Colonial Regimes of whiteness
Legalized Black Surveillance

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Marronage | AMST/HIST 394-01

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01. INTRODUCTION

"Under no circumstances is it proper to attempt reconciliation nor to give way to the slaves who might be conciliated in this matter. That which is proper is only to extinguish them and conquer them so that those who are still domesticated will not join them and those who are in rebellion will not aspire to greater misdeed"

Letter from the Council of Salvador to Viceroy D. Jorge de Mascarenhas, Marques of Montalvao (1640) (Shwartz 1970, 327)

Schwartz, Stuart B. 1970. "The "Mocambo": Slave Resistance in Colonial Bahia." *Journal of Social History* , 313-333.

[1] Urban enslavement in Salvador de Bahia

Blackness, in all its conceptions and resistances, has always been supervised. Salvador de Bahia, located in northeast Brazil, outlines the simultaneous institutions of slavery that operate within an urban landscape. From 1549 to 1763 , Salvador de Bahia operated as the colonial capital of Brazil and Portuguese America. Within that period up, until the 19th century, 1.5 million Africans were trafficked to Bahia' s shores. After the capital was transferred to Rio de Janeiro, Salvador remained crucial to the growing network of slave and other commercial trading routes within the Portuguese transnational empire, such that in 1823 an estimated 20 percent of Brazil's enslaved population were in the state of Bahia (Dixon 2016, 29, 30). By the 19th century, Salvador was the heart of Brazil's economic and political institutions, anchored by administrative and judicial links to the Portuguese empire. **Enslavement in Bahia was urban; operating on urban labor, granting enslaved people the ability to purchase their freedom through direct involvement with the earnings of their owners on the streets of Salvador** (Reis 1997, 462). It was Salvador's autonomous Black community-building that supported the creation of an ethnic identity; fueling some of Brazil's successful slave revolts (Dixon 2016, 32). Bahia symbolizes the resilience of Blackness in the face of white surveillance, especially within the contexts of contained and legalized marronage.

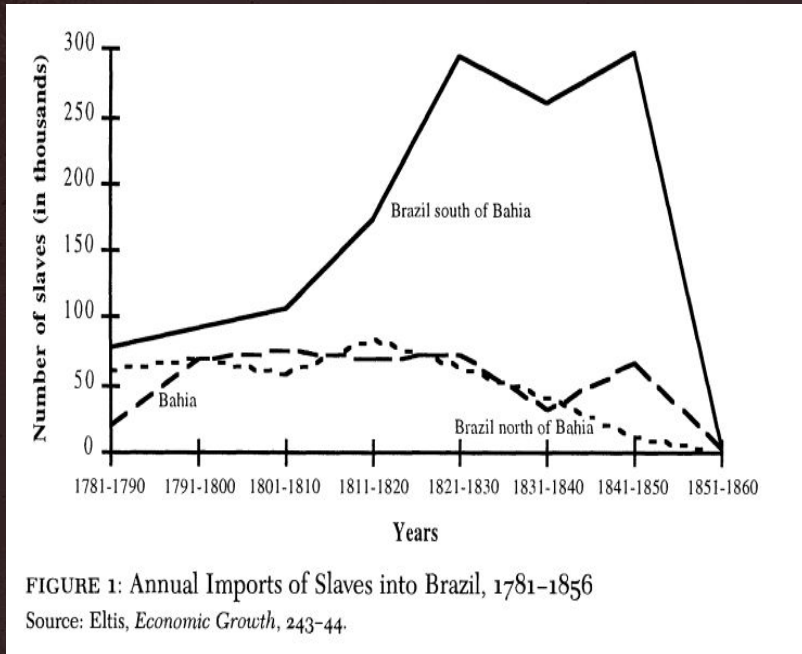# [1] Urban enslavement in Salvador de Bahia

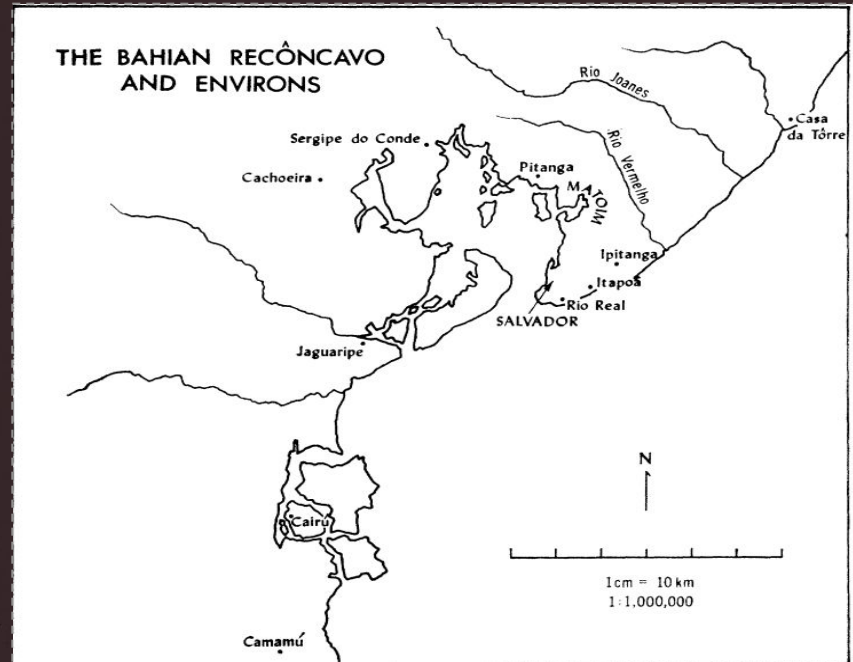Figure 1: number of slaves arrived in Bahia from 1781 - 1856(Graden 2004, 252)

Figure 2: Map of Bahia's coastline, with the location of major cities like Salvador (Schwartz 1970, 320)
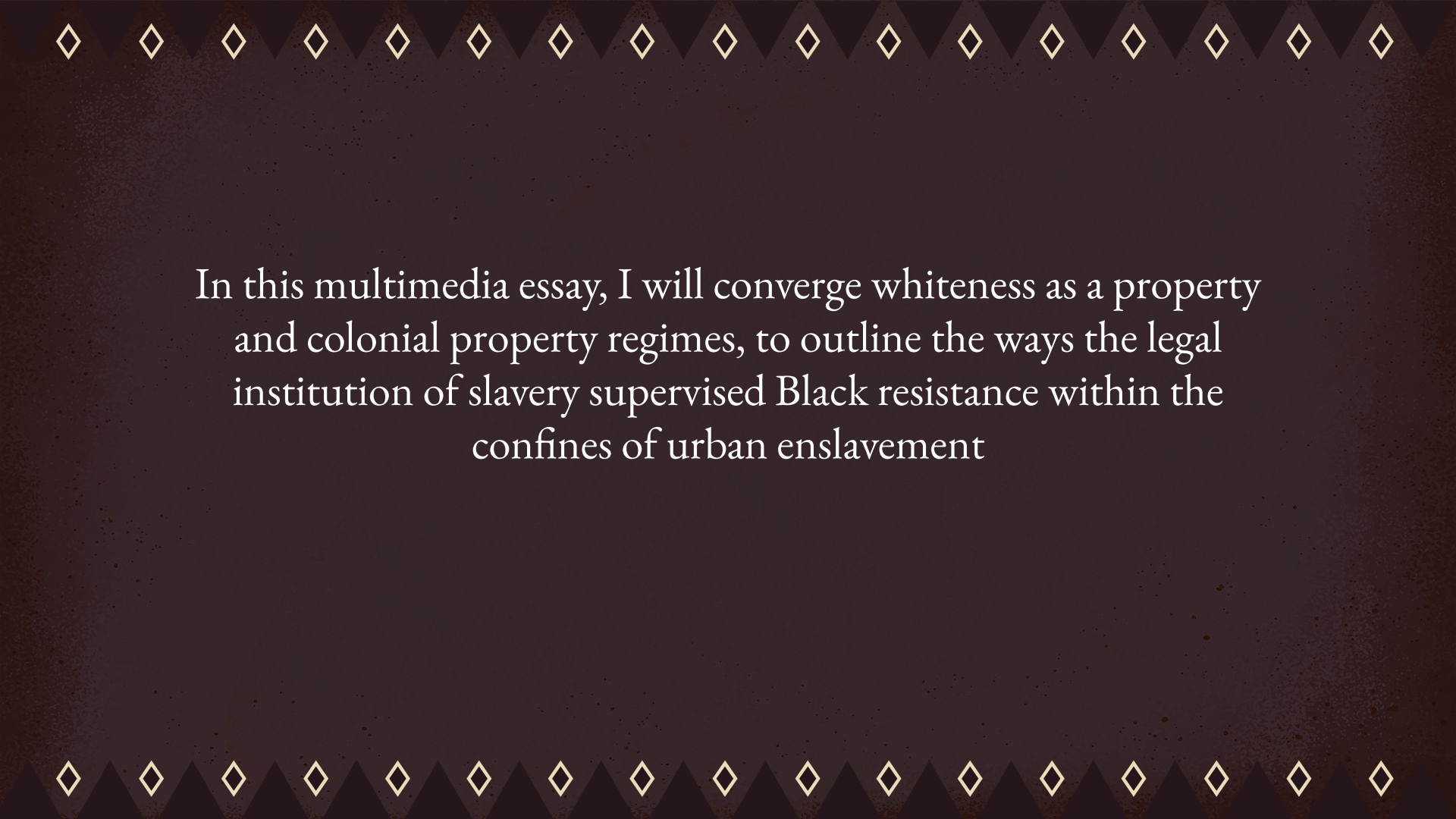
02. Identity, property, and regime

[2] The racializations of property regimes

To explore the mechanisms by which Salvador's urban slavery operated as a robust racial capitalistic system with oversight on urban enslavement and marronage, I will be utilizing Katherine Verdery's classifications of a "[P]roperty [R]egime" in conversation with Cheryl Harris's theoretical framework "[W]hiteness as property". Verdery defines a property regime in her article "The Property Regime of Whiteness", as a "cultural system, a system of social relations, and a system of power.., that relate to the organization both power and social relations within it" (Verdery 2004, 181) . By classifying Salvador as a property regime, I underline the constructions of colonial economic, political, and legal institutions that arise from the regime's ownership of enslaved Black people as property. It is through such ownership that gave the colonial authority the power arrangements to create what Brenna Bhandar calls "racial regimes of whiteness" (Bhandar 2018, 17). Salvador's instrumentalism in sustaining the Portuguese capitalistic empire, granted the colonial authority the power to outline inclusion and exclusion tactics within a set of legal rules to govern the legal access of the enslaved population.

[2] Whiteness as property

By classifying whiteness as a property, Cheryl Harris establishes that it is given property and identity value. Within the context of Salvador's urban slavery, whiteness remained non-commodifiable. The colonial authority weaponized its ownership of whiteness to escape the institution of slavery (Harris 1993, 1721)(Bhandar 2018, 6). Whiteness has made itself property by centering the colonial regime as a determinant of social and racial relations (Bhandar 7). As enslavement operates by monetizing the Black body as property, enslaved people were commodified from birth to death and post-mortem (Berry 2017, 19). If enslaved people are commodified and treated as property in all facets of life and death, it is inadvertent that they way the way they interact with the colonial regime's institutions is also legally predetermined. The colonial authority obstructs the line drawn between Black people's property value and humanity (Harris 1719). The system of social relations within the racial property regime in Salvador, was reliant on the commodification of Black people, as their humanity and property value fluctuated in relation to the way the property value of whiteness was effected.

In this multimedia essay, I will converge whiteness as a property and colonial property regimes, to outline the ways the legal institution of slavery supervised Black resistance within the confines of urban enslavement

03. Institutionalizing urban slavery

[3] Property regimes and Salvador's urban slavery

Property regimes of whiteness rely on enslavement and the exploitation of Black people for profit (Verdery 2004, 181). As economic, political, and legal institutions thrived within Salvador from 1549 to the abolition of slavery in 18888 (Dixon 2016, 30), urban enslaved people were properties of the regime, and engaged with these institutions on a regular basis . Enslaved people interacted with broader economic networks by providing to their enslaver through personal earning they would obtain on the streets of Salvador (Reis 1997, 462). Within the institution of urban slavery, enslaved people are confronted and rely on the constant interaction with the institutions that strip them of their humanity. Interacting with other facets of the economic system, the harsh line of servitude and exploitation is not as severe, but takes a different form that allows enslaved people to engage in the same racial capitalistic system alongside non-human commodities.

[3] Property regimes and Salvador's urban slavery (cont.)

City plan of São Salvador, capital of the federal state of Bahia [Cartographic]

[3] Slavery as a legal institution

Portuguese state policy in Salvador relied on the legal institution of slavery as a central aspect to maintain the social, economic, and political institutions of the regime, (Dixon 2016, 29).

"Slavery as a legal institution treated slaves as property that could be transferred, assigned, inherited, or posted as collateral" (Harris 1993, 1720).

[3] Slavery as a legal institution (cont.)

The colonial regime in Salvador constructed slavery through legal institutions to create "the foundations of racial formation" (Dixon 2016, 32), that dissected the Black and African identity. Salvador's Black population was divided into two categories; African-born and Brazilian-black Black population. These two categories were further divided into three depending on the legal status of the person: **1) slave (escravo), 2) ex-slave (forro/libretto) and freeborn (livre).** Within these intersecting identities, nationality and ethnicity was also taken into account. Through the legal division of Black identity, the colonial authority ensured that equality among all oppressed Black people could not be guaranteed on an institutional level (Dixon 2016, 31, 32). Similarly, divisive classifications applied to white people; establishing differences between Portuguese and Brazilian-born white people. This legal construction of racialized hierarchies of power entrenched the commodification of Black peoples within the context of Salvador.

[3] Legal recognition and supervision of Blackness in Salvador

Constant supervision of Black bodies within Salvador was made possible through strict laws that prohibited Black employment, the circulation of Black businesses, and utilization of public spaces. The law constituted that enslaved people carrying passes, and freed Black people carry passports that was authorized by the police that determined where and when they could move throughout Salvador (Reis 1997, 456). The authorization of 'Law 14' by the Provincial Legislature in 1836, was designed to discipline the African street labor market, as a way of confining the extent to which Black people could engage with the economic institution. The legal document states to "police the *ganhadores* (freed or enslaved Black person)" at all costs, despite their freedom status or type of employment. The *capataz* (foreman), would receive a wage paid by the *ganhadores* that ensured that they would remain in "good behavior", which translates to a blind obedience of the law and a preventative method to ensure they would not commit crimes against public order and "private property" (Reis 1997, 473).

[3] Legal recognition and supervision of Blackness in Salvador

The capataz were also African, one that was not a slave and trusted by the colonial white regime. Utilizing the stratifications and legal recognition of Blackness to police and exclude other Black people (Reis 1997, 473), strengthen what Reis calls "**the territorial jurisdiction of white officialdom" (**Reis 1997, 474) in his article "The Revolution of the *Ganhadores*': Urban Labour, Ethnicity and the African Strike of 1857 in Bahia, Brazil". The property regime utilized law as a method of maintaining whiteness, without its physical presence and direct oversight.
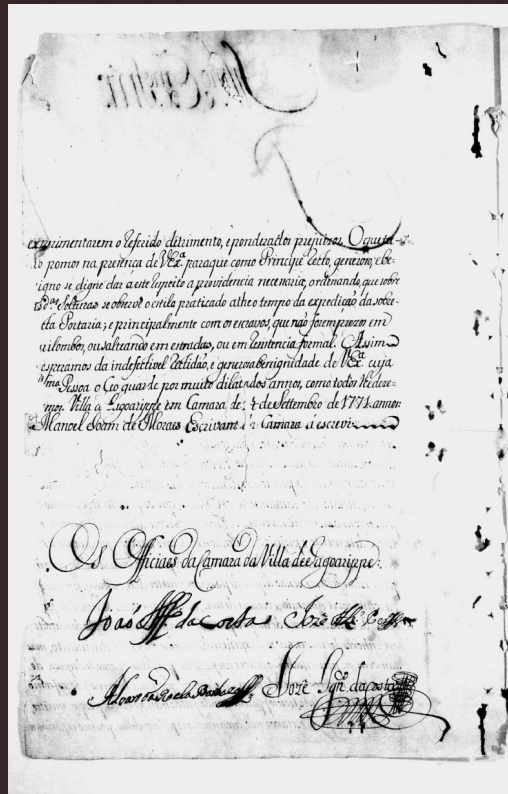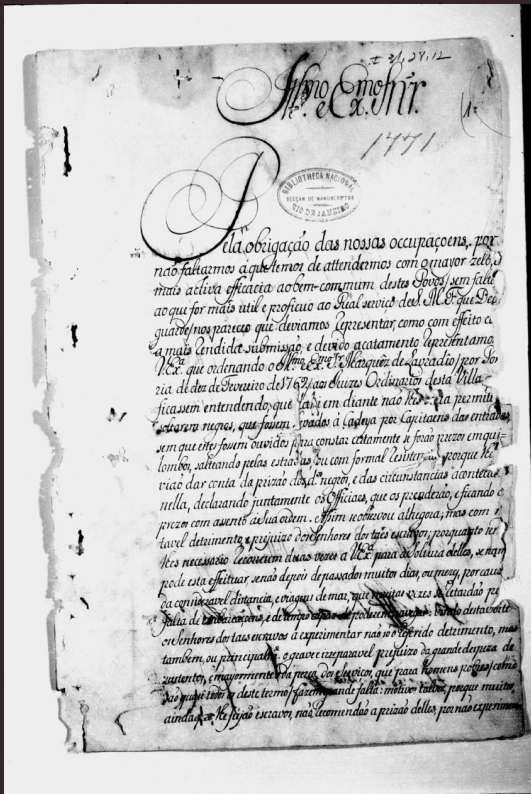
04. Marronage and illegal freedom

[4] Black infrapolitics of self-theft

The racial regime of whiteness reasserts itself by determining the law that restricts and criminalizes liberatory movements like marronage. The illegality of marronage comes into play as it defies a possibility for commodification and capital accumulation. Once the fabrics of judicial forms of racial capitalism are broken, they begin dysregulating the ways whiteness relies on enslavement. Marronage arises through self-theft, where enslaved people validate their self-actualized value of their bodies by fleeing the harshness of their exploitative and imposed circumstances (Berry 2017, 102). The rejection of their external devaluation comes at odds with the racial regime of Salvador, disrupting the provision of Black bodies. Marronage is political and infrastructural because exists outside of the mechanisms of the ownership of a colonial property regime. The consequences that arise when Black people remove themselves from that equation results in legal recognition. **Black infrapolitics of self-theft and marronage flourishes from the defiance of the political and legal infrastructures that uphold the regime of whiteness.**

Document I: Jaguaripe, September 14th, 1771

Jaguaripe, September 14th, 1771. Institute for the Study of Global Racial Justice, Rutgers University.

[4] Black infrapolitics of self-theft (cont.)

[Translation of document]

Dear Sir,

Due to the obligations of our occupations, we have not spoken to those who we must attend to with the most zeal, most active efficiency of the common good of these people/ without fail to what is most useful and professional to the Royal service of S. M. F. that God may protect/ it is apparent to us that we should represent, as indeed the most surrendered submission, and due compliance we represent your Excellency that by ordering Sir Marquis of Lavradio/ from the tenth of February 1769. The ordinary justices of this village that stayed understanding that from then on that no [illegible] will allow setting negroes free, that have been taken to jail by captains of entry without these having been heard if they were certainly imprisoned in Quilombos, jumping through the streets or with formal resistance because [illegible] they will take them to the prison of the negros and of the circumstances that happened in her, and declaring together the officials that imprisoned them, and staying imprisoned by the wind of your order. So remarked until now, but with [illegible] detriment and loss to the owners of said slaves, Therefore [illegible] necessary to appeal to you twice, your excellency, for their release, if you cannot fulfill this request, if not after the passing of various days, or [illegible], because of the considerable distance, and sea voyages, many times are delayed due to lack of [illegible] and weather that we are capable of navigating: in turn your Excellency, the owners of said slaves should not the referred detriment, but also, the principal and grave irreparable damage and grand cost of [illegible], and most importantly of the loss of services, that for poor men/ like all of them of this term/ are greatly missed: these may be motives why many still [illegible], your excellency, enslaves them, but does not recommend their imprisonment for experimenting the referred to detriment, and ponder the losses. What is there we put in the presence of your excellency, so that as a righteous, generous and worthy prince, you will dignify yourself to give the necessary providence to this matter, ordering [illegible] releases we observe the style practiced until the time of the expedition of this ordinance; and most importantly with the slaves that were not imprisoned in Quilombo, or fleeing entrances, or in formal resistance. In this way we await the unfailing righteousness and generous kindness of your Excellency who is a person guarded by heaven for many expanded years, like everyone, your Excellency we say.
Village of Jagoarippe [Jaguaripe] in the municipality on the 14th of September of 1771 [year]
Manuel Joam de Moraes, Municipal Scribe

The Officials of the Municipality of the Village of Jagoarippe [Jaguaripe]
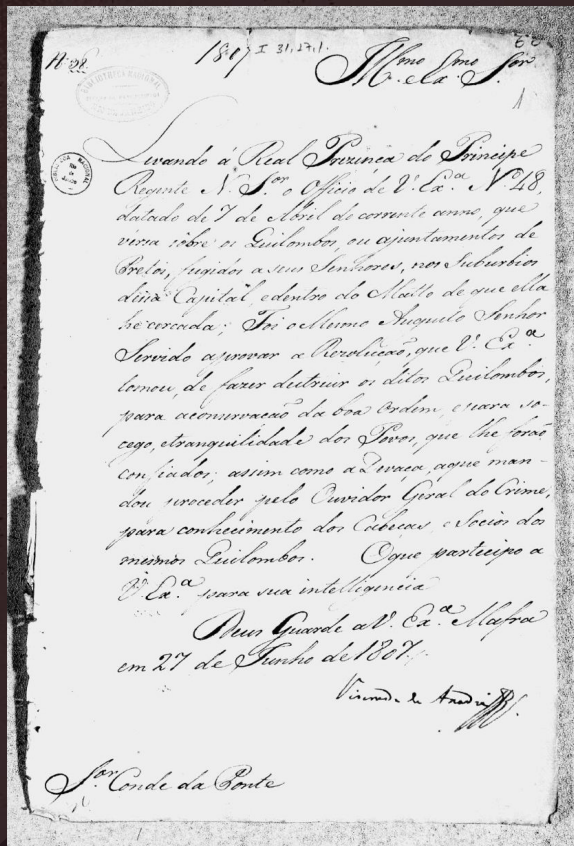Joao [illegible] da Costa   Jose [illegible]
Alvaro da Rocha [illegible]   Jose [illegible] da Costa

[4] Black infrapolitics of self-theft (cont.)

[Translation of document]

Taken to the presence of the royal Princes' Regent Our Lord, the office of our Excellency, Number 48, Dated the 7th of April of the current year [1807] that came on Quilombos, or gatherings of Black fugitives your lords, in the suburbs of this capital and inside of [illegible] and with her [the city] being surrounded; It was the same Augusto, sir, served and approved the revolution that your Excellency took and made to destroy the said Quilombos, for the conservation; of the good order and for the quiet and tranquility of the people that were entrusted to you as the devotion to which you ordered as the principle listener of
the crime for the knowledge of the heads and associates of the same Quilombos. Which I inform your Excellency for your intelligence [knowledge].

God protect your Excellency. Mafra on the 27th of June of 1807.

Viscount of Anadia ,   Sir

Count of the Bridge

Mafra. The 27th of June of 1807. Institute for the Study of Global Racial Justice, Rutgers University.

[4] Black infrapolitics of self-theft (cont.)

Stuart B. Schwartz outlines the forceful measures colonial authorities would go to disseminate fugitive maroon communities in his work "Resistance and Accommodation in Eighteenth-Century Brazil: The Slaves' View of Slavery." (Schwartz 1977, 71). When met with colonial authority, maroons would at times falsify reasons for their capture within legal settings as seen in document 1. During the period of ongoing uprisings, the maroons of Bahia were revolutionarily powered, demanding control over the equipment they used to produce the labor they were exploited for, essentially calling for the abolition of slavery. As these ideas would grant them control of their own servitude, they were often tricked, captured and re-enslaved (Schwartz 1977, 71). The first document outlines the ways maroons were often described as a 'loss of services', which calls to the act of self-theft as a central part of Black infrapolitics.

[4] Black infrapolitics of self-theft (cont.)

Blackness is not protected by law in the ways that the property and identity of whiteness is. Denying Black people self-determination denies them of their humanity, once again calling to the division of property and humanity presented by Harris (1993, 1719). The criminality of maroons or "Black fugitives" gathering, amplifies the fact that the application of law is a shifting scale of control that constantly acts to redefine Blackness as it sees fit. The regime's legal institutions operate with the inclusion of maroons to grant them civilian penalties when they pursue their humanity through liberation and self-theft (Schwartz 1970, 322). The concept of a common criminal implies the recognition of the criminal as a civilian, however that is never applicable to maroons because their dehumanization and commodification dismembers them from a place within the law.

[4] Marronage and Black citizenship

White identity and property operates by denying or granting citizenship. Citizenship means the legal recognition of one's humanity, which was not extended to Black people in Salvador. Whiteness uses citizenship as a currency, devalued by the exercise of a self-actualized identity through the embarkment of marronage (Harris 1993, 1744). The colonial regime determined who was an "fully individual citizen-subject'" or property of the regime (Bhandar 2018, 5). Runaway communities were destroyed, killed or re-enslaved; a colonial tactic in response to the raids and thefts that was conducted by maroons/mocambo communities. However; it was another colonial tactic to discredit the attention that *mocambos (*communities of runaway enslaved people) drew to enslaved people in Salvador. The regime of whiteness was threatened by marronage because these mocambo's threatened the economic and social institutions of colonial Brazil (Schwartz 1970, 326), as they grew in large proportions, most notably inhabiting 400 people like one in 1723 (Schwartz 1970, 321).

[4] Symbolic and infrastructural importance of mocambo sites

Utilizing the documents translated, the destruction of *Quilombos* (maroon sites) presents a direct attack of the intrinsic humanity of Black people. *Quilombos* threatened the infrastructure of the colonial regime because they operated on an infrastructure that did not rely on property or ownership. *Mocambo* and *Quilombos* constructed through freedom, liberation, and the validation of Blackness within its own infrapolitics. Although the internal economies of the *mocambos* were successful, they were parasitic and relied on theft, raiding, and extortion. Colonial officials considered maroons in these *mocambo's* as "fugitive criminals". Although the *quilombo* established economic systems through reactive methods, they were definitely eligible for civilian penalties alongside common criminals (Schwartz 1970, 322).

[4] Symbolic and infrastructural importance of mocambo sites (cont.)

The existence of *mocambos* validated a world where the structures of a property regime were out of reach, and represented freedom for those that remained enslaved in Salvador (Schwartz 1977, 71). On the other hand, within Salvador, freedmen also simultaneously lived among enslaved people. However, a crucial distinction should be made, these freedmen did not flee the property regime, but instead used the systems that once oppressed them to buy their freedom, unlike the "criminals" and fugitive maroons that escaped (Reis 1997, 459). There is a division of freedom that coexisted within Salvador; marronage through self-theft and marronage through legal self-determination. The distinction lies in the ways their liberation exists in relation to the property value of whiteness that is utilized in the process. Self-theft bleeds out the economic racial regime of whiteness, whereas legal self-determination exists within it, feeding into the ways that regime grants freedom through legalized and supervised self-theft. The same system that freed one confines them after freedom.

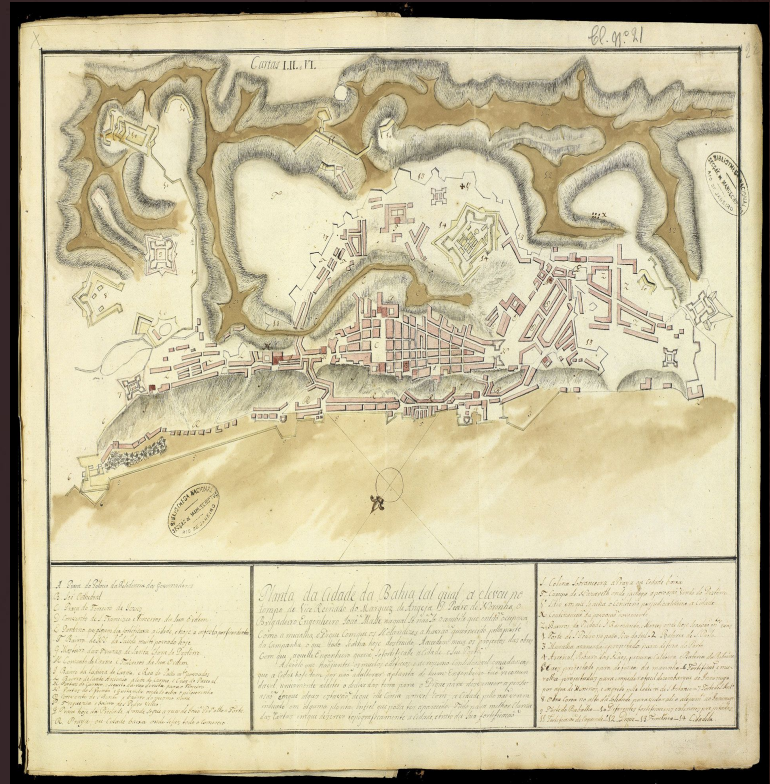# [4] Symbolic and infrastructural importance of mocambo sites (cont.)

← Map of Salvador de Bahia (1801)

Luís dos Santos Vilhena, Planta ydrografica da Bahia de Todos os Santos dentro na qual fica a cidade do Salvador, 1801, *Fundação Biblioteca Nacional*, Accessed 2 May 2023, http://objdigital.bn.br/acervo_digital/div_manus critos/mss1304801_34/mss1304803_07.jpg.

City plan of Salvador de Bahia (1801) →

Luís dos Santos Vilhena, Planta ydrografica da Bahia de Todos os Santos dentro na qual fica a cidade do Salvador, 1801, *Fundação Biblioteca Nacional*, Accessed 2 May 2023, HTM http://objdigital.bn.br/acervo_digital/div_manus critos/mss1304801_34/mss1304822_26.htm .

[4] Symbolic and infrastructural importance of mocambo sites (cont.)

The full integration of freedmen was prohibited by laws like that of 1621 that prohibited any Black, Native or mixed person from exercised the craft of goldsmith, or a statue of 1726 that prohibited mixed-Black people from working in the town council (Schwartz 1970, 318). The law passed in May and June 1835 sought to remove all African free person from Salvador, a population fewer than 2,500 people and 4% of the city's population, imposing a annual tax and a prohibition of purchasing real estate (Graden 1996, 264). Within the system of urban slavery, freedmen and enslaved Black people worked alongside each other, reasserting the forms of consciousness that initially created racial inter-community racial stratification (Reis 1997, 459).

05. CONCLUSION

Uncovering Salvador de Bahia as a site of a racialized property regime contextualizes the multiplicity of institutions that sustained a colonial authority. Throughout this multimedia essay, I focused on the legal institution of slavery in the ways that it fossilized Black surveillance in Salvador. Emphasizing the defiant nature of marronage, within its imposed "illegality", questions the ways legal structures shape one's humanity. Determining the humanity of enslaved people in relation to the crimes they commit, devalues the moral establishment of colonial law. Once again, I raise the question, how can enslaved people and maroons be held to the same legal system that denies them of their humanity all while dismembering them from a place within the law?

Works cited

Berry, Daina Ramey. 2017. *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nat.* Boston: Beacon Press.

Bhandar, Brenna. 2018. "Introduction: Property, Law, and Race in the Colony." In *Colonial Lives of Property: Law, Land, and Racial Regimes of Ownership*, by Brenna Bhandar, 1-32. Durham: Duke University Press.

Dixon, Kwame. 2016. "Slavery in Salvador." In *Afro-Politics and Civil Society in Salvador da Bahia, Brazil*, by Kwame Dixon, 28-37. Florida: University of Florida.
Graden, Dale T. "An Act 'Even of Public Security': Slave Resistance, Social Tensions, and the End of the International Slave Trade to Brazil, 1835-1856." *The Hispanic American Historical Review* 76, no. 2 (1996): 249–82.

Jaguaripe, September 14th,1771. Institute for the Study of Global Racial Justice, Rutgers University.

Luís dos Santos Vilhena, Planta ydrografica da Bahia de Todos os Santos dentro na qual fica a cidade do Salvador, 1801, *Fundação Biblioteca Nacional*, Accessed 2 May 2023, http://objdigital.bn.br/acervo_digital/div_manuscritos/mss1304801_34/mss1304803_07.jpg.

Luís dos Santos Vilhena, Planta ydrografica da Bahia de Todos os Santos dentro na qual fica a cidade do Salvador, 1801, *Fundação Biblioteca Nacional*, Accessed 2 May 2023, http://objdigital.bn.br/acervo_digital/div_manuscritos/mss1304801_34/mss1304822_26.htm

Mafra. The 27th of June of 1807. Institute for the Study of Global Racial Justice, Rutgers University.

Morales de los Rios, Adolfo. *Planta Da Cidade De São Salvador, Capital Do Estado Federado Da Bahia, 59.5 x 84,* Fundação Biblioteca Nacional, 1894, *Fundação Biblioteca Nacional*, Accessed 1 May 2023, http://objdigital.bn.br/objdigital2/acervo_digital/div_cartografia/cart530889/cart530889.jpg

Schwartz, Stuart B. "Resistance and Accommodation in Eighteenth-Century Brazil: The Slaves' View of Slavery." *The Hispanic American Historical Review* 57, no. 1 (1977): 69–81.

Reis, Joao Jose. "'The Revolution of the Ganhadores': Urban Labour, Ethnicity and the African Strike of 1857 in Bahia, Brazil." *Journal of Latin American Studies* 29, no. 2 (1997): 355–93.

Schwartz, Stuart B. 1970. "The "Mocambo": Slave Resistance in Colonial Bahia." *Journal of Social History ,* 313-333.
Verdery, Katherine. "The Property Regime of Socialism." *Conservation and Society* 2, no. 1 (2004): 189–98.