

Slave Law and the Politics of Resistance in the Early Atlantic World

Alex Borucki

University of California, Irvine, aborucki@uci.edu

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Review

Borucki, Alex

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Rugemer, Edward B. *Slave Law and the Politics of Resistance in the Early Atlantic World*. Harvard University Press, \$39.95 ISBN 9780674982994

Edward B. Rugemer substantially repositions the significance of the actions of the enslaved, by examining how slave rebellions (and more broadly, the behavior of enslaved people) shaped certain contours of slave law in Barbados, Jamaica, and South Carolina. He surveys how the political significance of slave resistance was reflected into the deliberation and writing of slave laws in the British Atlantic. The detailed analysis of slave rebellions, particularly in Jamaica, leads Rugemer to emphasize the political consequences as expressed by changes in local slave law. His analysis goes in two directions, from slave resistance as a social episode to the political consequences as reflected in the changes of slave law in Barbados, Jamaica, and South Carolina, and then, from the examination of slave law to the social history of enslaved people. Readers can perceive how slave law from Barbados was applied and changed in Jamaica because of the local actions of the enslaved (particularly the Maroon communities), and then, how Jamaican slave law was adopted and adapted to South Carolina, especially concerning Indian slavery (the enslavement of indigenous people) as well as the selling of these Indian captives from South Carolina to both the northern colonies and the British Caribbean. Thus, there are three different but closely interweaved narratives throughout the book, connecting the social history of plantations with a focus on slave rebellions, the history of the provincial slave laws, and the larger politics of Atlantic slavery.

This is a history of Anglo-America with deep connections with the larger Atlantic world. For instance, Rugemer points out that slave codes and laws in early Barbados did not “invent” slavery from scratch. English settlers in Barbados knew very well about slavery, as they belonged to the same Atlantic world in which hundreds of thousands of enslaved Africans had already crossed the Atlantic to the Spanish and Portuguese

colonies in the century before these first English settlements developed. This borrowing is evident in the Barbados 1661 Slave Act that conceptualized the English as “Christians” and the captives as “Negro,” the Spanish language word for the color black. This first conceptualization of masters and slaves portrayed deep otherness in terms of racial and religious thinking. Rather than regulating “slavery” as an institution, these early laws came to police master-slave relations and to provide further support for legitimizing the property over slaves, as it would be reinstated later, and with more complexity, in Jamaica and South Carolina.

But contrary to the Spanish Americas, where regulations of slavery such as manumission were inserted in the Iberian *Siete Partidas* laws and applied in the colonies, the relative autonomy that English settlers held in Barbados due to the lack of metropolitan regulations of slavery meant very limited access to the courts for slaves. This logic, in which slave masters designed the law and politics of slavery with autonomy from metropolitan authorities, later replicated in the nineteenth century, when the independence of the United States gave a second life to slavery and made slavery thrive in South Carolina, as well as in the other slave states of the Union, while slavery was under attack in Jamaica and the other colonies still under British rule.

While the book starts with Barbados, the largest and more meaningful comparisons develop through the two hundred years of connected history of Jamaica and South Carolina. In a manner unseen before, the 1696 Jamaican slave code designated those enslaved as real estate. Jamaican planters developed a set of fantasies of control over slaves in economic ways, as they envisioned their own future as the master class through the use of capital-related transactions involving captives, who became collateral for debts, and an integral part of dowries and wills.

In the eighteenth century, the continuous actions of Maroon communities (harbored by Jamaica’s rugged territory) led to the island’s militarization in a way that was unthinkable on Britain’s thirteen mainland colonies. The Maroon communities’ actions, which included open war, negotiations, and a tense peace, led to the Jamaican Assembly to gather local militias and petition to bring a permanent British garrison on the island. These troops, rather than defending Jamaica from Spanish and French intrusions, were mainly intended to counteract the Maroons’ initiatives. This also impacted each

parish of the island, which had to organize militias and raise funds to build barracks for British troops. The overwhelmingly African-born majority among captives in Jamaica shaped Maroon communities' conceptions of sovereignty and stood in contrast to U.S. slave populations whose numbers slid toward an African American majority.

In South Carolina, slave codes became eventually domesticated during the eighteenth century. Native challenges to white hegemony encouraged the colony's white leaders to curb public displays of violence upon enslaved bodies. The Yamasee War of 1715 that almost resulted complete defeat for the English served as a catalyst for a reassessment of slavery through the colony. In South Carolina the legal definition of slave included "Indian," which was different from the Caribbean definitions. This "domestication" of slave laws also took place in the context of natural reproduction of African and African American slaves, which fostered the fortune of U.S. slave owners. This was a contrast to the grueling living standards shaped by sugarcane cultivation in the Caribbean, where slave demographics depended on the transatlantic slave trade. While the slave laws after 1722 tended to domesticate master-slave relationships in South Carolina, the slave code of 1740 legitimized all actions of masters conducted during the suppression of slave rebellions—this in view of the 1739 Stono Rebellion. This sent the message to the enslaved that, during a slave rebellion, there was no law to which they could adhere, and they could expect to suffer the most atrocious torments.

The book's final chapters address rising abolitionist sentiment throughout Europe and the Americas, which developed in the late eighteenth century. In a certain way, this book's emphasis on slavery's legal transformation throughout the Atlantic explains why the U.S. Southern master class developed as an anomaly. Historians should explain this exceptional feature across the Western hemisphere rather than taking this issue for granted. Rugemer points out that the United States' independence from Britain, which became a hotbed of nineteenth-century abolitionist sentiment, created drastically different outcomes for Jamaica's and South Carolina's enslavers. In the former, policies of slave amelioration led to the final demise of slavery. In the latter, masters protected the institution of slavery and the legality of the master-slave relations even more than in the past. As slaveholders crafted the new constitutions that enshrined the slavery's legal status, they limited manumissions and circumscribed lawful appeals for enslaved people.

The United States' independence actually empowered slaveholders and allowed them to protect their interests at a time when British Caribbean planters saw their interests challenged and contradicted by Britain's metropolitan policies.

This well-organized history of Anglo-American slavery, vast across time and space, includes beautifully designed maps of the local developments (particularly in relation to the meticulous analysis of Jamaican slave rebellions' politics). It is impossible to summarize the full extent of this comparison over two centuries of connected British Atlantic and U.S. history in a couple of pages, and at the same time, do justice to the author. This book belongs to the tradition of Ira Berlin *Generations of Slavery* and David B. Davis *The Problem of Slavery in Western Culture* while adding new historiographical developments on how to weave social history into politics and law.

Alex Borucki is associate professor of History at University of California, Irvine. He is the author of From Shipmates to Soldiers: Emerging Black Identities in the Rio de la Plata.