asilo de Beneficiencia and the Manicomio, the colonial government was forced to remove numerous inhabitants from those quarters to the outside of the city walls. The colonial authorities were worried about the lack of housing for the large group of workers in

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[28]Negrón Portillo and Mayo Santana, 82.

[29]"Lo cierto es que, sin perder de vista las diferencias fundamentales entre los dos grupos, al parecer los esclavos trabajaban en muchas de las ocupaciones en que laboraban los trabajadores libres del pueble "bajo" de San Juan." Ibid., 81.

[30]Merchants and other civilians argued that in order to enable the development and growth of the city, it was necessary to break down some portions of the city walls. This action motivated opposition from the military and a heated debate between both groups. Hostos, 253.

the city. They needed to take initiative and create a barrio to settle those workers whom we can assume were racially mixed.

At the same time, during the period between the 1840-1870, San Juan experienced the fluctuations characteristic of any agriculture export-oriented economic system. In the case of San Juan, merchants suffered from the inconstancy of the sugar industry and the depreciation of prices in the international market. As Félix Matos contends, agricultural problems always had impact on urban areas, where the immediate response was inflation.[31] This crisis was suffered mostly by the people of color. High prices to rent and housing forced this population to move to other areas out of the heart of the city. Barrios such as La Marina, Cangrejos and Puerta de Tierra emerged to absorb this subaltern population. According to Matos, the authorities took advantage of these circumstances to mobilize an "unstable" non-white population that could spark major racial conflicts specifically in this period in which people of color were among the most affected by the economic crisis on the island.[32]

Matos argues that during this period of economic hardship, San Juan's population became whiter and more male. His data point out that a vast majority of the population during the first half of the nineteenth century were people of color and women.[33] These demographic characteristics gradually changed:

> [I]n 1846, one finds that Creoles tended to be less white than the rest of the city's population. What becomes clear after analyzing the demographic data of San Juan's Creole population

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[31]Matos, 186-187.

[32]Ibid., 88.

[33]According to the census of 1833, the female population was 4235 while the male population was 3219. A similar tendency is shown in the 1846 census: female, 4675 and male, 3310. In racial terms, the census of 1843 demonstrated that there were only 3888 whites while 5435 were blacks, pardos, or mulattos. In the 1846 census whites amounted to 3461 and blacks, pardos, and mulattos were 4399. Ibid., 92 and 96.

> is that the mid-century trend towards more whites and males in the city was a phenomenon dominated by foreign immigration and by the gentrifying and segregating efforts of Spanish officials in San Juan--not by the demographic evolution of the Creole population.[34]

As I explained above, much of the non-white population was removed from the heart of the city to barrios outside of the city walls. Furthermore, the scarcity of slave labor to work on the plantations motivated many slaveowners to sell their urban slaves for high prices to be employed in the hinterlands of San Juan.[35]

The demographics of San Juan would again change after emancipation. In the next section I will explore the dynamics of the changing racial and social relationships that came about after the end of slavery.

San Juan Society Is a Boiling "Sancocho"[36]

> Entre las cuadrillas de bailadores ó cantadores he visto pasar algunos negros que iban solos ó con sus familias, con trajes naturales, bien vestidos y muchos con buenas casacas ó levitas, y de maneras bastante elegantes, que se dirigian á oir misa á la iglesia, que estaba en la plaza inmediata. Sobre todo, ha llamado mucho mi atención el lujo que llevaban las negras vestidas con trajes de raso, de gró y otros géneros delicados, buenos chales y alhajas de oro y aun de pedrerias; hemos asistido a un baile serio de negros esclavos congos; y te aseguro que en muchos de buena sociedad entre nosotros, no se ve tanto lujo, y he advertido que observaban una etiqueta decorosa; me han dicho que las diferentes razas no se mezclan nunca en sus diversiones, ni tampoco los libres con los esclavos, ni los mulatos con los negros.
>
> Puerto Rico [San Juan]
> 5 de enero [1845][37]

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[34]Ibid., 119-120.

[35]Negrón Portillo and Mayo Santana, 78.

[36]"Sancocho" is a local stew made with a combination of boiled roots and leftover meat.

[37]*Carta de Don Ignacio de Ramón Carbonell a su hermana sobre un viaje a Puerto Rico* in Luis Díaz Soler, *Historia de la esclavitud* ,392-397.

The abolitionist Don Ignacio de Ramón Carbonell's observations of San Juan's social dynamics at mid-century focused on the city's unexpected race relations. Don Ignacio arrived on the eve of the Three Kings Day, an important Catholic celebration. As an abolitionist, he was struck by the apparent extreme freedom of the slaves, whom he previously thought were utterly exploited. One can argue that Don Ignacio's frame of mind did not allow him to picture other manifestations of slavery, therefore he exaggerated the mobility of slaves and free people of color. As he put it, "te confieso la verdad, me he incomodado muchas veces al ver á este hombre que yo reputaba el mas infeliz del mundo, !un esclavo! verlo contento, cantar con gracia, tocar un bandolín."

According to Don Ignacio's perception, there were two activities happening simultaneously at the moment of his arrival. Several blacks were going to church, and some others attended to an African slave celebration, which he later identified as a "cofradía."[38] The paradox that some blacks participated in Catholic activities while others celebrated their African heritage within the cofradías, an official space, evinces the subtle process of negotiation and contestation embedded in the slave system. This contradiction is too complex for Don Ignacio:

> [E]l que haya presenciado, decimos una de estas fiestas de Reyes en las posesiones españolas en que los negros tienen una

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[38]"Te parecera sin duda que el ir los negros engalanados será por una especie de mascarada ó un preludio de la entrada del carnaval; pues no es eso; para ellos es el de un acto muy serio. Cada raza forma una especie de cofradía, nombran su rey que elijen el día de la coronacíon, y las negras una reina, y otros oficiales de órden superior." Ibid., 394. Cofradías were mutual-aid societies, established by the Church, and dedicated to the cult of a specific saint. Although this was the original purpose of cofradías, Christine Hunefeldt's discussion of these mutual aid societies suggests that they tended to work more as a space "where slaves might keep any social contacts established during the passage, and whatever they still held of their African identity and culture." Christine Hunefeldt, *Paying the Price of Freedom: Family and Labor among Lima's Slaves, 1800-1854* (Berkeley: University of California Press, 1994), 102.

> absoluta libertad para sus ceremonias y regocijos, solo podrá apreciar la vehemente impresion que ha debido sentir al ver la hermosa ciudad de San Juan Bautista, entregada á la libre discreción de millares de africanos de las fincas inmediatas que vagaban por las calles al son de sus atabales y marimbas.[39]

Don Ignacio interpreted the celebration he witnessed by trivializing its meaning. Non-whites had, however, succeeded in subverting the meaning of Spanish celebrations. It also could be argued that these activities worked as escape valves from the exploitation suffered by non-white groups. After witnessing the religious and carnivalesque celebrations for the Three Kings Day in San Juan, Don Ignacio also had the opportunity to look at the horrors of slavery.

> [N]os dirijimos al sitio denominado el *Charco de las brujas*, que forma una especie de pantano, donde en una casa de madera, en forma de una gran barraca de tablas, techada de hojas ó ramas de palma conocida con el nombre de guano, se hallaba un cargamento de doscientos y pico de negros bozales de Mozambique....¡Qué contraste eterno Dios, las escenas de la víspera con el cuadro que tenía á mi vista! Doscientos veinte y siete seres parecidos al hombre en su forma, desemejantes en su color, en sus sentimientos y en sus manera, en pie, dispuestos segun sus tallas como si estuviesen en órden de parada bajo la dirección de un joven mulato *criollo* y de un negro *ladino* de la misma raza de los bozales (emphasis in original).[40]

Don Ignacio's descriptions depict a city in which there was a social hierarchy in which race, ethnicity and legal status (slave or free) were of extreme importance. He recognized the irony of a Creole mulatto and a black Mozambique in charge of the new shipment of African slaves who obviously were in the lower scales of this hierarchy. In addition, Don Ignacio was made aware that free people of color did not mix with slaves, probably because of the difference in legal status. Similarly, mulattos and

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[39]Díaz Soler, 395.
[40]Ibid., 396.

blacks did not integrate easily, race and African ethnicity being reasons for social differentiation.

Don Ignacio's letter provides some insights about the racial hierarchy that existed in San Juan. A similar social differentiation existed in Lima, Peru during the same period. In her study of Lima, Christine Hunefeldt states that this racial hierarchy was not imposed by white Spaniards but was also a creation of the initiative of non-whites:

> The black population found in segregation by skin color a means of conscious opposition to the dominant white sector and a mechanism of individual and collective survival. Slave and free black populations developed hierarchies and perceptions that differentiated darker-skinned blacks from lighter individuals, poorer from richer, and free blacks from slaves.[41]

Contradictorily, although San Juan provides evidence of a racial hierarchy, it was impossible to avoid the proximity and close interaction among the different racial groups. Although in his study of the free colored people of San Juan Jay Kinsbruner tells us about the existence of a caste system, his research only shows a great residential proximity between free colored and white people. The author contends that free people of color cohabited in the same buildings with whites or lived "across the street or down a block from them."[42]

Negrón Portillo and Mayo Santana emphasize in their research not just residential proximity but also the presence of close interactions among racially different groups.[43] Using Barrio Santo Domingo as an example, the authors show the great racial diversity of inhabitants in this area.

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[41]Hunefeldt, 98.

[42]Jay Kinsbruner, "Caste and Capitalism in the Caribbean," 433-461. Implicitly, this work also breaks down our notion of "white" as not only as members of the elite but as also as members of the middle and subaltern classes.

[43]Mariano Negrón Portillo and Raúl Mayo Santana, *La esclavitud urbana en San Juan*, 70-77.

Inhabitants included Creole and immigrant entrepreneurs, professionals, slaves, and many artisans. By examining this complex net of social relations, Negrón and Mayo enhance our understanding of the slave owner sector by pointing out their racial diversity. For example, African-born slaveowners included José Pons, with five slaves, and seamstress Saturnina, already referred to with one. The picture gets more complex when we add numerous slaves working in San Juan sent by their owners in rural areas in order to provide their owners with their daily-wages. The author states that this practice was very common. Slaves living without the physical presence of their owners presented a threat to the authorities. For this reason, the colonial authorities forbade that kind of internal migration. Nevertheless, it remained as a common practice.[44]

In contrast to previous years, the *Registro de Esclavos de 1872*, the year before abolition, presented a sharp decrease of the slave population in San Juan. While 1869, slaves in San Juan numbered 1,334, in 1872 there were just 890 slaves.[45] As I mentioned above, Félix V. Matos argues that the city became whiter and more masculine. Some of the factors that allowed for this were the economic stagnation in the sugar industry and the scarcity of labor during the period between 1840 to 1870. Due to the scarcity of slave labor to sustain sugar production, many of the slaves in the urban areas were sold to work on the plantations. One can argue that the forced migration of many San Juan slaves to more rural areas meant a break on the net of the slave's familial and community relations and partially explains the return of many freedpeople to the San Juan area to claim for their relatives and attempt to reconstitute their families.[46]

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[44]Ibid., 20.
[45]Ibid., 97.
[46]Attempts to reconstitute the family will be discussed in Chapter 4.

Based on their demographic study of the *Registro de 1872*, Negrón and Mayo contend that women still constituted the majority of slaves. The register shows that sixty percent of slaves in San Juan were women while forty percent were men. The study also points to the high degree of miscegenation among the slave population. While fifty percent of the slaves were seen as blacks, forty-five percent were seen as mulattos (which included references to different degrees of darkness such as "*moreno*", "*achocolatado*", or "*colorado*").[47] The authors also attempted to correlate race and occupation. Negrón and Mayo state that most of those slaves engaged in domestic service were mulattos. On the other hand, slaves who engaged in occupations out on the streets were usually identified as blacks. Being black could have negative and positive consequences. Dark people were situated in the lower strata of the social hierarchy and their darkness was perceived as threatening to the internal dynamics of slaveholder families. Therefore, black slaves were allowed to participate in the commercial life of the streets, which meant more freedom for them. Paradoxically, occupations that required work out on the streets frequently required harder work; therefore slaveowners tended to prefer black slaves for this. Slaves had to work continuously for long hours under the sun in order to collect the money demanded by the slaveowner; other times they also were required to provide domestic service. In the case of journeymen, Díaz Soler mentions that many times slaves were forced to engage in illicit activities such as prostitution and robbery to earn the amount of money demanded by their masters.[48]

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[47]Ibid., 101.
[48]Luis Díaz Soler, 158-159.

There is not much writing dealing with the issue of former slaves on Puerto Rico. In the next section, however, I attempt to outline some of the continuities and transformations in the lives of San Juan's slaves once the *Abolition Act* was issued on the island even when my sources are very limited. One can argue that the processes of whitening and masculinization of San Juan's population as described by Félix Matos were reversed during the aftermath of emancipation. After emancipation, San Juan gradually received many female former slaves who migrated to the capital to work as domestic servants. However, I intend to go beyond delineating the demographic changes to show, more importantly, what emancipation meant to urban former slaves and also the ways in which they made use of the economic and social dynamics particular to urban areas to achieve more autonomy.

Ruptures and Continuities: Emancipation in San Juan

On May 6 1873, Ysidro, a former slave of Sucesión Adzúar, and Lorenzo, former slave of don Manuel Muñoz, were hired by don Jorge Rodríguez Fuentes to work at his hacienda "Las Dos Antillas."[49] Also, the liberta Ysabel, a fourteen year old woman who belonged to doña Ricarda Monges, was hired by don Guillermo Franco from Loíza to work in an "*oficio de campo.*"[50] The documents contain five other cases of former slaves that were hired for rural work. Contracts of former slaves in San Juan hired to do agricultural work pose the question as to why former slaves stayed in rural areas after emancipation as well as why other former slaves migrated to the city. Severiano Rodríguez, a former slave of Don Pablo Rodríguez came to San Juan from Carolina to work as a

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[49]May 6, 1873, *Libro de Contratos de San Juan, 1873-1875*, 200.
[50]Ibid., May 2, 1873, 141.

pharmacy clerk for Don Félix L. Alfonso.[51] In a similar way, Cándida, a former slave of Don Juan Cruz came from Luquillo to work as a candymaker for Doña Alsena Pineda.[52] The documents also reveal cases of former slaves migrating to the capital. What were the reasons to continue laboring in agricultural areas or what motivated their move to the heart of the city? Probably, many former slaves migrated because they were looking to be with family or a to take a different occupation; however, not every former slave had artisan skills. Agricultural work was what many knew best, and they could make a living at it. As I mentioned before (chapter II), agricultural work did provide some good material benefits at this particular time. The migration of former slaves in and out of the city as well as migration within the capital sparked by the processes of emancipation demonstrate not only that new opportunities were available to and expanded by freedpeople but also enlighten our understanding of the social transformations experienced in San Juan during the last decades of the nineteenth century.

The study of San Juan expands our picture of urban areas. It reveals all sort of complex social relations molded by the various economic activities in San Juan. Because the capital had a small urban area which housed the ecclesiastical, military, and government officials and was surrounded by a large area dedicated to agriculture, urban and rural areas were intimately connected. The inhabitants in the heart of the city depended on the constant flow of foodstuffs from rural areas. Those rural areas needed to market their produce in the capital. During the period between 1840 to 1870, "revendones" (re-sellers)[53] who used to buy

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[51]Ibid., April 29, 1873, 74
[52]Ibid.
[53]Matos, 75.

agricultural products in other municipalities in order to resell them in the streets of San Juan played an important role. After emancipation, the "border" that some scholars seem to perceive between the rural and urban remained blurred, perhaps grew even more blurred.

As Félix Matos suggests, San Juan harbor received many small boats from surrounding municipalities since produce was in high demand in the city. San Juan was also the port for ships coming with manufactured imports from Spain. This continuous flow of goods and other produce into San Juan provided numerous opportunities for freedpeople to make a living and also to rise or advance in the social hierarchy. The documents at hand present nine contracts of former slaves working as "caleteros," or stevedores. Another three were employed to work in the docks. Transportation from the harbor and docks to the top of the city and within the city was difficult; therefore, cart drivers who would transport goods from the southern port area through the gates of the city and up the hills were essential.[54] This picture provides us with a sense of the physical mobility and the extent of social interaction with other people experienced by former slaves in the urban setting. Many of these caleteros and carretilleros worked for a wage; other benefits such as food, clothing, or housing were not provided. Although wages were not enough to live on comfortably, one can argue that working for only a wage allowed these former slaves to have a sense of liberty not experienced before. Benefits, if they were provided, could be understood as a way to create employee dependency on the employer.

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[54]Ibid., April 26, April 28, April 30, May 3, and May 6, 26-27, 30, 49, 93-94, 98-100, 159, and 189.

Notably, the majority of the caleteros did not engage in contract relations with their former owners. They were hired by a free person of color. Juan Pedro Otero, for example, had a history that can be understood only by taking his legal status into account. I assumed that Otero was a free person of color because he is the only one in the documents that does not have the title "don." In addition, one of the contracts signed by Otero states that the liberto Cayetano, a former slave of Marcel Ríos, was "contratado por su padre para trabajar en la Compañía de Caleteros y se le dará el salario que corresponda cada sábado." If his son was a slave, one can argue that it is probably that Otero was a free black or colored person prior to emancipation. This legal status and racial background allowed him to fill a management position. Otero was in charge of making the contracts for the company. Additionally, his racial background made him the perfect mediator to gather workers among the recently freedpeople.

In contrast to the contracts in Ponce, the collection of documents in San Juan are striking due to the numerous occupations that were in demand in this urban area. As I mentioned before, Ponce planters (Chapter 2) were concerned with the lack of labor force to work during the harvest period of the sugar cane. According to my data about Ponce plantations, former slaves were basically engaged in either domestic service or, agricultural work, with the bulk of them doing agricultural work. In San Juan, occupations were much more specialized. The urban area was characterized by a high demand for special skills. The San Juan contracts also included the hiring of former slaves as hatmakers, shoemakers, seamstresses, painters, attendants in "pulperías" (grocery stores), bakers, and healers.

The study of San Juan also expands our concept of domestic service. Among former slaves, domestic service was the most common occupation. Nevertheless, domestic service included many tasks other than work within the home. The contracts make reference to various services that could be understood as being performed in the intimacy of the household or also could engage several housing units. For example, laundresses and cooks could perform their tasks for several units and contribute to the household of their employer with their daily-wage. This could be an alternative given the research done by Matos concerning the cooks. In his study, he discovered that many cooks tended to prepare food in the house and then sell it on the streets. After emancipation, the liberta Aquilina was hired by doña Cristina Faforo de Pastor to "cocine fuera de la casa para esta Señora como para otras personas a precios convencionales."[55] In his discussion about domestic service, Matos also highlights that laundresses had a high status among domestic servants.[56] Washing clothing was an incredibly hard task because of the lack of fresh water in the city. Therefore, the laundresses had to carry heavy loads of clothing to the areas where the few wells were built. Notably, domestic service was mostly a female occupation. One can argue that because these tasks required flexibility and physical mobility, they allowed for greater autonomy among female former slaves.[57]

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[55]Ibid., May 3, 1873, 164.
[56]Matos, 234-235.
[57]This will be discussed in the next chapter.

Table 3.1
Slaves Occupations
San Juan-Ponce
April-May 1873

Occupations	San Juan	Ponce	Total
Agricultural work	10	87	97
Water Carrier	----	1	1
Domestic Service	182	48	230
Cook	71	5	76
Ironer	1	2	3
Candy maker	10	----	10
Nanny	6	----	6
Nursemaid	2	----	2
Laundress	30	----	30
Sugar Specialist	----	1	1
Grocery Store Attendant	1	----	1
Drug Store Atten.	1	----	1
Print Shop Atten.	1	----	1
Carretillero	3	----	3
Cochero	----	1	1
Stevedore	13	----	13
Shoe maker	----	1	1
Wax maker	1	----	1
Hat maker	1	----	1
Painter	1	----	1
Taylor	2	----	2
Cigar maker	5	----	5
Seamstress	1	----	1
Blacksmith	1	----	1
Carpenter	1	----	1
Bricklayer	5	----	5
Bread maker	8	----	8
Cooper	3	2	5
Indeterminate	20	0	20
Total	380	148	528

Sources: *Libro de contratos de libertos de San Juan, 1873-1875*
Archivo General de Puerto Rico and
Contratos de libertos en Ponce
Archivo Histórico de Ponce

Most of the contracts for domestic service included benefits such as food, clothing, housing, and medical assistance. This can be understood as part of the interplay of gender and occupation. In both San Juan and Ponce, women received most of the benefits. Nevertheless, there is a subtle difference between San Juan and Ponce. The capital had fewer

former slaves engaged in contracts that provided those benefits. This probably reflects the greater alternatives available for freedpeople in San Juan that allowed them to make a living without depending on their employer and accepting their restrictions. As I mentioned before, the provision of some benefits was understood by freedpeople as a way to restrict their mobility. For this reason, some former slaves were able to negotiate their contracts in a way that did not compromise their new freedom. For example, the liberta María Isabel, hired for domestic service by don José Claudio, confirmed her right to sleep out of the employer's house whenever she needed it: "residiendo en su propia casa pero con el derecho de dormir fuera de ella cuando lo necesite."[58] Similarly, the contract of Simplicia Velázquez, a new employee of don Pedro Vidal, stated: "vivirá en la residencia pero reservándose el derecho de dormir fuera de ella cuando le conveniere."[59]

Table 3.2
Benefits Included in Contracts
San Juan
April-May 1873

Benefits	Housing	Medical Assistance	Clothing	Food
Women	245	209	234	247
Men	116	87	100	109
Total of contracts with benefits	361	296	334	356
Percent	87%	71%	81%	88%

Sources: *Libro de contratos de libertos de San Juan, 1873-1875*
Archivo General de Puerto Rico and
Contratos de libertos en Ponce
Archivo Histórico de Ponce

[58]April 25, 1873, *Libro de Contratos de San Juan*, 5.
[59]Ibid., April 26, 1873, 28.

The former slaves enjoyed greater freedoms in the city. They were attracted by the various dynamics in this small but busy urban center of San Juan. Despite the restrictions imposed on former slaves by the regulations issued by the governor Primo de Rivera, several freedpeople moved to San Juan. The contracts in this collection offer examples of several former slaves who migrated to the heart of the city from surrounding municipalities, such as Guaynabo, Toa Baja, Loíza, Carolina, Manatí, Vega Baja and Luquillo.[60] These former slaves engaged not only in domestic work but also in other occupations that required some skills such as "tonelero," bricklayer, "carretillero" (cartman), drugstore clerk, and baker. This migration, although small at the beginning, would have a transformative effect in the phenotype of San Juan's population and its social and economic activities.

The process of migration within the city is another crucial issue. In San Juan, fifty-nine percent of the former slaves represented in my data, changed employers. As in the plantation area, bargaining for benefits, better wages, and/or more autonomy were reasons that encouraged former slaves to look for new employers. This process of looking for new employers highlights the extension of the processes of negotiation and contestation between former slaves and dominant sectors after emancipation.

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[60]Ibid., April 29, April 30, May 1, May 3, May 5, May 6, 79, 94, 100, 122-123, 159-160,181, 187, and 211.

Table 3.3
Contracts of Freed People with Former Masters or New Employers
San Juan-Ponce
April-May 1873

	Slaves with new employer	Percent	Slaves with former master	Percent	Total
Ponce	67	45%	81	55%	148
San Juan	227	60%	153	40%	380
Total	294	56%	234	44%	528

Sources: *Libro de contratos de libertos de San Juan, 1873-1875*
Archivo General de Puerto Rico and
Contratos de libertos en Ponce
Archivo Histórico de Ponce

The contracts concretely illustrate the processes of negotiation and resistance that I have identified as the hegemonic process (Chapter 1). The hegemonic process is defined here as a combination between struggle and consensus in a constant process of re-arrangement of forces and also as an end point, a fragile balance among such forces. These processes are evinced in some of the employees' conditions as recorded in the contracts. A good example of this dynamic between employers and employee is provided by the case of liberta María Francisca Rivera. María Francisca, former slave of Don Manuel Noa, was hired for domestic service by Don Félix Noa. The contract established: "también se esclarece que la contratante se marcha a Curazao, quedando obligada a cumplir su compromiso tan pronto como regrese de aquel punto." In former years, during slavery, this sort of arrangement was not possible.

The historical conjuncture in which emancipation took place on the island inspired a liberal discourse that was translated into the contract documents. This liberal aura, based on respect for individual rights, fractured the system of coercion that attempted to control former slaves' lives. These fissures were expanded and molded by freedpeople in order

to prevent others, whom they associated with their former owners, from intervening in the most intimate dimensions of their lives as subjects. The following quote shows how former slaves openly contested while at the same legitimizing the system which was set up to push freedpeople into forced labor. Some libertos and libertas clearly established their autonomy through petitions to the authorities, put through the legal channels available at the moment, such as the Protectores de Libertos. The following epigraph is an excerpt of an appeal to the authorities by the liberta Casilda:

> En la misma fecha presente la liberta Casilda esclava que fue de doña Dionisia Cruz, manifestó no convenirle contratarse con su dueña ni con otra persona alguna en razón de que hace muchos años que vive sola trabajando por su cuenta propia, de cuya manera puede confirmar en lo sucesivo con mayor motivo no teniendo que abonar el jornal que satisfacía y juzgándose razonable y aceptable lo que espone dicha liberta, tanto por...Corregidor como por el...Protector, presente en el acto; mucho más teniendose los mejores informes sobre la conducta y laboriosidad de la citada liberta Casilda a la que no tiene inconveniente en garantizar el.. don Juan Antonio Díaz, se convino por los indicados Sres. funcionarios en consentir que la dicha liberta continúe trabajando por su cuenta como lo haciendo hasta ahora...[61]

The liberal aura motivated Metropolitan authorities to recognize the right of employers and employees (former slaves) to end a contract under mutual agreement.[62] According to the San Juan data, there were 106 contract rescissions. Although few of these cases provide sufficient information to establish generalizations, there are some cases that provide evidence of direct contestation to the system. The nullified cases of freedwomen such as Teresa Cotto, Prudencia Ferrer, Nolberta, María Felipa Ressi, and Heraclia are registered right above their contract with different

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[61]Ibid., April 25, 1873, 14-15

[62]Artículo 14, *Reglamento para la aplicación y cumplimiento de la Ley de 22 de Marzo de 1873 sobre abolición de la esclavitud en su parte relativa a la contratación del servicio de los libertos, El proceso abolicionista en Puerto Rico,* 150-151.

employers.[63] The location within the documents of the employee's rescission followed by their new contract suggests the possibility that these women revoked their contracts in order to engage in more beneficial legal agreements with a different employer. This action implies the clear knowledge of former slaves about their rights.

Another clear example of awareness of freedpeople in regard to their rights as subjects is obvious in the case of the liberta María del Carmen Calderón.[64] The liberta was hired by Don José Arimon to work as a domestic servant. In her contract she was registered as being fifty-five years old. Four months later, María del Carmen presented her birth certificate to show that she had turned sixty years. By law, those over sixty did not have to submit to apprenticeship. Instead, they could enjoy their freedom.

In many circumstances the "hegemonic pact" was broken. There are cases in which the liberta or liberto did not go through the official process to rescind their contract but instead suddenly left for another town. The liberta Petrona, for example, hired by don Juan Lenges as a domestic servant, left with her two children without giving notice to her employer.[65] Similarly, the liberto Nicolás, hired by don Pedro Pérez as a baker, left without any notice.[66] Finally, the liberta Ynés, hired by don Canuto Bisont as a cook, left for Humacao.[67]

The process of hegemony also allowed for former slaves to develop all sorts of relations with others. These relations could be of open

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[63]Ibid., April 30, May 2, May 5, and May 6, 83, 96, 161,182, and 215.
[64]Ibid., May 3, 163.
[65]Ibid., May 5, 187.
[66]Ibid., May 5, 189.
[67]Ibid., May 6, 195.

contestation even while participating in the process set by the authorities. A good example is the liberta María Francisca who was engaged to work for Don Félix Noa after she returned from Curazao. María Francisca negotiated her work according to the legal regulations but she managed to accomplish one of her most important demands, visiting Curazao, where perhaps she had relatives. Others established close relations with those who sought control over the subaltern groups. For example, the liberta María De la Cruz and María Dominga stayed with her former master, doña Monserrate Muñoz, as her "damas de compañía ya que la ha criado y le da dinero de su testamento por considerarla como hija."[68]

Notably, many of the cases that I have used as examples of the different dynamics of the hegemonic process are female former slaves. In order to acquire a clearer picture of the dynamics of post-emancipation society, one need to look at the choices taken by libertas and libertos according to their gender interests. To this end, we need to also explore issues regarding reconstitution of family and community, which I will attempt in the next chapter.

Conclusion

The objective of this project as a whole is to explore the different alternatives available to former slaves to integrate into Puerto Rican society as subjects, not as commodities. In this chapter I have attempted to use San Juan as a window onthe different choices that an urban setting offered to former slaves. To this end, I suggest that an urban area such as San Juan combined a web of complex social interactions even prior to abolition. At the moment of emancipation, slaves took advantage of the

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[68]Ibid., April 29, 59-60.

fragmentation of the coercive system, which pushed them to engage in compulsory contract relations in order to stretch the relative autonomy many of them had achieved even during slavery.

San Juan has been the military and political administrative center of Puerto Rico since the early colonial period. It was not until the second half of the eighteenth century that the island, and also its capital, once again caught the attention of metropolitan authorities. This led to an infrastructural development of the city and an increase in population. During the nineteenth century, the city developed complex commercial dynamics that connected it with other municipalities on the island. These commercial, ecclesiastical, and bureaucratic dynamics attracted a most diverse and colorful population.

In this chapter I have argued that in contrast to Ponce, where the plantation system drained the lives of the slaves, San Juan slaves experienced exploitation in different ways. Although tied to their masters in multiple bond and forced to work incessantly, slaves in urban areas enjoyed more mobility to wander around the streets of the city while performing different tasks such as street vendors or laundresses, among other few. This mobility allowed for a sense of autonomy that they defended fiercely through their negotiation of the contracts imposed on them after abolition. The interplay of negotiation and contestation are much clearer in the San Juan case than in others. The capital provided freedpeople with more alternatives to make a living and former slaves were aware of those opportunities. Therefore, one can argue that employers in San Juan were forced, as planters in Ponce were also, to negotiate benefits and as well as autonomy with the employees. Many

times, this autonomy was molded in order to revive links with their community and reconstitute family life.

Chapter V
Exploring the Lives of Freedwomen: Choices, Family, and Gender

> In common with women in virtually all cultures, the slave woman was subordinate to all men and hence suffered sexual as well as economic oppression. In this sense, her white European counterpart fared little better than she did herself. However, the slave woman, subjected to both black and white patriarchy, in addition to experiencing class exploitation was also a victim of racism. It is in this framework of triple oppression that her achievements should be measured.[1]

In one way or another, oppression always encounters some degree of resistance. There are blunt acts of rebellion as well as cases in which resistance is so subtle (and individual) that it seems to connote feelings of defeat or consent. Nevertheless, despite appearances, negotiation and contestation permeate most of these cases. The experiences of female slaves and freedwomen provide good examples of how processes of continuous negotiation punctuated slave life. As Barbara Bush suggests in the epigraph above, women slaves occupied the lowest rungs of the social hierarchy. The process of emancipation did not produce a drastic subversion of that hierarchy, but it did create fissures in the system of coercion that former slaves and, particularly, freedwomen, molded and expanded in order to achieve greater freedom.

Freedpeople managed to achieve more autonomy from their employers in a variety of ways. Many times former slaves, mostly women, used the same mechanisms assembled by the authorities to control them in order to get around the system of coercion. The case of the liberta Elvira is a good example:

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[1]Barbara Bush, *Slave Women in Caribbean Society, 1650-1838* (Bloomington: Indiana University Press, 1990), 8.

> La liberta Elvira Romaní, esclava que fue de don Marcelino Romaní, manifestó no convenirle contratarse con su dueño ni con otra persona alguna en razón a que se le acogía a su padre, Alejo López quien cuenta con medios para ganar su subsistencia, y tanto el Sr. Corregidor como el Sr. Protector de Libertad presente al acto encontrando justo y razonable lo espuesto por dicha liberta, se convino por los indicados Sres. funcionarios en consentir que fuese a vivir con su referido padre Alejo López.[2]

The *Libro de contratos de San Juan* registered several cases similar to Elvira's. Cleverly manipulating the legal system, former slaves, most of whom were women, engaged in the post-abolition process of contracting imposed by Primo de Rivera's regulations in order to legitimate their "disengagement" from this process. For example, Elvira, according to the law, approached two government officials, the Corregidor and the Protector de Libertos, and petitioned to be released from her contract. Elvira did recognize the power of the authorities to decide whether she had the means to survive and had the right to keep records of her activities. Moreover, Elvira further submitted to another sort of control that was exercised by her father's patriarchal authority. However, Elvira's rights were recognized by the government authorities. She ended up subverting the legal system and, finally, achieving greater autonomy from the state apparatus of control. She did not have to contract with her former master or any other employee and was able to re-establish family connections.

Elvira's case is a good example of the way in which former slaves constantly negotiated and contested the oppressive regulations imposed on them. In this case, it is noteworthy that the negotiation was the initiative of a freedwoman. The case of Elvira is one example of how the strong familial relationships that were shaped and transformed by slavery would form a basis for a new series of political strategies in post-emancipation

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[2]April 26, 1873, *Libro de contratos de libertos de San Juan, 1873-1875*, 29.

society. Such connections would acquire new but equally important functions and meanings under freedom.

In this chapter, I argue that the processes of emancipation altered gender relations within both dominant and subaltern groups. In addition, I contend that emancipation had multiple meanings. Among them, there is a chance that some freedwomen perceived the process of fragmentation of the elite's hegemonic project, and they sought to take advantage of this fragmentation in order to achieve greater autonomy as women. I also demonstrate how gender constructions of identity among slaves conditioned the alternatives available to them and the choices available to them after abolition. Additionally, I explore the agency of former slaves in their attempts to reconstitute family ties and strengthen community solidarity.

To this end, the chapter is organized into two sections. Initially, I compare the issues raised by, and the contributions of, a few British Caribbean and Puerto Rican scholars on the issue of gender within slave and post-emancipation societies. I have addressed the issue of gender in the British Caribbean more extensively because the scholarship on this topic in this geographic area is better developed than the scholarship on the Spanish Caribbean. Then, through an analysis of contracts in San Juan and Ponce, found in the *Copiador de Oficios*,[3] and the *Libro para anotar las correccionales por faltas gubernativas*,[4] I explore the different strategies by which freedwomen attempted to re-establish family ties and used community solidarity and support to achieve more independence not only

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[3]*Copiador de Oficios dirigidos a las Autoridades locales y particulares, 1872-1875*, Corregimiento del Distrito de Ponce, No. 129, Archivo Histórico del Municipio de Ponce.

[4]*Libro para anotar las correccionales por faltas gubernativas, 1874-1880*, Ayuntamiento Secretaría Judicial, Archivo Histórico del Municipio de Ponce.

as former slaves but also as women. In this chapter I attempt to expand Puerto Rican scholarship by looking at issues such as sexual exploitation and the provision of child care which are particular to female slave and, later, freedwomen in order to evaluate the different strategies by which women managed to overcome their problems.

The Role of Gender in Slavery Studies

Janet Momsen's study of slave women in Jamaica, makes it increasingly apparent that most of the scholarship dealing with slave women's issues tends to create a dichotomy between the female slave experience in the British islands and their experience in the Spanish Caribbean.[5] I believe this dichotomy derives from the belief that slaves were more important in the plantation economy of the British islands, an assumption based on the fact that the British islands had a higher number of slaves working in plantations. Moreover, Momsen mentions (and I believe that this is probably another reason for this dichotomy) that one of the main differences between British and Spanish islands is that although plantation owners preferred male slaves, at the end of slavery, females slaves were in the majority in the British Caribbean. Therefore, this gender imbalance deserved special attention.

In her article, Momsen attempts to demonstrate the correlation between the development of capitalist economic structures in the colonial system of British West Indies and the intensive exploitation of women as important workers within this system. Momsen argues that, in contrast to slave women in the Spanish Caribbean, women slaves in the British islands

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[5]Janet Momsen, "Gender Roles in Caribbean Agricultural Labour" in *Caribbean Freedom: Society and Economy from Emancipation to the Present*, Hilary Beckles and Verene Shepherd, eds. (Kingston, Jamaica: Ian Randle Publishers, 1993), 216-224.

worked in the sugar fields and had greater access to local markets.[6] She contends that the provision of garden plots was a key factor in promoting slave women's access to the market. The sexual division of labor during slavery in Jamaica, for example, was characterized by placing men at the head of agricultural production (in the plantation as well as in their small provision plot) while women were in charge of marketing produce.

Momsen bases her argument about the importance of garden plots and active participation women in the market on Sidney Mintz's work on the gender division of agricultural labor in several islands of the Caribbean. In one of his articles, Mintz argues that there is not enough evidence to assert that the gender division of agricultural labor —in which men were in charge of agricultural work and women marketed the produce— developed directly in areas such as Jamaica and Haiti from the gender dynamics of labor during slavery.[7] Nonetheless, Mintz argues that after reviewing other possible explanations of the origin for this tradition, such as West African inheritance, and economic patterns particular to these areas, the cultural values that allowed for the social acceptance of female economic independence (which market activity provided) among slave men necessarily evolved from the particular economic dynamics during slavery. During slavery, both women and men cultivated and marketed their produce. Mintz contends that after emancipation, the

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[6]Although to introduce her argument the author compares the British Caribbean to Spanish Caribbean, Momsen does not mention what was the role of slave women in the Spanish Caribbean that made it so different from the Jamaican case. Moreover Momsen assumes that the economic pressures of the capitalist system are not experienced in the Spanish Caribbean. For Momsen, the capitalist rational of intense production for an international market in order to maximize profit is the key factor that determined the active economic participation of women.

[7]Sidney Mintz, "Black Women, *Economic Roles, and Cultural Traditions*" in Beckels and Shepherd, *Caribbean Freedom*, 238-244.

division of labor by gender was influenced by the acquisition of agricultural land by freedmen which required their full-time labor.

Momsen suggests that in post-emancipation society the sexual division of labor was also transformed. According to Momsen, women gradually abandoned field work and moved to domestic labor. Interestingly, Momsen addresses this issue by emphasizing that this transformation pushed women into a "private" sphere of activity while men remained at work in the fields, an arena she likewise defines as a "public" sphere of activity.

In this assessment, Momsen is joined by various other scholars who frame the life and experiences of slave women under the rubric of a "public" and "private" dichotomy. In her study of Jamaican female slaves, Barbara Bush also insists on looking at slaves life within this framework:

> [a] clear distinction must be made between her work life and her private domestic life. Although some overlap naturally existed between these two areas of everyday existence, the distinction is crucial to any analysis of the slave woman's response to slavery. In her work life, the woman related primarily to the formal external plantation system and the world of the white masters. Here, she was essentially a valuable economic asset. In contrast, the private domestic life of the woman slave was part of the "inner, " more hidden slave community. It involved her relationships with fellow slaves, in which her actions were guided largely by the "unofficial" social and moral codes of the slaves.[8]

In his study of Puerto Rican elite and subaltern women, Félix Matos critiques the use of this framework by arguing that scholars have failed to recognize the degree of fluidity between public and private spaces.[9] Ironically, however, Matos still operates within the same paradigm. That is, he contends that women already had gained "experience" for the public

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[8]Bush, 6.

[9]Félix Matos, "Economy, Society, and Urban Life: Women in Nineteenth Century, San Juan, Puerto Rico, 1820-1870" (Ph.D. dissertation, Columbia University, 1994), 25-26.

sphere as mothers and cornerstones of the family. Furthermore, Matos argues that during the last decades of the nineteenth century, elite women fully entered into the public sphere, which he defines as the political, administrative or intellectual realms.

The basic problem with this theoretical framework, which relies on public/private dichotomies, is that it tends to assume rather than define the nature and boundaries of each "sphere". Indeed, even when definitions are provided, the dynamics within each sphere appear so interrelated and flowing continuously from one to the other that it seems impossible to look at them separately.

The public/private dichotomy also obscure the analysis of slave life. It is almost impossible to draw a line between the public or private life of a slave because of the interference of foreign agents into their lives. In her extensive work on slave life in Lima, Christine Hunefeldt offers a much more complex picture in which family life and labor are intimately connected. Moreover, she suggests that slavery as a coercive system disrupted and interfered in every aspect of slave life: "The inevitable distortion of marriage and family relations transformed marital conflict into an arena open to the intervention of owners and in many senses turned these dimensions of social life into more subtle mechanisms that reproduced the slave system."[10] Like Hunefeldt, I believe that slavery had an overwhelming effect on the family life of slaves but also that family and community life influenced the decisions and strategies that slaves used to achieve a better life and subtly transformed the system of slavery. Furthermore, in the case of Puerto Rico, I attempt to move beyond this

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[10]Christine Hunefeldt, *Paying the Price of Freedom: Family and Labor among Lima's Slaves, 1800-1854* (Berkeley: University of California Press, 1994), 7.

public/private paradigm to suggest that after emancipation family patterns and gender constructions influenced former slaves' choices about work and the development of different occupations. I also suggest that, at the same time, issues related to labor often shaped family arrangements and gender roles.[11]

The theoretical framework based on the dichotomy between the private and public spheres does not allow for a clear understanding of the importance of domestic labor for female slaves and later, freedwomen.[12] Momsen highlights the fact that women field workers did not have access to more specialized occupations within the sugar elaboration process. Their work was narrowed to ditch-digging and plowing.[13] Bush points out that women endured the double burden of having to combine arduous field work with the responsibilities of heading the slave family. Bush and Momsen both argue that female slaves had a limited range of occupations open to them than men did. Besides working in the fields, domestic service is highlighted as the most common occupation for women during this period. Nevertheless, the authors' understanding of domestic service is very limited. Shaped by the confines of the private/public theoretical framework, the authors see domestic service as totally disempowering. This perception is probably influenced by the fact that their studies are concerned with plantation areas in which domestic servants seem to have had less physical mobility than they did in more urban areas. This does not mean, however, that domestic servants did not attempt to broaden the scope of their mobility in a plantation environment. In fact, many actually

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[11]See, Steve Stern, *The Secret History of Gender: Women, Men, and Power in Late Colonial Mexico* (Chapel Hill: The University of North Carolina Press, 1995), 262.
[12]See, Hunefeldt, 116.
[13]It is noteworthy that ditch-digging in the Puerto Rican context was considered a specialized skill.

achieved levels of comparable mobility within the plantation. Their mobility would increase after emancipation.

It is characteristic of the scholarship dealing with the British Caribbean[14] to also argue that at the end of the apprenticeship period, 1838, women fled the plantations for urban areas in order to work as domestic servants. Scholars understand this female tendency of fleeing the plantation as a rejection of the abusiveness and intensity of plantation labor regimes:

> The withdrawal of women from estate labor at the end of the apprenticeship period was a much heavier blow to the workforce, because almost without exception they had constituted the bulk of the field labor during the latter years of slavery.[15]

On the other hand, men left the plantation to establish homes elsewhere but willingly returned there as workers. Perhaps men had better opportunities in plantation work because of their knowledge and special skills in the elaboration of sugar. Very few scholars have explored the reasons why women were more attracted to work in urban areas except in terms of their desire to reject or escape from the intensity of work in the fields. As I mentioned earlier (Chapter 3), domestic service offered the opportunity to develop many skills that female slaves and later freedwomen learned how to market in urban areas.

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[14]I have used Momsen's work as a reflection of the scholarship on the British Caribbean because her work is clearly informed by major studies on the field such as those by Michael Craton, *Searching for the Invisible Men: Slaves and Plantation Life in Jamaica* (Cambridge, Mass: Harvard University Press, 1978); Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988); and Orlando Patterson, *The Sociology of Slavery: An Analysis of the Origins, Development, and Structure of Negro Slave Society in Jamaica* (New Jersey: Fairleigh Dickinson University Press, 1969).

[15]Thomas Holt, *The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832-1938* (Baltimore: The Johns Hopkins University Press, 1992), 152.

In the case of Jamaica, Momsen contends that in the second half of the nineteenth century women occasionally returned to work in agriculture due to the economic crisis. In the Spanish Caribbean, female slaves, and later freedwomen, also were important for field work. With respect to Cuba, Rebecca Scott describes a similar tendency.[16] In post-emancipation Cuba, female slaves left for the towns while men stayed to work on the plantations. During the harvest season, women often returned to field work "when the demand was up and wages were higher." In contrast to Momsen, Scott understands domestic service not as a limiting occupation but as another skill that women offered the labor market. For women "there was no such thing as a dead time. Freedwomen in post-emancipation domestic service included washing, mending, and raising livestock among other things."[17]

Puerto Rican scholarship has not paid much attention to the experiences specific to female slaves, or to the issue of freedwomen's labor. In his study of the agricultural area of Guayama, Luis Figueroa mentions that slave women represented half of all field laborers but, like their counterparts in the British islands, they were excluded from artisan work.[18] Female slaves in agricultural areas mostly worked in the fields while the tasks within the mill house and, the specialized duties of sugar production, were performed by men, who were perceived by other slaves as the slave elite. Within a plantation system, female slaves had limited opportunities of improving their social status. Domestic service has been

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[16]Rebecca J. Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (New Jersey, Princeton: Princeton University Press, 1985), 243.
[17]Ibid.
[18]Luis A. Figueroa, "Facing Freedom: The Transition from Slave to Free Labor in Guayama, Puerto Rico, 1860-1898" (Ph.D. dissertation, University of Wisconsin-Madison, 1990), 157.

perceived by scholars as an alternative path for female slaves to enjoy better treatment but it frequently led to sexual exploitation by the master. Thus scholars also emphasize the disempowering character of domestic labor. Luis Díaz Soler also discusses sexual exploitation of slave women but focus on the urban area. The author relates that frequently planters or other slaveowners in rural areas sent their slaves to work as journeymen in the cities. Díaz Soler contends that, in many occasions, female slaves were not able to comply with their owner's monetary requests and that situation led them into prostitution in order to collect the money expected by their master.[19]

Although there is evidence of the continuous migration of freedpeople around the island, no scholarship convincingly engages and/or explains the flight of female slaves to urban areas and domestic service. Notably, the collection of contracts from San Juan and Ponce registered during the two months immediately following abolition on the island, shows that women represented fifty-two percent of workers hired for field work while men constituted only forty-eight percent.[20] This tendency is easily explained by the fact that planters were forced to offer better wages and more material benefits than in other areas due to abolition's coincidence with the harvest season. This does not mean that women did not migrate out of the plantations, but it does imply that this process was probably much more gradual than has been suggested for the British islands. Definitely, urban areas, due to the diversity of economic relations they harbored, demanded all kinds of services. Freedpeople, mostly

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[19]Luis Díaz Soler, *Historia de la esclavitud negra en Puerto Rico* (Río Piedras: Editorial Universitaria, 1969), 159.

[20]*Contratos de Libertos*, April-May 1873, Fondo de Gobernadores Españoles, Municipalidad de Ponce, Archivo General de Puerto Rico.

women, very well may have marketed their different skills developed under slavery as domestic servants doing cooking, washing, mending, child-care, and nursing.

In contrast to scholarship concerning Puerto Rico, intellectuals concerned with the British Caribbean have more frequently discussed gender roles within the context of the slave family. Barbara Bush contends that the family was the cornerstone of the slave community in Jamaica. The slave family provided a reservoir of emotional strength from which slaves might draw in their struggle for cultural survival. Notably, women were the engine that kept the slave family functioning. According to Bush, the role of female slaves within the family reached beyond the actual work of childbearing and household tasks; they reproduced their own cultural inheritance. In her study of Lima, Hunefeldt enhances our understanding of the slave family. Through her example of the Lasmanuelos family, the author demonstrates the strength of the slave family. Despite adversity and disruption caused by slavery, the slave family remained bonded together and worked as a center for resources to facilitate individual and group survival.[21] Nevertheless, Hunefeldt's discussion focuses on the nuclear slave family, which was legally recognized by the ecclesiastical and government institutions. This perception of the slave family limits our understanding of the changing dynamics that disrupted family relations and that led slaves to look for alternative relations which might recreate that network of support and solidarity provided by the "family."

In the case of Puerto Rico, slavery scholarship has evolved from a total dismissal of the importance of family to a reconsideration of its relevant role for the survival of slaves and, later, freedpeople. In his work

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[21]Hunefeldt, 9-36.

on the beginnings of slavery on the island, Jalil Sued Badillo argues that the gender imbalance of the slave population resulted in the diminished importance of family life for slaves.[22] With respect to the eighteenth century, Angel López Cantos contends that although ecclesiastical and government authorities were not consistent in their programs for legalizing sexual unions among slaves, many slaves maintained extra-marital unions through the encouragement of their owners who wanted to ensure the reproduction of their labor force. López Cantos, however, does not look at this as the creation of families but as the "abnormal" reproduction of slaves.[23] Luis Díaz Soler's study does not provide specific information about the dynamics of slave family.[24] The author, however, describes the disruption of the slave family by informing us that slaves in plantation areas usually lived in sex-segregated houses, each one inhabited by six or seven slave women or men. Small children were attended by one or two slaves while most of the female slaves, slave mothers, worked on their tasks in the fields. Children above six years old were used for plantation work such as weeding the fields, taking care of livestock, and other tasks related to agriculture.

Although Díaz Soler's research paints a harsh picture of the difficulties faced by slave's to maintain strong family ties, he does not outline so harsh a picture as Benjamín Nistal Moret, who in his study of the *Registro de esclavos de 1872*, portrays slaves as victims whose lives were totally devastated. Moreover, the author discards the existence of strong family connections:

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[22]Jalil Sued Badillo and Angel López Cantos, *Puerto Rico negro* (Río Piedras: Editorial Cultural, 1986), 160.
[23]Ibid., 279.
[24]Díaz Soler, 145-166.

> "Neither family nor traditional society apparently served the slaves well. Moreover, almost twenty percent did not list their mothers, which further accentuates the condition described. All this amounts to saying that in 1872 slaves in Puerto Rico were social orphans, in colonial situations in which the simple fact of being a slave was a grave enough sin."[25]

Moret denies the agency and creativity of slaves when he describes the overwhelming impact of slavery, but our study would be inaccurate if do not take into account the alternative solutions that slaves created in order to reconstitute family life. One might suggest that, at the same time, slave agency also altered the structures of the system of slavery.

Through their research on San Juan, Mariano Negrón Portillo and Raúl Mayo Santana began to rethink the role of family in the slave community.[26] According to the authors, one third of the slave children in San Juan lived with their parents, mostly their mothers, while another third created other types of filial relations and the last third lived alone with their owners. The data suggests that at least two thirds of slave children were involved in some familial relations that evince not only the importance of parenthood but also the flexibility of those relationships which incorporated distant relatives or others as substitutes into their family structures. It was during the emancipation processes of 1873 that freedpeople initiated the reconstitution of family ties disrupted by slavery. As Negrón Portillo and Mayo Santana write of this period,

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[25]Benjamín Nistal-Moret, "The Social Structure of Slavery in Puerto Rico" in *Between Slavery and Free Labor: The Spanish-Speaking Caribbean in the Nineteenth Century*, Manuel Moreno Fraginals, Frank Moya Pons, and Stanley L. Engerman, eds., (Baltimore: The Johns Hopkins University Press, 1985), 149.

[26]Mariano Negrón Portillo and Raúl Mayo Santana, *La esclavitud urbana en San Juan* (Río Piedras: Ediciones Huracán, 1992)

> Vamos acumulando, de esta forma, cierta evidencia de que, al menos, entre algunos esclavos, las cadenas de la solidaridad eran más fuertes que las cadenas de la esclavitud.[27]

Although it would be inaccurate to suggest that slaves did not attempt to reconstitute their families it was after emancipation that former slaves enjoyed an autonomy that allowed them to re-establish their family and community relations. My collection of documents shows that freedwomen were key in this process.

Women's Agency in Society and Family during the Post-Emancipation Era

> Although the urban setting probably made it easier for San Juan's slaves to venture into relationships--in comparison to their enslaved counterparts in plantations in Ponce, Guayama, or Vega Baja, for instance--blacks seemed to have been either unattracted by marriage or unable to marry. The subjection to the whims of one's master, plus the general disregard for the potential family needs of slaves, certainly affected their capacity for forming stable unions through marriage. Slaves probably also had their own notions of what families meant and might have rejected or altered models imposed on them by the elite and the Church.[28]

According to the *Registro de esclavos de 1872*, a year before abolition, marriage was recorded in only one percent of the slave population on the island.[29] But, is marriage the best lens through which we might acquire a sense of the nature of family relations among freedpeople in Puerto Rico? I believe not. Slaves creatively managed to establish alternative intimate relations.

As Matos suggested in the epigraph, slaves and later freedpeople frequently established alternative forms of family arrangements that

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[27]Mariano Negrón Portillo and Raúl Mayo Santana, "La familia esclava urbana en San Juan en el siglo XIX" in *Revista de Ciencias Sociales* vol. XXX no. 1-2 (Mayo 1993), 165-197.

[28]Matos, 146-147.

[29]Nistal-Moreno, 147.

implicitly rejected the norm imposed by the government and ecclesiastical authorities. Matos argues that in 1846 in San Juan, many subaltern women, specifically blacks, were considered heads of households.[30] This tendency explains why in the *Registro de esclavos de 1872*, one third of the children less than eleven years old were in contact with their mother.[31] Many female slaves managed to keep their children with them. The register also indicates that another third of the children under eleven years established close relationships with other adult slaves to create a substitute parent-children dynamics. This statistical information confirms Matos' argument about the relative high frequency of familial relations, including the creation of alternative ones, among slaves.

After emancipation, freedwomen remained the backbone of the family. According to my data from both Ponce and San Juan, ninety-three percent of the freedpeople charged with guardianship of children were females. Being the primary caretakers of children affected labor choices in several ways. It could force women to seek plantation work, which although was extremely exploitative offered higher wages (this might explain the large number of women as field workers). Sexual labor was another alternative available to freedwomen. Although my data from Puerto Rico does not provide information about sexual labor, I believe it is important to mention it as an available opportunity to earn their survival. Although it is not a well developed idea in his book, Luis Díaz Soler argues that many times female journeymen in Puerto Rico practiced prostitution as a job which allowed slave women to collect enough money for their masters.[32] Slave prostitution was not just a Puerto Rican phenomenon, of

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[30]Matos, 156.
[31]Negrón Portillo and Mayo Santana, *La familia esclava*, 188.
[32]Díaz Soler, 145-200.

course. In her study of slavery in Rio de Janeiro, Mary Karash suggests that slave women engaged in prostitution not always because they were forced to their master's demands, but also they did so independently from their master in order to earn extra money for themselves and/or their families.[33]

Family obligations could also encourage freedwomen to accept contractual relationships, mostly domestic service, with lower or no wages, if they were provided other material benefits for themselves and their children. As I mentioned above, freedwomen in the British Caribbean and in Cuba tended to leave plantation work and move to urban areas where their skills as domestic servants provided more opportunities. In Puerto Rico this process happened more gradually. In the plantation area according to my Ponce sample, half of the field work force was female in the months following emancipation. In San Juan, however, women continued their work as domestics or in specialized domestic services such as laundresses, and cooks. One way to explain the attraction for women to enter into domestic service, is to understand that such an occupation was one of the very few options available to freedwomen. On the other hand, domestic service offered not only the provisioning of food, clothing, housing, and medical assistance (see table 2.1 and table 3.2), but it also allowed women to keep their children in greater physical proximity. Although, even when against the law, children, probably, also were assigned with household tasks.[34] In return for being allowed to keep

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[33]Mary Karash, *Slave Life in Rio de Janeiro, 1808-1850* (Princeton: Princeton University Press, 1987), 207-208.

[34]Children under twelve years old could not be involved in a contractual relationship. Artículo 31, *Reglamento para la aplicación de la Ley de 22 de marzo de 1873 sobre abolición de la esclavitud en su parte relativa a la contratación del servicio de los libertos, El proceso abolicionista en Puerto Rico: Documentos para su estudio*

young children under their immediate care and protection, women might have accepted working without a wage. It is not surprising that freedwomen represented sixty-six percent of the cases of domestic servants hired without pay. The need for greater material security for themselves and their families constitutes yet another factor in explaining the agency and initiative of women in bargaining for contracts. This agency is evinced in their active participation in the bargaining process of their contracts after emancipation.

Table 4.1
Contracts with New Employers
and Former Employers
According to Gender
San Juan-Ponce
1873

	Former slaves engaged in contract with new employer	Percent	Former slaves engaged in contract with former master	Percent	Total
Women	189	55%	152	45%	341
Men	104	56%	81	44%	185
Indeterminate	1		1		2
Total	294	56%	234	44%	528

Sources: *Libro de Contratos de Libertos de San Juan, 1873-1875*
Archivo General de Puerto Rico and
Contratos de Libertos del Municipio de Ponce, 1873
Archivo Histórico de Ponce

Vol. II (San Juan: Centro de Investigaciones Históricas and Instituto de Cultura Puertorriqueña, 1978), 153.

Table 4.2
Gender and Occupation
San Juan-Ponce
1873

Occupation	Women	Men	Total
Agricultural work	44	53	97
Water carrier	---	1	1
Cooper	---	5	5
Sugar specialist	---	1	1
Domestic service	169	59	230
Cook	66	10	76
Laundress	30	---	30
Ironer	3	---	3
Nanny	5	---	5
Healer	1	---	1
Nurse maid	2	---	2
Seamstress	1	---	1
Cart driver	---	6	6
Taylor	---	2	2
Shoemaker	---	2	2
Breadmaker	---	8	8
Candymaker	6	4	10
Stevedore	1	11	12
Cigarmaker	---	5	5
Blacksmith	---	1	1
Print shop	---	1	1
Painter	---	1	1
Carpenter	---	1	1
Hatmaker	---	1	1
Grocery store	---	1	1
Bricklayer	---	1	1
Indeterminate	13	8	20
Total	341	185	526*

*There are two contracts missing for which I could not determine their gender. The gender of freedpeople in my data was determined basically by their names.

Sources: *Libro de Contratos de Libertos de San Juan, 1873-1875*
Archivo General de Puerto Rico and
Contratos de Libertos del Municipio de Ponce, 1873
Archivo Histórico de Ponce

Although women were most often taking care of children, it is important to note that in the few cases in San Juan in which men took care of children, the latter were grown up enough to be trained in some sort of profitable task. For example, the liberto Celedonio was hired to work on the estate of don Pedro Gerónimo Goyco with the benefit of being able to plant "cuanto quieran en beneficio propio."[35] Celedonio brought with him his son Martín, 16 years old, in order to teach him the carpentry and to have him work on the farm. Arguably, most freedmen viewed young children as an obstacle in their quest for jobs with higher remuneration. Therefore, children usually proved to be another burden upon women's shoulders in their already complex lives. Definitely, child bearing and raising were factors that influenced the alternatives chosen by freedpeople. Perceptions about the division of gender roles within the slave's family provide a new dimension to our understanding of the intricacies of personal interactions and relationships within post-emancipation society.

As the backbone of the former slave family, it was women who generally initiated the process of reconstituting familial connections after slavery. The *Libro de contratos de San Juan, 1873-1875* registered twenty-eigth cases of freedpeople, the majority of them women (82 percent), who made claims for some relatives, such as sons, daughters, spouses, and grandmothers. Distant and substitute relatives also participated in this process which evinced the alternative family arrangements. For example, the liberta María Avelina, twelve years old and a former slave of don Juan Serrallés, went to "Barranquitas con objeto

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[35]28 April 1873, *Libro de Contratos de San Juan*, 47.

de incorporarse a su madrina [doña Felipa Rivera] que le reclama."[36] The following is another example of a mother claiming her child: "Carmen Barril reclama su hijo menor de edad, el liberto Eusebio quien era esclavo de los Sres. Llompars y Pons."[37]

It seems likely that these attempts to bring families together were more frequent than what is reflected in the data. Former masters seemed to be aware of the freedpeople's attempts to reconstitute their families. The two cases concerning doña Ysabel de Santana confirm this argument. Doña Ysabel was in charge of two underage children: Juliana, eleven years old and Onorio, ten years old. She would be in charge of the children "until their relatives claimed them" (a common practice during the aftermath of the abolition):

> Ysabel Cebollero de Santana reclama a la liberta de 11 años Juliana, hasta que su madre que vive en Ciales la reclame.
>
> Onorio de 10 años queda en poder de Ysabel Cebollero hasta que la madre que vive en Morovis lo reclame.[38]

The reconstitution of families went beyond the simple desire of reestablishing family relations. It worked as an instrument to subtly avoid freedpeople's subjection to an employer. This is the case of Josefa Besares:

> En la misma fecha presente Josefa Besares parda libre de este vecindario, cuya buena conducta consta al Señor Corregidor por vivir en su propia casa, asi [mismo] se mantiene honradamente con su trabajo en unión de una hija libre que la acompaña; y presente también la liberta Gavina esclava que fue de los Sres. Llompars y Pons, con sus dos hijos menores libres por nacimiento [ ] y [ ]; cuya liberta no han querido conservar los indicados señores manifestó la madre de la misma estar pronta a recoger a su citada hija Gavina con sus dos espresados hijos, para que a su lado trabaje en su compañía, con el fin de sostenerse todos en familia asistiéndola en sus enfermedades como su hija que es y atendidas las buenas circumstancias que concurren en

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[36]31 July 1873, *Copiador de Oficios*-Ponce.
[37]Ibid., 25 April 1873, 12-13.
[38]Ibid., 3 May 1873, 166.

> la vecina Josefa Besares se le entregaron su citada hija Gavina y los dos hijos menores de ésta con la adquiesencia del Sr. Protector.[39]

Freedwomen's obligations to the family occasionally were subverted in order to avoid the normal process of contracting that was imposed on them by the *Abolition Act* and its regulations. An illustrative example is the case of the liberta Margarita who requested to be released from her obligation to sign a contract, arguing that she had to take care of her children.[40] Others, such as liberta Albina, also used family concerns as an excuse to cleverly negotiate their contracts in order to accommodate their needs:

> En la misma fecha presente la liberta Albina esclava que fue de don Evaristo Chevremont manifestó que por ahora no le convenía contratarse con su dueño ni con otra persona alguna, en razón a que se encuentra en estado interesante y que por lo pronto se acoge a su hermana Catalina Díaz hasta que se halle en disposición de contratarse para el servicio doméstico.[41]

In contrast to other cases, Alvina referred to her physical condition as "estado interesante". What does "estado interesante" mean? Was she pregnant? Was she demanding time to wean her new born child? Probably, Alvina manipulated her female condition to avoid contracting or she was just asserting her right to have a family

Most freedwomen were engaged actively in the negotiation of their contracts. They contested the system, which they saw as a continuity of slavery, using the same legal channels that were designed to ensure their accommodation to the labor force. For example, the data for San Juan show that seventy-five percent of the 108 contract recissions were performed by women. The liberal ideological principles embedded in the contract

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[39]Ibid., 25 April 1873, 11.
[40]16 July 1873, *Copiador de oficios.*
[41]25 April 1873, *Libro de contratos de San Juan,* 29.

system that allowed former slaves and employers to rescind their agreements to each other were well manipulated by freedpeople (and in my data mostly by women). If their contract seemed to fall short of fulfilling their expectations, freedwomen legally were endowed with the right to rescind their former arrangement and engage in a new contractual relationship with a different employer. Such actions taken by those women imply a clear knowledge of their rights and a willingness to assert them. A clear example of this awareness is given by the case of the liberta María del Carmen Calderón.[42] She was hired by don José Arimon to work as a domestic servant. In her contract she was registered as fifty-five years old. Four months later, María del Carmen presented her birth certificate to show that she was sixty. By law, those over sixty did not have to submit to contractual relationship. Instead, they could enjoy a more autonomous life from an employer. For example:

> Liberta Joaquina Cruz, esclava que fue de don Juan Morena no le conviene contratarse con razón de su edad y achaques por lo tanto se acoge a su prima Rosalía García quien se obliga a ayudarla para su subsistencia.[43]

In this case the liberta Joaquina is aware not only of her rights as an old woman who is not required to contract but also uses her relationship with members of her extended family to reassure her autonomy from any employer.

Was Emancipation a Possible Liberation Process for Freedwomen?

Emancipation was a socio-political and economic conjuncture that affected many people from the dominant and subaltern sectors. The contradictions within the processes of emancipation included the attempts

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[42]Ibid., 3 May 1873, 163.
[43]Ibid., 25 April 1873, 29.

of elite groups, planters, merchants, government and ecclesiastical officials, small entrepreneurs, military, and others, to keep social control over the labor and activities of non-whites, particularly former slaves. On the other hand, emancipation represented to former slaves a hegemonic fracture and the fragmentation of a system that could no longer support itself on the same basic premises of control previously experienced and asserted under slavery.

Emancipation had different meanings for different people. Thus, it is not surprising that emancipation could also be perceived by freedwomen as an opportunity for greater liberation as women. The following case could have multiple readings. This case could evince the exploitation of former slaves after emancipation. It also could be an example of the constraints faced by freedpeople to maintain family life. This case, however, could be an example of women trying to avoid responsibilities imposed on them because of their gender. In 21 June 1873 Paulino Márquez from Yauco filed a complaint against his wife, a liberta, with the Mayor of Ponce.[44] Márquez contended that his wife refused to comply with her traditional obligations as a married woman. According to the complaint, the wife argued that she was impeded from fulfilling her traditional role as a wife because she was forced to engage in a contract relationship. In this case, one could argue that the wife of Paulino Márquez used her obligations as a liberta contracted worker as a justification for leaving her husband. Although this is a very ambiguous example, I decided to include this last alternative reading just to introduce the idea of multiple meanings of emancipation in relation to gender roles.

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[44]21 June 1873, *Copiador de oficios.*

Moreover, I just want to emphasize that the processes of emancipation deeply impacted freedpeople's lives and perceptions of themselves.

Conclusion

In 14 July 1873, the liberta Elena from Juana Díaz requested a certification of her illness from Dr. Pujals . This certification was her excuse to the Corregidor of Ponce to explain her avoidance of her contract obligations.[45] Elena's case is an example of the subtle ways in which women avoided the contract system. After looking through the fines and complaints against libertos and libertas before the Ayuntamiento de Ponce, it is noteworthy that only men committed the few actions of physical violence that were recorded. These attempts included physical attempts against the overseer or destruction of hacienda's property. Freedwomen tended to escape work through more subtle strategies, such as the cases of Juanita Vásquez, Celedonia, and Felícita from the Hacienda Bucana, who were simultaneously denounced to the authorities for refusing to work because they were "sick." The high percentage of women who rescinded contracts evince the notion that while women appear to have displayed a greater tendency to work within the contract system they did so in order to subvert or to convert it to their own advantage. The strategies freedwomen mobilized toward this end demonstrate an acute awareness of their possibilities as well as an amazing creativity in actualizing these possibilities into reality.

In this chapter I have attempted to look at how choices and alternatives for libertas and libertos were influenced by their gender. Additionally, I suggest that emancipation represented an opportunity for

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[45] 14 July 1873, *Copiador de oficios.*

freedwomen to assert demands not only as former slaves but also as women. To this end I provided first a discussion of the issues that have concerned Caribbean and Puerto Rican scholarship dealing with issues of gender during slavery and emancipation showing the ways in which literature on British Caribbean defined itself as a counter example to the experience of slave women in the Spanish Caribbean. After exploring the data on Puerto Rico and the studies by several Puerto Rican scholars, one can see that female slaves were as important components in field work as their counterparts in British islands. Rethinking domestic service is another contribution to the scholarship that attempts to explore the experience of freedpeople after the abolition of slavery. Domestic service provided women with skills that were marketable and provided more alternatives after emancipation.

In the second section of this chapter I have argued that although women formed the backbone of slave families and later, liberto families, this role within the family both limited their choices for employment as well as provided justification for avoiding or subverting the contract labor system to their own advantage Many times, freedwomen used family resources to claim that they could rely on the support of others for sustenance or to claim that family obligations did not allow them to comply with their contract obligations. Emancipation also allowed freedwomen to look for their own benefits as women. In their individual lives, freedwomen were able to challenge the oppressive patriarchal system in both its colonial and its personal dimensions. Generally, freedwomen articulated these challenges through channels provided by legal institutions. While partially recognizing the legitimacy of government authorities, many freedwomen and freedmen managed to avoid the system

they saw as a continuity of slavery. This process of continuous negotiation and contestation to arrive at a fragile balance of power at some critical, if limited, points of contact between elites and subaltern, represents the process I have broadly identified as the construction of hegemony. It is noteworthy that in the case of former slaves in Puerto Rico, freedpeople's participation in the process of negotiation is not as evident as I would have liked it to be. The data of this chapter, however, suggest that freedwomen tended to negotiate with the legal system in order to assert their rights to have a more stable family and more autonomy, but unfortunately this is just a partial picture of these negotiations.

Conclusion

Because the emancipation processes in Puerto Rico occurred when liberal ideology transformed the socio-political dynamics, emancipation in Puerto Rico took a different form than in other Caribbean locations. This liberal ideology, which transformed the socio-political dynamics during the immediate months following the *Abolition Act* in 1873 was based on the concepts of citizenship, political participation, free trade, and individual rights that were already ebullient in Europe and other areas in Latin America. However, the legal recognition of former slaves as partners, although not equal partners, in a contract relationship had negative consequences for the interests of the elite. It is also important to note that emancipation in Puerto Rico served Spain's interests at the time. Although Puerto Rico had organized groups that demanded abolition, they were not as politically radicalized as their counterparts in the neighboring island of Cuba. During 1868 to 1879, Cuba was involved in very complex wars, mostly against Spain. International and local pressures to abolish slavery forced Spain to issued the *Abolition Act* on Puerto Rico but not in Cuba.

The liberal influence was evident in the recognition of some basic rights by former slaves. These included the possibility of negotiating contracts with parties other than their former master and the opportunity to rescind contracts if the obligations stipulated were not beneficial. In contrast to Cuba and other Caribbean areas, former slaves were seen by the law as subjects, not as commodities. This basic difference translated into a fissure in the system of social control implemented by colonial authorities and supported by planters. The process of concentration of land in the hands of the hacendados, and of credit in hands of merchant

groups more interested in coffee production, explains the lack of access to land and resources that could allow freedpeople to establish a more independent life. Therefore, freedmen and freedwomen were forced to engage in the contract system, a system which had a liberal ideological base and which unintentionally became the perfect opportunity for former slaves.

Libertas and libertos soon found that this contract system had fissures, and they molded and expanded them in order to achieve more autonomy. This process mirrored the fragmentation of the hegemonic project articulated by local and colonial authorities, merchants, and planters (and those who assigned particular roles as "forced laborers" to popular groups), which tried to insert the island into the international market through the sugar industry in order to strengthen political power for Spain as well as for the local hacendado class. Nevertheless many forces were not taken into account by the elite, especially, the initiative and creativity of freedpeople to maintain a process of negotiation. Despite the attempts of planters and colonial authorities to reverse the liberal influence, subalterns continued to actively push for more independence and many times subverted the legal system in order to create a space for their family, the community, and themselves.

The common thread that holds together this thesis is the discussion of the continuous processes of contestation and negotiation among different social groups which shaped the historical events in nineteenth century Puerto Rico. In this essay, I have chosen to explore these processes through the experience of those in the lowest strata of society: former slaves. Even at the lowest stage of the social hierarchy, negotiation and contestation were essential for daily survival. The hegemonic process,

the negotiation that modified and challenged the structures for the exercise of power, continuously changed because of the influence of a diversity of agents. As I stated in chapter 1, applying the definition of hegemony as a process in which "power and meaning are contested, legitimated, and redefined at all levels of society" to the case of former slaves is problematic. My evidence is not enough to argue that their actions were clearly motivated by their political consciousness. Many of the freedpeople's actions, however, used official mechanisms which challenged the system of control. One can argue that the manipulation of those legal mechanisms could imply that a process of negotiation (and legitimation) was taking place. In my opinion those actions were more than simple acts of resistance. For this reason, I chose to use Florencia Mallon's broad definition of hegemony.

The struggles of former slaves for autonomy were influenced by many factors. Although people continuously flowed from one area to another, the dynamics of rural and urban settings provided different alternatives to freedpeople. The description of the southern area of Ponce highlights the empowerment of former slaves through a particular conjuncture of the elements of the emancipation process. Harvest season coincided with the moment of abolition. This situation allowed former slaves to bargain for better benefits. Although many freedpeople migrated to other areas in search for better material benefits or to reestablish family connection, a large group of former slaves chose to stay in the field to work, so they could get better wages. In San Juan, even prior to emancipation, slaves achieved certain degree of autonomy when compared to those in the sugar fields. Life in the capital, where the military, ecclesiastical, and government authorities had their quarters, offered a

great diversity of occupations; there were laundresses, domestic servants, cooks, cart drivers, and stevedores among many others. Slaves and later, freedpeople took on those tasks that demanded great physical mobility around the streets of the capital. This mobility and the constant interaction of former slaves with other subaltern groups forced employers to a process of negotiation similar to the planters in Ponce. The process of negotiation between employee and the employer in post-emancipation contracts was clearer in San Juan where social control over popular sectors seemed more difficult due to the diverse nature of the economic life in the capital.

Gender is another factor which influenced the process of negotiation of former slaves. Women were the backbone of the slave and freedpeople family. Family and children were women's responsibilities and a burden for their already complex lives. Nevertheless, freedwomen cleverly subverted this burden and turned it into a justification to avoid the system of oppression which forced them to engage in contract relations. Emancipation could also be perceived as an opportunity for freedwomen to liberate themselves as women. This shows that oppressive circumstances were cleverly manipulated by former slaves. Additionally, it demonstrates that freedpeople were aware of their rights and had a clear agenda.

The process of negotiation and contestation changed over time, and had various levels, and different degrees. At the beginning of the nineteenth century, it was easier to distinguish between groups of the elite and subaltern sectors. Merchants, local and colonial authorities, and planters had similar economic interests. Basically, they were concerned about the profitability of the sugar industry and the political power each group could achieve through a higher economic status. Subaltern groups,

such as slaves and free jornaleros, lived under an extremely repressive system that sought to control the labor force in order to maintain the productivity of the sugar industry. Nevertheless, changes in the international market, problems with the structure of production on the island, and the strength of popular groups were factors that pushed the metropolitan state to accept a position more open to negotiation with the various social forces. The metropolitan authorities went through a process of negotiation at the international level with other European and American countries that were pushing for the abolition of slavery; at the regional level with the revolutionary forces in Cuba; and at the local level dealing with planters, professionals and intellectuals, former slaves, and free jornaleros. This process of permanent change in which contestation and negotiation were the engine for the cyclical dynamics of a fragile balance, movement, and rupture, continued up to the twentieth century, when new actors (United States, 1898) entered the Puerto Rican stage. The study of libertos and libertas suggests that they created a strong identity which continued to differentiate them from others throughout the period following emancipation and also permeated social interactions until the end of the century. How these relationships evolved from the end of the nineteenth century into twentieth century, and how they were interwoven with the restructuring of the economy, are topics for further investigation.

In sum, the main objective of this essay has been to reflect on the paradoxes of post-emancipation Puerto Rican society. For this purpose I focused my work on labor contracts, fines, complaints, and municipal registers. I reviewed the wide range of responses from the former slaves to a different mode of structuring oppression. These responses ranged from strong ties between former slaves and former masters to openly

hostile relationships. Negotiation, however, emerged as the most common response. I also demonstrate that these responses were determined by different variables, such as occupation, demand for labor, geographic space, gender, and race. I have also pointed out that changes in legislation over labor provide evidence of the constant challenges posed by subaltern groups to the elite's projects for social control and of the divergence among elite sectors. Through this profile, I attempted to offer a better picture of the fragmented post-emancipation Puerto Rican society.

In the larger scope, the Puerto Rican case offers insight into the political and socio-economic fragmentation during the last years of the Spanish colonial system. In contrast to other places in the Caribbean, Puerto Rico experienced a liberal influence that accelerated the fragmentation of its elite and allowed more agency for freedpeople. My study of contracts and other primary documents offer strong evidence of the impact of slaves' and later, freedpeople's determination to transform labor relations on the island. In Puerto Rico, the contract system was frequently manipulated by libertos and libertas. In this essay I have emphasized freedpeople's determined rejection of the continuities of slavery which they carried out using different disguises. The striking tenacity of coercive mechanisms is equaled only by the sustained courage and creativity with which freedpeople thwarted these mechanisms, not only in Puerto Rico but throughout other slaves societies.

APPENDIX A

DOCUMENTO N.° 203

LEY DE ABOLICION

"Artículo 1.o Queda abolida para siempre la esclavitud en la Isla de Puerto Rico.

Artículo 2.o Los libertos quedan obligados a celebrar contratos con sus actuales poseedores, con otras personas o con el Estado, por un tiempo que no bajará de tres años.
En estos contratos intervendrán, con el carácter de curadores de los libertos, tres funcionarios especiales nombrados por el Gobierno Superior, con el nombre de Protectores de los libertos.

Artículo 3.o Los poseedores de esclavos serán indemnizados de su valor en el término de seis meses después de publicada esta ley en la Gaceta de Madrid .
Los poseedores con quienes no quisieran celebrar contratos sus antiguos esclavos, obtendran un beneficio de 23 % sobre la indemnización que hubiera de corresponderle [s] en otro caso.

Artículo 4.o Esta indemnización se fija en la cantidad de 35 millones de pesetas, que se hará en efectivo, mediante un empréstito que realizará el Gobierno sobre la exclusiva garantía de las rentas de la Isla de Puerto Rico, comprendiendo en los presupuestos de la misma la cantidad de tres millones quinientas mil pesetas anuales para intereses y amortización de dicho empréstito.

Artículo 5.o La distribución se hará por una Junta compuesta del Gobernador Superior Civil de la Isla, Presidente, Jefe Económico, del Fiscal de la Audiencia, de tres Diputados Provinciales elegidos por la Diputación, del Síndico del Ayuntamiento de la Capital, de dos propietarios elegidos por los 50 poseedores del mayor número de esclavos, y de otros dos elegidos por los 50 poseedores del menor número.
Los acuerdos de esta comisión serán tomados por mayoría de votos.

Artículo 6.o Si el Gobierno colocase el empréstito, entregará los títulos a los actuales poseedores de esclavos.

Artículo 7.o Los libertos entrarán en el pleno goce de los derechos políticos a los cinco años de publicada la Ley en La Gaceta de Madrid.

Artículo 8.o El Gobierno dictará las disposiciones necesarias para la ejecución de esta Ley y atender a las necesidades de beneficencia y de trabajo que la misma hiciera precisas."

Asamblea Nacional, 22 de marzo de 1873.

APPENDIX B

REGLAMENTO PARA LA APLICACION Y CUMPLIMIENTO DE LA LEY DE 22 DE MARZO DE 1873 SOBRE ABOLICION DE LA ESCLAVITUD EN SUPARTE RELATIVA A LA CONTRATACION DEL SERVICIO DE LOS LIBERTOS

Artículo 1.o Los libertos quedan obligados a celebrar contratos de servicio con los que fueron sus dueños, con otras personas o con el Estado, por un tiempo que no bajará de tres años.
Artículo 2.o Este plazo empezará a contarse desde el día en que se publicó la Ley en La Gaceta de Madrid.
Artículo 3.° Estos contratos serán individuales, y no colectivos, e intervendrán en ellos con el carácter de curadores de los libertos, tres funcionarios especiales nombrados por este Gobierno, con el nombre de Protectores de los libertados.
Artículo 4.o Para el mejor desempeño de las funciones de estos cargos, se dividirá el territorio de esta Provincia en tres Departamentos, cuyos centros respectivos serán: la Capital, Mayaguez y Ponce, y para cada uno de ellos se nombrará uno de los expresados funcionarios.
Artículo 5.° Corresponden a cada uno de estos Departamentos los pueblos siguientes:

Primer Departamento.
Capital, Bayamón, Toa Alta, Corozal, Naranjito, Dorado, Toa Baja, Vega Baja, Vega Alta, Río Piedras, Carolina, Trujillo Alto, Trujillo Bajo, Río Grande, Loíza, Guaynabo, Arecibo, Camuy, Quebradillas, Morovis, Hatillo, Ciales, Manatí, Utuado, Caguas, Aguas Buenas, Juncos, Hato Grande, Gurabo, Sabana del Palmar, Cidra, Humacao, Yabucoa, Naguabo, Las Piedras. Fajardo, Ceiba, Luquillo, Maunabo Patillas y Vieques.

Segundo Departamento.
Mayaguez, Sabana Grande, Añasco, Cabo Rojo, San Germán, Aguada, San Sebastián, Lares, Isabela, Rincón. y Las Marías, Aguadilla, Moca.

Tercer Departamento.
Ponce, Barros, Juana Díaz, Aibonito, Guayanilla, Barranquitas, Adjuntas, Yauco, Peñuelas, Coamo, Santa Isabel, Cayey, Arroyo, Guayama y Salinas.

Artículo 6.o El cargo de Protector sera retribuido con el sueldo de doce mil quinientas pesetas anuales, que se satisfará por la Provincia, computándose en dicho sueldo el que por cualquier concepto perciba el nombrado si fuese empleado activo o pasivo del Estado, Provincia o Municipio.
Artículo 7.o Las funciones de los Protectores se reducirán a la esfera de la contratación únicamente, y a la defensa y protección de los libertos en todo lo que concierna al cumplimiento, inteligencia y rescisión de estos contratos y no de otros.
Artículo 8.o En todos los demas actos y estipulaciones civiles que celebren los libertos, sea con sus actuales poseedores o con cualquiera otra persona, gestionarán su derecho libremente, sin intervención de los Protectores usando de las acciones y medios legales que ejercitan los demás ciudadanos en casos análogos.

Artículo 9.o Las funciones de los Protectores a que se refiere el articulo 7.° consisten principalmente en presenciar y asistir a los contratos de los libertados, atendiendo con el mayor cuidado a la fijación de sus cláusulas, y procurando que estas se consignen con el pleno, cabal conocimiento y consentimiento de los libertos, sin que en manera alguna se cohiba la voluntad de sus protegidos.

Artículo 10.o Los Protectores desempeñaran por sí mismos sus cargos en el punto donde residan, y en sus pueblos de su Departamento respectivo serán sus delegados los Síndicos de los Municipios.

Artículo ll.o Los Síndicos, como delegados, ejercerán en su localidad las mismas funciones que los protectores, a quienes darán noticias de todos los actos que en virtud de la delegación ejerciesen. Este cargo de delegado se entenderá como concejil.

Artículo 12.° Los Protectores visitarán los pueblos de sus distritos periódicamente para la gestión de todo lo que concierna al cumplimiento de las funciones que les señala este Reglamento, y darán cuenta al Gobierno Superior Civil del resultado de su visita; a la vez oirán y resolverán las quejas que los libertos de su Distrito puedan dirigirles.

Artículo 13.o Los contratos serán enteramente libres por ambas partes y se expresarán en ellos con toda claridad todas las cláusulas que se estipulen, y muy especialmente las que se refieren al precio del trabajo, duración de este en cada día, con designación de horas. Fuera de las de trabajo, el liberlo dispondrá de su tiempo para actos lícitos como cualquier otro hombre libre.

Artículo 14.o Pueden rescindirse los contratos a voluntad de las partes cuando les conviniere, sin perjuicio de las responsabilidades de los que falte a sus pactos causando daño al contratante.

Artículo 15.o La infracción de alguna de las cláusulas del contrato da también lugar a la rescisión con la misma indemnización de perjuicio a que se refiere el artículo anterior.

Artículo 16.° Promovidas cuestiones entre el liberto v su contratante en lo que se refiere a los tres artículos precedentes, intervendrá el protector; y si no hubiese arreglo, la Autoridad local, oyendo a las partes y previa justificación de los hechos, resolverá lo que crea equitativo y justo.

Artículo 17.o Contra estas resoluciones procede el recurso de alzada ante el Gobernador Superior Civil.

Artículo 18.° Las multas y las indemnizaciones de perjuicio por faltas en los contratos o por otras causas que se impongan a los libertos, se satisfarán del jornal que devenguen, en la proporción que marca el artículo 952 de la Ley de Enjuiciamiento Civil; y con preferencia, de su peculio, si lo tuvieren.

Artículo 19.° Se entiende obligado a la contratación de servicio a todo liberto de edad y aptitud bastante para el trabajo, quedando sólo exceptuados los que física o moralmente se hallen incapacitados por causa temporal o permanente.

Artículo 20.o Los dueños que han sido de esclavos pondrán en conocimiento de la Autoridad local, por escrito y circunstancialmente, cualquier incapacidad física o moral que el liberto tuviere para el trabajo; y aquella, oyendo al protector, formará expediente justificativo de la inutilidad, y comprobada, lo anotará en un registro que ha de llevar de ellos para lo que haya lugar.

Artículo 21.o Si el liberto se negare a contratarse con su antiguo poseedor o con otra persona, lo será por el Estado forzosamente.

Artículo 22.o Al efecto, las Autoridades locales cuidarán bajo su mas estrecha responsabilidad que en sus distritos estén contratados todos los libertos que contenga el registro que deberá llevar de ellos.

Artículo 23.o Si por aviso del contratante, del Protector, o por cualquier otro modo, llegare a conocimiento de la Autoridad que algún liberto no estuviere contratado, le apercibirá para que en el término de tercero día lo verifique con quien más le convenga; y en caso de incumplimiento, siempre con la intervención del Protector, lo destinará a las obras públicas, Municipales, Provinciales o del Estado, según sea necesario, con la retribución que por ellas se abone a cualquier otro jornalero.
No existiendo estas clases de obras, y siempre interviniendo el Protector, se impondrá al liberto un contratante que quiera utilizar sus servicios mediante la retribución equitativa que proceda, con arreglo al precio usual del jornal, interín el liberto no se sujete voluntariamente al deber de contratación que le impone la Ley.
Artículo 24.o El liberto que, apurados todos los medios indicados, se resistiese, sin embargo, a la contratación, sera castigado por la Autoridad local por su desobediencia.
Artículo 25.o Este castigo sera, por primera vez, imponiéndole ocho días de arresto con destino a obras públicas, sin más retribución que el alimento. Si persistiese, el arresto sera por quince días, con la misma imposición de trabajo en obras públicas, y aun si se resistiese, se entregará a los Tribunales de justicia para aplicación de la pena que le corresponda por su desobediencia a la Autoridad.
Artículo 26.o Cualquier persona que tuviere a su servicio algun liberto sin contrata en forma, sufrirá por la primera vez una multa de 25 pesetas, de 50 por la segunda, y después, de 100 pesetas por cada nueva reincidencia.
Artículo 27.o Los contratos se otorgarán en la Capital ante el Gobernador Superior Civil, o del funcionario en quien delegue; y en los demás pueblos de la Provincia, ante la Autoridad local.
l.o Los contratos se extenderán por orden cronológico en un libro foliado, rubricado por la Autoridad y sellado con el de la Alcaldía, y con asistencia del Secretario del Municipio, del Protector, del contratante y del liberto, firmado los concurrentes, incluso el liberto si supiere.
Se hará constar en ellos el nombre, estado, oficio y edad del liberto y separada y claramente, todas las cláusulas que se estipulen, certificando el Secretario que, después de leídas al contratante y contratado, estuvieron conformes.
3.o De estos contratos se dará copia a las partes, si la pidiesen, en papel de oficio y sin exigir ningún derecho por ella.
1.o Asimismo, las Autoridades locales remitirán dos copias al centro de su Departamento, dirigidas al Protector allí residente, quien las revisará, cuidando de subsanar los defectos que notare en el contrato en el término más breve posible, y verificado, una copia la archivará en su oficina y la otra la remitirá al Gobierno para la formación de un registro general que se llevará en su Secretaría.
Artículo 28.o Se llevarán dos registros, uno por cada sexo, en los que constarán por orden alfabético, el nombre, edad y oficio de cada liberto, así como su historial detallado.
Artículo 29.o Los libertos mayores de 60 años, comprendidos en la Ley de abolición parcial de la esclavitud de 4 de julio de 1870, quedan exentos del patronato que en ella se estableció en su artículo 14, entrando desde luego en el lleno de sus derechos civiles, y en el de los políticos a los cinco años contados desde la publicación de la Ley en La Gaceta de Madrid, como ordena el artículo 7.o de ella.
Artículo 30.o En el mismo caso se hallan los niños libres por su nacimiento, según los artículos l.o y 2.o de la citada Ley de 4 de julio de 1870; los cuales quedan también exentos del patronato que expresan sus artículos del 6 al 12; y

se les aplicarán las prescripciones de este Reglamento, referentes a los nacidos con anterioridad que no pudieron, por ello, ser declarados libres.
Artículo 31.o Todos los libertos ninos que durante el trienio no cumplieren doce años de edad, quedan relevados de contratarse; los que los cumplieren, se contratarán sólo por el tiempo que falte desde el mismo día hasta la terminación del trienio.
Artículo 32.o Los libertos niños, si tuvieren padre o madre legítimos o naturales, quedarán a cargo de estos, conforme a la Ley común para su cuidado, asistencia y educación.
Artículo 33.° A los libertos huérfanos, a los ancianos y a los inútiles por incapacidad física o moral para ganar su subsistencia, ínterin se dictan por el Gobierno de la Nación las disposiciones de Beneficencia que determina el artículo 8.o de la Ley de 22 de marzo de que se trata, se les atenderá por sus respectivos Municipios como se practica con las demás personas libres que se hallan en el mismo caso; pero si por convenio mutuo con antiguos patrones o propietarios acordarán que alguno permanezca, sin perjuicio de los derechos por este adquiridos, en casa de aquellos, podrán hacerlo.
Artículo 34.o En el término de 20 dias, a contar desde la publicación de este Reglamento, quedará terminada la contratación de todos los libertos de la Provincia.
Artículo 35.° Las dudas que ocurran en la inteligencia y aplicación de este Reglamento, se consultarán con el Gobierno Superior Civil en el más breve plazo posible.

ARTICULOS ADICIONALES

I.o Los contratos interinos y provisionales que se hayan celebrado hasta el día, en virtud de las ordenes circuladas por el Gobierno Superior Civil, se ratificarán en la forma que previene este Reglamento para que sean válidos en lo sucesivo.
2.o Recargados sobremanera los trabajos en las oficinas municipales con las obligaciones que se imponen a sus funcionarios para el cumplimiento de las disposiciones de la ley a que se contrae este Reglamento, quedan facultados los municipios para crear en sus Secretarías un Negociado con el nombre de "Contratación de libertos", y con la dotación de empleados que el número de aquellos existentes en la localidad haga necesarios, cuyos sueldos y gastos de material se incluirán en presupuesto, previa aprobación de la Diputación Provincial.
Puerto Rico, 20 de abril de 1873.—PRIMO DE RIVERA.
[Sello del Gobierno Superior Civil de Puerto Rico].

APPENDIX C

(Standarize form of a liberto contract according to the Libro de contratos de libertos en San Juan, 1873-1875.)

En la Capital de Puerto Rico, el día _____ de _____ del mil ochocientos setenta y ____, don(ña) _____ y el (la) liberto(a) _____, esclavo(a) que fue de _____ y convinieron en quedar dicho(a) liberto(a) al servicio de _____ del primero residiendo en su propia casa, abonandole el citado (#$) mensuales por su trabajo, y casa, comida y ropa limpia, así como la asistencia y manutención en caso de enfermarse, siendo entendido que durante las enfermedades que pueda tener no devengará el liberto jornal alguno. Y en cumplimiento de lo dispuesto para la aplicación de la Ley de veinte y dos de marzo ppdo. sobre abolición de la esclavitud en esta isla, autorizo el presente contrato celebrado con asistencia del Sr. Protector de Libertos del Departamento quien firma así como el contratante un haciéndolo el contratado por no saber ante mí el Secretario de que certifico como también de haber sido leído el presente contrato a las partes y estar conformes con él.

Hernández Salgado

Pedro G. Goyco

APPENDIX D

DECRETO

Num. 44

Dictada y sancionada en 22 de marzo de 1873 la humanitaria y benéfica Ley de abolición de la esclavitud en esta Isla, publicó este Superior Gobierno, en 20 de abril siguiente, el Reglamento provisional para su exacto cumplimiento.

Al redactarle, tuvo presente mi antecesor el principio de libertad que dominaba en la Ley y la esperanza sin duda de que la conducta y proceder de los libertos correspondiese en términos generales a la más alta aplicación de aquel principio y a la confianza que inspiraban a la Superior Autoridad dela Isla. De aquí el que no se pusiese cortapisa alguna a la contratación; el que no se limitase en nada la libertad por la Ley concedida; el que desde el primer momento fueran considerados los libertos con los mismos derechos y obligaciones que los nacidos libres en lo relativo al trabajo; y el que ninguna disposición prudentemente coercitiva viniera a prevenir de momento y a corregir después los abusos que, a la sombra de tan humanitaria Ley y con perjuicio de los intereses generales, pudieran introducirse.

Resultado de todo ha sido la completa desorganización que existe en el trabajo; los daños grandes que sufre la agricultura; lo ilusoria que ha venido a ser una contratación hoy desprestigiada y gravosa para los propietarios, y el cumplimiento del artículo 2.o de la Ley barrenado en su letra y espiritu.

Es preciso, de momento, acudir al remedio de tanto mal accediendo a las justas rec1amaciones que de toda la Isla se me han hecho, restablecer el imperio de la Ley, cortar los abusos al amparo del citado Reglamento introducidos, y prevenir puedan reproducirse los grandes males que la agricultura y la sociedad lamentan actualmente.

Para ello, ha de ser una verdad el artículo 2.o de la Ley, y los contratos han de tener la duración en el mismo marcada; han de evitarse las exigencias desmedidas de los libertos que vengan a imposibilitar la contratación; han de vigilarse la conducta de los mismos en la parte que al cumplimiento de los contratos y al espiritu de la Ley afecte; ha de evitarse la vergonzosa especulación a que esto ha dado lugar en algunos puntos con perjuicio de los mismos los libertos; ha de procurarse que éstos se hallen contratados con personas que
respondan de la efectividad de las obligaciones contraídas; y ha de conseguirse, en fin, que esa excepcional clase de la sociedad este debidamente documentada, ya para su propia seguridad y protección del Gobierno ya por lo que importar pueda al orden público.

A todas estas necesidades he procurado atender en las disposiciones de este Decreto, cuyo más exacto cumplimiento recomiendo a las Autoridades locales, a los celosos Protectores y Síndicos, y a todos cuantos se interesen en la prosperidad de esta Isla. De tal manera, se verán secundados los deseos del Gobierno de la República y dejare cumplido uno de sus terminantes preceptos.

En su virtud, decreto lo siguiente:

Artículo 1.o Todos los contratos celebrados por los libertos por consecuencia de lo prescrito en el artículo 2.o de la Ley de abolición de la esclavitud y que en la actualidad están vigentes, así como los que en lo sucesivo se celebren, se entenderán obligatorios por lo menos hasta el 20 de abril de 1876.

Artículo 2.o Los contratos no podrán en manera alguna rescindirse a voluntad de los contratantes, sino por una justa causa que aprecie, con intervención del Protector o Síndico correspondiente y propietario, la autoridad local, con recurso de alzada a este Gobierno Superior Civil.
Artículo 3.o En los 20 días siguientes al de la publicación de este Decreto, se procederá a una minuciosa y detenida revisión de los contratos celebrados ante la respectiva Autoridad local y Protectores o Síndicos de los Ayuntamientos.
Artículo 4.o Todo contrato que no esté celebrado con arreglo a la Ley y que no reúna las formalidades prescritas en el Reglamento de 20 de abril, será declarado nulo.
Artículo 5.o Igualmente lo será todo contrato en el que la persona que aparezca tener a su servicio un liberto, no reúna las circunstancias de ser propietario, comerciante o industrial, con posicion desahogada para el exacto cumplimiento de los contratos que celebre. Las Autoridades locales y los Protectores y Síndicos vigilarán estrictamente sobre este particular y bajo su estrecha responsabilidad, con el objeto de evitar sea ilusoria la contratación o se haga causa de inmoral especulación.
Artículo 6.o Todo liberto que se halle sin contratar o contratado indebidamente, lo efectuará sin demora con su anterior dueño o con otra persona, o será destinado como contratado con el Estado a las obras pública que éste tenga en ejecución.
Artículo 7.o Los libertos no podrán exigir jornal más alzado que el que en épocas normales sea común en cada localidad, descontándose de su importe el de la manutención y vestido si los propietarios se comprometen a mantenerlos y vestirlos.
Articulo 8.o Sera obligación precisa en los libertos la de trabajar todos los días no festivos y en las horas que, en cada localidad y según las épocas, sea costumbre efectuarlo por los trabajadores libres.
Artículo 9.o Los libertos quedan obligados a cumplir y observar las disposiciones que adopten los propietarios para el mejor régimen de los servicios contratados, siempre que no se opongan al espíritu de la Ley de la abolición y a las clásulas especiales de cada contrato.
Artículo 10.° Los libertos viciosos y de conducta inmoral que no se corrijan por las amonestaciones de los propietarios o de los Alcaldes, sufrirán la corrección de ocho a veinte dias de prisión con destino a las obras públicas, según los casos y circunstancias.
Artículo ll.o Igual corrección sufrirán los que sean desaplicados al trabajo y no llenen cumplidamente el servicio en el contrato convenido.
Artículo 12.o Los propietarios que en el cumplimiento de los contratos vayan contra la letra y espíritu de estos o de la Ley de abolición, satisfarán una multa de 30 a 200 pesetas según las circunstancias que concurran. A instancia del Protector o Síndico, la impondrá el Alcalde respectivo con recurso a este Superior Gobierno.
Artículo 13.o A todo liberto se le facilitará gratis una cédula que se titulará de seguridad y contratación, en la cual conste la persona con quien se halle contratado y lo demás que contiene el modelo que a continuación se inserta.
Artículo 14.o Las cédulas serán puramente locales y no tendrán valor para el tránsito por extrañas jurisdicciones a las de cada liberto.
Artículo 15.o Todo liberto que sea aprehendido sin cédula o con ella en extraña jurisdicción, sera entregado a la Autoridad local respectiva, ante la que justificará tal falta, y no efectuándolo, sufrirá la corrección a que se haya hecho acreedor y no exceda de ocho días de trabajos públicos, siendo entregado

al propietario con quien se halle contratado u obligado a la contratación legal, si hasta entonces la hubiera eludido.
Artículo 16.o Cuando un liberto tenga que salir de su jurisdicción municipal, se le concederá el oportuno pase, de acuerdo con el Protector o Síndico y propietario con quien esté contratado.
Artículo 17.o Quedan en vigor las disposiciones del Reglamento de 20 de abril de 1873 y circulares posteriores que no se opongan al presente decreto, del cual se dará cuenta al Gobierno Supremo de la Nación.

Puerto Rico, 10 de abril de 1874.—JOSE LAUREANO SANZ.
MODELO DE CEDULA QUE SE CITA

Alcaldia de: CEDULA DE CONTRATACION Departamento
Edad ..... , liberto de Don .... , vecino de
Estatura emancipado por la Ley de 22 de marzo de 1873.
Color
Estado Esta contratado con Don ..... , vecino de
Oficio en el barrio de ..... , termino de .. .., por
Tiene la obligacion de residir y pernoctar en la (finca o casa) del contratista .. ....de ..... 1874.

La Gaceta de Puerto Rico. Num. 44, 11 de abril de 1874.

APPENDIX E

DOCUMENTO N.° 280

GOBIERNO GENERAL DE LA ISLA DE PUERTO RICO

DON SEGUNDO DE LA PORTILLA Y GUTIERREZ, condecorado con las grandes cruces de San Hermenegildo, del Mérito Militar roja y de Isabel la Católica, Caballero dos veces de la de San Fernando de Primera clase, y con otras varias por acciones de guerra; Teniente General de los Ejércitos nacionales, Gobernador Capitán General de la isla de Puerto Rico, Presidente de la Excelentísima Diputación Provincial de la misma, del Ayuntamiento de la Capital, Subdelegado de Correos, Vice Real Patrono de Indias en esta Antilla, Director e Inspector de todas las armas e institutos militares, etc., etc.

Entre los varios males que mas han afectado conmovido siempre a la sociedad, figura casi en primer término el de la vagancia.

Probado se halla hasta la evidencia que el origen de la mayoría de lo crímenes que se expían diariamente en las cárceles, presidios y hasta, por desgracia, en los patíbulos es la vagancia.

El vago, dadas las primeras e imperiosas necesidades de su vida, ha de buscar los medios indispensables para satisfacerlas. Cuales sean estos en el vago, por hábito y por toda su profesión, lógicamente los comprende un criterio sano, por poco razonador que sea.

Con el agio inmoral, con el hurto, con la estafa y con la asidua concurrencia a los juegos prohibidos, llena sus primeras aspiraciones como principio de gradación en su vida criminal.

Más adelante, encenagado y pervertido su corazón por las mayores necesidades que los vicios le han creado, no se detiene en su carrera ni aparta su vista del insondable abismo hacia el que se precipita ciegamente y cuyas consecuencias podría evitar con facilidad si se detuviera a examinar el fin que, indudablemente, ha de tener, de seguir por tan pernicioso camino.

El que comenzó por ser vago, en este segundo periodo no halla ya inconveniente en recurrir al robo en mayor escala, al asesinato, a la destrucción de la propiedad y al ataque a todo cuanto más sagrado existe en la sociedad humana.

En cambio, el hombre honrado, laborioso, amante de su familia y de todos sus semejantes, procura llenar aquellas mismas necesidades por los medios lícitos y honestos que le son asequibles, y que las leyes y la sociedad han puesto a su alcance.

Este, si con los productos de su trabajo personal no puede atender a las más sagradas obligaciones que le imponen el mundo religioso y social, para llenarlas jamás desciende a manchar su nombre con el delito ni se hace acreedor a que la vindicta pública imprima sobre su frente el infamante estigma de reprobo y de criminal. Busca medios más decorosos para vivir y para ahorrar un porvenir con que pueda hacer frente a la imposibilidad de trabajar en que le colocan los últimos años de su vida; se afana y se aplica por conseguirlo; y, por último, alcanza lo que en la vida es más noble, más elevado y más santo: la tranquilidad de su conciencia, el bienestar dentro de la ésfera de sus modestas pretensiones, y el reconocimiento y aprecio de la sociedad en general.

Expuestas las precedentes consideraciones, que en estos momentos creo muy necesarias; atendiendo a que las disposiciones oficiales de caracter judicial y gubernativo han marcado siempre la más eficaz y absoluta

preferencia en perseguir y castigar la vagancia, sea cual fuere la forma con que se presente y la hipócrita máscara con que se cubra; y, resuelto como estoy a que en la siempre culta isla de Puerto Rico no exista vago de género alguno y si a que sus habitantes adquieran el convencimiento de que el trabajo legítimo es fuente de verdadera producción y riqueza, y prueba inequívoca de moralidad y de respeto a las leyes y a la sociedad;
Ordeno y mando:

Artículo 1.° A contar desde la fecha de la publicación de este Decreto en La Gaceta Oficial, se procederá por todos los Alcaldes-Delegados de esta Isla a poner en práctica y a aplicar con el mayor rigor el Bando sobre vagos de 15 de abril de 1874 hoy vigente.
Artículo 2.o Inmediatamente después de aprehendido un vago que se halle comprendido en el artículo 6.o de dicho Bando y puesto a disposición de la Autoridad local, esta mandará instruir, en el tiempo mas breve que sea posible, el oportuno expediente gubernativo; el cual, con inclusión de la hoja historicopenal del vago, será remitido a este Gobierno General para la resolución que proceda.
Puerto Rico, 17 de abril de 1876.—Segundo de La Portilla.

BANDO DE VAGOS QUE SE CITA:

"Teniendo presente las unánimes exposiciones de los Ayuntamientos de esta Isla y de la Excelentísima Diputación Provincial, en que manifiestan la imperiosa necesidad que existe de corregir la vagancia, que tantos males está causando a la agricultura y a la sociedad;
"Considerando que, según se desprenda de dichas exposiciones y he comprobado en la visita que estoy efectuando a los pueblos de la Isla, el abandono en que se halla la clase jornalera en muchas jurisdicciones municipales
viene a constituir un grave peligro para el orden público;
"A reserva de someter al Gobierno de la República el correspondiente proyecto sobre reglamentación del trabajo y haciendo uso de las facultades que me conceda el artículo 4.o, caso 1.o, del Decreto sobre organización provincial de esta Isla, y los artículos 3.° y 35 de la vigente Ley de Orden Público;
"Ordeno y mando lo siguiente:

"Artículo 1.° Serán considerados vagos, para los efectos del presente Bando:
"Primero: Todos los que no tengan rentas, profesión, empleo, oficio u ocupación lícitamente lucrativa y conocida.
"Segundo: Los que, teniendo oficio u ocupación lícita, no se dediquen habitualmente al trabajo.
"Tercero: Los que, dependiendo de un jornal o salario, concurran con frecuencia, en días y horas laborables, a cafés, tabernas, pulperías y sitios de recreo y solaz.
"Cuarto: Los ebrios consuetudinarios con escándalo público.

"Artículo 2.o Todo aquel que se halle comprendido en el artículo anterior será llamado por la Autoridad local de su domicilio, la que le amonestará para que varie de conducta y se dedique al trabajo.

"Artículo 3.o Transcurrida una semana desde la amonestación, el amonestado deberá justificar haberse dedicado durante aquella al trabajo y variado de conducta. Si así no lo efectúa o si, con posterioridad, se hiciese acreedor a nuevo llamamiento de la Autoridad, sufrirá ocho días de arresto, con destino a las obras públicas municipales o del Estado.

"Artículo 4.o La primera reincidencia se corregirá con 15 dias de arresto, con destino a las referidas obras públicas, y con 50 pesetas de multa. La segunda reincidencia, igual número de días de arresto y multa de 150 pesetas.

"Artículo 5.o Por insolencia de los multados, sufrirán un día de arresto con trabajo, por cada cinco pesetas, con arreglo al artículo 50 del Código penal vigente en la Península.

"Artículo 6.o Se considerarán incorregibles los vagos que, después de la amonestación y de las tres correcciones expresadas en los artículos anteriores, no morigeren su conclucta y no se dediquen al trabajo. En este caso, las Autoridades locales formarán el oportuno expediente gubernativo y, con detención del vago, lo remitirán a mi resolución.

"Artículo 7.o Las Autoridades locales, auxiliadas de la Guardia Civil, Guardia Municipal y de Orden Público y de los Comisarios de barrio, cumplirán y harán cumplir con toda preferencia y exquisito celo el presente Bando."

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DATE May 30, 1997