

LEGAL AND EXTRA-LEGAL MEASURES OF LABOR EXPLOITATION: WORK, WORKERS AND SOCIO-RACIAL CONTROL IN SPANISH COLONIAL PUERTO RICO, C. 1500-1850

MEDIDAS LEGAIS E EXTRAJUDICIAIS DE EXPLORAÇÃO DO TRABALHO: TRABALHO, TRABALHADORES E CONTROLE SÓCIO-RACIAL NA COLÔNIA ESPANHOLA DE PORTO RICO, 1500-1850.

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Resumo

Como inúmeros estudantes e especialistas do Caribe têm observado, o trabalho tem sido e continua a ser um tema central das discussões sobre a era pós-Colombiana da região. Começando em 1492 os habitantes do arquipélago têm experimentado várias formas de extração de trabalho, como o *repartimiento*, a *encomienda*, servidão contratada de brancos, escravidão negra, aprendizagem, contrato de trabalho asiático, europeu e africano, trabalho forçado (i.e. o sistema *libreta* usado em Porto Rico) e escravidão por dívidas. Apesar de cada um desses esquemas evoluísse mais ou menos isoladamente, eles compartilharam um objetivo comum: os exploradores buscaram extrair o máximo de trabalho da população alvo ao mínimo custo possível para reduzir despesas operacionais e maximizar os lucros em seus empreendimentos de mineração, criação de gado e agricultura. Este artigo fornece a conexão entre trabalho, regimes de trabalho e o desenvolvimento da colônia espanhola de Porto Rico de 1500 até a metade do século XIX.

Palavras Chave: Trabalho; Regimes de trabalho; Colonialismo espanhol; Porto Rico.

Abstract

As countless students and specialists of the Caribbean have observed, labor has been and continues to be a central theme of discussions about the region's post-Columbian era. Starting in 1492 the inhabitants of the archipelago have experienced several forms of labor exaction, such as the *repartimiento*, *encomienda*, white indentured servitude, black slavery,

apprenticeship, Asian, European and African contract labor, forced labor (e.g., the *libreta* system used in Puerto Rico) and debt peonage. Although each of these schemes evolved more or less separately, they shared a common goal: the exploiters sought to extract as much work from the targeted population at the lowest possible cost in order to reduce operational expenses and maximize profits in their mining, cattle ranching and agricultural enterprises. This essay surveys the connection between labor, work regimes and the socioeconomic development of Spanish colonial Puerto Rico from around 1500 to the middle of the nineteenth century.

Key terms: Labor; Work regimes; Spanish colonialism; Puerto Rico.

Resumen

Como bien han observado innumerables estudiosos y especialistas del Caribe, el trabajo ha sido y sigue siendo un tema central de discusiones sobre la era post-colombina de la región antillana. A partir de 1492 los habitantes del archipiélago fueron sujetos a varias formas de trabajo bajo coacción en mayor o menor medida, tales como el repartimiento, la encomienda, la servidumbre blanca, la esclavitud negra, el aprendizaje, el trabajo contractual asiático, europeo y africano, el trabajo forzado (ejemplificado por el sistema de “libretas” utilizado en Puerto Rico) y el peonaje por endeudamiento. Aunque cada uno de estos esquemas evolucionó más o menos por separado, compartían un objetivo común: los explotadores trataban de extraer la mayor cantidad de trabajo de la población afectada al menor costo posible a fin de reducir los gastos de operación y maximizar los beneficios en sus empresas mineras, ganaderas y agropecuarias. Este ensayo explora la conexión entre el trabajo, los regímenes laborales y el desarrollo socioeconómico de Puerto Rico durante el periodo colonial español desde aproximadamente 1500 hasta mediados del siglo XIX.

Palabras claves: Trabajo; Regímenes laborales; Colonialismo español; Puerto Rico.

Whether indigenous or imported, free or unfree, labor has been a recurrent theme in the colonial development of Puerto Rico from its inception as an overseas appendage of Spain in the early sixteenth century. The strong association of the Caribbean with the plight of its indigenous population, European indentured servants, captive Africans, Asian contract workers, landless peasants and penal laborers reveals this dubious distinction. The Spanish conquest and colonization of the Americas was obviously more than a state-sponsored drive to bring infidels into the Roman Catholic faith. However genuine the Crown's religious motivations might have been, avaricious colonists blinded by a desire for self-aggrandizement aggressively exploited the region's human and natural resources for personal gain. With or without official sanction they tapped Amerindian systems of labor, such the *mita* and *coatequitl*

or exacted tribute and services from Indian communities. When the booty acquired in this fashion proved inadequate they turned to outright enslavement and to various other forms of forced labor. This essay surveys, in broad strokes, the various devices by which the labor power of lower class *peninsulares*, Amerindians, Africans, foreigners and all of the other *castas* was procured, organized, regulated and harnessed in Puerto Rico from the early 1500's through the middle of the nineteenth century. Conversely, it also examines the multiple strategies that workers employed to resist the colonial state and private employers trying to control their lives and livelihoods through legal and extra-legal mechanisms.

We begin this exercise by briefly examining seafarers because they comprised the bulk of the workers who made the long and treacherous voyages of European overseas imperial expansion possible (for these transoceanic developments see BOXER, 1965 and 1969; PARRY, 1966; BLACK, 2004). The dominant narratives of the Columbian enterprise and its aftermath have comparatively little to say about those who labored aboard ships. And yet, across Europe a variety of seafaring specialists –from shipwrights to sailmakers, and from caulkers to “deck hands”– filled the vessels that plied the waters of the Mediterranean Sea and beyond. Sea transportation and the armed services were key sectors in the burgeoning workforce of the early modern European economy (LUCASSEN, 1994, p. 171 and 2004). Common soldiers, many of whom endured harsh living and working conditions, joined the long-distance maritime voyages and colonizing ventures that helped lay the groundwork for the spread of global capitalism (WAY, 2016). Although navigators and soldiers were at the core of this economic transformation, the dominant narrative of the incorporation of the Americas into the European sphere of influence often privileges the participation of the leading *conquistadores*, royal officials and ecclesiastical figures who played a key role in establishing or supporting Iberian monarchical authority in the emergent colonies. Much like soldiers, sailors worked in cramped spaces, consumed bad food, suffered crippling accidents and harsh discipline, experienced high mortality rates and were frequently underpaid. They also had little or no legal protections. “Seamen could expect little relief from the law, for its main purpose was to ‘assure a steady supply of cheap docile labor’” (LINEBAUGH and REDIKER, 2000, p. 160). Such was the case in Great Britain, where impressment, or the policy of capturing and forcing men to serve in the Royal Navy, became widespread in the eighteenth century (BRUNSMAN, 2013). Despite their central role in the long-distance voyages, much remains to be studied about the average mariner and soldier who shouldered the bulk of the actual work of “discovery,” exploration and conquest.

The typical Iberian seafarer and colonist, like most underprivileged migrants, belonged to the lowest rungs of the hierarchical social order of medieval Spain. Sailors and soldiers embarked on the *carrera de Indias* hoping to improve their lot in life. Some were prisoners who were sentenced to hard labor in the galleys, naval yards, mines and overseas *presidios* (WILLIAMS, 1970, p. 37-39). Those who could not pay their way to the New World were

compelled to seek sponsors who agreed to cover their transportation costs in exchange for serving them as domestic workers and private assistants during a fixed number of years. For those who left Spain voluntarily, often without official licenses, the trip across the Atlantic was a long, dangerous journey, and ultimately a calculated risk: they hoped to make it to the other side safely and somehow rise above their humble stations in life. The more ambitious dreamed of *hacer la América*, that is, to get rich in the Indies. Some of these workers met their goals through heroic exploits or diligent work, as suggested by the archetype of the successful *indiano* who returned to the old country rich. Unfortunately, many of the colonists became little more than cannon fodder. One historian had these commoners in mind when he pointed out that “The discovery and conquest of the Americas represented the work of minorities who had been opening a path for the action of the majorities” (DÍAZ SOLER, 2000, p. 85). Since the expenses incurred in the overseas enterprise were borne by the *conquistadores* themselves or private investors, another Caribbeanist wrote, “It is not an exaggeration to say that the conquest of the Americas cost nothing to the Spanish State” (BOSCH, 1985, vol. 1, section 2, para. 11). For the most part, the financiers and the expedition leaders they supported shared the spoils of war, often at the expense of the rank-and-file workers and the native peoples of the Americas.

Force and other forms of coercion were used to exploit the native inhabitants of the Caribbean and adjacent shores of *Tierra Firme*. Central to this process of labor exaction was the establishment of a system that classified “good” and “bad” Indians, a distinction that sought to divide and conquer them while appropriating their labor power. The questionable Iberian belief that *naborías* belonged to the servile classes in the Taíno social order became a convenient rationalization for reducing them to servitude (MOSCOSO, 2012, p. 101). *Alzados*, *cimarrones* and other Amerindians who challenged the Spaniards’ forceful intrusion were taken prisoner and enslaved. The natives’ reputed lack of intellectual or rational skills became another expedient justification for keeping them under servitude. Additional subjective criteria arbitrarily labelled cooperating natives as peaceful and willing to embrace Roman Catholicism; resisters were often depicted as idolatrous and cannibalistic, and therefore also subject to enslavement. Military campaigns against the natives of the northern coast of South America, which the European conquerors conveniently dubbed the “Wild Coast,” were designed to capture Indian slaves, who were forcibly brought to the Greater Antilles along with any gold, cotton and spices seized from their villages. In spite of the enactment of the 1542 New Laws, towards the end of the seventeenth century Spanish decrees authorized the enslavement of island Caribs (ZAVALA, 1948, p. 121 and 131). Mainstream narratives of the conquest era have euphemistically misrepresented the raids and slave-raiding expeditions that made this possible as voyages of “exploration” and “discovery” (SUED BADILLO AND LÓPEZ CANTOS, 1986, p. 22).

Some *conquistadores* or mercenaries who helped to “pacify” the Americas obtained

titles of *hidalguía* and generous allotments of Indian workers. According to the historian Francisco Moscoso, the Spanish conquistador Juan Ponce de León availed himself of the Taíno system of *guatiao* that was designed to incorporate friendly foreigners into the indigenous communities. By agreeing to exchange his name for that of the chief cacique Agüeyebaná, the conqueror entered into a friendship and family pact that gave him broad access to the labor of the natives under the Indian leader's control. Other conquerors who followed Ponce de León arbitrarily set up *repartimientos* and *encomiendas* that reputedly offered the indigenous inhabitants protection and conversion to Catholicism in return for toiling in the mines, plantations, cattle ranches, pearl fisheries and other European-controlled economic enterprises (MOSCOSO, 2012, p. 94-97). Neither labor legislation nor work regulations were in place at this point (SUED BADILLO, 2011, p. 106). The natives were expected to be paid for their labor in cheap merchandize, such as trinkets and inexpensive items of clothing. "At first glance," Moscoso asserts, "it is puzzling to define the Indians [subjected to this working arrangement] as either slaves or servants." He suggested that "the *encomendado* Indians constituted a new historical specificity in the world of work," one in which the *cacicazgo* (chiefdom) played a key role in getting the Indians to submit to the work and discipline demanded by the Spaniards. As such, the author concluded, the *encomienda* was a hybrid system of labor that combined elements of feudal, mercantile and pre-existing native tributary obligations (MOSCOSO, 2012, p. 92-97).

As it turned out most of the conquerors failed to gain control over large contingents of Indians, whose numbers fell off precipitously in the early decades of the colonial era. Spaniards who claimed *hidalguía* or who otherwise refused to perform manual work fell back on administrative posts, mercantile activities, and the medical, legal, and clerical professions (GELPI, 2000, p. 193-198). Soldiers and sailors facing limited prospects of social advancement grudgingly resumed the *oficios viles* they once held in the Old World either on their own or by coercing natives and Africans (DOMÍNGUEZ COMPAÑY, 1987, p. 76). However, few colonists could afford the high cost of purchasing African captives and the pool of real or potential Taino workers rapidly dwindled, especially in the areas hardest hit by the Spanish conquest. Surviving natives fled to areas that were outside Spanish control, leaving the frustrated Europeans to fend for themselves. Consequently, many Spanish colonists facing this predicament eventually emigrated in search of greener pastures in the Spanish Main.

Ladinos and *libertos* who are frequently mentioned in the historical documentation on early colonial Puerto Rico faced their own challenges. Initially they could be found amongst the mariners, soldiers, servants, artisans, miners, and the technical personnel engaged in the pioneering experiments in sugar production. As a group, nonwhites made up the largest segment of the population in San Juan during the early colonial period (SUED BADILLO; LÓPEZ CANTOS, 1986, p. 17-32). The unsettled conditions and expanding opportunities in the emergent colony during that interval apparently shielded them from the full impact of ethnic

and racial discrimination. Following the consolidation of Iberian colonial rule after about 1550 powerless *libertos*, blacks and Indians began to be excluded from the more prestigious urban occupations, including military service, and were also banned from carrying weapons, except when summoned for local defense (SUED BADILLO; LÓPEZ CANTOS, 1986, p. 39-40). In the face of a large nonwhite population, the colonial authorities tried to preserve the more rewarding city jobs for the shrinking pool of Iberians and Creoles, undoubtedly to boost their morale and social standing, as well as to attract more colonists of *calidad* to the island. In sum, racist laws denied equal social and working opportunities to Indians, *libres de color* and poor whites:

Equality before the law in the colonies was a precept applicable exclusively to white Spaniards, who as a group constituted a tiny [numerical] minority of the total population. Blacks and mulattoes, Indians and mestizos were not incorporated under the protective uniformity of the law. As if by an act of magic, that [nonwhite, numerical] majority that produced the wealth and that was simultaneously excluded from a just participation and the enjoyment of the elementary rights of man did not exist. The law was for whites and even among them its applicability made distinctions based on their origin and social rank (SUED BADILLO; LÓPEZ CANTOS, 1986, p. 46-47).

The socioracial rift coincided with the labor crisis that followed the steep decline of the native population, which hastened the end of the mining cycle in Puerto Rico. When news about the vast mineral wealth of Mexico and Peru reached the Spanish Caribbean around the 1520's, large numbers of Iberians who had not yet realized their aspirations began to leave Puerto Rico, with and without royal permission. Some left with their material belongings, *criados* (retainers) and slaves. In response, colonial administrators who feared the depopulation of Puerto Rico tried desperately to deter the exodus by slashing, burning or cutting off the feet of suspected emigrants. In the 1530's Governor Francisco Manuel de Lando threatened to inflict the death penalty on settlers leaving the island without government authorization (BRAU y ASENSIO, 1972, p. 117-118). Since workers comprised the backbone of the island's stagnant economy, it is reasonable to suppose that the punitive measures were also directed at them.

According to the historian Ángel López Cantos (1975, p. 72-74) the ordinances adopted in 1627 by the San Juan city council made no references to the artisanal trades as organized guilds. Although those exercising traditional trades were certainly present, judging by extant population counts free residents seemed to have relied heavily on involuntary workers for their domestic and industrial needs. For instance, a 1673 census reveals that slaves made up nearly 40 percent of the city's population. Together with free blacks, nonwhites constituted the preponderant numerical majority of the citadel's inhabitants (STARK, 2015, p. 58-59). Social race and birthplace determined salaries, so that white Spaniards generally earned more than blacks and foreigners for performing the same jobs (LÓPEZ CANTOS, 1975, p. 74). Such wage differentials may have contributed to the eventual exclusion of nonwhites and non-Hispanics from the more lucrative occupations. It may have also forced those who could

not leave Puerto Rico to move to the countryside where they engaged in smuggling activities, subsistence agriculture and cattle ranching (SUED BADILLO; LÓPEZ CANTOS, 1986, p. 37-38). Other colonists were probably drawn to the seafaring world, which also offered viable opportunities for eking out a living.

Fray Antonio Vázquez de Espinosa, who called on Puerto Rico around the early 1630's, reported that the island had 2,000 *negros y mulatos libres* whose labor was important to the *hatos de ganado* and other farming enterprises in the coastal towns of Guadianilla, Arecibo and Coamo. He added that landowners relied on the nonwhite workers due to the absence or near extinction of the native inhabitants. While the visitor claimed that Puerto Rico had good sugar *ingenios* and *trapiches*, it is likely that most of them consisted of rudimentary units of production that catered mainly to local consumption. He listed corn, yucca, ginger, tobacco, sugar and hides, and cattle, horses and pigs among the island's leading products, and the hunting of wild hogs, guinea hens, pheasants, pigeons, doves and other fowl (VÁZQUEZ DE ESPINOSA, 1942, p. 46-48). The virtual collapse of the sugar industry and the ensuing ascendancy of cattle ranching and small-scale farming opened up new opportunities for *libertos* as daylaborers and producers (SUED BADILLO; LÓPEZ CANTOS, 1986, p. 52-53).

Not only did ruralization afford the marginalized Indians, mestizos and *libres de color* enhanced opportunities to improve their economic conditions, the move also kept them at a safe distance from the militarized, regimented and racially exclusionary urban environment they left behind. They eventually fashioned a libertarian lifestyle which contributed to the emergence of a counter-plantation culture that openly defied the colonial regime. Some of the defining characteristics of this ethnogenetic transformation, which seemed to have persisted through at least the first half of the 1700's, included a penchant for living in isolated, rural settings free of any type of state interference and the adoption of a pluricultural identity and popular forms of religion. Espousing a sort of *cimarronaje cultural*, the dwellers also rejected slave-like working conditions and mandatory service in the military and naval guilds (QUINTERO RIVERA, 1987, 1990). As could be expected, the civil and ecclesiastical powerholders persecuted the rural plebeians. For example, around the late 1570's a local official decried the need to extirpate the criminal element and to integrate the undevout into the fold of the Roman Catholic Church. But behind the moralizing discourse targeting uncompliant *mestizos*, mulattoes, Indians, vagabonds and women lurked "the attempt of sugarmill owners to solve the acute problem of labor by forcing the available marginalized [population] to work for them" (SUED BADILLO; LÓPEZ CANTOS, 1986, p. 38). The decreasing importance of sugar production thereafter eased up, at least temporarily, some of the pressure directed at controlling the allegedly "uncivilized" rural dwellers.

As noted previously, the devastation triggered by the Spanish conquest and colonization of Puerto Rico took a heavy toll on the native Arawaks, whose communities were decimated by the combined impact of European diseases, warfare and overwork. The introduction of new

crops and animals further weakened their ecological base of survival, accelerating the shift towards the importation of enslaved Africans. Of course, not all colonists had the financial ability to make a successful transition from indigenous to imported African labor. Hence, like the *encomenderos* before them, *hateros* turned to the nearby islands where they traded their salted meats, hides, spices, tobacco, livestock and timber for a variety of goods, such as weapons, textiles and slaves. Pirates, privateers and smugglers, both native and foreign-born, became middlemen in these exchanges that ultimately gave way to the formation of a subterranean economy (LÓPEZ CANTOS, 1985). Miguel Enríquez, a former shoemaker who became a successful corsair during the first half of the eighteenth century, accumulated a fortune, including 250 slaves seized from enemy ships and settlements in the non-Hispanic Caribbean (LÓPEZ CANTOS, 1994, esp. chapters 2-5). Just how many slaves were acquired in Puerto Rico during the sixteenth and seventeenth centuries via licenses, unplanned or unscheduled landings (*arribadas forzosas*) and contraband is not known, but it was probably nowhere close to the shiploads imported into the West Indian sugar colonies around the same time. For instance, fragmentary Spanish records reveal that around 8,500 slaves were introduced between 1540 and 1633 (GELPÍ BAÍZ, 2000, p. 232-234; VILA VILAR, 1974, p. 32). Despite the sporadic influx, by the 1560's the island possessed around 15,000 slaves who filled a variety of occupations in the sugar mills, domestic service, the artisanal trades, the exporting sector, the livestock industry and the production of provision crops. This figure declined to less than half by century's end, a drop that has been explained largely by resales and government-ordered transfers to other islands, and by the exodus of Iberian colonists (SUED BADILLO, LÓPEZ CANTOS, 1986, p. 128; GELPI, 2000, p. 21; STARK, 2015, p. 74). However, it is safe to assume that an undetermined number of the captives likely ran away more or less permanently, were manumitted or succumbed to diseases, physical exhaustion, corporal punishment, nutritional deficiencies and violent acts of resistance.

Although slaves were relatively scarce, until about 1700 they performed a variety of unskilled work in San Juan as oarsmen, masons, sawyers, and stonecutters (LÓPEZ CANTOS, 1975, p. 44). It is reasonable to suppose that they filled similar jobs in other urbanized coastal communities, such as Aguada, Arecibo, San Germán and Coamo. Slaves also served on privateering expeditions, in building, repairing or manning ships, fishing, salt-raking, and in hunting manatees and turtles in the open seas (CHINEA, 2009, p. 267-268). Over the next century they could also be found in the island's *hatos* tending animals, planting and processing tobacco, growing food crops, timbering and hunting wild game, among other tasks typically done in the vast unenclosed landholdings (STARK, 2015, p. 47-56 and 168-169).

Given the dearth of Spanish immigration and trade the influx of enslaved Africans in Puerto Rico took place surreptitiously for the most part. San Juan was heavily fortified and its coastline under the watchful eye of military and naval sentinels, but the rest of the island was widely exposed to external covert contacts, which took place with some frequency.

Topographically, Puerto Rico's rugged, heavily wooded landscape made communications by land difficult. Rudimentary roads and overpasses were often impassable due to constant, heavy rains. Trekking across the island's thickly-forested interior was slow and dangerous, which increased the cost of hauling agricultural products to San Juan, whose port was the only one legally authorized to conduct trade prior to 1805. As a result, smuggling became a quicker, safer, cheaper and more reliable alternative. The situation was compounded by the fact that in Puerto Rico, as was the case of many other peripheral places in Spanish America, members of the civil, ecclesiastical, administrative and military establishment often had ties to smugglers or relied heavily on bootlegged merchandise (MOUTOUKIAS, 1988, p. 775-777 and 1988; NAVARRETE PÉLAEZ, 2007). From the vantage point of the imperial representatives honoring the best interests of the colony often meant contravening the official mercantile bans (DÍAZ SOLER, 2000, p. 78; ORTIZ, 1983, p. 60).

These dynamics help to explain the multiple *indultos* (offers of pardon) that the Crown granted to illegal traders (ORTIZ, 1983, p. 186; SARMIENTO RAMÍREZ, 1999, p. 122, note 29). In nearby Cuba, the colonial government created a tax for this purpose, the *indulto de negros*, which essentially legitimated the illegal introduction of slaves (MURRAY, 1980, p. 7). In 1695 a local priest in the southern Puerto Rican town of Ponce denounced that African captives were one of the coveted commodities imported illegally (OQUENDO RODRÍGUEZ, 2015, p. 170). The growing reliance on slave labor undermined punitive measures directed at smugglers, such as the confiscation of property, the levying of fines and the threats of incarceration. At times, the local authorities allowed offenders to keep contraband slaves acquired for personal use, which in effect set an arbitrary precedent that defined illegal trading as illicit merchandise intended for reselling purposes (LÓPEZ CANTOS, 1975, p. 254-255). Spanish regulations required the branding of *bozales*, or newly-imported African captives. However, Treasury Offices reported that on several occasions the *carimbo*, or branding iron, had been displaced or forged (ORTIZ, 1983, p. 151 and 165; ABBAD Y LASIERRA, p. 179). In 1784 the Spanish Crown abolished the *carimbo* requirement but sought to "deter" unlawful commercial exchanges by creating a special corps of loyal guards to monitor all incoming and outgoing vessels (DÍAZ SOLER, 2000, p. 95-96). Nevertheless both legal and illegal slave trading increased after a series of imperial reforms instituted around the last third of the eighteenth century incentivized commercial agriculture. Not surprising, in 1769 Governor Miguel de Mueas reported that the majority of the slaves on the island's *haciendas* had been introduced illegally (AGI-SD, LEG. 2282, 1769).

Barring some restrictions mandated by Spanish law, slave owners were generally able to use and dispose of slaves as they did with their other possessions. Masters could buy, brand, punish, sale or rent them. "By contrast to Indians who had a legal personality within the body of Spanish laws that were applied to the Indies, rigid ordinances and provisions limited the activities of enslaved Africans and very often of free blacks as well" (GELPÍ BAÍZ, 2000, p.

55). In order to force them to submit to their demands masters sadistically flogged, tortured, underfed, immobilized and corporally punished captives who resisted enslavement. Cases involving perverse colonial authorities and masters who maimed or killed slaves with impunity abound in the historical record. In refuting the notion of a compassionate form of Latin American slavery that's associated with the works of Frank Tannenbaum and Paulo Freire, Gelpí Baíz echoed the conclusions of Magnus Mörner and others who have argued that the type economic activity that slaves performed, not just the alleged benign influence of Iberian laws, values, religious beliefs and culture, largely shaped the experience of African slavery (GELPÍ BAÍZ, 2000, p. 55-56). Despite the explanatory appeal of economic determinism on the nature of slavery in the Spanish colonies, a recent reappraisal of the Tannenbaum thesis casts new light on the centrality of Iberian legal traditions and how slaves, *libertos* and free blacks successfully used the applicable statutes to their advantage (DE LA FUENTE, 2007, p. 559-692 and 2010, p. 154-173). Like Indians before them the African bondsmen, women and children engaged in a variety of day-to-day forms of resistance, such as feigning illness, slowing down the pace of work, damaging equipment and burning cane fields. Some of the captives ran away or rebelled in a desperate attempt to regain their freedom and seized other opportunities within their reach to challenge their enslavement.

It is important to note that extreme legal and extra-legal measures of labor control would have been more common in areas where the African captives were heavily concentrated or where they greatly outnumbered whites. By contrast, recent research on slave families in the pastoral enterprises of pre-plantation Puerto Rico has shown that “the multiracial composition of the work force and the probability that master-slave relations were based on personal and face-to-face contact reduced the coercive element of control, ameliorating the intensity of the labor regimen.” These peculiar circumstances, “fostered greater flexibility and fluidity of relations between and within racial and social classes” (STARK, 2015, p. 53). Unlike African captives who were being exploited in the sugar estates, *hato* slaves engaged in less strenuous tasks and had a more balanced diet, enjoyed greater freedom of movement and more opportunities to form stable unions, all of which promoted a positive rate of natural increase (STARK, 2015, p. 53-58). It could be argued that the laws of supply and demand helped shape some of these peculiar social and working conditions. Generally *hateros* had limited, intermittent access to slaves, and virtually no say about the quantity, quality and price of those offered up for sale. Faced with these unpredictable market conditions and plenty of hideouts where slaves could potentially conceal themselves, the agrarian patriarchs had to take additional steps to protect their investment by offering slaves provision grounds and other attractive concessions. They also encouraged illegitimate unions involving captive women and free men, whose offspring inherited the enslaved status of the mother (SUED BADILLO, LÓPEZ CANTOS, 1986, p. 275).

Besides slaves, desperate maritime maroons who sought sanctuary in Puerto Rico

became another small, but significant source of labor. From about the middle of the seventeenth century seaborne African captives fleeing the sugar colonies of the Eastern Caribbean began seeking refuge in Puerto Rico (BRAU, 1983, p. 146-148; MORALES CARRIÓN, 1952, p. 67). Impelled by favorable winds and ocean currents, encouraged by the relatively short sailing distance, and possessing some familiarity with the region, including potential knowledge of inter-European rivalry, the escapees hoped to start new lives as free men and women in the host territory. The Spanish Crown, which claimed exclusive rights to the Americas, initially welcomed the runaways as a way to undermine the European intruders who had “illegally” carved out plantations and mercantile entrepôts in the Caribbean. Hence, it began issuing royal decrees that offered to manumit the foreign escapees who pledged allegiance to Spain and converted to Roman Catholicism. The refugees had to work for at least one year in the military installations in San Juan in exchange for the shelter, food and clothing provided to them. However, the local authorities often extended the length of service arbitrarily and required them to supply charcoal, building materials and foodstuff to the capital and to enlist in the local militia corps following their release (CHINEA, 1997). The promise of freedom gave the colonial government a legal means to control their labor during and after their catechization. “In the end we can safely state that such defections alleviated in part [the labor shortages due to] the lack of slaves” (SUED BADILLO, LÓPEZ CANTOS, 1986, p. 275). In 1790, the British calculated the volume of losses attributable to maritime flight to Puerto Rico at several thousands (SCOTT, 1986, p. 95).

Social and economic conditions in Puerto Rico took a new turn following the implementation of a series of empire-wide revitalization programme associated with the monarchical rule of Charles III (1759-1788). The overhaul reflected a growing Enlightenment Era movement in Spain calling for the elimination of the legal and social impediments hindering the growth of the Spanish economy. It was thought that an increase of agro-industrial productivity and the reduction of poverty would help the Iberian metropolis reclaim its global competitiveness. Scientific associations known as the *sociedades económicas* promoted the application of science and secular education through the establishment of botanical gardens and model farms, and the adoption of the latest agro-industrial processing and manufacturing methods. The *visitador* Alejandro O’Reilly (1765) and the clergyman-historian Fray Inigo Abbad y Lasierra (1788) applied these notions during their respective sojourns in Puerto Rico. They began diagnosing the “obstacles” that retarded the island’s progress and offered a series of enlightened “remedies” to cure them, prompting the Crown to turn its attention to the peripheral Spanish American colony (CHINEA, 2010, p. 124-126).

Accordingly, annual series of *padrones* or *censuses* of the population were assembled. The tabulations gave the imperial administration a better sense of the human resources available to direct the future colonial direction of Puerto Rico (CURTIS, SCARANO, 2011, p. 200-213). In addition, the island’s defensive bulwarks were strengthened to keep European rivals

at bay; the intendancy system was introduced to centralize fiscal affairs; several new ports in Spain and the Indies were opened to boost mercantile activity with the Spanish Antilles; chartered trading companies were created to re-route colonial production to Spain and its American territories; the Crown also authorized the importation of slaves and promoted the exportation of tropical commodities. *Hatos* and other untitled rural properties whose legal possession could not be verified began to be confiscated and the land reapportioned to farmers, who were issued property titles on the condition that they placed their parcels into production within one year of taking ownership. A *Real Factoría de Tabacos* set up a royal monopoly in 1787 to manage the sale of the aromatic leaf. Coffee, which was introduced in the early 1730's, gradually became a major cash crop (somewhat dated but useful accounts of most of these developments are traced in GUTIÉRREZ DEL ARROYO, 1953, TORRES RAMÍREZ, 1968 and GIL-BERMEJO GARCÍA, 1970, p. 29-42, 115-127 and 275-319; CAMBRE MARIÑO, 1972; ORTIZ, 1983; MOSCOSO, 1999, p. 99-250; NARANJO OROVIO, CASANOVAS CODINA, 2008, p. 117-135).

Spanish *proyectistas*, or state planners, also favored the integration of all able-body individuals into the job force, including the poor, idle, homeless, orphans, lawbreakers and prisoners, and called for their moral and economic regeneration. Local officials in Puerto Rico who had become increasingly worried about the convulsive revolutionary upheavals sweeping across the Americas from the last third of the eighteenth century through the 1820's embraced this trend, which aligned with their goals of reforming the islanders' social and working behavior. Several examples illustrate this trend: in the 1760's San Juan *cabildo* officials concerned about the exorbitant price and mediocre quality of the work performed by artisans in the port city ordered their organization into commercial and trade guilds in order to correct these "irregularities." Citing the need to curb the criminal element, to "moralize" the population and to promote gainful employment, after 1765 the colonial administration began targeting deserters, maroons and "vagrants," who were to be apprehended, jailed or sentenced to hard labor in the military fortifications and public works projects. Men between the ages of 16 and 60 were conscripted into the armed services. Seafarers and fishermen were now required to join the *Gremio de Marina* in order to legally exercise their trades (GUTIÉRREZ DEL ARROYO, 1953, p. 165-167; CARO COSTAS, 1974, p. 62-63; "BANDO DE POLICIA...1783," p. 522-528; CHINEA, 2014, p. 83 and 147-148). Efforts to congregate and control the dispersed rural population intensified the creation of new towns (SCARANO, 1989). It was thought that concentrating the spatially mobile rural dwellers in urban settlements would encourage them to pursue steady, legitimate jobs, to live in fixed residences and to attend formal religious services. Of course, urbanization was also expected to help the churches and municipalities raise additional funds through the collection of tithes, sales, property and production taxes, licensing fees and related duties.

Despite the concerted efforts of the Spanish Crown and its representatives in the

Americas to overhaul the transatlantic empire, Puerto Rico did not feel the full impact of the reformist drive until the first three decades of the nineteenth century (GUTIÉRREZ DEL ARROYO, 1953, p. 11 and 18). The *Intendencia* that had been established in 1784 began to function independently of the Captaincy General only after the Mexican *situado* ceased in 1811. A *Sociedad Económica* was set up shortly thereafter (GONZÁLEZ VALES, 2012; PUIG-SAMPER, MALDONADO, 2005; MATTEI RODRÍGUEZ, 2015). A chronic shortage of capital, technology and servile labor hampered the agricultural sector between 1765 and 1800, which explains why plantation-based agriculture did not proliferate during that interval. Besides the occasional arrival of Canary Islanders, merchants, scores of convict laborers, soldiers and administrative personnel, Spanish immigration remained dismal. A 1778 *cédula* authorized landowners to recruit a limited number of plantation specialists from the non-Hispanic Caribbean to assist them to set up and run their *haciendas*. In the meantime, the numbers of *castas* continued to grow as a result of widespread racial miscegenation and the increasing influx of enslaved Africans. As in the late sixteenth century, church officials began decrying the unchecked expansion of the so-called *malas razas*, which they believed augured the future extinction of the already scarce white population. They were equally disturbed about the concomitant increase of what they viewed as the unruly *clases rústicas y vulgares*, a trend that was exacerbated by the mounting pauperization of the landless peasantry (CHINEA, 2002, p. 180-188).

Cash-strapped landowners in need of a steady, tractable workforce hoped that the government would force some of the spatially mobile rural dwellers and *desacomodados* (landless peasants, who numbered 15,000 in the 1780's) to work for them. Members of the floating rural masses began settling on private land to trade their labor for the right to erect a *bohío* (palm-thatched hut), giving rise to a new class of workers known as *agregados*, or squatters. The sociologist Kelvin Santiago-Valles summarizes the impact of these drastic changes on Puerto Rico's peasantry during the eighteenth century:

The embattled and mostly black and mulatto subsistence farmers and pauperized day laborers eking out a meager existence increasingly clashed with the land-grabbing *hateros*, thus providing an administrative rationale for the bio-political relocation and surveillance of the peasantry. For instance, in 1751, San Juan's regional council (*cabildo*) agreed to dismantle several of these extended open-range cattle ranches in the highlands around the town of Manatí in order to appease the poor peasants left landless, a practice repeated during the rest of that decade in other parts of the same north-central coast. However, in exchange for receiving small land plots, these destitute peasants were obliged to live in concentrated settlements under the political and military supervision of the colonial government to which they now had to pay taxes and be census-registered. Between 1700 and 1760 the number of established settlements (*partidos*) tripled from seven to twenty-one, with the number of registered inhabitants increasing from about 6,000 to 44,883; in just the following fifteen years, the number of *partidos* rose from twenty-one to thirty... (SANTIAGO-VALLES, 2006, p. 42).

From that time to the middle of the nineteenth century the colonial state and

landowners adopted anti-vagrancy measures in order to control the labor of the rural proletarians, now conveniently relabeled as *jornaleros* (day workers). They justified the need for the punitive approach by complaining about the workers' refusal to accept the harsh and poorly compensated jobs in the *haciendas*. At the core of their "labor shortage" argument, however, lurked a different concern: as Puerto Rico entered the nineteenth century planters had become increasingly dependent on a servile labor force. In fact, the enslaved African population on the island rose from 5,037 in 1765 to 17,508 in 1794. Accustomed to exploiting African captives, *hacendados* insisted on treating free workers in the same manner (GÓMEZ ACEVEDO, 1970, p. 102; PICÓ, 1982).

Planters and colonial officials alike became particularly obsessed with controlling not just the labor of the enslaved African workers, but also of all their other social, cultural and religious manifestations. As López Cantos has pointed out, Spanish law "did not consider [the captives] to be mere physical entities or useful machines apt only for agricultural or domestic work, but rather as [individuals] endowed with the sufficient capacity needed to attain righteousness and to reason with rectitude." On the other hand, it also saw them as carriers of a non-Western cultural baggage infused with depraved, pagan tendencies requiring the morally uplifting influence of Christianity. Hence, he continued, while colonial legislation called for treating them with consideration and affection, it also imposed stringent measures to keep them in check. The 1785 Código Carolino stipulated the "necessity" of keeping them subordinate to whites "as a fundamental basis for the internal policy that governs the farming colonies in the New World." It ordered their total subjection not only to their masters but to all white persons regardless of *calidad*. The same rules were also applied to the *libres de color*, who were also legally required to act submissively towards whites (SUED BADILLO, LÓPEZ CANTOS, 1986, p. 242-245).

Puerto Rico began the post-1765 transition to commercial agriculture in a tense regional and international atmosphere characterized by the eruption of violent abolitionist and anticolonial struggles. The American and French Revolutions were followed by the Haitian Revolution in Saint Domingue, where captive Africans and their enslaved peers rebelled en masse against their European oppressors. The subsequent establishment of the Republic of Haiti set off fears of the potential spread of racial wars across the Caribbean, the Viceroyalty of Nueva Granada and the United States. Haiti's support for the wars of independence in Spanish America further intensified the anxiety, which in some instances reached phobic proportions (TORNERO, 1989, p. 150; GEGGUS, 2002, p. 250; HELG, 2004, p. 166 and 197-198). Although Creoles figured prominently in the campaign to end Spanish colonialism, Indians, *mestizos*, blacks and slaves did the bulk of the fighting. That realization terrified privileged whites in Puerto Rico, especially after waves of refugees from Hispaniola and Nueva Granada fled to the island with whatever worldly possessions and slaves they managed to salvage. Spain responded to the crisis by handing out resettlement aid, pensions and

jobs to countless *emigrados*, by attempting to seal off the island from the insurrectionary activity, and by rewarding Puerto Rican Creoles who remained loyal with the promulgation of the 1815 *Cédula de Gracias* (SCARANO, 1993, p. 55). The royal decree granted liberal incentives –including free land and tax breaks– to politically safe foreign immigrants able to help transform the island into a flourishing plantation colony. In response, a wide spectrum of colonists, including mariners, merchants, planters and skilled workers, relocated to Puerto Rico with their capital, technical expertise, plantation equipment and slaves.

In keeping with the politically-charged climate, colonial officials in the Hispanic Caribbean were directed to keep out *libres de color* and slaves suspected of sympathizing with the Franco-Haitian revolutionaries and the pro-independence fighters in Spanish America. This restriction placed free skilled and semi-skilled nonwhites, who were overwhelmingly natives of the French, Danish and Dutch Caribbean, in a vulnerable position. Some had slipped into Puerto Rico clandestinely, but others had legitimate immigration permits (CHINEA, 2014, p. 30, 47, 122 and 138-142). Under pressure to boost agro-industrial production, the local authorities selectively and reluctantly tolerated those who possessed valuable plantation-applicable skills, such as carpenters, millwrights, masons, blacksmiths, coppers, caulkers and boilermakers. They also grudgingly accepted other specialists, including sailmakers, tanners, shoemakers, tailors, saddlers, seamstresses, and hat makers whose trades supported a variety of allied rural and urban industries (CHINEA, 2014, chapter 3). West Indian laborers could expect to be left alone as long as they demonstrated a compliant work attitude and behaved submissively towards whites. Spanish laws did not prevent them from acquiring land, but a key clause of the aforementioned 1815 decree stipulated that foreign nonwhite heads of family were eligible to receive only one-half the amount of land allotted to their white counterparts.

By the 1830's the Spanish Empire had been reduced to Cuba, Puerto Rico and the Philippine islands. The *Cédula de Gracias*, which was expected to remain in effect until 1830, had been issued in anticipation of the first Anglo-Spanish treaty for the abolition of the African slave trade. The move gave Spain a fifteenth year window of opportunity to acquire slave labor via purchases and other transfers from the non-Hispanic Caribbean (DORSEY, 2003, p. 26). This influx included bondsmen, women and children whom their owners claimed to have brought lawfully to Puerto Rico. But in fact many had been removed without proper authorization. In some cases, liberated Africans (known as “apprentices”) and kidnapped free blacks were also seized and taken to Puerto Rico to be re-enslaved (THOMPSON, 1990; CHINEA, 2014, p. 122-127; CURRY-MACHADO, 2003). Although the slaves were portrayed as *ladinos* (that is, born on this side of the Atlantic), a vast majority of them were *bozales* acquired in an elaborate scheme designed to thwart British efforts to end the importation of African slaves to the Americas. The plan entailed hauling the African captives on slavers disguised as merchant and passenger ships, which disembarked the human cargoes in the non-Hispanic Caribbean to be subsequently transferred to Puerto Rico in smaller vessels.

These maneuvers violated the spirit and the letter of the antislave trading agreements that Spain signed with England in 1817, 1820, 1835 and 1845 (See DORSEY, 2003, esp. under Anglo-Spanish treaties). In practice, then, the active participation of private parties and colonial employees at various levels of government in the Spanish colony all but normalized and legalized the illegal traffic (PICÓ, 2012, p. 163). Through these and other tactics an estimated 70,000 slaves were imported from the adjacent islands to Puerto Rico between 1815 and 1845 (AGI-SD, LEG. 2337, 1847).

As a result of this short but significant infusion of immigrant labor and capital, by around 1840 Puerto Rico became into one of the leading worldwide exporters of sugar and its derivatives. The wealth generated by Cuba and Puerto Rico played a key role in keeping the restructured Spanish empire afloat following the loss of the mainland territories. The increase of colonial revenues from both islands also enabled Spain to cover some of its growing expenses during the Carlist wars. The centralization of Spanish military and economic power that helped to preserve Iberian rule in Puerto Rico was accompanied by the social and ideological control of its population (NAVARRO GARCÍA, 1991). In order to prevent any subversive activity likely to topple the colonial regime, surveillance of suspicious Creoles and immigrants was intensified. Their whereabouts, movements, opinions, comportment, contacts and other activities were closely monitored. Foreign-born nonwhites who challenged arbitrary orders, who spoke up against injustices or who resisted abusive planters and local officials and planters faced additional mistreatment, harassment, detention, incarceration and deportation. Ironically, the island's agro-industrial boom, especially in the coastal enclaves of Ponce, Guayama and Mayagüez, cannot be completely explained without reference to the crucial labor provided by the West Indian workers (CHINEA, 2014, esp. chapter 3).

As previously mentioned, a large proportion of the migrants entering Puerto Rico from the adjacent non-Hispanic Caribbean arrived involuntarily as slaves. Most were captive Africans who had been ferried illegally to fill the burgeoning needs to the sugar and coffee *haciendas*. Like their free nonwhite counterparts, Africans did not take the exploitative conditions in which they found themselves passively. Historical records dating as far back as the eighteenth century reveal how they challenged cruel masters, pressed for their freedom, ran away, rebelled, torched the sugar cane fields and attacked their tormentors. The Spanish Crown tried to mitigate the worst excesses of the slavery regime in 1789 when it issued the *Instrucción sobre la Esclavitud*, but was forced to suspend the new regulation in response to the hostile reception it received from influential planters across Spanish America. Another attempt was undertaken in 1826 when the *Reglamento de Esclavos* was adopted in Puerto Rico, which limited the number of hours that slaves were expected to work and obligated their masters to provide them religious instruction, as well as adequate medical care, food and clothing. It also recognized the right of slaves to purchase their freedom through the process of *coartación* and to bring legal complaints against masters and overseers who mistreated

them indiscriminately. On the other hand, the *Reglamento* also forbade slaves from wandering off without authorization, carrying weapons and disobeying legitimate orders, and permitted their owners to punish them as allowed by law (CARLO-ALTIERI, 2009, p. 101-109; for a comparison with Cuba, see AMORES CARREDANO, 2009). The benevolent language found in some of the articles of the 1789 and 1826 slave codes reveals the government's attempt to ameliorate the institution of slavery, whose long-term viability was gradually being called into question. But the recurrent acts of slave resistance clearly suggest that planters were far more concerned with enforcing work discipline and maintaining production than with loosening their grip on the captive workforce (for developments in Bourbon-era Santo Domingo see BELMONTE POSTIGO, 2014). Still and all, by protesting, complaining, filing legal claims, demanding their rights to have time off as permitted by law, and by running away or rebelling the enslaved themselves often took an active part in undermining slavery and asserting their humanity.

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