Antioquia: Free Womb, Captive Slaves

By 1810, the province of Antioquia produced almost as much gold as the governorate of Popayán. Unlike in Popayán's Pacific mining districts, however, Antioquia gold was mined by slaves in small gangs, typically less than ten per group. Mining operations often included both free workers as well as slaves. The small-scale free prospectors known as mazamorreros even worked side by side with their slaves. Collectively, these small, mixed workforces were responsible for the largest share of Antioquia's gold production. Large slaveholders were rare. While merchants and magistrates kept a few household slaves, slaveholding did not make-or-break the riches or status of the Antioquia patriciate.¹

Like their Popayán counterparts, however, Antioquia's masters had a firm grip over their slaves. Notarial records from Medellín and the city of Antioquia, the provincial capital, reveal that only a few slaves received manumission every year. Manumitted slaves typically obtained their freedom only after paying their masters to "rescue" them. Those willingly manumitted by their masters usually had to wait for their owners to pass away before receiving their freedom papers; others remained bound in servitude to their masters' family even after obtaining formal emancipation. Many slaves officially emancipated by the "grace" of their owners had taken steps to convince or pressure their masters to set them free.²

Yet in Antioquia, slaves enjoyed a comparatively remarkable level of autonomy: they moved about the province more easily and often than slave miners in the Pacific or slave rural workers on the Caribbean plains of Cartagena. Antioquia slaves traveled to pan for gold, on errands, or followed their masters along the short distances separating the main provincial towns and rural districts (Antioquia, Medellín, Rionegro, and Marinilla) (see Map 2). They experienced the constant tension between captivity on the one hand, and geographic mobility and social communication on the other. Many Antioquia slaves easily and constantly talked to other slaves and to free people, even across jurisdictional borders. Through this grapevine, some of these slaves shared their hopes that an end of slavery was possible and a better life after bondage achievable. This vibrant culture of expectation incorporated legal leitmotifs and tactics.

Building on the relatively autonomous travel and communication across districts, some slave leaders tried to organize collectively to press for the end of their enslavement. Already by the year 1781, authorities worried about slaves' cross-district collaboration, insisting they were out to destroy the masters along with the entire social order. In fact, many slaves remained convinced that their enslavement could be ended by legal rather than violent means. They hoped to press authorities to finally bring to light the rumor of a royal decree liberating them and turning them into free vassals who paid taxes "like Indians" or mazamorreros after emancipation. Similar hopes surfaced in 1798 and again in 1806.³

Expectant Antioquia slaves were particularly well positioned to listen to, share, and interpret information concerning the unprecedented political developments that followed the 1810 crisis. Whether they had lived through previous episodes or heard the stories from their elders, slaves shared expectations about, and mobilized to take advantage of the shifting circumstances in their home province. After Antioquia's peaceful revolution and its transformation into a republic devoted to individual freedom in 1812, slave leaders would emerge as the first critics of the founding documents and legal principles of this new polity.⁴

When Antioquia's revolutionary Constitution of 1812 announced that "liberty" and "equality" had come to end "slavery" and "chains," 5 a robust cross-district slave alliance filed a collective petition before the new

State's high justice tribunal requesting to know whether these statements in the Constitution were "true." Ever attentive and increasingly organized, Antioquia's slave leaders scrutinized the legal logic of a republic that gained independence from Spain and maintained domestic slavery. They pressed political leaders to abide by their own convictions, further highlighting the tension between slavery and independence from Spain that was also identified by slaves in other provinces. Building on earlier ideas expressed in the judicial forum, they voiced their aspirations for the freedom of all slaves and for political belonging in the new republic.

Mompox's Juan del Corral and Popayán's Felix José de Restrepo, now leading members of Antioquia's newly independent government, would eventually listen to the logic of the 1812 slave petitioners. Amalgamating the experiences and perspectives they had first begun to develop in Cartagena and Popayán, they invited their revolutionary colleagues to consider that prudent legislators and truly forward-looking governments had a supreme obligation to favor freedom over slavery. They proposed that aspiring to emancipation from Spain, an aspiration supported by natural law, would be incompatible with denying slaves their own liberation. Corral and Restrepo thus used the image of Spain as a cruel mistress beyond its metaphoric uses, though only after pressure from slaves and in the context of rising counter-revolutionary challenges.⁷ In 1814, they crafted an antislavery law based on the free womb principle. It categorized slaves as "captives" to be redeemed by pious benefactors. With an elite whose material life and sense of purpose did not pivot exclusively on slaveholding, Antioquia's initiative partially incorporated the slaves' own political propositions and was peacefully accepted by patrician families.

Based as it was on the free womb principle, and thus promising only gradual slave emancipation instead of the long-hoped for abrupt end to slavery, the law was correctly understood by slaves as a legal act with acute limitations and ambivalences. They held on to their conviction that nothing but finishing slavery altogether could remedy their unfair captivity, interpreting the limited legislation as just another liberation decree thwarted by the masters. For many slaves, the immediate end of slavery, rather than gradual slave emancipation, was the only coherent way forward.

Free people as well as slaves had a bearing on Antioquia's antislavery positions, though their exchanges of opinions were unequal and often mediated by force. Masters and slaves lived cheek by jowl in tightly packed Antioquia, and this gave some slaves the chance to directly gather political information from high places. Slaves ruminated on this information and what it might portent for their own future. Gregorio, Antonio, and Joaquín, Restrepo's slaves, signed the petition in 1812 and stood in intimate, servile proximity to the provincial revolutionary elite, acting as part of a larger collective. Jose María Martínez, a restive slave who had already embarked on an individual quest for autonomy and freedom, would also serve the elite families who referred to themselves as slaves of Spanish tyranny. Directly and indirectly, everyday rebels and slave legal activists pressured revolutionary leaders to envision domestic slavery as part and parcel of Antioquia's political transformation.

Everyday Rebels

José María Martínez was born around 1789 in the Sacaojal hamlet, not far from the city of Antioquia on the farmstead of Bacilio and Salvadora Jaramillo (see Map 2). When he was about sixteen years old, José María did the heavy farm-work alongside two other young male slaves. They tended ten pigs, four goats, one mare, and the crops. An adult female slave oversaw the household tasks and cared for several slave children. The Jaramillos also owned a small property in the cool highlands of the Los Osos plateau. The older slaves traveled back and forth between the properties, often without the supervision of the masters, and sometimes defying their orders. Like most slaves in Antioquia, José María worked on a small estate, shared his duties with only a handful of other workers, and traveled and communicated across valleys and mountains with relative ease.⁹

Building on this relative autonomy, José María sought to defy his enslavement: by the time his master Bacilio died in 1805, he had already run away on at least one occasion. After Bacilio's death, José María and his nineteen year-old brother Gabino became more assertive and defiant. They turned the death of the master into an opportunity to increase their own autonomy and achieve freedom. In 1806, as rumors circulated that a black Queen had arrived in Antioquia to set the slaves free, José María ran away. The widow Jaramillo paid someone to hunt for and bring back José María, who had reached the

Magdalena River on the eastern border of the province. José María, she wrote, was likely to cause damage to the estate of her deceased husband for "whoever completes six leagues has no problem completing one hundred."¹² She was referring to his passage along the harsh roads during his escape and to her fear that José María would not rest until he had escaped. Little did she know that her words would prove premonitory. In later years, José María would see places that most people born in Antioquia could never imagine.

José María and Gabino recruited allies and resorted to litigation in their quest to get away from their master's widow. Gabino, if we believe the widow's account, sought refuge from slavery with a married woman, moving in with her in early 1807. ¹³ But he also sought legal advice, scoring an important judicial coup. A magistrate declared him *depositado* – legally placed with another master pending a final decision. José María left the farm again and requested that he be similarly placed with another master. ¹⁴ The siblings moved from informally defying their mistress to legally challenging her. Unfortunately, the only surviving evidence of Gabino and José María's legal quests is a letter written by the widow requesting the help of a magistrate in the provincial capital. Nevertheless, there remains some evidence that another slave from the Jaramillo farmstead brought complaints of mistreatment before the authorities. This third slave was placed with another owner on account of being "punished with excess by the widow." ¹⁵

In her letter to the local magistrate, the widow Jaramillo declared she could no longer keep the slaves under subordination. She requested that the magistrate send José María and Gabino to prison, "with a shackle," offering to pay for their arrest and confinement with funds from the estate's probate. She also told the magistrate that the brothers should be sent to work at the main parish church of the city of Antioquia, now under construction. The arrests had to happen quickly, she advised, "to avoid scandals and robberies and to avoid having their idleness and lack of subordination lead them to do things damaging to the estate and for I fear that they may take to the road and be lost as was their brother." It appears that yet another one of the Jaramillo slaves had also run away.

The magistrate or some other official listened to the widow's request, and José María and his brother were sent as laborers to the church construction site. While they remained enslaved, the two

brothers had nonetheless escaped their abusive mistress. Their absence left the Jaramillo farm in disarray. By late 1807, the pigs were gone, the goats had been stolen, and the mare was nowhere to be found. Floodwaters had also damaged the land. To sell what little remained to fend off poverty, the widow searched for potential buyers, with no success. Despite her distrust of José María, who was now in the provincial capital working on the church construction, she convinced him to help her find a buyer. José María swiftly found someone willing to purchase the property at a discount.¹⁷

José María himself was also sold at a discount to a family of high standing in the provincial capital. On March 4, 1808, the patrician lawyer Faustino Martínez bought José María for just over 66 pesos, a low price for a young slave. 18 José María's new master was a patron of the parish construction project. Later that year, Faustino also purchased the royal post of alguacil mayor in Antioquia's cabildo, becoming the chief enforcer of the local government's authority. He alone could enter town council sessions while bearing arms. 19 His father, Juan Esteban Martínez, directed the construction of the parish church and served as mayordomo of the Blessed Sacrament brotherhood. He also administered the affairs of other brotherhoods. A devout man who was directly linked with important corporations and families in Antioquia, Juan Esteban was a stern and respected spiritual and political leader.²⁰ José María was now enslaved by a clan with influence in politics. By year's end, he would have overheard his masters' discussions about current affairs - the absent king, the usurper Napoleon, the invasion of the Peninsula. José María saw the imminent political crisis up close, and he would witness the unfolding of revolution firsthand.

The Revolution of Antioquia

Alarming news arrived in Antioquia in August 1810: Santa Fe had formed a junta in July, and the viceroy and Audiencia judges had been thrown out of office. The New Kingdom of Granada lacked a visible head, and the constituent members of the body politic were pulling apart. Antioquia elites would manage to fend off civil war, even though they were as internally divided as Cartagena or Popayán patricians.²¹ In spite of an old rivalry pitching the city of Antioquia

and the *villa* of Medellín against each other, the leading criollo families coordinated a unified response to the crisis, bringing together leaders from the four urban centers with functioning cabildos. Delegates from Medellín, Rionegro, and Marinilla arrived in the city of Antioquia on August 30. Local notables, including Francisco and Manuel María Martínez, also members of the Martínez clan, hosted the meeting of this "Provincial Alliance." This rare display of unity laid the foundations for the peaceful and original initiatives that would follow.

José María must have caught a glimpse of the Alliance's proceedings, maybe even heard his master's friends assuring each other about their loyalty to the deposed monarch – though not to the Regency or the deposed viceroy. Antioquia leaders planned to take full control of the provincial government. This measure would help them prevent a Napoleonic invasion, internal division, and a potential power grab from Santa Fe. Indeed, members of the old viceregal capital's junta claimed to possess the government privileges of the deposed viceroy. Arguing that Santa Fe was no longer the head of a now atomized Kingdom but only the head of its own province, Antioquia patricians established a Provincial Congress, seeking to lead their own public affairs on behalf of the absent king.²³

The Provincial Congress transformed itself into a Provincial Junta, which in turn further changed Antioquia's form of government and formalized its autonomy. This junta published a set of rules that some people referred to as a "constitution" meant to govern provincial affairs until either the king was restored to the throne, or the "people" were duly represented in a Spanish parliament. The door to independence was thus subtly left open. Unless they obtained parliamentary representation in the metropole, Antioquia leaders reserved the right to maintain their autonomy. Other steps were less subtle, however. The new authorities pressured the king-appointed governor to resign in February 1811. Furthermore, the junta now adopted a formal but temporary constitution, the "Rules of Provisional Constitution for the State of Antioquia," ratified on June 27. Naming Antioquia a "State" instead of a province and establishing separation of powers, the Provisional Constitution openly embraced republican principles. Despite pushback from a pro-Regency faction in Medellín and some reluctant members of the Martínez clan in the city of Antioquia, the establishment of an autonomous government had been peacefully

achieved. In the process, public allegiance to the monarchy had begun to give way.²⁴

Mompox's Juan del Corral became an important participant in this revolutionary process. Born in 1778 and raised in the reformist environment of his hometown, he was an early supporter of the transformation of Antioquia's government. Like other merchant families in Mompox, Corral's family had strong connections with Antioquia: his father was a business associate of the rich merchant Juan Pablo Pérez de Rublas, and soon after settling down in Antioquia at the end of the eighteenth century, Corral married Pérez de Rublas's daughter. He became a member of the provincial capital's cabildo, and quickly achieved prestige as an active trader, cacao grower, and land speculator. His mother-in-law was Rita Martínez, a sister of Faustino Martínez, José María's master.²⁵

Corral, alongside the lawyer José Manuel Restrepo (a relative of Felix José de Restrepo's and a former habitué of the tertulias in Santa Fe), helped design the new institutions and a new permanent constitution. These and other budding revolutionaries steeped in modern philosophy and natural law set up an Electoral and Constituent College. Elections for representatives to this assembly took place in November 1811. The College debated a constitutional project authored by Corral and José Manuel Restrepo. Unanimously supported by the constituents, the new Constitution of the State of Antioquia went into effect in May 1812. Juan Esteban Martínez and his brother Manuel Antonio were signatories of the new charter.²⁶

While it did not declare formal independence from Spain, Antioquia's Constitution made no declaration of loyalty to the king. It stated that all monarchs are "equal to the rest of men," stipulating that the people of Antioquia had every right to elect their own king, or to do away with monarchy altogether, choosing a form of government that would better suit their aspirations for peace, justice, and happiness. The Constitution guaranteed the separation of powers and held equality before the law as one of the fundamental "rights of man." From now on, no privilege could be inherited, and the notion that a man could be born "King, Magistrate, Legislator, or Judge" was declared "absurd and contrary to nature." The Constitution also protected other "natural rights," including the defense and preservation of one's own life and the search of security

and happiness. Roman Catholicism continued to be the official and sole religion of this State.²⁷

Corral now sought to further enact the egalitarian sensibility promoted by his father and other leaders in Mompox. Like his forbears, he believed equality had to be practiced. In a most telling example, he planned to bring legal equality to the local militias. When he drafted the general rules for a reformed militia for Antioquia, he introduced an egalitarian innovation. To avoid "division" and foster "homogeneity" among militia personnel, Corral eliminated the genealogical and color distinctions that had ordered military service under the Spanish regime. Instead of units segregated according to their ancestry and closeness to slavery, the new militias would be divided by municipal jurisdictions. They would simply be called "Patriotas de Defensa," identified collectively with their respective towns as opposed to any of the old hierarchical rankings.²⁸

Nevertheless, the Antioquia elite's remarkable show of political unity partially stemmed from their fear of "anarchy," by which they meant any challenges to their power and prestige. Unlike many of their Cartagena counterparts, they sought no explicit alliance with people of color. Their commitment to equality was tempered by the masters' worries of a world turned upside down. Rival families came together not only to prevent foreign threats to their autonomy but also to defuse a potential plebeian uprising at home. José Manuel Restrepo warned his colleagues about the constant threat of a "slave rebellion."29 Among the slaves of Medellín's Restrepo clan, discussions about legal emancipation and divine punishment for the masters had been reported as early as 1798. Fearful that slaves might strike for their freedom and that social climbers flush with gold might join forces to push for radical equality, Antioquia families of Spanish stock came together to preserve their positions of power.³⁰ Slaves would be given no new hopes and no political belonging in the new republic. They were meant to remain denizens rather than become members of the new polity.

Furthermore, Antioquia's Constitution offered no new avenues to slave emancipation. Among the "natural" rights protected by Antioquia's Constitution was the right to property – which tacitly included the property of other human beings. Constitutional rights, moreover, only extended to *patres familias* – free citizens over

twenty-five who headed a household and were economically independent. Women and slaves were left out. The Revolution of Antioquia had been successfully managed by people who feared slave uprisings and simultaneously aspired to keep their slaves in bondage, and yet, like patricians elsewhere, Antioquia's emerging republican elite saw themselves as the undoers of Spain's cruel and illegitimate mastery.

Unsurprisingly, slaves noticed this tension between declarations of liberation from Spain based on natural rights and their own continuing enslavement. News that the Constitution's language included a rejection of "slavery and chains" spread fast among expectant slave communities.³¹ Although the Constitution only referred to rejecting the chains imposed by Spain on Antioquia, many slaves argued that such rejection should be meant to include domestic slavery. Soon after the Constitution went into effect, the newly established Supreme Tribunal of Justice in Medellín received a collective petition from about 200 slaves from the municipalities of Antioquia, Medellín, Rionegro, and Marinilla.³² The type of cross-district collaboration among Antioquia slaves, suspected, misrepresented, and thwarted by masters and magistrates since the times of the Comunero Revolution, now seemed more robust than ever.

Finally, a group of slave activists had been able to enter the judicial forum on their own terms, filing a *representación*, a collective petition on behalf of all slaves. The petition implied that their liberty was consubstantial with their humanity. They represented their captivity as an illegitimate act of force, particularly under the newly independent legal order. The slaves wrote in their petition that news had arrived long ago that their freedom had been granted, something they even knew directly from the "words of our own masters." They claimed to have learned from the Constitution that "God our lord made us free and independent from slavery." Moreover, they had heard from the authorities that everybody was "equal." Their petition had one goal only: "to know if this is true." Straightforward and deceptively simple, the slaves' goal nonetheless reflected a complex political stand.

In 1812 the petitioners understood that a written republican Constitution, unlike the unwritten and venerable constitution of the monarchy, was within the reach of people and that the charter was open to political exegesis. The revolutionary imperative to write constitutions indeed rested on the idea that a constitution did not have to

pre-date the social compact. In other words, if the patrician revolutionaries believed they were constituting a new society on the explicit and free will of the associates, the constitution guaranteeing this new pact had to be made from scratch and could be modified according to political developments and the test of time. The slave petitioners saw the ongoing revolution as an opportunity to instate a new community, one that would finally offer them explicit political belonging and equal legal protections. A written constitution, they clearly understood, was a fundamental law adopted by a people rather than imposed upon it.³⁴ Their quest was to press the authorities to see them as part of this people, and to decide whether slavery was compatible with this new society in the making.

Despite the slaves' recourse to legal channels, high magistrates treated these petitioners as criminal conspirators. Several slaves from the Restrepo clan figured among the leaders of this legal quest. These included Gregorio, Antonio, and Joaquín, Félix José de Restrepo's slaves. The slave José María Martínez did not formally support the petition, but his master Faustino was now a magistrate in the Supreme Tribunal. Although Faustino and the other judges accused slave leaders of planning to take their freedom with violence, there is no evidence of this. Instead, Antioquia slaves, like their counterparts in Popayán during the challenges to governor Tacón, set out to highlight the contradictions and conflicts of interest of the slaveholders-turnedrevolutionary leaders, and the tensions of their constitutional regime. Their masters' new Constitution denounced "despotism" and "tyranny," but it simultaneously kept thousands in chains; it called for equality while giving no citizenship rights to slaves. The organizers of this legal challenge were thrown in jail, and some were sentenced to forced labor or were banished to other jurisdictions.³⁵ Antioquia's leaders had kept "anarchy" at bay.

By mid-1813, alarming developments in the south threatened Antioquia's peace. Spanish pro-Regency troops had re-occupied the city of Popayán. They looted towns and countryside as they marched north, and their advance on Antioquia seemed imminent. Lacking military resources and experience, the State of Antioquia was not ready to face battle. Desperate, political leaders decided to partially suspend their new constitutional regime, naming a Rome-inspired "dictator" to swiftly prepare the defense of the land. They chose

Corral, whose revolutionary spirit and talent in statecraft were now famous. He assumed dictatorial powers at the end of July.³⁶

With full powers, Corral was free to to protect Antioquia with zeal. He energetically moved on staunch monarchists who revealed their true colors by actively making plans against the new government. He confiscated their property and banished them from the State. Through these measures, well over 60,000 pesos were transferred to the government's coffers. Among the expelled royalists was José María's master, Faustino Martínez. The now deposed magistrate departed for Cartagena, en route to Jamaica, taking José María with him.³⁷ Although he would later return, the slave José María would not witness the further radicalization of the Revolution of Antioquia. This new stage in the political transformation would even include a partial answer to the organized slaves who had robustly questioned whether slavery was compatible with the new form of government.

Free Womb

Escaping civil war and political uncertainty, Félix José de Restrepo had left Popayán in 1812, arriving in Antioquia by year's end. Corral and other Antioquia revolutionary leaders were pleased to see the famous magistrate and professor return to his native land. They invited him to advise the new government, which he did while teaching modern philosophy in Medellín. Restrepo closely collaborated with Corral, and they were further radicalized in their anti-Spanish sentiments by August 1813. Following the news from Europe that Napoleon's armies had been finally defeated in Spain, these and other leaders throughout the old viceroyalty now anticipated that a direct clash with re-grouping Spanish peninsular forces was inevitable.³⁸

Corral and his closest advisers decided that an absolute and formal declaration of independence from Spain was needed. With the threat of invasion from Popayán and the possibility that Spain might finally be able to send reinforcements, the idea gained momentum. On August 11, 1813, the State formally ceased to recognize Ferdinand VII as its absent monarch, rejecting any authority "not emanating directly from the people, or its representatives." Antioquia broke "the political union of dependence with the Metropole," declaring itself "forever separated from the Crown and government of Spain." Like other

peoples now liberated from the "yoke" of Spain, Antioquia embraced its liberty as a "gift from Heaven and from nature." Antioquia's "Act of Independence" was crafted using the idiom of slave emancipation that had proved so useful before: Antioquia was portrayed as an abject slave redeemed by Corral. In a turn of phrase reminiscent of Restrepo's early propositions about slavery, Antioquia's declaration of independence was deemed an ideal avenue for the people through which they might reach the "summit of their dignity." ³⁹

The argument that independence led to dignity had consequences for slavery in Antioquia, since Restrepo had previously argued that dignity should extend to the slaves as well. In a partial response to slave pressure and given the shifting political circumstances, antislavery arguments that first began to develop in the judicial forum now became entangled with revolutionary politics. Antioquia's new government, Restrepo insisted, had to improve the conditions of the slaves. Corral agreed. The Citizen Dictator was no stranger to the slaves' struggles and expectations of freedom. As an in-law of the Martínez clan, he might have been aware of José María's previous struggle to get away from the widow Jaramillo. Most importantly, Corral and Restrepo had been alarmed by the petition presented in 1812 by organized slaves demanding coherence from those who spoke of a natural right to freedom while keeping people in chains. Slavery should be reformed, Corral and Restrepo now openly argued, and the sooner the better.40

By the end of 1813, Corral implicitly but publicly provided an initial answer to the slaves who questioned why the new government's rejection of slavery and chains did not include a repudiation of their own enslavement. Claiming liberty from Spain, Corral told his peers, was incompatible with keeping people in slavery. The "love of freedom," he wrote, is as present in the heart of a slave "humiliated" under the will of a master as it is in the heart of free patricians devoted to their "original rights" and "independence." Unless the new government was willing to fall back under the authority of Spain or be the victim of a long-touted slave uprising, revolutionary leaders had to better the lot of the slaves. Freedom from Spain, he insisted in a report to Antioquia's legislature in early 1814, would not be consolidated until freedom from slavery was realized. Even the "shadow" of slavery had to disappear.⁴¹

In practice, however, Corral's commitment to slave emancipation proved less radical than suggested in principle. Corral understood that immediate and complete abolition – the unconditional liberation of all the slaves from the power of their masters – was a distinct possibility. He referred to it as "general slave manumission" and "universal manumission," but he claimed that this approach would have "mortal" consequences for the republic. "Drunk" with "sudden emancipation," he asserted, freed people would abandon any restraint on their criminal behavior. In other words, he continued to rely on longheld stereotypes about slaves, using the same kind of canards and apprehensions typically used by masters to paint slaves as a dangerous, conspiratorial lot bent on turning the world upside down. Corral would not consider the slaves as members of the body politic who had to be freed on account of their human dignity, as the petitioners in 1812 and other Antioquia claimants and some magistrates suggested even before 1810. Instead, Corral and Restrepo came together to develop a legislation project that would theoretically end slavery over time. Based on Antonio de Villavicencio's plan, which Restrepo had read in Popayán, this project hinged on the application of the free womb principle and the creation of mechanisms for the "successive emancipation" of adult slaves.42

On April 20, 1814, just a few days after Corral died unexpectedly, Antioquia's legislature passed the "Law on the Manumission of the African Slaves' Offspring and on the Means to Successively Redeem their Parents." This was the only antislavery law ever passed during this early revolutionary period in the old viceroyalty. It was also the model for the manumission law that would be passed by Colombia's General Congress in 1821. Antioquia's manumission law declared the children of enslaved women to be free at birth, discarding the legal principle that slavery was transmitted from mother to child. The legislation, however, left standing the hierarchical relationship of power binding together masters and slaves: in short, slaves were to remain enslaved. The law categorized them as "captives," calling for manumission boards to collect funds to pay for their progressive liberation. While it also called for masters to support the free children of their slaves for the first sixteen years of their lives, these children had to reciprocate by working for the masters and respecting them as patriarchs. This attrition tactic would theoretically bring an end to

slavery in the future, "leveling the classes" to secure stability for the new republic.⁴³ Those who sympathized with immediate, general slave emancipation must have been disappointed.

For the State's leaders, Antioquia's antislavery legislation achieved other immediate goals. First, the manumission law allowed them to partially fend off the charge of political incoherence articulated by slaves in 1812, resolving somewhat the tension between liberty from Spain and domestic slavery. The legislation stated that freedom from Spain was incompatible with slavery, and that facilitating slave emancipation would perfect the work of independence. Bringing liberty to the "peoples of America" had no other goal than to turn vassals into virtuous, just citizens, worthy of enjoying their natural rights. Even slaves would thus be brought, through republican law, into the "class of citizens" to enjoy a "just and equitable" government, one that could never be achieved "under the barbaric laws of Spain." Political emancipation and slave emancipation were thus legally recognized to be irrevocably bound. The link between the two was no longer metaphorical but literal – a point made by the slave petitioners in 1812.

Second, Antioquia's manumission law established the bona fides of revolutionaries like Corral and Restrepo as prudent legislators who followed the doctrines of modern philosophy. They revered Filangieri, who believed the end of slavery was an enterprise that concerned not only the slaves themselves but wise legislators and the whole of humanity. They read Montesquieu, who had declared slavery incompatible with a "prudent" form of government. Antislavery legislation was thus interpreted as the most sublime exercise of the prudent, forward-looking legislator, whose goal was to bring into harmony revelation, law, and the principles of nature to improve the human condition. As a crime against the "imprescriptible rights of the liberty of men" and the "inviolable rights of humanity and reason," slavery seemed the ideal field through which to exercise a new approach to legislation that would propel humankind toward a brighter future.

This idiom of humanity permeated Antioquia's antislavery legislative experiment. Corral had called on Antioquia's lawmakers to build the "most sumptuous monument to humanity" – an antislavery law. The fate of the slaves was, in his estimation, an affair that interested "the whole of humankind." Manumission boards established in

Antioquia to gradually emancipate slaves with public funds were fittingly called *Juntas de amigos de la humanidad* – Boards of Friends of Humanity. Any citizen who willingly freed at least sixteen slaves (excluding the old and infirm) would be graced with official recognition as "Meritorious Citizen of the Republic and Friend of humanity."⁴⁷

However, old prejudices against slaves and their descendants continued to influence slaveholders, and these pre-existing stereotypes were even built into the new legislation. Unlike Cartagena, with its radical egalitarian leaders, independent Antioquia did not publicly denounce such prejudices and stereotypes. Antioquia leaders' commitment to equality proved less central to their politics and more cautious in its scope. Antislavery magistrates thus presumed that freeborn children of slaves would hardly be able to surpass their parents' supposed low moral caliber and naturally bad inclinations. Though freeborn and potential citizens, they were still deemed deserving of unequal treatment. The manumission law anticipated that some of those children would grow to be "immoral and depraved" adults or would "abuse" their freedom. In such cases, the offenders would be sent back to the custody of the manumission boards. Antioquia's gradualist approach also stipulated mechanisms to prevent the freeing of adults considered to be unworthy of emancipation by the manumission boards.⁴⁸ Even as they increasingly rejected the Spanish regime, early republican, slaveholding leaders were less assertive against the kinds of essentialist assumptions inherent in the old hierarchical order.

And yet the State of Antioquia also created clear and practical enforcing mechanisms for its antislavery legislation. On the death of every slaveholder with legal heirs, the law mandated, one in every ten slaves would be freed. If no heirs existed, a fourth of the slaves would be manumitted. Masters had to report the number of their captives to census takers, and they would lose any slave not accounted for. Unreported slaves would be granted freedom without compensation for the masters. Funds for the liberation of slaves would be collected from donations as well as from taxes on slaveholding. Masters had to pay two pesos a year for every adult male slave and one peso for every woman. Moreover, the State tapped *mandas forzosas*, long-standing compulsory donations for the "redemption of Christian captives, upkeep of the Holy Places of Jerusalem, and for wedding orphan

women."⁴⁹ These testamentary contributions, allocated by the king of Spain for the liberation of Christians captured by Muslims in the Mediterranean, would now be used to "redeem" Antioquia slaves from their captivity. Slave manumission was thus ingeniously presented as a traditional religious obligation, and an old tax was cloaked in new garb.⁵⁰

The State gave further teeth to its manumission law through an executive decree in September 1814. This decree established six Boards of Friends of Humanity throughout the autonomous republic, and Félix José de Restrepo joined the Medellín Board. Public notaries and judges were ordered to participate in the antislavery effort. Charged with collecting taxes on slaveholding, these and other agents also had to take a census of the enslaved population within a month and would select the slaves to be publicly manumitted every year over Easter, starting with elderly captives.⁵¹ Because only fragments of the documents produced by the State are extant, it is difficult to ascertain how many slaves obtained emancipation in this way. However, the surviving evidence suggests that the Boards were quite diligent, especially if compared with the later boards called for by Colombia's manumission law of 1821, which took several years to begin their work and largely failed in their mission.⁵² Moreover, the fiscal pressure on small slaveholders led some Antioquia masters to simply free a few of their slaves instead of paying the annual tax. Even a wealthy master emancipated eighty slaves in exchange for recognition as "friend of humanity."53

Between mid-1814 and March 1816, some slaves also achieved emancipation through other means facilitated by the revolutionary government. Even before the passing of the manumission law, authorities offered slaves paid jobs at Antioquia's new saltpeter facilities. They were expected to save their salaries to purchase their own emancipation, but once on the work site they were already deemed freed from bondage – able, for example, to freely marry. Some may have also taken jobs at the newly established mint and armory as an avenue to freedom, and others were sent to the army instead of their master's children in exchange for their freedom after military service.⁵⁴

But even in the relatively effervescent antislavery environment of this State, the tensions between slavery and freedom, and the hierarchical power of the masters over slaves, would not be easily solved. The State of Antioquia's initiatives left most existing slaves in captivity. Restrepo, at least since he had read Villavicencio's plan, had sided with the idea that the rights of the "proprietors" had to be respected in the process of ending slavery. With the exception of some slaves, like the petitioners in 1812, few seemed willing to consider, let alone commit, to abolition. Thus, although antislavery became a trademark of the ongoing revolutionary process, the end of slavery remained beyond reach. When Antioquia sent copies of its manumission law to neighboring autonomous provinces, including Popayán, the expected emulation of its antislavery initiative failed to materialize. To many slaves, however, even Antioquia's efforts looked moderate and incoherent.

Less than pleased with Antioquia's gradual approach, groups of slaves gathered again to discuss the situation. Some remembered expectations of general emancipation dating back to the 1780s, as well as the rumor that a higher power had legally decreed general emancipation, but the masters and local magistrates illegally withheld the decree. Now many interpreted the manumission law as solid evidence that the abolition of slavery had finally arrived. Masters and magistrates, slaves believed, were simply continuing to withhold the benefits granted them by a higher authority. The old rumor had a somewhat more visible basis this time: the manumission law had been passed in April 1814, but it was meant to be kept secret until August. Even after the actual contents of the law became public, some slaves continued to discuss the imminent end of their captivity with the assumption that the antislavery law had already fully emancipated them. Others believed the end of slavery would only materialize on Easter (the annual holiday on which Boards were expected to enact collective emancipations). Still others revived the familiar narrative that all they had to do to gain freedom was pay the government. Three pesos was the fee, was the report that circulated this time.⁵⁶

Between 1812 and 1815, some slaves' long-standing expectations for the end of slavery and their incorporation as members of the body politic rose to the surface of Antioquia politics. Though rejected as a criminal act by the magistrates, the slaves' petition of 1812 partially shaped Antioquia's subsequent antislavery initiatives. Born from a peaceful political transformation, led by revolutionaries who identified as prudent and humanitarian legislators, and with its autonomy

increasingly threatened by the looming Restoration, independent Antioquia took the most serious antislavery stance of this early revolutionary period. Besides pressure from slaves, the masters' economic and social circumstances may have also played a role in the process. Slaveholders whose income, identity, and sense of purpose did not rest heavily on ownership of slaves did not resist the limited intrusions of the new government on their privileges – including the imposition of new taxes and the expectations that they would liberate some slaves. Nonetheless, these antislavery projects ended early. The independent government was dissolved in 1816, and subsequent events set the broader revolutionary process on a different path.

The Colombian Path

The anticipated invasion of Antioquia from the south never took place. A bigger threat, however, began to form with the return of Ferdinand VII to the Spanish throne in the spring of 1814. By September, Antioquia inhabitants learned that the monarch had set out to restore "shameful despotism." After dissolving the relatively liberal regime that had formed in his absence in Spain, the restored monarch set out to quash the revolutionary movements in the Spanish Indies. The task, the king's strategists decided, had to commence by defeating the State of Cartagena and bringing under control the New Kingdom of Granada. Once superficially hailed as the absent lord of Spain's New World domains, the king was now firmly denounced as a "crowned monster" ready to re-enslave the free Americas, becoming once again a "chief of slaves." Formed by personnel seasoned in the Napoleonic wars, Spain's Expeditionary Army besieged and defeated Cartagena. The port city fell to General Pablo Morillo in early December 1815. The independent State ended, and the king was restored.⁵⁷ The process was repeated in all the remaining autonomous states.

Unlike in Spain, the Spanish Restoration came with harsh and violent measures in some regions of the New Kingdom. Cartagena put up a fierce fight, and triumphant Spanish troops executed several of the revolutionary leaders. The group included José María García de Toledo, who had led an "aristocratic" effort to come to terms with Spain. His "popular" rivals, the craftsman Pedro Romero and the Piñeres brethren, escaped to the Antilles. As they advanced inland,

Morillo and his officers ordered more executions throughout the restored viceroyalty. The general arrived in Santa Fe on May 26, 1816. Camilo Torres, who had been an early and ardent supporter of independence while his family struggled to keep the slaves of San Juan under their power, was executed in Santa Fe.⁵⁸

News of the fall of Cartagena arrived in Antioquia in January 1816. On March 16, advanced Spanish troops attacked Antioquia's northernmost military detachment on the Magdalena.⁵⁹ The revolutionary government was dissolved by the end of the month. The high magistrates and their supporters tried to escape. Some were arrested; others gave themselves up. The Restoration in Antioquia was completed by March 24. To avoid the fate of their Cartagena colleagues, Antioquia's leaders used subterfuges to elicit sympathy from Spanish officers, and gold to bribe them. Some Medellín patricians alleged Juan del Corral, a tyrant inspired by French revolutionary principles, had forced them to follow his lead. José Manuel Restrepo facilitated the delivery of 20,000 pesos to the restored authorities, and Spain's leading officer in the region pocketed a portion of the money. Félix José de Restrepo claimed he had been forced to support the revolutionary government. He had rejected administrative positions, he told the restored authorities, and had only taken on certain responsibilities under pressure. Included in an amnesty extended by the new viceroy, Restrepo swore allegiance to Ferdinand VII in 1817. Many other leaders did the same, thus escaping the firing squad.60

The re-establishment of the viceroyalty sparked hopes for the exiled royalist Faustino Martínez, who set sail for the New Kingdom after three years of exile in Jamaica, bringing along his slave José María Martínez. Although he had caused headaches for his owners on the Jaramillo farmstead, José María claimed he had behaved as a "loving servant" during his years in Jamaica. However, a report was made that José María's disrespect for his master and other free people had been already evident in their journey out of Antioquia in 1813. Apparently, the master kept José María around but was unable to fully control him. Although no master had ever seemed able to gain unconditional obedience from José María, he had also never fully escaped the reach of those who claimed him as property.

Now José María was ready to take that final step to freedom. As his master's political position shifted unexpectedly, the opportunity finally

presented itself. As early as January 1816, Faustino offered his lawyerly services to General Morillo, who named him *auditor de guerra* – legal adviser to the Expeditionary Army.⁶⁴ Faustino participated in the tribunal that executed dozens that year, and José María, still under his master's orders, witnessed this repression at close range. By year's end, the General dismissed Faustino,⁶⁵ placing him in a vulnerable position for a while, short of money and with no job. José María seized his chance and ran away. As he would later recall in a petition to formalize his freedom, he "deserted" his master and proceeded to "wander" about the country for the next three years.⁶⁶

As he roamed throughout the restored New Kingdom, José María would have seen that all important towns and most roads were back under Spanish control. But he probably also learned that some surviving revolutionary leaders had retreated to backcountry areas, supporting from time to time a guerrilla war against Spanish forces, both in the New Kingdom as well as in neighboring Venezuela. In their efforts to feed the army, stabilize the situation, and make money from their expedition, Spanish troops executed people, plundered, and requisitioned from patricians and plebeians alike. While revolutionary authorities had been lenient with those who opposed them, Restoration officials proved unforgiving. Spanish forces, which included scores of local troops, were also plagued by internecine strife. The Expeditionary Army found it difficult to enact a coherent policy, at times facing opposition from Spanish civil administrators. Meanwhile, anti-Spanish guerrilla fighters gained military experience, popular support, and unity of purpose.⁶⁷

A small but popular and mobile armed uprising was now crystallizing, its leaders increasingly concentrating on defeating Morillo. Led by men with military backgrounds who called themselves *libertadores*, this revolution took a new approach. Under the leadership of the Venezuelan Simón Bolívar, an army of *llaneros* (plainsmen on horseback from the Orinoco flatlands), European mercenaries, and soldiers from Haiti climbed the Andes to take Santa Fe from its eastern flank, a demanding maneuver Spanish officers failed to anticipate. Once in the highlands, many people near the capital flocked to Bolívar's forces, strengthening his unlikely move. Following Bolívar's August 7 victory on the field of Boyacá, just north of Santa Fe, Spanish authorities abandoned the capital. Unopposed, Bolívar entered the city on August 9.⁶⁸

Bolívar's revolution also took a different political approach, giving fresh meaning to the enterprise of independence from Spain. In December, Bolívar and his allies met in Congress at Angostura, on the banks of the Orinoco. Rejecting the early drive for provincial sovereignties, so vigorously cultivated by political leaders in Antioquia and Cartagena, the libertadores agreed that a large and centralized republic had to be formed. Together, Venezuela and the old New Kingdom should constitute a single republic. It would be called Colombia. It would be an undivided state with the capacity to extend its liberating influence all over Spanish South America. On December 17, the Angostura Congress passed the "Fundamental law of the Republic of Colombia." To consolidate the Republic, a general legislative congress would follow in 1821, with delegates from all over the new polity's territory. 69

After Boyacá, Bolívar dispatched a column to re-take Antioquia. The liberating force pushed fast into the province. Spanish colonel Carlos Tolrá fled north along with thirty of the king's soldiers. Royalist civilians followed his escape route. Faustino Martínez, who had become an adviser to officer Tolrá, took to the road with other soldiers a few days later. Faustino became the head of the last royalist faction in Antioquia, but he was the target of an intense pursuit by Colombian soldiers who probably had orders to kill him.⁷⁰ Meanwhile, Bolívar's operatives established a new government in Antioquia, appointing José Manuel Restrepo the political governor of the province and Félix José de Restrepo the director of the new printing office.⁷¹

The new government confiscated the property of many royalists and enforced "voluntary" donations for the "cause of independence." The royalist wing of the Martínez clan was pressed hard, and Faustino's father, Juan Esteban Martínez, contributed 500 pesos. Manuel Antonio Martínez had to pay an equal amount, and Eugenio Martínez was to supply the new government with 200 pesos. The same time, the army recruited fresh soldiers and welcomed volunteers. With their decisive triumphs, assertive measures, and the force of their growing army, the liberators achieved popular support and political legitimacy. The Restrepos and other survivors of the Restoration, once committed to their provincial polities, now followed the new path of a centralist republic.

Increasing numbers of people of African descent, particularly slaves and escaped slaves, joined the liberators after the battle of Boyacá. Some must have heard that Bolívar would bring the end of slavery to the liberated territories – a promise he had made in 1816 to the Haitian leader Alexandre Pétion in exchange for logistical support. Bolívar had even asked the Angostura Congress to abolish slavery altogether. But these promises never fully materialized. It was only in early 1820 that Bolívar explicitly reiterated the offer of freedom, but only for slaves willing to join his forces. José María Martínez, who had at some point returned to his native Antioquia, had already joined the army in 1819. He was assigned to a military unit under the orders of Lieutenant Buenaventura Correa, who had also rushed to join the new army after Boyacá.

In a remarkable twist of fate, José María's military unit was charged with pursuing the royalists led by his old master, Faustino.⁷⁶ Faustino's plan was to reach Cartagena and then set sail for Jamaica. José María and his fellow soldiers marched north after the fleeing royalists. Though they took some prisoners and confiscated military supplies, Faustino and other leading men kept several steps ahead. He made it to Cartagena territory along with four Spanish officers.⁷⁷ In the end, Faustino got away. He was probably never aware that his escaped slave, now comporting himself as a free man, was among the pursuing soldiers. With his life now entwined with the nascent Republic of Colombia, José María seemed to have finally overturned his masters' authority over him and taken hold of his destiny.

Following this campaign, José María served as a freshwater sailor in the Magdalena River. As the liberators retook the province of Cartagena, José María saw action again in 1820, worked at a mobile military hospital, and was stationed near Mompox.⁷⁸ A long, convoluted decade had passed since he had first witnessed his master's reaction to the political crisis of 1810. Over this decade, he had proved the widow Jaramillo right in her apprehension that he would reach faraway places and slip away from those claiming him as property. Perhaps hoping to turn military service into formal manumission, he had even joined an epochal revolution, but José María left the army before securing his freedom papers, a decision he soon regretted.

On August 28, 1822, the Colombian government formally authorized masters to reclaim their wartime runway slaves. Some masters

moved to re-enslave runways who were not working as soldiers. Martínez, whose informal freedom now seemed particularly fragile, had a choice to make.⁷⁹ On January 17, 1823, he re-enlisted in the army, to avoid re-enslavement. He signed up as a soldier "for the duration of the war." The Republic of Colombia continued its fight against Spain on a continental scale, concentrating on the liberation campaign of Perú and Upper Perú (Bolivia). Many of Martínez's fellow combatants from 1819 to 1820 participated in the events. José María Martínez, however, remained stationed in Antioquia, where he would face his final challenge.⁸⁰

A little less than a year after his reenlistment, a Colombian military tribunal charged José María Martínez with murder. He was arrested on December 31, 1823, at the house of the patrician Juan Pablo Arrubla –a member of the Martínez clan. Earlier that day, José María had sought refuge with his former masters after wounding another man in a street fight in the city of Antioquia. On his deathbed, the victim declared that José María had attacked him with premeditation. That afternoon, the dying man also mentioned, José María had robbed him of some silver coins that slipped out of his pocket during a "masquerade party." He went to the authorities and accused José María of theft, which might have motivated the attack. José María mortally wounded his accuser on the left side of the abdomen. 82

José María was sent to the military tribunal in Medellín. He was tried and found guilty of voluntary homicide during a fight. The crime was punishable by death. On July 10, 1824, at four in the afternoon, José María Martínez was shot by a firing squad. ⁸³ His case was not unique. In the end, José María was another casualty of the everyday violence that had become common around this time. Félix José de Restrepo, now chief magistrate of the new Colombian High Court of Justice in Bogotá (formerly Santa Fe) and the highest martial judge, came across growing evidence of this deteriorating environment. The excesses of army officers, brawls involving unruly soldiers, increasing banditry on the roads, and urban crime were common after 1821. Some of the criminal cases reached Restrepo's desk in Bogotá. ⁸⁴

Soldiers like José María, with little money and no prospects in a country devastated by years of conflict, were prone to restlessness and trouble; their lives were often cut short as a result. By contrast, his

former commanding officer, Buenaventura Correa, from a family of high standing, went on to become a captain, stayed in the army until 1830, and then returned to his "career of letters." He went back to his books to prepare himself for ordination as a priest, enjoying the property he had inherited from his deceased father and the pension he was later entitled to receive. Both Correa and Martínez had joined the liberators, but the new Republic struggled to place all new citizens on an equal footing, including its citizen-soldiers. And when their visible African ancestry revealed their enslaved background, coming up in the world remained as daunting as ever, even for those lucky enough to obtain formal emancipation.

* * *

Over the course of its political transformation from province of Spain into independent republic, Antioquia witnessed a remarkable, unequal exchange between republican leaders and slave leaders. In 1812, soon after the publication of the Constitution, a cross-district slave coalition took Antioquia's new authorities to task, directly questioning whether it was coherent for the newly freed polity to become a slaveholding republic. Slave leaders pressured the new government to act in accordance with the principles of the Constitution, its mandate for equality and its explicit rejection of enslavement and tyranny. Partly as an answer to this petition, and in the context of a radicalization of Antioquia's anti-Spanish position, Corral and Restrepo wrote a gradual manumission law that was approved by the legislature in 1814.

Strongly articulated by slaves in their 1812 judicial petition, the conceptual link that bound antislavery initiatives and anti-Spanish politics was adopted as one of Antioquia's central political propositions. At first, emerging revolutionaries largely relied on slavery as a metaphor that allowed them to denounce Spanish tyranny. State leaders soon decided to take on domestic slavery and place their antislavery policies front and center in their platform. The manumission law was the first legislative act ever to be published by the gazette of this provincial state, taxes were imposed on slaveholders to fund slave emancipation, and public works employed slaves willing to save their salaries to purchase their freedom. Antioquia's antislavery stance was, moreover, defined as an exercise for the betterment of humanity,

not just the benefit of the enslaved population. Heir to the egalitarian sensibilities that had developed in his native Mompox, Corral assured legislators that ending slavery would have a "leveling" effect on society, helping the republic achieve the "equilibrium of wealth" needed to bring about "equality" among its citizens. ⁸⁶ In practice, however, the road to general slave emancipation and equality remained complicated.

Antioquia elites continued to fear slaves and other supposed social-climbers. Patricians avoided civil war in part to fend off the "anarchy" that they feared would result from manumission, hoping that a peaceful political transformation would prevent slaves from realizing their alleged plans to take their own freedom by force. Moreover, well-off families kept up-and-coming gold miners and merchants (many of them people of color with enslaved ancestry) from achieving positions of power in the emerging representative government. Inter-related families of Spanish stock and patrician standing firmly controlled Antioquia's legislature. Only one person of African descent was allowed to rise to the rank of senator; he owned property, had previously demonstrated his intellectual capacity as a Latin grammar instructor, and was chosen to fill a vacant seat.⁸⁷

The law of 1814 did not end slavery, instead it left the power of the slaveholders over their slaves almost intact and the hierarchy of slavery largely unquestioned. Antioquia's manumission law left most adult slaves in their station as captives waiting to be redeemed by pious friends of humanity. The new State took concrete steps to start the herculean task of redemption. To many, however, it was clear that it would be impossible to end slavery without ending the privileges of slaveholding. Many slaves, especially those who believed that their immediate liberation was feasible, were unconvinced. The law failed to adopt an abolitionist stand to match their own expectations - a possibility that Corral and Restrepo had discarded on account of what they predicted would be its terrible consequences. However, some slaves openly discussed whether Antioquia's 1814 antislavery legislation should be taken to mean the complete end of slavery. The manumission law, they believed, had an abolitionist component, one that would become visible through accurate interpretation. Some would express these positions in the judicial forum, practicing an exegesis of liberty that built on a tradition of legal meditation and action. These individuals were at the vanguard of antislavery politics.