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Mothers on the Move: Gender, Slavery, Law, and Space in Nineteenth-Century Cuba

Camillia Cowling

On 2 August 1883, in Havana, a free black woman named Juana Mojena had a petition drafted on her behalf to the Governor General regarding her young daughter Dolores Mojena.¹ Although Juana had obtained freedom, Dolores remained a *patrocinada* (apprentice) under the *patronato* system that, from 1880, heralded the gradual ending of slavery in Cuba.² The petition requested Dolores be freed because her owner was not complying with his legal obligations to educate, feed and clothe her.³ Juana had presented several previous petitions, not only in Havana where she lived, but much further afield: “Since the *patrono* of her aforementioned daughter lives in Guanajay , ... she travelled there, where she attended constantly at the Junta Local de Patronato” [local *patronato* board]. Afterwards, however, “she returned to Havana without having achieved anything, and after a few days, she presented a claim to the Provincial Government, explaining her unfruitful trip to Guanajay.” Finally, she asked that the Gobernador General “order that her daughter be moved, in order to be heard by the Havana Junta, and the appellant will fund the costs of the journey”.

How did Juana, an illiterate freedwoman of colour perhaps travelling alone, negotiate the lawless roads and unfamiliar terrain that led to Guanajay?⁴ This small town was about 30 miles southwest of Havana, in a region dominated by large sugar plantations, with only a small free population of colour.⁵ Somehow, Juana had traversed this demographically hostile landscape, in a colonial setting in which travel was not a simple business for anyone, even affluent white men.⁶ How did Juana keep herself informed about Dolores’s circumstances? Why did she want her brought to Havana and why did she think her request had any chance of being granted? More broadly, why did space and location seem to loom so large in the methods and aims of Juana’s litigation activities as well as those of many other nineteenth-century women litigants? What might we learn about their lives and struggles, and about

motherhood, gender and slavery in particular, by focusing explicitly on the politics of space and of place within their experiences of slavery and the law? This paper, which is part of a broader project on space and slavery in nineteenth-century Cuba, will attempt address some of these questions.

The rapid development of an intensive, plantation-based slave society in western Cuba by the start of the nineteenth century heralded an assault on space and a radical remaking of place. Large sugar plantations spread out across landscapes previously covered by forests or smaller farms.⁷ Endless disputes arose, in the process, about the uses of space as property, as land changed hands rapidly and plantation owners disputed the contours and uses of roads, fences, and boundaries.⁸ The “second slavery” linked slave-produced tropical products to industrialising North Atlantic economies and, thus, relied on and was characterised by vastly improved transport networks.⁹ Cuba became home to Latin America’s first railway line in 1837 and to an island-wide network by 1868, as well as benefiting from innovations in shipping and communications.¹⁰

In turn, the sugar export project itself, of course, relied on the largest forced movement of humans in modern history - the Atlantic slave trade, which experienced an upswing from the late eighteenth century and continued to Cuba until the eve of abolition. Illegal from 1820, yet fantastically profitable and openly pursued, the tentacles of the trading network stretched out across the island, from the coasts deep inland, and burrowed inexorably down through the colonial social strata. Tied to this trade was a vigorous internal trade in men and women that had a major, constant impact on enslaved people’s lives.¹¹ This tremendous surge in forced human movement, along with expanded, efficient transport systems, helped characterise the “second slavery” in Cuba.

Yet enslaved mobility was also subject to constant, complex negotiations. Colonial authorities and individual slaveholders shared the need to control enslaved mobility and thus

prevent rebellions, yet each also recognised the need for many slaves to be mobile. Owners, in particular, demanded control over their slaves' movements, not only for economic reasons but as a part of their slaveholding authority, and often subverted authorities; attempts to regulate such movements.¹² Meanwhile, enslaved people themselves attempted to harness colonial law to contest the spatial terms of their enslavement. In their constant litigious activity, the enslaved employed considerable mobility and geographic literacy, particularly in moving from rural locations to cities to file their claims. Officials who documented their petitions did not usually record *how* they travelled, but they were neither surprised nor particularly concerned that they had done so. Occasional references indicate that at least some had made such journeys by rail or steamship – the very transport mechanisms that underpinned their more efficient enslavement in the first place.¹³ These enslaved struggles over the politics of location are reminiscent of what, for the US South, Stephanie Camp referred to as “rival geographies.”¹⁴

Women played central and specific roles within this litigation process. They resisted owners' attempts to move them from urban settings or separate them from children, mounting a direct challenge to owners' sense of geographic authority. While specific new social and legal developments during the period of gradual emancipation (1870-1886) brought the role of women like Juana to the fore in new ways, the gendered roots of her quest were much older.¹⁵ Historians have not paid specific attention to the politics of space and mobility within these struggles and, in Cuba and elsewhere, studies that do address contestatory enslaved mobility tend to focus on areas like marronage and rebellion, and to foreground male activity.¹⁶ Yet stories like that of Juana, and the generations of women whose litigious struggles preceded hers, can help us to explore the gendered uses, abuses, and contestations of physical space that had tremendous impacts on their lives. The human marking of space that results in “place-making” is always a political act, but in this colonial slave society it had particularly strong racialized and gendered resonances.¹⁷ Slavery exposed women and girls to specific forms of

what we can call “spatial subjection,” facilitating the abuse of their sexed bodies, mothering roles, reproductive capacities and family bonds. Enslaved women resisted or negotiated with the terms of such subjection in specific, consequential ways, which merit attention to both space and gender together.

Gender, space, and movement in a burgeoning slave society

Cuban slave society had a high degree of spatial segregation along gendered lines, as well as along those of race, class and legal status.¹⁸ This meant that, while spatial subjection was fundamental to all slaves’ existence, it was more acute for women and experienced in specific ways. In their working lives, enslaved women were not generally deemed suitable for mobile professions such as driving carts, taking messages, or riding horses.¹⁹ They were ineligible for most skilled artisan jobs, or to work as *contramayorales*, the black or mixed slave-drivers who might be trusted to leave the plantations on errands.²⁰ Indeed, in the Spanish Crown’s 1789 vision for the slave society in the making, enslaved women should not work at anything that brought them into contact with men, including working as *jornaleras* (the relatively mobile urban slaves who sourced their own income on the streets and paid owners a day wage).²¹ Although these regulations were not implemented, the cultural barriers to women’s mobility that they suggest are striking. These gendered codes were highlighted by the 1834 case of a young *parda*, Florencia Rodríguez, who requested freedom on the grounds of various kinds of ill-treatment. One of her complaints was that her owner “made her dress... as a man, working in the smithy, and tried to train me as a coach-driver.”²² Being made to perform the masculine work of transport was defeminising and degrading to the point of being presented as a form of abuse.

Just as women were denied many of the mechanisms of daily mobility that were sanctioned for some enslaved men, accounts of marronage and rebellions – from Cuba as well as across the slaveholding Americas – also indicate a much less visible role for women in these

more rebellious quests for autonomous mobility.²³ Almost certainly, the gendered biases of those who produced such documents mean women's presence and involvement is often minimised or rendered invisible.²⁴ Nonetheless, it is reasonable to assume that women did experience particular barriers to travel. Such barriers are hardly specific to nineteenth-century slave societies. Across time and space, women's avoidance of unaccompanied travel reflects specific fears that are undergirded by the threat of rape.²⁵ For women of colour travelling unprotected in colonial Cuba, such fear was surely entirely justified. Examples of what such journeys were like for women are rare, but one 1838 anecdote, presented by the governor of Santiago de Cuba, is suggestive. He described a recent incident on a local country road, in which

seven black *cimarrones* [maroons] attacked... two free black women, one of whom was carrying a baby at her breast, and they were carrying them away to the *montes*,²⁶ when by chance they were saved by the *mayoral* [overseer] of the Jaragua Grande plantation, ... who responded to their cries and managed to rescue them, killing one of the *cimarrones* with his machete, whose ears were [later] sent by the *capitán del partido* [local governor] to this Government...²⁷

The story was presented without testimony from the women themselves, and was produced from a combination of the gendered gazes of the *mayoral* and local officials who reported it, and provides little real insight into the motivations of the actors involved. Yet the picture it presents is worth considering. It reminds us that encounters on the lawless roads of nineteenth-century Cuba with strange, armed men – in this case, the *mayoral* at least as much as the *cimarrones* themselves – were a routine experience for unaccompanied women travellers. For non-white or slave women, who were not afforded the limited protection of racialized social status, this vulnerability was much more acute. Travelling with a young baby could only have added layers of vulnerability, as well as untold practical difficulties.

Colonial litigation documents do sometimes provide echoes of women's voices and attitudes towards travel. In 1852, eighteen enslaved people fled the *potrero* (ranch) of La Catalina, in Havana province, to petition locally and in the capital about ill-treatment.²⁸ Most were men, but two women, each of whom had a husband who was also fleeing, joined the group. A third woman, Candelaria Congo, wanted to "accompany" her husband, the *contramayoral* Joaquín Congo, but ultimately stayed behind.²⁹ When questioned, one of Candelaria's complaints was that "she was pregnant and the *mayoral* still obliged her to work as hard as the rest of her companions." Despite her grievances and wish to flee, "when [Joaquín] proposed to the declarant that she should leave with them, she refused because she was close to her time to give birth".³⁰ Pregnancy thus functioned for Catalina both as a unique cause for grievance and, simultaneously, a significant impediment to undertaking a journey that might help resolve it.³¹ The testimony of Candelaria and many other slaves at La Catalina traces an internal decision-making process within this community of 73 people about who would leave and who would stay, involving conversations within families and between husbands and wives. It is impossible to know the exact nature of these decisions, but we can suggest that, for women, internal gendered hierarchies - along with primary roles in caring for young children, gendered fear of the road, and a lack of the geographic knowledge that some men's professions granted them - helped complicate, and raise the stakes of, mobility.³²

These complications to women's mobility, and their specific experience of spatial subjection, make the many mobile female litigants who do appear in nineteenth-century Cuban colonial documentation a fascinating subject of study. In practice, enslaved and free women of colour moved around autonomously more than the colonial regime originally intended. In urban settings, they did work on the streets as vendors or *jornaleras*. Litigation documents reveal that they could also move across the island with surprising speed and communicate with enslaved relatives on distant plantations. Attempting to keep their children with them or loosen

slavery's bonds over their sexed bodies, their struggles intertwined with the politics of motherhood and reproduction. While they might employ mobility as a means to an end, the gendered costs it entailed meant they were unlikely to seek it as an end in itself. They were more likely to seek improved conditions under which they could experience *fixity*, as a creative, resistive counter to the abuses wrought on their bodies and families by the constant displacements of the expanding plantation system. Their journeys and their ends offer an alternative lens through which to view Atlantic histories that can tend toward reifying movement itself and that focus mainly on mobile men.³³

The gendered geographies of the city and the countryside

Spanish American colonial societies were organised around an important spatial and social dichotomy: the city and the countryside. Slave law in Cuba, although its exact stipulations shifted over time, consistently reflected this division, drawing distinctions between “urban” and “rural” slaves.³⁴ In practice, though, the boundaries of what counted as city and *campo* (countryside) were constantly disputed – by owners, on the one hand, but also by slaves, on the other.

Part of the backdrop for these struggles was a lively internal trade in slaves back and forth across the island. For enslaved people - even if they were not actually sold but simply rented to another owner in a different location or moved between their owner's city and countryside residences – these forced relocations could be devastating. They required adaptation to whole new work and disciplinary regimes, and threatened the permanent loss of kinship ties. There are still many questions to answer about the workings of this constant exchange in people, but scholars have suggested that, with the gradual repression of the Atlantic trade to Cuba from about the 1850s, slave labour became more concentrated in plantation agriculture, implying a significant flow of slaves from cities to plantations.³⁵

Certainly, there are any number of cases within Havana's colonial records in which owners attempted to move slaves from cities into rural work. Slaves used all the available legal mechanisms to forge a "rival geography" to resist such measures, aiming to stay in cities or come to them to have their pleas heard.

Women played an important role in this endeavour. They were disproportionately located in the cities, where they had with closer access to the mechanisms of petition and litigation. Gendered assumptions about the "place" of slaves, in which women were deemed especially suited to urban, domestic work, helped women make arguments about coming to, remaining in, or bringing their relatives (especially children) to the cities.³⁶ It was common for mothers such as Juana Mojena, whom we met above, to petition from Havana, and to embark on difficult journeys back and forth on behalf of children who were scattered in slavery on rural plantations. By the *patronato* period of the 1880s, new legal grounds for claims-making helped increase these kinds of claims, but their roots stretched back much further. By the time Juana made her claim, women's battle to bridge both the legal gap between enslavement and freedom and the geographical gap between city and countryside was many decades old. As well as motherhood itself, this struggle also encompassed women's reproductive and bodily experiences of slavery.

Filed fifty years before Juana's, the case of Florencia Rodríguez, whom we met above, shared many of the concerns later faced by Juana. In 1834, Florencia complained of ill-treatment by her owner, D. Ramón Sainz, and requested to change owners. She had made her initial complaint in the town of San Antonio de los Baños, about 22 miles south-west of the capital, where she lived with her owner. Claiming that she had been disregarded, she fled, and somehow journeyed to Havana, where she made several petitions for freedom to the Captain General (at the time, the notoriously repressive Miguel Tacón). She alleged a series of abuses: her owner "ten or twelve years ago induced me to serve him with my person [sexually], giving

his word that within three years he would free me; at that time I was fourteen years old.” Since then, far from freeing her, he had subjected her to constant physical punishments. Sainz’s abuse extended beyond Florencia herself: in a strange, cruel act, he had also sewn three rings into the *partes*³⁷ of one of her companions, a *mulata* named Inés, after “having her as his wife” for a long time.

Historians who have discussed this unusual case have focused on these disturbing details of sexual abuse.³⁸ Yet as far as Florencia was concerned, what the case really came to hinge on was geography. The young woman’s increasingly desperate petitions from Havana hinged on her not being sent back to San Antonio for the case to be heard there. Like most other enslaved petitioners, she had scant faith in small town justice. When she had complained to the local *alcalde* about Inés’s fate, “this gentleman, who knows well the unruly character of my owner., asked me whether I also had rings in my *partes*, and when I told him what had been happening to me, he refused to listen, and told me to go home, saying he would speak to my owner.” This distressing combination of lascivious curiosity and total indifference to her plight convinced Florencia to travel to Havana. The rest of her petition hinged on her plea to remain there.

Regardless, the Captain General (then the famously repressive Miguel Tacón) ordered that Florencia be returned to San Antonio to have the case heard there. Three days later, she sent a last desperate plea, describing with terror how “an individual has come with an order from San Antonio to take me, in chains, to my owner’s house.” She was “ready to renounce... my [claim to] freedom, and ask only that I be permitted to seek a new owner here in Havana, or be allowed to die... but do not drag me from this city”. The file ends here, and it is likely that her petitions were unsuccessful. Yet Florencia’s struggles contributed to a set of strategies, developed by many enslaved women, that used spatial positioning to escape from sexual abuse and the abuse of their reproductive bodies. In such cases, travel could be very effective, but it

was not presented as especially desirable in itself; rather, it was fraught with danger and was not undertaken lightly.

***Coartación* and the spaces of motherhood**

Within these geographical struggles, one of the key legal weapons at slaves' disposal was *coartación*. This involved the enslaved person making a down-payment towards freedom which fixed their price and afforded them the right to a *papel* – literally a piece of paper – that authorized them to look for a new owner for three days before they could be sold. Initially existing as a customary practice, constant enslaved litigation over *coartación* helped have customary understandings written into law.³⁹ The 1842 slave code made *coartación*, *papel*, and self-purchase legal rights for slaves who could produce the necessary sum.⁴⁰

Historians have often discussed *coartación* in terms of the numbers who attained full manumission, pointing out that this was rarely achieved.⁴¹ Yet enslaved people's legal claims suggest that for them, *coartación*'s most important promise was not the distant attainment of full freedom, but rather increased control over one's own sale or transfer. In other words, *coartación* became a crucial weapon in the struggle over geography. Time and again, it was only after they were threatened with sale to the countryside that people sought *coartación*, somehow producing the money they needed to make the down-payment.

Like manumission more broadly, *coartación* was an activity in which women - particularly women in cities - were significantly over-represented in numerical terms.⁴² Women clearly played an active role in the *coartación* process, probably beyond that which their numeric representation among the *coartado* population suggests, because a significant part of their activity for *coartación* was on behalf of children. Thus, frequently, a file documenting the *coartación* case of a male slave turns out in fact to have been instigated by his mother. *Coartación*

became an important legal and spatial tool that mothers used to prevent their children being sold away.

For example, in September 1868, an enslaved *moreno*, Francisco Criollo, who lived with his owner in the coastal town of Guanabo, 25 miles east of Havana, somehow reached a *sindicatura* in Havana, made a down-payment, and sought *coartación*.⁴³ If this could be done in the capital, it would then be easier for him to stay there, registered as an urban *coartado*. His owner, D. José Hernández, wanted his *coartación* to be carried out in Guanabo. However, contrary to a rule normally applied in such cases that the slave should travel to the owner, not vice-versa, Hernández received a letter from the *síndico*, “ordering me to present myself [in Havana] to meet with my slave about this matter.” He refused, but the *síndico* refused to return Francisco. Hernández then learned of a new development: Francisco’s mother, Juana, had also appeared at the *sindicatura*, bearing 27 ounces of gold which, in addition to the three deposited by Francisco, should buy him not just *coartación* but outright freedom. As well as acquiring the money, Juana had somehow obtained orders from the Gobierno Superior Civil that Francisco must not be sent anywhere until the dispute was resolved. Keeping him in Havana had a practical purpose, since it might ensure a lower manumission price. Alleging that Francisco was sick, Juana sought a price evaluation in Havana, away from the owner’s local influence that could result in an artificially high price being set.

In the end, the owner lost this particular war of attrition. The case dragged on for months, as Juana found new strategies for keeping Francisco in Havana and Hernández lost his slave’s “services” and spent money on letters and litigation. In December, he gave in, travelled to Havana, and had Francisco manumitted there. According to Hernández, “in order to avoid lengthy procedures, given the considerable delay over this issue... he now renounces his right of address” (i.e. the right to have the procedure done at his place of residence). He also grudgingly freed him for less than Hernández thought he was worth. Juana’s use of

Havana as a site of geographical contestation, communicating with her son or travelling to his rural residence, and mobilising law and money from the capital. Her efforts, combined with Francisco's own ability to employ mobility to reach the capital, achieved his freedom and reunited mother and son.

Beyond the frequent use of *coartación* battles to avoid separation from children, women used this tool to achieve a range of other demands that related to reproduction, including childbirth and postnatal care. In an 1861 case, a freed, literate African grandfather, Esteban Muñoz, attempted to prevent the sale of his enslaved daughter, Matea, and her young daughter, Enriqueta, away from Havana. Among his allegations, he noted that, during a difficult childbirth and postnatal period Matea became "mad" and "sick" (perhaps what we would today call postnatal depression), Matea's owner had not provided care for her; instead, this was provided by her freed mother, Esteban's wife. Based on such allegations, Esteban sought *coartación* for mother and daughter, in order to keep them united with each other and with their Havana family.⁴⁴ Demands for care in childbirth did not have a clear legal foundation, but *coartación* cases continued to evoke customary expectations, as well as the regulations that were codified in 1842.⁴⁵

Such customary expectations appear to have held some weight. In an earlier 1854 case, for example, enslaved woman Cecilia also linked her *coartación* claim to complaints about neglect in childbirth, saying that she paid for a midwife herself. Along with other complaints about ill-treatment, this helped build her case for a reduced *coartación* price.⁴⁶ This would increase her chances of remaining in Havana, which in turn affected the conditions under which she might practise motherhood of her child and perhaps conceive other children. *Coartación*, then, was a gendered geographical practice. Used broadly by enslaved families to gain a modicum of geographic control, it held specific promises for women, helping them resist the ravages of location upon their reproductive lives and bonds with their children.

Gender and “spatial discipline”

In July 1854, the Gobierno Superior Civil received a petition from a black woman named Dolores Justiniani.⁴⁷ She related a traumatic tale:

[W]hile she was the slave of Doña Pilar Chacón, who was hiring her services out, she complained about the ill treatment she was receiving in the household where she was earning her day-wage [*jornal*], and this led her owner to give a cruel order: that the petitioner’s son Narciso, also a slave, should be made to punish his own mother. When, as is natural, he refused to carry out this barbaric order, they were both sent to the *ingenio* Mercaditas [sic], owned by Don Bonifacio Cuesta, where they suffered severe punishments...; the petitioner was finally able to escape her owner’s power, but... Narciso is still suffering.

Narciso had sought *coartación* in order to change owners, Dolores said, but had failed because a very high price had been set. Dolores wanted his price reduced. She clearly had geography, not manumission, at the forefront of her mind: she wanted to help him escape the *ingenio*, as she herself had somehow done.

This case illustrates that sending slaves from city to countryside was not just a matter of practical expedience for owners. It was also explicitly understood, by masters and slaves alike, as a form of discipline. Whether the person was sold, moved, or hired, the act of physical displacement strengthened the owner’s hand and weakened that of the slave in several important ways. It removed the person from their family and from the social setting that confirmed their legal identity, as well as from the mechanisms of legal redress that were more available in larger cities. It also allowed geography itself to work against them, transferring them to an unfamiliar setting and therefore complicating further attempts to escape or move about. The threat of such removal hung over *all* urban slaves, even if they themselves never

experienced it.⁴⁸ It shaped the culture of slavery on the island, providing the plot for nineteenth-century works of fiction whose enslaved protagonists were sold away as small children and only much later reunited with kin who could prove their identity when the mystery was solved on the last page.⁴⁹ The human implications of the constant forced movement of enslaved people across the island are therefore much broader than quantitative analyses of “the internal slave trade” can convey. Moving slaves around allowed owners to employ a kind of “spatial discipline.” The terror that *el campo* inspired in slaves reminds us that “places have psychosocial as well as spatial or geographic meaning. They exist not only in terms of their specific location within a city... or country, but also as cognitive spaces with attendant psychosocial significance.”⁵⁰

The cases discussed herein remind us that the “psychosocial significance” of particular places was also deeply gendered. The threat of separation from children was particularly stark for women. For Narciso’s mother, Dolores, being separated from her son and knowing that he was being subjected to brutal punishment was a high price to pay for her litigation activity. Matea, whose father appealed on her behalf, was spirited away from her parents, “bound like a criminal,” after her relations with her owner soured. Her father interpreted her removal not as a practical economic decision by her owner, but as an act of personal vengeance. Once she was sold outside the city, she would have little redress against separation from her young daughter.

Removal by force to new locations where they had no social connections or protection also had specific bodily implications for women. Florencia Rodríguez, for example, knew that a forced return to San Antonio represented a return to unmitigated sexual abuse.⁵¹ There is a studied silence, in the documents consulted for this research, about the conditions in which forced labourers – slaves, *emancipados*, prisoners – were routinely transported around the island, but we can assume that it involved violence at all stages of the process. Violence came to light

in one 1863 case in which night guards arrested a white, male serving soldier, Manuel Hurralde y Martínez, on a Havana street for being drunk and disorderly.⁵² In the process, they subjected him to a beating. This came to light as Hurralde's case was being examined, and the Gobierno Superior Civil agreed that "these functionaries be told that when they capture any military individual, they should treat him with appropriate consideration, without harming him more than is necessary to avoid him running away". If military men were only offered this limited protection in 1863, we can only guess at the untold violence that was routinely perpetrated against unfree transportees. We can assume that for women, forced transportation, multiple sales, and constant encounters with new environments where they were devoid of any social protection would involved repeated acts of sexual violence. Like the apparently routine practice of slave ship rape, spatial and sexual subjection were surely melded together on these journeys.⁵³ Encounters between owners and slaves over space, then, were charged psychological struggles, in which – especially for slave women – the stakes were very high.

Gender, space and the psychology of resistance

This psycho-spatial element added weight to legal struggles over space and place. Because the power to relocate a person was a key part of an owner's authority and "prestige," it made the stakes higher on both sides. Enslaved people, and especially women, who used the law to challenge this spatial authority were thus engaged in a heady, dangerous psychological struggle that went to the heart of what it meant to enslave and to be enslaved. Time and again, petitioners only reached Havana's Gobierno Superior Civil after they had made an initial legal claim elsewhere, for which owners had attempted to punish them with physical and geographic violence. In such circumstances, escaping, journeying, and continuing to litigate was a brave, impressive act, especially for women. It was certainly not a somehow easier or less resistive action than, say, revolt or conspiracy, as is still sometimes implied by more traditional

typologies of “resistance” and “accommodation.” Beyond material aims, litigation could yield other kinds of results, ensuring that owners did not have the psychology of geography all their own way.

For example, as one owner who punished his slave with geographic violence discovered, it was sometimes possible for the enslaved to turn such relocations to their advantage. The owner in question sent his slave Andrea, aged 22 and described as *mulata*, from the southern port city of Cienfuegos to Havana for sale, after subjecting her to physical punishments from which her body still bore recent weals.⁵⁴ Andrea nonetheless was swift to make use of her arrival in Havana to seek *coartación* there, making the required down-payment of 50 pesos. Even though he had specifically sent her to Havana to sell her, the owner still tried to make her return to Cienfuegos for the *coartación* to be performed there. However, the *síndico* took seriously her claim that if, this were to occur, “her owner with his...influence... can have her evaluated at an exorbitant price,” and she might “be obliged to work on the Ingenios where she will be punished again.” It was agreed that the *coartación* should happen in Havana. While Andrea’s body and mind might continue to bear the scars of the journeys she had undergone, she had also built a “rival geography” out of her experiences, subverting her owner’s intention to use relocation as a weapon.

Even if the enslaved person did not ultimately get what they wanted, even the act of seeking it evidently touched a nerve in owners’ slaveholding authority and social standing. A case brought in 1835, when the spatial terrain of slavery was very different, reveals continuities in the kinds of power struggles that spanned the decades. María Encarnación de Cárdenas, a *morena libre* living in Havana, asked the Gobierno Superior Civil to help her free her *conga* mother, Joaquina, owned by one Doña Rosalía del Corral.⁵⁵ Joaquina worked as a nurse on the *ingenio* Candelaria, “more than twenty leagues distant” from the capital. María Encarnación brought notions of daughterliness, as well as motherhood, to her arguments: she wanted to

free Joaquina “as a good daughter.” She alleged the price demanded by Doña Rosalía was too high, since her mother was old and sick. She asked that Joaquina be evaluated by an official evaluator based in Havana, and, to this end, that “Doña Rosalía be ordered that within ten days she [her mother] should be presented here in this City.”⁵⁶ Such evaluations should normally be done at the slaveholder’s residence, and Doña Rosalía protested accordingly. She alleged: “Twice I have had the *negra* Joaquina brought [to Havana] from my Ingenio”. Both times, she said, María Encarnación had not even turned up to initiate proceedings. Now, she continued, “she wants this repeated a third time, and I do not think it correct that she should thus mock me, making me lose Joaquina’s labour...” She added: “It is well known that her aim is merely for [Joaquina] to come back here [to Havana] to no purpose, because as far as I can see the daughter lacks the means to pay for the mother’s freedom.” Arguing that “my intention is not to impede [María Encarnación],” she proposed a supposed compromise: a price evaluation near the *ingenio*. She promised to accept the outcome, knowing that her own local influence would ensure a high price. Returning to geography for her clinching argument, she said this “would avoid the journey, which is difficult in this season of copious rains... and pernicious because it distracts the slave from her work.”

Although María Encarnación’s attempt to free her mother apparently failed, the litigious journeys she instigated did trouble her owner’s sense of authority. Her ability to have her mother brought more than once to the capital, with some support from the colonial authorities, “mocked” Doña Rosalía’s assumed right to personal control over her slaves’ location. Doña Rosalía attempted to regain control by portraying herself as a kindly yet firm slaveholder, and María Encarnación as an unreasonable child. This power struggle over the “place” of the enslaved mother was a struggle about slaveholding identity, as well as about practices of enslaved motherhood and daughterhood.

Nonetheless, ultimately, mother and daughter remained separated. Spatial subjection left mother-child bonds constantly vulnerable, and therefore “success” in disputes of this kind was a relative concept for women. The strong association between motherhood and loss highlighted by many papers in these collections was shared by women in Cuba who sought improved conditions for their children. In January 1842, an angry slaveholder in Santiago de Cuba, D. Nicolás José Gutiérrez, complained that his geographic rights over one of his slaves, a *pardo* named Feliz, had been permanently broken: the slave had escaped, along with several others, on a steamship bound for Jamaica.⁵⁷ Feliz had been helped, it turned out, from his mother, who, along with a male relative, had secured a passport allowing her son to leave the island, along with several other slaves. Feliz’s mother had helped facilitate her son’s escape from slavery; yet she faced imprisonment for her actions and, worse, the possibility of permanent separation from him. For enslaved families in general, but particularly for women, who had a specific legal and social stake in maintaining family ties in slavery, “success” and heartbreaking loss were not antithetical. Indeed, they were often intimately bound together.

Conclusion

The expanding institution of slavery in nineteenth-century colonial Cuba was underpinned by a series of political uses of space, whether through the rapid alterations in the landscape brought by plantation development, more efficient trade in material goods and unfree humans, or the maintenance of a highly controlled socio-spatial order that prevented rebellion. Enslaved legal quests for freedom or improved conditions were thus closely linked to the everyday politics of space. Women were subject to specific kinds of “spatial subjection.” Through significant litigation activity, they aimed to limit the damage that geography wrought on them and their families, whether its facilitation of the abuse of their sexed bodies or its threat to separate them from their children. Engaging in dangerous contests with owners or

former owners, women used *coartación* and other developing legal provisions to bridge the divides between urban and rural slavery. These struggles frequently ended in the profound loss that motherhood under slavery so often brought, yet collectively they helped undermine owners' confidence in their right to use space as a tool of discipline and helped shaped the evolution of slave law. Implementing "rival geographies" through legal means, women challenged some of the most nefarious consequences of slavery for their sexual, reproductive and mothering lives.

¹ "Expediente conteniendo instancia de Juana Mojena sobre su hija Dolores," Archivo Nacional de Cuba (henceforth ANC), Miscelánea de Expedientes (ME), legajo (leg.) 3724, expediente (exp.) S, 1883.

² On gradual abolition in Cuba see Rebecca J. Scott, *Slave Emancipation in Cuba: The Transition to Free Labour, 1860-1899* (Princeton: Princeton University Press, 1985).

³ The petition cites articles 32 and 33 of the regulation of the law. See "Reglamento de ley de 1880, aboliendo la esclavitud en Cuba," 8 May 1880, in Fernando Ortiz, *Los negros esclavos* (Havana: Editorial de Ciencias Sociales, [1916] 1996), 335-350.

⁴ Like most petitioners discussed in this paper, Juana signed her name with a cross, since "she does not know how to sign." The petition would have been written for her by a *síndico* (a slave legal representative) or a scribe or literate acquaintance.

⁵ At the 1861 census, the town had 4,000 inhabitants. The *jurisdicción* (region) surrounding it had held 19,177 whites, 17,145 slaves, and only 3,521 free people of colour. José de J. Márquez, *Diccionario geográfico de la isla de Cuba* (Havana: Imprenta Pérez, Sierra y Ca., [1875] 1926), 68.

⁶ For this point, see David Sartorius, "Travel, Passports, and the Borders of Race in Nineteenth-Century Cuba," paper presented to Latin American Studies Association, Rio de Janeiro 2009.

⁷ See Reinaldo Funes Monzote, *From Rainforest to Cane Field in Cuba: An Environmental History Since 1492*, translated by Alex Martin (Chapel Hill: University of North Carolina Press, 2008).

⁸ See Imilcy Balboa Navarro, *De los dominios del rey al imperio de la propiedad privada: Estructura y tenencia de la tierra de Cuba (siglos XVI-XIX)* (Madrid: Consejo Superior de Investigaciones Científicas, 2013).

⁹ On this term see Dale Tomich, "The Second Slavery: Bonded Labour and the Transformation of the Nineteenth-Century Economy," in *Rethinking the Nineteenth Century*, ed. Francisco Ramírez (Stanford, 1988), 103-17; and Dale Tomich and Michael Zeuske, eds., "The Second Slavery: Mass Slavery, World Economy, and Comparative Microhistories," parts 1 & 2, special editions of *Review: Journal of the Fernand Braudel Centre*, 31:2 (2008) and 31:3 (2008).

¹⁰ On trains see Oscar Zanetti and Alejandro García, *Sugar and Railroads: A Cuban History, 1837-1959* (Chapel Hill: University of North Carolina Press, 2008). On slavery and scientific knowledge see Daniel Brett Rood, "Plantation Technocrats: A Social History of Knowledge in the Slaveholding Atlantic World, 1830-1865" (Ph.D. diss., University of California: Irvine, 2010).

¹¹ On women and the internal market, see Beatriz Joda Esteve, "Mujer y esclavitud doméstica: La Habana (1790-1844)," Ph.D. diss., Departamento de Historia, Geografía y Arte, Universitat Jaume I, Castellón de la Plana, 2014.

¹² I have explored some of these contradictions in Camillia Cowling, "Esclavitud, espacio físico y movilidad en Cuba, s. XIX," in *Orden político y gobierno de esclavos* (ed. José Antonio Piqueras, forthcoming).

¹³ For examples, see Cowling, "Esclavitud, espacio físico y movilidad."

¹⁴ Stephanie Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (Chapel Hill: University of North Carolina Press, 2004), 6-7.

¹⁵ I explored these new dynamics in: Camillia Cowling, *Conceiving Freedom: Women of Colour, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro* (Chapel Hill: University of North Carolina Press, 2013). For women's litigation earlier in the century see Digna Castañeda, "The Woman Slave in Cuba during the First

Half of the Nineteenth Century,” in *Engendering History: Caribbean Women in Historical Perspective*, eds. Verene Shepherd, Bridge Brereton and Barbara Bailey (London: James Currey, 1995), 141-54; Digna Castañeda, “Demandas judiciales de las esclavas en el siglo XIX cubano,” *Temas*, 5 (January-March 1996): 60-5.

¹⁶ For an overview, see Alvin O. Thompson, “Gender and Marronage in the Caribbean,” *Journal of Caribbean History*, 39: 2 (2005): 262-89.

¹⁷ On “place-making” through gendered socio-spatial practices, see, for example, Doreen Massey, *Space, Place and Gender* (Cambridge: Polity Press, 1994); Linda McDowell, *Gender, Identity and Place: Understanding Feminist Geographies* (Cambridge: Polity Press, 1999).

¹⁸ The implications of gendered spatial segregation are explored cross-culturally by Daphne Spain, *Gendered Spaces* (Chapel Hill: University of North Carolina Press, 1992). Spatial segregation, she argues, “does more than create a physical distance; it also affects the distribution of knowledge women could use to change their position in society” (p. xiv).

¹⁹ Occasional interesting exceptions to this rule do appear. For enslaved women listed as *carreteras* (cart-drivers), see, for example, ANC, fondo Escribanía Mayor de Hacienda, leg. 134, exp. 2563, 1835, pp. 19-21, 57-60. Thanks to Jorge Macle for this reference.

²⁰ On *contramayorales* and masculinity see Aisha K. Finch, *Rethinking Slave Rebellion in Cuba: La Escalera and the Insurgencias of 1841-1844* (Chapel Hill: University of North Carolina Press, 2015), 56, 173-6. On the gendered division of labour among Cuban slaves see Aisnara Perera Díaz and María de los Ángeles Meriño Fuentes, *Estrategias de libertad: un acercamiento a las acciones legales de los esclavos en Cuba (1762-1872)* (Havana: Editorial de Ciencias Sociales, 2016, 2 vols.), vol. 1, 338-48.

²¹ *Real Cedula [sic] de su Magestad [sic] sobre la educacion [sic], trato y ocupaciones de los esclavos en todos sus dominios de Indias, é [sic] Islas Filipinas, baxo [sic] las reglas que se expresan* (Madrid: Imprenta de la Viuda de Ibarra, 1789), chapter 3, p. 5.

²² “Florencia Hernandez [sic] quejándose de su amo por los motivos que indica,” ANC, GSC, leg. 936, exp. 33047, 1834. Florencia’s two petitions give her surname as Rodríguez; however, other communications contained in the file, and its title, refer to her as Hernández.

²³ Gloria García addressed this directly: “Women encouraged the warriors with their cries, or walked in the rear, but there are no direct indications that they participated in armed combat.” Gloria García, *La esclavitud desde la esclavitud* (Havana: Editorial de Ciencias Sociales, 2003), 28.

²⁴ On the need to read these documents against the grain to discern women’s activities, see Finch, *Rethinking Slave Rebellion*, ch. 5.

²⁵ These issues have been explored in a very different setting - twentieth-century Britain - by, for example, Rachel Pain, “Space, Sexual Violence and Social Control,” *Progress in Human Geography*, 15 (1991): 415-31; and Gill Valentine, “Women’s Fear and the Design of Public Space,” *Built Environment*, 16:4 (1990): 288-303. Evidently, such works cannot be applied directly to nineteenth-century Cuba, but they provide useful theoretical insights about the workings of masculine control of public space.

²⁶ *Monte* in Cuba – translatable as wilderness, hills, or mountains - held a rich range of cultural significances. For slaveholders and colonial authorities it held the fearful connotations of uncharted or un-policed space. For runaways and outlaws, on the other hand, it could represent a reprieve from the controlled spaces of the *llano* (flat, farmed land). Woods were considered sacred spaces among *congos* and other Central as well as West African ethnic groups: see Finch, *Rethinking Slave Rebellion*, 63.

²⁷ “Sobre un proyecto del Gobernador de Cuba para el uso de armas a las personas de color en Cuba, para que auxilién en los casos que se expresan,” ANC, GSC, leg. 938, exp. 33108, 1838.

²⁸ “Diligencias formadas a consecuencia de la fuga de varios negros de ambos sexos pertenecientes a la dotación del potrero La Catalina ubicada en el partido del Calvario...” ANC, GSC, leg. 947, exp. 33457, 1852.

²⁹ “Congo” referred broadly to Africans who had embarked at one of the ports of West Central Africa, between Luanda and Benguela; see Manuel Barcia Paz, *Seeds of Insurrection: Domination and Resistance on Western Cuban Plantations, 1808-1848* (Baton Rouge: Louisiana State University Press, 2008), 22-3.

³⁰ Declaration of Candelaria Congo, 4 September 1852, in: “Diligencias formadas a consecuencia de la fuga de varios negros de ambos sexos...” ANC, GSC, leg. 947, exp. 33457, 1852.

³¹ The complaint appears to speak to customary understandings of what was appropriate work for pregnant women, since there were no specific legal provisions about this.

³² Women’s primary childcare roles are referenced by García, *La esclavitud*, 28.

³³ Feminist geographers and cultural critics have long been aware of the highly gendered nature of the ideas of travel and mobility that have been embraced across different disciplines in recent decades. For Linda

McDowell, “[Male-centred] stories of resistance through escape can... ignore the ways in which struggle and commitment to change are possible among those [often women] who remain static.... Localism does not necessarily imply a narrow view of the world, nor travel a broad one.” McDowell, *Gender, Identity and Place*, 208. See also Janet Wolff’s critique, “On the Road Again: Metaphors of Travel in Cultural Criticism,” *Cultural Studies*, 7 (1992): 224-39.

³⁴ In theory, since at least 1789, “Slaves’ first and principal occupation should be in agriculture and other rural work, not in work in settlements.” *Real Cedula [sic] de su Majestad sobre la educación, trato y ocupaciones de los esclavos*, 1789, chapter 3, p. 4. The 1789 Real Cédula was not enacted, but many principles it established were later applied. From 1844, owners were obliged to pay tax on their domestic slaves. They therefore had to decide, at least for official purposes, to divide their slaves into “domestic” and “rural.” See *Real Cedula [sic] de su Magestad sobre la educacion [sic]...*, 1789, chapter 3, p. 5. For an example of slaves categorised in this way see “Varios padrones de los esclavos de ambos sexos destinados al servicio doméstico y sujetos al pago de Capitación,” ANC, GSC, leg. 948, exp. 33528, 1853-4. On the history of the tax, see Perera Díaz and Meriño Fuentes, *Estrategias de libertad*, vol. 1, 288-299.

³⁵ Laird Bergad, Fe Iglesias and María del Carmen Barcia, *The Cuban Slave Market, 1790-1880* (Cambridge: Cambridge University Press, 1990), 85, 92.

³⁶ Cowling, *Conceiving Freedom*, chapters 1, 5.

³⁷ Genitals.

³⁸ Castañeda, “The Woman Slave in Cuba”; Gloria García, *La esclavitud desde la esclavitud*.

³⁹ Alejandro de la Fuente, “Slaves and the Creation of Legal Rights: *Coartación* and *Papel*,” *Hispanic American Historical Review*, 87:4 (November 2007): 659-92; Perera Díaz and Meriño Fuentes, *Estrategias de libertad*, vol. 1, 15-35, 81-6, 97-112, and vol. 2, 2-60.

⁴⁰ “Reglamento de Esclavos,” 14 November 1842, Articles 34 and 37, in Bienvenido Cano and Federico de Zalba, eds., *El libro de los Síndicos de Ayuntamiento y de las Juntas Protectoras de Libertos. Recopilación cronológica de las disposiciones legales a que deben sujetarse los actos de unos y otras* (Havana: Imprenta del Gobierno y Capitanía General por S. M., 1875), 28.

⁴¹ Bergad et. al., *The Cuban Slave Market*, 123; Scott, *Slave Emancipation*, 13-4; Claudia Varella, “Esclavos a sueldo: la coartación cubana en el siglo XIX,” Ph.D. diss., Departamento de Historia, Geografía y Arte, Universitat Jaume I, 2010.

⁴² Bergad et. al., *The Cuban Slave Market*, 123; Sarah L. Franklin, *Women and Slavery in Nineteenth-Century Colonial Cuba* (Rochester, NY: University of Rochester Press, 2012), 141-6; Scott, *Slave Emancipation*, 13-4.

⁴³ “Expediente promovido por D. José Hernández vecino de Guanabo reclamando de la sindicatura tercera la traslación de su esclavo Francisco Criollo a la de Jaruco,” ANC, fondo Miscelánea de Expedientes (ME), leg. 3537, exp. Ll, 1868.

⁴⁴ “Expediente promovido por el negro libre Esteban Muñoz pidiendo la coartación de su hija Matea y su nieta Enriqueta que están en la jurisdicción de Güines,” ANC, GSC, leg. 954, exp. 33750, 1861.

⁴⁵ The 1842 Reglamento de esclavos stipulated care for sick slaves, clothing and food allowances, and the right of mothers of young children to breastfeed them and not be separated from them until age 3, but did not specify care to be given during childbirth. See articles 6-10, 15, 27, 28, 30, 31, “Reglamento de esclavos,” 1842, Cano and Zalba, *El libro de los Síndicos*, 21-7.

⁴⁶ “Expediente en que la negra Cecilia se queja del mal trato que le da su ama Dña. Inés Hernández,” ANC, GSC, leg. 949, exp. 33563, 1854.

⁴⁷ “Expediente en que la negra Dolores Justiniani se queja de maltrato,” ANC, GSC, leg. 949, exp. 33571, 1854. Dolores was described as a *negra*, a more disparaging term than *morena* and generally associated with slavery. Although no longer the slave of Pilar Chacón, it is unclear whether she was now free, or enslaved to someone else.

⁴⁸ For this point in the US context see Walter Johnson, *Soul by Soul*, 19. For Cuba, see Daniel Walker, *No More, No More: Slavery and Cultural Resistance in Havana and New Orleans* (Minneapolis: University of Minnesota Press, 2004), 40-42. Walker points out the descriptions by Cuban slave Juan Francisco Manzano of endless trips back from the city to his master’s plantation for punishment.

⁴⁹ For example, Francisco Calcagno, *Romualdo, uno de tantos* (1881) in *Noveletas cubanas*, vol. 1, ed. Imeldo Álvarez García (Havana: Editorial de Arte y Literatura, 1974), 273-380.

⁵⁰ Walker, *No More, No More*, 19-20.

⁵¹ Florencia Rodríguez to Gobierno Superior Civil, 5 November 1834, in: “Florencia Hernandez [sic] quejándose de su amo....” ANC, GSC, leg. 936, exp. 33047, 1834.

⁵² “Expediente promovido por el E. S. Capitán General para que se prevenga a los empleados de seguridad y serenos, que cuando conduzcan presos a individuos del ejército no le causen mayor vejación que la precisa para evitar la fuga,” ANC, GSC, leg. 1388, exp. 54160, 1863.

⁵³ See Joseph C Dorsey, “‘It Hurt Very Much at the Time’: Rape Culture, Patriarchy, and the Slave Body Semiotic,” in *The Culture of Gender and Sexuality in the Caribbean*, ed. Linden Lewis (Gainesville: University Press of Florida, 2003), 294-322.

⁵⁴ “Expediente promovido por el Síndico Primero proponiendo que la esclava Andrea de Dn Manuel Muñoz, vecino de Cienfuegos, sea coartada en esta ciudad,” ANC GSC, leg. 961, exp. 34064, 1865.

⁵⁵ “Expediente en que la morena María Encarnación de Cárdenas se queja de Da Rosalía del Corral por no admitirle la cantidad que tiene por la libertad de su madre,” ANC, GSC, leg. 937, exp. 33060, 1835.

⁵⁶ The evaluator was called the *corredor de Lonja*. On this figure, see Perera Díaz and Meriño Fuentes, *Estrategias de libertad*, vol. 1, 198-217.

⁵⁷ “El Dr. D. Nicolás José Gutiérrez en queja de las circunstancias de la fuga de su esclavo pardo Feliz embarcado en el Vapor Venezuela que salió para Jamaica, ANC, GSC, leg. 941, exp. 33177, 1842. Thanks to Dan Rood for this reference.