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978-0-521-09846-5 - Marriage, Class and Colour in Nineteenth-Century Cuba: A Study of Racial Attitudes and Sexual Values in a Slave Society

Verena Martinez-Alier

Excerpt

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## INTRODUCTION

I shall be concerned primarily with marriage as a focal point for an assessment of nineteenth-century Cuban society. Yet, rather than taking the normal events as a basis for investigation, I have used the well-documented deviations from the norm as provided in the administrative and judicial proceedings of cases where parents oppose a given marriage, of cases where this opposition is overcome by means of elopement, and of cases of interracial marriage. These deviations from ideal behaviour, while by no means everyday occurrences, nevertheless highlight the conflicts obtaining in the system and make its norms all the more apparent.

From the dominant sector's point of view, marriage in nineteenth-century Cuba was ideally isogamic, i.e. like married like. In 1776 the enlightened Charles III had passed the Royal Pragmatic on marriage which by severely restricting freedom of marriage lent legal support to the aspirations of social exclusiveness. While surely most sons and daughters followed the dictates of their elders in their choice of spouse, nevertheless there were also instances where this was not so. These dissidents had two paths open to them. They could either appeal to the authorities to have parental dissent overruled, or they could resort to elopement. In the latter case, the ensuing dishonour of the daughter often compelled parents to reconsider their posture and grant their approval after all. Yet, certain limits were set to the effectiveness of the elopement. When the social distance between the partners exceeded the tolerated maximum, considerations of family prestige came to prevail over the regard for a daughter's moral integrity. At this stage marriage was no longer the appropriate form of redress. It was then deemed preferable to take the daughter back into the home and have the culprit prosecuted.

The elopement, which derived its effectiveness from the high regard for virginity and chastity, reveals the interrelatedness of female honour and family honour and the connection of both with the social hierarchy. This hierarchy is maintained through the high regard for virginity and chastity, which thus appears as a structural rather than cultural feature

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of the system. In this way an alternative hypothesis is suggested with regard to the concepts of honour and shame studied by some anthropologists in the Mediterranean area.<sup>1</sup> Moreover, this interpretation will also shed some light on the much-debated question of the allegedly particular forms of family organization obtaining in the Caribbean area, as well as on marriage in general.<sup>2</sup>

As will become evident from the analysis of the marriage pattern, the basic line of cleavage dividing Cuban nineteenth-century society was race, to the extent that legislation was passed regulating and restricting interracial marriage. The acute racial consciousness of all sectors of the society becomes manifest in the analysis of interracial marriage and of marriage among free coloured people (marriage among slaves will be dealt with only in passing). It will be argued that in nineteenth-century Cuba racial perception was a direct consequence of the degree to which slavery and its exigencies had affected the total social structure. Slavery appears as a system of forced labour but also of social organization, and of class and racial discipline. At every point the coloured person, whether slave or free, was forced to shape his behaviour in accordance with the actions and expectations of the dominant white sector, who, in turn, also had to adjust to the presence of the non-whites.

The nature of slavery and racism in the Spanish and Portuguese colonies vis-à-vis the British West Indies and the American South has been much debated. In the studies of Tannenbaum, Elkins and most recently Klein<sup>3</sup> the relative mildness of servitude and harmony of race relations in Latin America is emphasized. The present monograph challenges once more this optimistic view by showing that, as Mintz has pointed out, slavery cannot be regarded as a uniform social phenomenon, but its character depends importantly on the differing levels of economic development within those countries and colonies which employed it.<sup>4</sup>

A comparison of eighteenth- and nineteenth-century Cuba fully supports this point. Up to 1760 and despite the clandestine trading activities of Cuban sugar producers, the development of the Cuban sugar industry had been severely stunted by metropolitan restrictions on trade. Yet, with the taking of Havana by the British in 1762, these restrictions were lifted and would not be reimposed even after their departure eleven months later, and an estimated five to ten thousand slaves were introduced. Thus the scene was set for the Cuban sugar boom which by the end of the century would make the island the first producer for the world market, a development which was decisively aided by the Haitian revolution and the decline of the British West Indies. The number

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of sugar mills rose from 93 in 1760 to 227 in 1792. And in the same period the production of sugar increased roughly fourfold.<sup>5</sup>

Vital to the growth of this plantation economy was the availability of labour; and in the absence of free labour this meant slave labour. As Moreno Fraginals writes, 'there is a parallel increase of sugar and slaves on the Island'.<sup>6</sup> He estimates that between 1765 and 1790 an annual average of 2,000 slaves were brought into Cuba. The effect this 'great awakening'<sup>7</sup> had on all sectors of Cuban society is shown in Table 1.

TABLE 1. *Population of Cuba by colour and status, 1774–1899*<sup>8</sup>

Year:	Whites	Free coloureds	Slaves
1774	96,440	30,847	44,333
1792	133,550	54,152	84,590
1817	239,445	114,077	199,198
1827	311,051	106,494	286,942
1846	425,767	149,226	323,759
1862	757,610	221,417	368,550
1877	1,023,394	272,478	199,094
1887	1,102,889	528,789	—
1899	1,067,354	505,443	—

There was a remarkable increase in the slave population – it should be noted that the census figures are probably underestimated, since a treaty between England and Spain in 1817 had declared the slave trade illegal. But there was also a marked rise in the free coloured sector. Clearly, the possibilities available for slaves to obtain their freedom and the social abilities enjoyed or disabilities suffered by freedmen are crucial factors in an evaluation of the nature of a slave society. Klein maintains that 'the religiously inspired policy of manumission was probably the chief source for freedmen over the long run',<sup>9</sup> and that freedmen largely enjoyed the same prerogatives as their white counterparts in an 'integrated community' in which colour or physical appearance played a secondary role to socio-economic criteria of stratification. The proportion of freedmen in the coloured population was admittedly higher in nineteenth-century Cuba than in Virginia – with which Klein compares Cuba – but this may well be due largely to the natural demographic increase of the free coloured community which had emerged under the more favourable conditions obtaining in the previous century. Klein does not attempt to

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trace in detail the source of this increase. Perhaps Knight, by attributing the increase of the free coloured population chiefly to natural growth, comes closer to the truth than Klein.<sup>10</sup> Undoubtedly manumissions took place, but it would be interesting to know the age and sex of those manumitted: for to manumit women or old people could relieve a master of a burden rather than being an indication of his magnanimity towards his slaves.

As this study will show, in Cuba legal and social discrimination of the free coloured community increased rather than diminished. Klein, disregarding the fundamental change undergone by slavery as a system of production in Cuba at the turn of the eighteenth century, asserts that 'the 1806 free-marriage decree [ended] the last vestiges of caste arrangements',<sup>11</sup> while, as we shall see, it was precisely this decree, interpreted with increasing vigour throughout the nineteenth century, which provided the basis of official segregation in marriage between whites and free coloureds.

However, opinion in nineteenth-century Cuba was far from unanimous on the subject of slavery and racism. The Catholic Church did not attack slavery as such, but in its zeal to promote marriage and combat such excrescences of slavery as interracial concubinage it challenged the social order which produced it. Although the growing secularization of the State, as well as the overriding political and economic interests of the secular powers undermined the Church's efforts to impose its egalitarian ideology on a politico-economic system that was characterized by marked inequalities, its influence must not be disregarded.

Opinion also varied widely about the effectiveness and advisability of slave labour among the sugar interests themselves. In the 1830s a fission in the planters' interests occurred. In view of the growing demand for slave labour and the difficulties in obtaining it, and of improvements in technology, a progressive wing of planters emerged who felt acutely irritated by their growing economic dependence on the slave dealers, and as a consequence advocated the gradual abolition of slavery and its replacement by free labour. However, their position was severely weakened on the one hand by the progressive infiltration of the ranks of the planters by the slave dealers themselves on account of the indebtedness of the former and the acquisition of plantations by the latter, and on the other by the guarantees the existence of slavery was felt to provide for the hegemony of the colonial power. In view of the Haitian experience large segments of the Cuban population, both *criollo* (native Cuban) and *peninsulares* (Spaniards), saw only one alternative for Cuba: to be

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either Spanish or 'African'. Consequently, those desiring independence from Spain saw the end of slavery, and (in view of the impossibility of expelling the African element) the progressive whitening of the population through intermarriage, as the first steps towards their goal.

The instigators of the first war of independence of 1868–78 abolished slavery on their estates for clearly tactical reasons. This war saw the emergence in the ranks of the rebel army of a number of coloured officers, most prominent among them Antonio Maceo, which again seemed to prove right those who had warned of the danger of Africanization. Eventually the Cubans were defeated and Spain succeeded in imposing its rule for another twenty years. As for slavery, although opinion was so deeply divided on this issue, it was effectively abolished only in 1880, despite the extremely liberal interlude in Spain (1868–73). Significantly the law prohibiting interracial marriage was abrogated a year later.

D. B. Davis<sup>12</sup> has shown that in British America slavery was the source of tensions and fears similar to those in nineteenth-century Cuba and that the similarities between the Latin American and the British American varieties of slavery and racism are greater than the differences. Without intending to join the debate at this point, it might be suggested that an explanation for the unquestionable difference in the race relations of the *post-emancipation period* in the United States and Latin America might be found in the varying nature of the process of emancipation in the two cases rather than in the character of slavery. In the Cuban case emancipation of the slaves by the white Cubans was felt to be a precondition for their own emancipation from Spain and therefore was in their own interest. In the American South, however, it was a measure imposed from outside after defeat and against at least partial resistance. Ibarra in his analysis of independentist ideology<sup>13</sup> has indicated that in nineteenth-century Cuba the racial question and the national question were very much the same one. Cuba's national identity, and independence, could only be achieved through racial integration. As shown in the present study, the fluctuations in the interracial marriage policy support Ibarra's interpretation.

This study will also throw some light on the relationship between racism and slavery. As will be seen, in nineteenth-century Cuba it was not physical appearance as such that caused prejudice and discrimination, but what physical appearance stood for, i.e. an individual's occupational role in an economic system based on the exploitation of one group by another. Significant in this connection is the fact that negroid phenotype as opposed to caucasian phenotype, rather than differences like those

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between tall and short people, for instance, formed the basis for discrimination, and that when phenotype no longer sufficed, legal colour was resorted to instead. Thus, with regard to the Cuban context a case might well be made for explaining racism as a pretext for economic exploitation, rather than psycho-analytically, or in terms of any innate tendency of people to form groups, the more so as a connection can be detected between changing economic needs and intensity of discrimination.

Nineteenth-century Cuba cannot be treated as a historical and geographical isolate. Political factors outside Cuba were significant in shaping interracial marriage policy. The cultural tradition of Spain which during three centuries had espoused 'purity of blood' as the essential requisite of Spanishness must also be taken into consideration. Racism antedates slavery in the Americas and, as W. Jordan<sup>14</sup> has proposed, the question would be to explain why African negroes (and not for instance the American Indians) were enslaved in the first place. To establish, therefore, a direct causal link between slavery as a highly exploitative system of production and racism would be too simple.<sup>15</sup>

It should be emphasized that throughout this study I will mainly be discussing racial discrimination rather than racial prejudice. While slavery produces discriminatory practices, the absence of such practices does not necessarily imply the absence of prejudice. Moreover, the persistence of some racial consciousness in Cuba not only after the abolition of slavery but even after the 1959 revolution with its egalitarian doctrine throws doubt on such an interpretation, even if one accounted for some measure of time lag due to socialization. I would suggest rather that race stands often as a symbol for other differences – the division of labour in nineteenth-century Cuba, religion in fifteenth- to eighteenth-century Spain – or in other words that strains and tensions in society that may be the result of a variety of factors are often justified and rationalized in terms of racial distinctions. By showing the symbolic nature of race this study also goes to challenge the view of Hoetink and Gilberto Freyre who attempt to explain the alleged difference between the two American variants of race relations in terms of a culturally determined difference in the 'somatic norm image' or 'miscibility' of citizens of the respective colonial powers.<sup>16</sup>

But whatever the origins of racism, the division of society along racial lines has often implied coercion on the part of the dominant sector and rebellion on the part of the dominated. By contrasting this essentially conflictive situation with the Hindu caste system I shall question the

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approach of those sociologists who have studied American race relations in terms of caste. They treat race as a distinct criterion of social stratification and endow it with a false permanence, and they disregard the significant difference in the ideological framework of the two contexts. In Cuba, hierarchy and the norm of isogamic marriage often clashed with the value of equality and the norm of freedom of choice in marriage.

This monograph is basically anthropological in intention and only secondarily historical. An important difference between the approach of the social historian and that of the social anthropologist lies not so much in that the former derives his material from the study of documentary evidence while the latter obtains his data from participant observation – in this respect my material is identical with that of the historian – nor in their methods of analysis, but in that the historian must periodize while the social anthropologist may consider social phenomena synchronically. Some sections of my analysis are static in this sense. In investigating the reasons for parental dissent and the elopement as a device for overcoming such dissent, my intention is to construct a model of the relationship between social inequality and sexual values. But when I study interracial marriage policy up to 1881 some punctuations of history become apparent. For instance, it was precisely in 1864, as a consequence of the emancipation of slaves in the Southern United States, that the restrictions on interracial marriage were enforced with increasing rigour in Cuba.

What happened after 1881 is scarcely covered in this study. Since elopement as a means to win over reluctant parents continued to be used in the twentieth century, an analysis of the corresponding judicial proceedings and the reasons for dissent given in them, which in some respects are likely to differ from those adduced in the nineteenth century, would, on the one hand, disclose the criteria of social stratification in force in this later period, and, on the other, allow us to determine by comparison the type and direction of change. Finally, after the 1959 revolution, while virginity is still valued – which I find functional in a stratified society but not in an egalitarian one – and while, therefore, elopement with a view to marriage is still resorted to, it is probable that a check of the court cases would reveal a decline in the frequency of elopement. However, this study of marriage and class in twentieth-century Cuba must be left for the future.

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## PART I. INTERRACIAL MARRIAGE

‘in a very fundamental way, we all of us distinguish those who are of our kind from those who are not of our kind by asking ourselves the question, “Do we intermarry with them?”’

E. R. Leach, ‘Characterization of caste and class systems’ in A. de Reuck and J. Knight (eds.), *Caste and Race: Comparative Approaches* (London, 1967), p. 19.



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## CHAPTER I

INTERMARRIAGE AND FAMILY  
HONOUR

## INTERMARRIAGE IN LAW

In 1776 the Spanish Crown enacted a Pragmática Sanción aimed at preventing unequal marriages resulting from the allegedly ill-understood freedom of marriage. Parental consent to marriage was made a formal requirement for those under twenty-five years of age and/or living under parental tutelage. Parental dissent was deemed justified when it was thought the proposed marriage would 'gravely offend family honour and jeopardize the integrity of the State'.<sup>1</sup>

In 1778 the Royal Pragmatic on marriage was extended to the overseas possessions in view of the 'same or greater harm done there by such unequal marriages on account of their size and the diversity of classes and castes of their inhabitants', and 'the very severe damage done by the absolute and indisciplined freedom with which these passionate and incapable youngsters of both sexes betroth themselves'.<sup>2</sup> The penalty for infraction of the law was disinheritance. Nevertheless, its enforcement in the colonies seems to have met with considerable difficulties. The clergy inquired repeatedly about cases where couples were willing to forfeit their inheritance and where 'reasons of conscience' were pleaded as a ground for marriage. In the colonies the threat of disinheritance was surely not a very effective one. Many who had migrated to America had done so because there was nothing to be had at home, and the property they had been able to acquire there was often rather meagre: 'the number of poor parents . . . being large, their sons mind very little about losing the hope of inheriting from them', commented one official.<sup>3</sup>

In 1803 a new decree was passed setting the age of consent at twenty-three for men and twenty-five for women. Parents or their substitutes were the arbiters on whether a proposed marriage was acceptable or not. Only in cases of dispute did the civil authorities intervene.

One such case occurred in Cuba in 1791. The girl in question was white; she was the 'sacrilegious' daughter of a priest and wanted to

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marry a *pardo* (mulatto). Her sister was opposed to the marriage, on account of the 'difference in colours and consequent stains on the family'.<sup>4</sup> The Cuban authorities had accepted the reason of dissent as justified. The girl, however, appealed. The case was then taken to the King, whose advisers overruled the initial decision on the grounds that the couple had already had offspring and the girl's illegitimate origin offset her suitor's inferior colour. Nevertheless, it was emphasized that this ruling 'should not set an example for others'.<sup>5</sup>

According to these laws those of age, unless they belonged to the nobility, enjoyed absolute freedom of marriage. However, they did so only in theory. In 1804 the marriage of a white man of fifty to a *parda* with whom he had lived in concubinage for many years and who had born him several children was opposed by his brother. The attorney general of the Crown ruled that 'marriages between white and negroes or mulattos descending from them, who have their origin either closely or remotely in slaves, should not be allowed for they tarnish the families'.<sup>6</sup> He justified this adverse decision by arguing that by law mulattos were excluded from certain professions. In the course of the same year two further such cases were submitted from Cuba to the attorney general who consistently ruled against marriage. But in the latter two cases he met with the concerted opposition of the Crown's ministers who reasoned that 'although the marriages in question could cause grief to the individual families, they could not but be an additional benefit to the State, as all the laws that protect marriage are very convenient for the State, resulting as they do in an increase of the population which is the foremost and greatest policy objective'.<sup>7</sup> However, as the large number of illegitimates at the time shows, the population increased all the same.

Until 1805, then, the control over choice of spouse was exercised by the individual parents. The civil authorities had a say only in so far as sons or daughters challenged parental dissent.

In view of the persistent ambiguities of the interracial marriage policy in the Indies, the matter was submitted to the Council of the Indies which on 15 October 1805 issued the 'Royal decree on marriages between persons of known nobility with members of the castes of negroes and mulattos'.<sup>8</sup> This decree followed a somewhat earlier one (of 27 May 1805) passed in response to an inquiry from the Viceroy of Buenos Aires ruling that 'in cases where persons of age and known nobility or known purity of blood attempt to marry with members of the castes, recourse should be taken to the Viceroys, Presidents and Audiencias so that they grant or deny their permission'.<sup>9</sup> The October decree established, however, that