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Excerpt

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A SHORT
H I S T O R Y
 OF THE
FRENCH Colony in ST. DOMINGO, &c.

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Political State of ST. DOMINGO previous to the Year 1789.

THE inhabitants of the French part of St. Domingo, as of all the West Indian Islands, were composed of three great classes: 1st, pure whites. 2d, people of colour, and blacks of free condition. 3d, negroes in a state of slavery. The reader is apprised that the class which, by a strange abuse of language, is called *people of colour*, originates from an intermixture of the whites and the blacks. The genuine offspring of a pure white with a negro is called a mulatto; but there are various casts, produced by subsequent connections, some of which draw near to the whites, until all visible distinction between them is lost; whilst others fall retrograde to the blacks. All these were known in St. Domingo by the term *sang-mêlées*, or *gens de couleur*, (in com-

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mon parlance they are collectively called *mulattoes*) and it must be attributed, I presume, to the greater discountenance which the married state receives from the national manners, that in all the French islands these people abound in far greater proportion to the whites than in those of Great Britain. In Jamaica, the whites out-number the people of colour as three to one. In St. Domingo, the whites were estimated at 30,000, the mulattoes at 24,000, of whom 4,700 were men capable of bearing arms, and accordingly, as a distinct people, actuated by an *esprit de corps*, they were very formidable. Of the policy which it was thought necessary in St. Domingo to maintain towards this unfortunate race, I shall presently treat; but it seems proper, in the first place, to give some account of the subordination in which, before the revolution of 1789, the parent country thought fit to hold the colony at large.

THE government was exercised by a Governor General, and an officer called Intendant, both of whom were nominated by the crown, on the recommendation of the minister of the marine, and generally considered as established in their respective offices for three years. Their powers, in some cases, were administered jointly; in others, they possessed separate and distinct authority, which each of them exercised without the concurrence or participation of the other.

IN their joint administration their powers were unlimited, comprehending every part of colonial government, and extending even to detail, in the minutest branches of finance and police. They enacted the laws, nominated to all vacant offices, and

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and distributed the crown lands as they thought proper. They respectively presided at the same time in each of the supreme councils, or courts of justice in the dernier resort; and as vacancies happened in those courts, by the death or removal of its members, they filled up the vacant places. Against the abuse of powers, thus extravagant and unbounded, the people had no certain protection. Fortunately, it was rare that the governor and intendant agreed in opinion on the exercise of their joint authority, which therefore became necessarily relaxed; and the inhabitants derived some degree of security from the disputes and dissensions of the contending parties. In all such cases, however, the greatest weight of authority fell to the share of the governor. He was, in truth, an absolute prince, whose will, generally speaking, constituted law. He was authorized to imprison any person in the colony, for causes of which he alone was the judge; and having at the same time the supreme command of both the naval and military force, he had the means of exercising this power whenever he thought proper. On the other hand, no arrest, by any other authority, was valid without the governor's approbation. Thus he had power to stop the course of justice, and to hold the courts of civil and criminal jurisdiction in a slavish dependance on himself.

THE peculiar province of the intendant was that of regulating the publick revenues, or administering the finances of the colony. The collectors and receivers of all duties and taxes were subject to his inspection and controul. He passed or rejected their accounts, and made them such allowances as he

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alone thought proper. The application of all the publick monies rested entirely with the intendant; — a province which created such temptation to himself as no virtue could resist, and furnished such means of corruption, as overcame all opposition from others (*a*)

FOR the better administration of justice, and the easier collection of the revenues, the colony was divided into three provinces; which were distinguished, from their relative situation, by the names of the Northern, the Western and Southern. In each of these provinces resided a deputy governor, or commander *en second*, and in each were established subordinate courts of justice, both civil and criminal; from whose determination appeals were allowed to the superior councils, of which there were two; one at *Cape François* for the Northern province, the other at *Port au Prince* for the Western and Southern. They were composed of the governor-general, the intendant, the deputy governors, the king's lieutenants (*b*), a president,

(*a*) The taxes and duties were laid and modified, as occasion required, by a court composed of the governor general, the intendant, the presidents of the provincial councils, the attorney general, the commissioner of the navy (*ordonateur*) and the several commandants of the militia. This court was dignified by the title of the *Colonial Assembly*, although the colonists had not a single delegate in it.

(*b*) These king's lieutenants were military officers residing in the several towns, commonly with the rank of colonel. There were also in each town *majors* and *aides-major*. All these officers were wholly independent of the civil power, and owned no superior but the governor-general, who could dismiss them at pleasure. It may be proper to observe too that the counsellors held their seats by a very uncertain tenure. One of the governors (the Prince de Rohan) sent the whole number state prisoners to France. They were seized on their seats of justice, and put on board a ship in irons, and in that condition conveyed to Paris, and shut up for a long time in the Bastille, without trial or hearing.

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and twelve counsellors, four *assesseurs*, or assistant judges, together with the attorney general and register. In these councils, or courts of supreme jurisdiction, as in the parliaments of France, the king's edicts, and those of the governor and intendant, were registered. Seven members constituted a quorum for the hearing of appeal causes; but a hint from the governor-general was always sufficient to render much investigation unnecessary: and it is asserted (with what truth I pretend not to determine) that, besides their slavish dependance on the executive power, the members of these courts were notoriously and shamefully open to corruption and bribery. An appeal however lay to the king, in the last resort; and candour compels me to observe that, on such appeals, substantial justice was generally obtained (*c*).

THE number of the king's troops on the colonial establishment was commonly from 2 to 3,000 men; and each of the 52 parishes into which the colony was divided raised one or more companies of white militia, a company of mulattoes, and a company of free blacks. The officers, both of the regular troops and the militia, were commissioned provisionally by the governor-general, subject to the king's approbation; but the militia received no pay of any kind.

FROM this recapitulation, it is evident that the peace and happiness of the people of St. Domingo depended very much on

(*c*) In the year 1787 these two superior councils were consolidated into one, which held its meetings at Port au Prince, this city being the seat of government *in time of peace*. In the event of a war, the governor-general removed to Cape François. The true, though not the ostensible, reason for this junction of the council boards, was an idea that a single board would be found more tractable in the registry of edicts and ordinances than two separate jurisdictions.

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the personal qualities and native disposition of the governor-general, who was always selected from the army. At the same time it must be honestly admitted, that the liberality and mildness, which of late years have dignified and softened the military character among all the nations of Europe, had a powerful influence in the administration of the government in the French colonies. It must be allowed also, that the manifest importance to which, as mankind become divested of ancient prejudices, the commercial part of the community, even among the French, has imperceptibly risen, insured to the wealthy and opulent planters a degree of respect from persons in power, which, in former times, attached only to noble birth and powerful connections; while the lower orders among the whites derived the same advantage from that unconquerable distinction which nature herself has legibly drawn between the white and black inhabitants; and from their visible importance, in a country where, from the disproportion of the whites to the blacks, the common safety of the former class depends altogether on their united exertions.

To contend, as some philosophers have idly contended, that no natural superiority can justly belong to any one race of people over another, to Europeans over Africans, merely from a difference of colour, is to waste words to no purpose, and to combat with air. Among the inhabitants of every island in the West Indies, it is the colour, with some few exceptions, that distinguishes freedom from slavery: so long therefore as freedom shall be enjoyed exclusively by one race of people, and slavery be the condition of another, contempt and degradation will

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will attach to the colour by which that condition is generally recognized, and follow it, in some degree, through all its varieties and affinities. We may trace a similar prejudice among the most liberal and enlightened nations of Europe. Although nothing surely ought to reflect greater lustre on any man than the circumstance of his having risen by industry and virtue above the disadvantages of mean birth and indigent parentage, there are, nevertheless, but few persons in the world who delight to be reminded of this species of merit. There is a consciousness of something disgraceful in the recollection; and it seems therefore reasonable to conclude, that if nature had made the same distinction in this case as in the other, and stamped, by an indelible mark, the condition and parentage on the forehead, the same, or nearly the same, effect would have resulted from it, as results from the difference of colour in the West Indies. I mean however only to account for in some degree, not to defend, the conduct of the whites of St. Domingo towards the coloured people; whose condition was in truth much worse than that of the same class in the British colonies, and not to be justified on any principle of example or reason.

In many respects their situation was even more degrading and wretched than that of the enslaved negroes in any part of the West Indies; all of whom have masters that are interested in their preservation, and many of whom find in those masters powerful friends and vigilant protectors. Although released from the dominion of individuals, yet the free men of colour in all the French islands were still considered as the property of the publick, and as publick property they were obnoxious to the

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the caprice and tyranny of all those whom the accident of birth had placed above them. By the colonial governments they were treated as slaves in the strictest sense; compelled, on attaining the age of manhood, to serve three years in a military establishment called the *maréchaussée (e)*, and on the expiration of that term they were subject, great part of the year, to the burthen of the *corvées*;—a species of labour allotted for the repair of the highways, of which the hardships were insupportable. They were compelled moreover to serve in the militia of the province or quarter to which they belonged, without pay or allowance of any kind, and in the horse or foot, at the pleasure of the commanding officer; and obliged also to supply themselves, at their own expence, with arms, ammunition, and accoutrements. Their days of muster were frequent, and the rigour with which the King's lieutenants, majors, and aides-major, enforced their authority on those occasions over these people, had degenerated into the basest tyranny.

THEY were forbidden to hold any publick office, trust, or employment, however insignificant; they were not even allowed to exercise any of those professions, to which some sort of liberal education is supposed to be necessary. All the naval and military departments, all degrees in law, physick, and divinity, were appropriated exclusively by the whites. A mulatto could not

(e) It consisted of certain companies of infantry, which were chiefly employed as *rangers* in clearing the woods of *maron* or runaway slaves. This establishment was afterwards very prudently dissolved, and the companies disbanded; it appearing that the mulattoes acquired, by communication with each other, a sense of common interest and of common strength, which was beginning to render them formidable to their employers.

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be a priest, nor a lawyer, nor a physician, nor a surgeon, nor an apothecary, nor a schoolmaster. Neither did the distinction of colour terminate, as in the British West Indies, with the third generation. There was no law, nor custom, that allowed the privileges of a white person to any descendant from an African, however remote the origin. The taint in the blood was incurable, and spread to the latest posterity. Hence no white man, who had the smallest pretensions to character, would ever think of marriage with a negro or mulatto woman: such a step would immediately have terminated in his disgrace and ruin.

UNDER the pressure of these accumulated grievances, hope itself, too frequently the only solace of the wretched, was denied to these unfortunate people; for the courts of criminal jurisdiction, adopting the popular prejudices against them, gave effect and permanency to the system. A man of colour being prosecutor (a circumstance in truth which seldom occurred) must have made out a strong case indeed, if at any time he obtained the conviction of a white person. On the other hand, the whites never failed to procure prompt and speedy justice against the mulattoes. To mark more strongly the distinction between the two classes, the law declared that if a free man of colour presumed to strike a white person of whatever condition, his right hand should be cut off; while a white man, for a similar assault on a free mulatto, was dismissed on the payment of an insignificant fine.

IN extenuation of this horrible detail, it may be said with truth that the manners of the white inhabitants softened, in

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some measure, the severity of their laws: thus, in the case last mentioned, the universal abhorrence which would have attended an enforcement of the penalty, made the law a dead letter. It was the same with the Roman law of the Twelve Tables, by which a father was allowed to inflict the punishment of death on his own child:—manners, not law, prevented the exertion of a power so unnatural and odious.

BUT the circumstance which contributed most to afford the coloured people of St. Domingo protection, was the privilege they possessed of acquiring and holding property to any amount. Several of them were the owners of considerable estates; and so prevalent was the influence of money throughout the colony, that many of the great officers in the administration of government scrupled not secretly to become their pensioners. Such of the coloured people therefore as had happily the means of gratifying the venality of their superiors, were secure enough in their persons; although the same circumstance made them more pointedly the objects of hatred and envy to the lower orders of the whites.

THE next enslaved negroes, and lowest, class of people in the French islands were the negroes in a state of slavery; of whom, in the year 1789, St. Domingo contained no less than 480,000. It was in favour of this class that Louis XIV in the year 1685, published the celebrated edict, or code of regulations, which is well known to the world under the title of the *Code Noir*; and it must be allowed, that many of its provisions breathe a spirit of tenderness and philanthropy which reflects honour on the memory of its