By JUSTIN LABINJOH

The Sexual Life of the Oppressed: An Examination of the Family Life of Ante-Bellum Slaves

SLAVERY HAS BEEN BLAMED, often dishonestly and usually out of ignorance, for every ill that the "experts" diagnose in the life of black Americans. One such diagnosis is the prevailing notion that the commonly observed matrifocality of many black families in America today is a legacy of slavery. In slavery, it has been said, the blacks' experience was of broken families and fatherless homes. Socialized into deviant norms of loose sexual practice and weak familial relationship, the blacks can no longer maintain an enduring family cohesion.

This paper seeks to challenge that viewpoint, and suggests that the slaves, especially in ante-bellum America, did have fairly stable families. Historical interpretations have missed the implication of the fact that by the nineteenth century, slavery in the United States was a mature institution. Slaveholders' treatment of their chattels was no longer defined by the prescriptions of law. It was by now circumscribed by the sheer functional exigencies of plantation life, together with the more powerful factors of local sentiment and community pressure. Historians overlook this point because the slaves as objects have been the central theme in the interpretation of black history; slaves have been disregarded generally as active participants in a social process. For example, because slave marriage was not recognized in law, it has been deducted that family life could not have existed among the slaves. Through the use of plantation records and slave narratives, this paper, in a manner of speaking "asked" the slaves and their masters what actually happened. Fortunately for posterity, the slaveholders kept detailed records of their business — records which reveal the deeper human side of the peculiar institution and tell us more than we can learn from formal rules. Some of the slaves also told their own side of the story in the famous slave narratives which again reveal the frustrations, fears, sexual desires and emotional needs of these dehumanized beings.

This section examines the pressure of the institution of slavery on the slaves' social life, particularly on their marriage and family organizations. The perspective is comparative but seeks to avoid the inaccuracies caused sometimes either by over-generalizations or by a tendency to cloak a particular slave society in unique colors.[1] The underlying as-

[1] Elkins, for example, described the United States slave system as "unique *sui generis*." One only wishes he had looked deeper into its reality. Stanley M. Elkins, *Slavery: A Problem in American Institutional and Intellectual Life* (New York, 1963), p. 63.

sumption is that the extent to which any slave institution could develop and endure would depend on the degree of freedom permitted the slaves.

Stanley M. Elkins seems to infer that Latin American slaves enjoyed certain institutional protection that the Old South slaves lacked: "In the slave system of the United States so finely circumscribed and so clearly self-contained virtually all avenues of recourse for the slave, all lines of communication to society at large, originated and ended with the master."[2] On the other hand, both the Church and the state protected the slaves' humanity in the Latin countries. In Cuba and Brazil, for example, slaves were married in church and the banns published. "In extending its moral authority over men of every condition, the church naturally insisted on bringing slave unions under the holy sacraments."[3] This was not the case in the Old South; slaves usually got married on the plantations with or without the presence of a preacher, black or white. In most cases the plantation owner simply joined the couple together in a simple ceremony lasting a few minutes. Again in the Latin societies slaves owned by different masters were neither prevented from marrying, nor could they be kept separate after marriage. In 1885 the Archbishop of Bahia — the chief churchman in Brazil — ruled that no master could prevent a slave from marrying or separate him from his spouse by selling. In case of an obstinate master, a slave could marry against his master's will as long as he could demonstrate that he knew the Christian doctrine. This included the Lord's prayer, the Ave Maria, the Creed, and the Commandments; an understanding of the obligations of holy matrimony; and a clear intention to remain married for life[4] — a formidable set of requirements for an untutored slave perhaps, but certainly an instrument of freedom. In circumstances where the plantations were distant, the wife was to go with her husband, and a fair price was to be fixed by impartial persons for her sale to the husband's master.[5] In the Old South, on the other hand, the planters discouraged inter-plantation marriages between slaves, and where such marriages could not be avoided, the spouses were allowed to exchange visits only at weekends. As for the Church, it was powerless. Said Elkins, "Its rural congregations were full of humane and decent Christians, but as an institution of authority and power it had no real existence."

The sanctity of marriage was also protected by the law in Latin America. Despite many legal disabilities, Perdigao Malheiro, an authority on Brazilian slave law, points out that under three circumstances a Brazilian slave had standing in court: (a) in regard to spiritual matters, such as marriage; (b) in regard to his own liberty; and (c) in matters of obvious public concern.[6] The important one for our present purpose is

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[2] *Ibid.*
[3] *Ibid.*, p. 73.
[4] Carl N. Degler, *Neither Black nor White: Slavery and Race Relations in Brazil and the United States*, (New York, 1971).
[5] Harry Johnson, *The Negro in the New World* (London, 1910), pp. 44-45.
[6] Quoted in Degler, *op. cit.*

that in regard to marriage. A Spanish slave code of 1789 quoted by Johnson said "The master of slaves must not allow the unlawful intercourse of the two sexes, but must encourage matrimony." And although slaves were allowed "to divert themselves innocently" on holy days, the males were to be kept apart from the females.[7] This was because in Latin America, concubinage was condemned as licentious, adulterous and immoral; and as Elkins tells us, the Jesuits in Brazil labored mightily to regularize the libertinage of the master class by the sacrament of Christian marriage.

In the United States the legal situation was different, as summarized in the words of Thomas R. R. Cobb of Georgia: "The contract of marriage not being recognized among slaves, none of its consequences follow."[8] A North Carolina judge wrote in 1858, "The relation between slaves is essentially different from that of man and wife joined in lawful wedlock ... with slaves it may be dissolved at the pleasure of either party, or by the sale of one or both, depending on the caprice or necessity of the owners."[9] That the law completely disregarded the slave family in the Old South was more than shown by the jurists in Frazier v. Spear case (1811), who declared that "the father of a slave is unknown to our law."[10] If the father was unknown, by logical extension, the "husband" was unknown; and when there is no husband, the concept of "wife" is meaningless. That is why the practice in the Old South seems logical whereby a slave child took the status of his mother; after all, she bred the child no matter who was her partner in bed. That partner could even be her master — and so he often was. "A slave has never maintained an action against the violator of his bed," opined the Attorney-General of Maryland, Daniel Dulany: "A slave is not admonished for incontinence, or punished for fornication or adultery; never prosecuted for bigamy, or petty treason for killing a husband being a slave, any more than admitted to an appeal for murder."[11]

From all the above one gets a single impression: that Latin-American slaves were more fortunate than their Old South counterparts because the structure of laws and religion found a place for them in its heart. "What it came to," said Elkins about the Latin slaves

> ... was that three formidable interests — the crown, the planter, and the church, were deeply concerned with the system, that these concerns were in certain ways competing, and that the product of this balance of power left its profound impress on the actual legal and customary sanctions governing the status and treatment of slaves. These sanctions were by no means what they would have been had it

[7] Johnson, *op. cit.*
[8] Thomas R. R. Cobb, *An Inquiry into the Law of Slavery in the United States of America* (Philadelphia, 1858).
[9] Quoted in Helen T. Cotterall, *Judicial Cases Concerning American Slavery and the Negro* (Washington, 1926).
[10] *Ibid.*
[11] William Goodell, *The American Slave Code in Theory and Practice* (New York, 1853).

> been left to the planting class alone to develop them systematically with reference only to the requirements of a labor system.[12]

The truth, however, and what Elkins failed to perceive and therefore dismissed, was that the planters in both Latin and Anglo-Saxon slave societies simply ignored the institutional prescriptions and behaved as dictated by the "requirements of a labor system" and the exigencies of social life.

There are two implications of the theory that Latin slaves were better protected. One is an assumption that the prescriptions of law and the church were translated into action and that in their day-to-day life the slaves were well treated. The second rests on the hypothesis made above: to the extent that the slaves were "free," certain stable social relations should emerge. In this case, since the married life of the Latin slaves was protected by formal rules, there should be less evidence of family disorganization.

Careful analyses of documents, however, reveal a wide gap between the demands of formal rules and the reality of daily life. For local sentiments, customs, conventions and the consequent community pressure became stronger in molding the planters' actions and laws. "The point is not at all what happened to a violator of conventions" says Genovese, "but the extent to which the overwhelming majority of slaveholders internalized conventional values."[13] Planters in both types of societies behaved in similar fashions, so one group of slaves did not enjoy greater freedom in essence than another group. If anything, it can be asserted with greater confidence that in the nineteenth century the Old South slaves were better treated in certain areas of life than their Latin American counterparts.

Let us examine the flaw in the first implication mentioned above. The Catholic Church in Ibero-American slave societies formally defended the moral personality of the slave from a position of independent institutional strength; but as C. R. Boxer has shown, the clergy participated in every horror associated with the slave trade. By the middle of the seventeenth century we are told Catholic proselytism in the Congo and Angola (Brazilian main sources of slaves) had spent its force. This failure was due to the greed of the clergy in pursuing slave-trade profits, and to the generally venal character of priests and other officials, both secular and lay.[14] As Boxer explains in another work, all these people, including the governor of Angola, drew their salaries from the proceeds of the trade. The Holy House of Mercy at Luanda, the Municipal Council, and the Chief missionary agency — *Junta das missoes* — lived off the trade.[15]

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[12] Elkins, *op. cit.*, p. 71.
[13] Eugene D. Genovese, *In Red and Black: Marxian Explorations in Southern and Afro-American History* (London, 1971).
[14] C. R. Boxer, *Race Relations in the Portuguese Colonial Empire, 1485-1825* (Oxford, 1963).
[15] C. R. Boxer, *Portuguese Society in the Tropics: The Municipal Councils of Goa, Macao, Bahia and Luanda, 1510-1800* (Oxford, 1965).

How effective the Church was in protecting slaves depended in large measure on the clergy's relationship with the planter class. The Brazilian priesthood was increasingly recruited from the local aristocracy, and the local chaplain, because he often had more to do with the planters than with the bishops, depended more on the former. He also had great deference for the slaveholders because the sugar planter, though a devout Catholic, "was a sort of Phillip II in regard to the Church: he considered himself more powerful than the bishops or abbots."[16] In view of this, it should not be difficult to imagine on whose side the clergy was — the slave who the church officially protected, or the planter on whom he depended. And if anyone is in doubt, the following statement of a priest to a group of planters should settle the issue: "Confession is the antidote to insurrection, because the confessor makes the slave see that his master is in the place of his father to whom he owes love, respect and obedience."[17]

Again, the abolitionists in Brazil did not consider the Church sympathetic to their cause. The Brazilian abolitionist, Anselmo Fonseca, condemned the clergy for its lack of interest in the cause of abolition. He observed that in 1871, when anti-slavery statesmen fought for the law of the free womb for slave mothers, the church was silent. He also recalled that in 1873-74, when the church sought to combat Freemasonry in Brazil, two of its bishops went to prison rather than accede to the power of the Emperor. "Why did not the Bishops... show the solidarity and courage and the energy" against slavery in 1871, "with which in 1873-74 they combatted masonry and the government?" Perhaps slavery "still had much vitality," noted Fonseca sarcastically; "It was dangerous to take it on frontally."[18]

However, although the Church in Brazil did not interpose itself between slave and master in order to protect the former, it allowed slaves to join charitable brotherhoods. Often these brotherhoods helped to buy the freedom of a slave, and provided a life beyond slavery for its members. These brotherhoods had no counterpart in the Old South. But in the United States more priests resided on plantations, and visits were more common than in Latin countries. Also, in the United States, Methodists, Baptists, and especially Presbyterian churches dispatched extensive missions to the slaves in the South. As in Iberian America, slaves were church members from the beginning of slavery. In the nineteenth century, some Baptist churches even ordained slave members as preachers, and in one episcopal diocese in Louisiana Negro members outnumbered the whites.[19] But these church affiliations had no restraining influence on the Southern planters' treatment of their slaves.

[16] Gilberto Freyre, *New World in the Tropics: The Culture of Modern Brazil* (New York, 1963).
[17] Quoted in Degler, *op. cit.*, p. 35.
[18] *Ibid.*
[19] Orville W. Taylor, *Negro Slavery in Arkansas* (Durham, 1958); Joe G. Taylor, *Negro Slavery in Louisiana* (Baton Rouge, 1963); Donald G. Matthews, *Slavery and Methodism* (Princeton, 1965).

As for the state's power, the force of custom and sentiment generally prevailed over the force of law or institutional interference in both Catholic and Protestant slave societies; "the power of the great planters was indeed feudalistic" says Freyre, "their patriarchalism being hardly restrained by civil laws."[20] The Portugese crown could legislate in any manner it wished, and so later could the Emperor of Brazil, but local power resided with the *senhores. Las siete Partidas,* the legal framework which Elkins relied on for his thesis, was as ineffective in curtailing the powers of the planters as the similar *Real Cedula* of the Spanish societies. As David Brion Davis said, "There are many indications . . . that Spanish planters paid little attention to the law."[21] What then, were the consequences for the slaves? They seem worse off in Iberian societies where laws formally protected them than in the Old South where the laws did not. Gilberto Freyre has told of widespread murders of slaves in Brazil by enraged masters. Even in the nineteenth century, slaves were being whipped to death in the presence of all hands. The law was against it, but the *senhores* who controlled the police apparatus supported the doctors who falsified the death certificates. Any Brazilian slave who had the courage to complain to the police about excessive punishment soon learned his lesson: the police gave him a double dose. And as Genovese has observed, "If the law mattered much, we need to know the reason for the repeated re-enactment of legislation to protect slaves. The famous Rio Branco Law of 1871, for example, granted slave rights they were supposed to have enjoyed for centuries, and these too remained largely unrespected."[22]

The law did not protect the slaves in Anglo-Saxon America, so no slave found it necessary to go to the police. But the double nature of the slave as thing and man was certainly recognized; as a result every Southern planter knew intuitively the limits of his power as imposed by the prevailing standards of decency in his community. If he exceeded those limits he would be ostracized by disapproving neighbors. Wanton killing of slaves had certainly disappeared in the nineteenth century Old South, and slaveholders often left the whipping of their slaves to the overseers, whom they had previously warned against enthusiastic cruelty. Roman Catholicism certainly did not extend the Latin planters' humanity to slaves.

In examining the day-to-day experiences of the slaves, it has been pointed out that Brazilian planters took the precaution to lock up their allegedly well-treated slaves, including house servants, every night. In order to do so, the Brazilians had to build tight, often windowless, escape-proof cabins. Thus Brazilian slave quarters were generally inferior to those in the United States,[23] and in one case, if we can credit the

[20] Freyre, *op. cit.*
[21] David B. Davis, *The Problem of Slavery in Western Culture* (Ithaca, 1966).
[22] Genovese, *op. cit.*, p. 81.
[23] Laura Foner and Eugene D. Genovese, eds., *Slavery in the New World: A Reader in Comparative History* (Englewood Cliffs, 1969); see the article by Genovese on "The Treatment of Slaves in Different Countries."

evidence, a diametric opposite: James R. Sparkman once mentioned that "my negroes locked me and my family up every night and frequently went off with the keys in their pockets." (Not surprising, however, "the smiles of incredulity and unbelief" on the faces of Sparkman's audience.)[24]

Let us now turn to the second implication, mentioned above, of the possibility of less family disorganization among the Latin American slaves. The hypothesis advanced is that to the extent that the slaves were free, they would develop increasingly stable institutions. As we have seen, the prescriptions of both the law and the Church created areas of freedom for the Latin slaves; but as we have further discovered, the force of custom and sentiment generally prevailed over the force of law. It is therefore quite possible that as high or even higher a percentage of Southern slaves lived in stable family units than did Latin American. One explanatory factor pointed out by Genovese is that in Brazil and in the Caribbean, male slaves greatly outnumbered female. Genovese, however, goes on to make a questionable assertion that "in the United States the sexes were numerically equal."[25] Assuming this as a fact, we need to know why slaves on many plantations begged their masters to purchase wives for them because there were few or no women around. As a historical fact, Genovese's assertion needs more proof. For as Billingsley has pointed out: "The preponderance of men was so great that until, in later years, it was necessary for the European government to require that at least a third of the slaves sold in the New World should be female. In spite of this practice, on many plantations men outnumbered women by nine to one."[26]

There are, however, more viable factors casting doubt on the theory of greater stability of the Iberian slave family. In Latin America, especially Brazil, although the social distance between masters and slaves corresponded with differences in color, it lacked the profound racialism of the Southern United States. Says Gilberto Freyre,

> Those hatreds due to class or caste, extended and at times disguised, in the form of race hatred, such as marked the history of other slave-holding areas in the Americas were seldom carried to any such extreme in Brazil. The absence of violent rancors due to race constitutes one of the peculiarities of the feudal system in the tropics, a system that, in a manner of speaking, had been softened ... by the effects of a miscegenation that tended to dissolve such prejudices.[27]

The average Brazilian did not find black skin as repugnant as the Anglo-Saxon Southerners did. The reason has a long history behind it which Freyre again supplies:

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[24] J. H. Easterby, *The South Carolina Rice Plantation: As Revealed in the Papers of Robert F. W. Allston* (Chicago, 1945), p. 345.
[25] Genovese, *In Red and Black, op. cit.*, p. 87.
[26] Andrew Billingsley, *Black Families in White America* (Englewood Cliffs, 1968).
[27] Gilberto Freyre, *The Masters and the Slaves*, (New York, 1956), p. xii.

> The Portuguese were a people who had experienced the rule of the Moors, a dark-skinned race but one that was superior to the white race in various aspects of its moral and material culture; and accordingly, though they themselves might be white and even of a pronounced blond type, they had long since formed the habit of discovering in colored peoples . . . persons, human beings, who were brothers, creatures and children of God with whom it was possible to fraternize, and with whom as a matter of fact, their forebears had had fraternal relations.

Since therefore miscegenation was not as violently frowned on in Iberian as in Anglo-Saxon America, and since black body was not regarded as defiling to white body, it is to be expected that a greater proportion of female slaves would be violated in Latin America. Greater moral freedom does not necessarily mean greater promiscuity or licentiousness among a people — especially a religious people. Incidentally, however, it meant that in this context because of the presence of an important push factor. In Brazil, from the first half of the sixteenth century there was a scarcity of white women. This created, in the words of Freyre, "zones of fraternization between conquerors and conquered, between masters and slaves." In the United States where there was no such demographic excuse, masters still violated the slave women and the slave family; what can we then expect in Latin America where the demographic situation constituted a valid reason? What this probably meant was that where the master's bedmate was married, the husband would be sold to avoid trouble on the plantation. The only happy note is that unlike in the Southern United States, many Latin planters ended up marrying their slaves. "While these relations between white men and colored women did not cease to be those of 'superiors' with 'inferiors,' and in the majority of cases those of disillusioned and sadistic gentlemen with passive slave girls, they were mitigated by the need that was felt by many colonists of founding a family under such circumstances and upon such a basis as this." The consequence for Brazil of this fraternization is not difficult to perceive: "The majority of our countrymen are the near descendants either of masters or of slaves, and many of them sprung from the union of slave-owners with slave women."[28]

In spite of destructive institutional pressures a thorough examination of plantation records and planters' diaries yields certain revelations which plainly challenge the prevailing notions about kinship ties among the Negro slaves. The irony is that the institution which by its very nature was destructive of slave family cohesion subsequently realized that its own stability depended on keeping the Negroes together in family units and in encouraging and preserving such groupings for as long as possible.

[28] *Ibid.*

Social institutions are created by man for his own use; after a while, however, the institutions tend to assume a life of their own larger than (or sometimes different from) that intended by their creator. The man who carved a god and builds a temple around it is the master of the institution he has just made. After some time, he enters the temple with trepidation and fears the god he made with his own hands.[29] The peculiar institution was no exception. Said James W. C. Pennington, a fugitive slave: "Talk not then about kind and Christian masters. They are not masters of the system. The system is master of them; and the slaves are their vassals."[30] Pennington's perception could not be more accurate. The sheer functional exigencies of the plantation dictated the actions and behaviors of the planters, modifying their values and beliefs all along.

U. B. Phillips has argued that the slaves' standard of material comfort rose steadily during the nineteenth century and Kenneth Stampp comes to a similar conclusion. But neither men really explains why. The fact is that after more than two hundred years slavery had become a pre-eminent institution, and plantation management was no longer a commonsensual, haphazard operation but a "scientific" and fairly informed business.

Plantation records show that by the middle of the nineteenth century, a system had evolved whereby plantation management could be divided into four aspects, with separate rules for each. They were: scientific farming; the selection of the overseer; slave management; and economic operation, *i.e.* the production and sale of farm products. (To avoid digression, we will be concerned here only with the management of slaves.) This rational perception of plantation management must have evolved slowly over the years, and was certainly dictated by the desire for profit maximization and the need to reduce losses. Natural hazards such as an untimely death of a slave or large-scale destruction of crops, must have been the planters' worst enemies.

This emergent rationality shaped the management of slaves. Wise planters had come to realize that the slaves' happiness was as important as the careful cultivation of land. Hugh Davis, for example, explaining his general rules, declared that "the principle is that the plantation must be governed by a code of love suited to the patriarchal rather than the civil."[31] A list of regulations accompanying an overseer's contract began: "Humanity as well as policy would dictate that my negroes will be well fed and clothed and comfortably lodged."[32] Another contract signed in 1822 enjoined one William T. Thompson to oversee the two plantations of a Mrs. Blyth "in a planter like manner, with care, skill,

[29] Peter L. Berger and T. Luckman, *The Sowal Construction of Reality* (Garden City, 1966).
[30] Arna Bontemps, *Great Slave Narratives* (Boston, 1969), p. 198.
[31] W. T. Jordan, *Hugh Davis and his Alabama Plantation* (University, Alabama, 1948).
[32] W. E. Cornwall to William P. Gould, Feb. 1856: William P. Gould Papers. Also quoted in Charles S. Davis, *The Cotton Kingdom in Alabama* (Alabama State Department of Archives and History, Montgomery, 1939).

fidelity, sobriety, and ability, and more especially with moderation, and humanity to the negroes."[33] It was out of this "humanity" and policy, out of the principle and code of love that the slaves' human desires were encouraged to be satisfied. One such desire was the slaves' wish to marry.

It must be remembered that slaves' marriages were not legally recognized in the South. But the authority and attitudes of the slaveholders there as elsewhere were circumscribed less by law than by customs and conventions. Planters in the ante-bellum South not only did not discourage marriage among their slaves; in some cases they encouraged it, and even instructed their "people" to get married. "If master seen two slaves together too much," narrated a former slave, "he would tell 'em dey was married. Hit didn't make no difference if you wanted to or not; he would put you in de same cabin an' make you live together."[34] The common practice however was that if two slaves were in love they asked their master for permission to get married, which was usually granted. In the case of an absentee planter, the overseer often gave the permission. "Jim asked me to let him have Martha for a wife," wrote an overseer to his employer, "so I have gave them Leaf to Marry. both of them is very smart and I think they are well matched." In the same letter he further mentioned: "also Lafayette Renty asked for Leaf to Marry Lear. I also gave them Leaf."[35] James W. C. Pennington, a former Maryland slave, described what happened on his master's plantation: "Some of my master's slaves who had families were regularly married, and others were not; the law makes no provision for such marriages, and the only provision made by the master was that they should obtain his leave. In some cases, after obtaining leave to take his wife, the slave would ask further leave to go to a minister and be married. I never knew him to deny such a request."[36]

Masters did, however, deny some such requests — or at least, strongly objected — if the slave's intended spouse lived on another plantation. One of planter Bennet Barrow's "Rules of Highland Plantation" was that "No negro shall be allowed to marry out of the plantation."[37] W. Sweet, an overseer, wrote to his master, Adele Petigru Allston, in October, 1864, that he had refused two slaves' request to have husbands. His reason, he said, was that the desired men belonged to other owners. "I cannot allow them to have husbands off the plantation without your consent." But he kindly added, "Boat of the men has Brough gwod Recomindations."[38] One reason for this stipulation of the planters was that slaves would have

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[33] Easterby, *op. cit.*, p. 245.
[34] Milton Meltzer, ed., *In Their Own Words: A History of the American Negro 1619-1865* (New York, 1954), p. 46-47.
[35] U. B. Phillips and J. D. Glunt, eds., *Florida Plantation Records from the Papers of George Noble Jones* (Missouri Historical Society, 1927).
[36] "The Fugitive Blacksmith" in Bontemps, *op. cit.*, p. 255.
[37] E. A. Davis, *Plantation Life in the Florida Parishes of Louisiana, 1836-1846. As Reflected in the Diary of Benne H. Barrow* (New York, 1943).
[38] Easterby, *op. cit.*, p. 308.

an excuse to visit other plantations to see their husbands or wives; they would probably overstay such visits at the expense of their work, and might even be corrupted by other slaves. The more important reason, however, was economic. Any offspring of slave marriages belonged to the owner of the female slave, which was naturally a loss to the owner of the male slave who fathered them. There was another economic reason. Henry Bibb's master opposed his marriage intention "Because he feared my taking off from his farm some of the fruits of my own labour for Malinda to eat, in the shape of pigs, chickens, or turkeys, and (I) would count it not robbery."[39]

If to the planters it was ideal if slaves picked their partners on the same plantation, for slaves, the contrary was in one sense at least the preference. The thought of standing by helplessly while their wives or husbands were being severely whipped was unbearable: "To be compelled to stand by and see you whip and slash my wife without mercy, when I could afford her no protection, not even by offering myself to suffer the lash in her place, was more than I felt it to be the duty of a slave husband to endure," wrote a runaway slave to his master.[40]

In many cases, however, inter-plantation marriages were allowed, especially if the masters were good neighbors; or if the slaves involved had good recommendations — as suggested by overseer W. Sweet's letter quoted above. Where this happened, husbands and wives were allowed to exchange visits. "Three or four of our hands had their wives and families on other plantations," said Pennington. "In such cases, it is the custom in Maryland to allow the men to go on Saturday evening to see their families, stay over the sabbath, and return on Monday morning, not later than half-an-hour by sun. To overstay their time is a grave fault for which, especially at busy seasons, they are punished."[41] The "custom" was not peculiar to Maryland, for in Kentucky Henry Bibb was permitted to visit his wife "only on Saturday nights" after his work was done, and he had "to be back home before sunrise on Monday mornings or take a flogging."[42]

When there were no women around for the slaves to marry, some planters went out of their way to purchase female slaves. "Marsa used to sometimes pick our wives fo' us," said an ex-slave. "If he didn't have on his place enough women for the men, he would wait on de side of de road till a big wagon loaded with slaves come by. Den Marsa would stop de ole nigger-trader and buy you a woman. Wasn't no use tryin' to pick one, cause Marsa wastn't gonna pay but so much for her. All he wanted was a young healthy one who looked like she could have children, whether she was purty or ugly as sin."[43] After selecting a partner, slaves gen-

[39] Gilbert Osofsky, ed., *Puttin' On Ole Massa* (New York, 1967), p. 79.
[40] Quoted in Billingsley, *op. cit.*, p. 62.
[41] Bontemps. *op. cit.*, p. 210.
[42] Osofsky, *op. cit.*, p. 80.
[43] Meltzer, *op. cit.*, pp. 46-47.

erally had some sort of wedding. Usually a black preacher joined the two together in a simple ceremony "till death or distance do you part." When no negro preacher was available, the master simply pronounced the couple man and wife. As at any wedding, the slaves had their own fun. "When I was quite a girl," recalled an ex-slave, "I went to a colored person's wedding. . . . He (the bride's master) dressed her up all in red — red dress, red band and rosette around her head, and a red sash with a big red bow. . . . After the ceremony, there was a dance. She and her husband belonged to the church and they didn't dance, but the rest of them did, and the white men and women were standing 'round looking at them dance all night."[44] Henry Bibb also talked of his "wedding party" where "we had quite a festival given us."[45] The slaves might not be able to invoke good luck by tying horse-shoes to wedding cars or throwing rice, but they had their own share of superstition. "When you married, you had to jump over a broom three times. Dat was de license."[46]

One sad irony of the slave life was that though oppressed and regarded as of little value as humans, these wretched people imposed on themselves a system of differential evaluation based on their masters' statuses. We find in some cases slave mothers stoutly against their daughters' marriages to a certain class of slave because the latter were regarded as of low status or because they had no promising future. Henry Bibb's mother-in-law opposed him because she wanted her daughter to marry a slave who belonged to a very rich man living nearby, and was well known to be the son of his master. "She thought no doubt that his master or father might chance to set him free before he died which would enable him to do a better part by her daughter than I could."[47] Also, house servants rarely married field hands.

Slaves were not fortunate enough to enjoy honeymoons. But since many of them had the good sense to marry during festival times, it can be assumed that the newlyweds had a kind of after-wedding holiday. Christmas holidays, for example, usually lasted a few days. Immediately after, however, both man and wife were back on the field toiling under the threat of the lash.

The popular image of the slave-cabin as a one-roomed log house, with up to six slaves to a room lying promiscuously side by side, was created mostly by travellers to the South. And for most of the history of slavery it is a correct image. With the general improvements of the ante-bellum plantations, however, the slave quarter was seen as an aspect of plantation management to be dealt with separately. Most planters made sure that the quarters were regularly (usually weekly) cleaned and disinfected; the slaves themselves often spent some time at weekends doing

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[44] *Unwritten History of Slavery: Autobiographical Accounts of Negro Ex-slaves* (Fisk University Social Science Institute Micro Card Editions, Washington, D.C., 1968), pp. 3-4.
[45] Bontemps, *op. cit.*
[46] Meltzer, *op. cit.*
[47] Osofsky, *op. cit.*

general repairs. But more significant for this paper is that family cabins for the married slaves had now become a normal feature of the architecture of the slave quarters. Each such cabin was usually designed to house two families. On El Destino plantation, Phillips and Glunt found quarters which were one-storey hewn log houses "divided in the middle and apparently designed to house two families."[48] In a letter to Benjamin Allston on March 10, 1858, James R. Sparkman included a separate enclosure which gave a description of life among the slaves. This "inclosure" was apparently intended to be sent later to Thomas R. R. Cobb, one of the critics of slavery. There, Sparkman devoted a small section to a description of his own slaves' quarters: "Mine are well framed building 18 by 22 feet, of best material. Hewn or sawed frames, milled weather boarding, cover'd with best Cypress shingles, raised 2 feet from the ground, flooring closely jointed, glased lights to each room, and large fire places or chimneys made of composition of clay, sand and tar, as a substitute for brick, to which it is quite equal if properly done. Each house contains a hall and 2 sleeping apartments and is intended to accommodate an average of five people to one family."[49] This not only reveals the ante-bellum planters' concern for improvement in the slaves' quality of life, but also a recognition of slave familial relationships. Notice Sparkman's use of the word *house* instead of *cabin* or *quarter* — a meaningful reflection, perhaps, of the planter's attitude to his laborers. A slave, his wife and an average of three children occupied a house normally inhabited by five adults.

That such family groupings had by this time become a normal part of the peculiar institution is reflected in the slaveholders' habit of listing their human property in family units, especially in the case of large slaveholders such as Benjamin Allston, who ultimately owned five hundred hands, in order to facilitate easy accounting. For example, "the negroes at George Jones' Chemonie plantation on April 5th. 1851" were listed in this manner:[50]

[48] Phillips and Glunt, *op. cit.*
[49] Easterby, *op. cit.*, p. 348.
[50] Chemonie Journal.

La Fayette Renty
Harriet and infant
Flora
Dick
Brave Boy

Minda (wife of Jacob)

Chesley
Eve
Demps

Peggy
Dicky
Daphne
Phoebe

Cow Renty
Kate and infant
Peggy
Betty

Phillis (Renty's cousin)
July

Jacob
Netta and infant
Caroline

Kate
Coleman

Sara
Jim

Boss Davy
Simon
Old Ben

Cupid
Sukey
Maria

Rose
William

Driver Billy
Betty
Maria
Binah

Ben Mongin
Short-foot Billy

Blind Peggy
Sappo
England
Francis

Prophet
Cinda and infant (Joe)
June

17 men who draw clothes
17 women
16 children

50

The brackets doubtless indicate family grouping. Minda (wife of Jacob) is listed on her own. This might be an example of inter-plantation marriage, meaning that Jacob belonged to another planter. On the other hand, he might have been dead or a runaway. Ten years later, the overseer on the same plantation, John Evans, compiled a list of the Negroes there, apparently at the request of an absentee owner. Many of the previous names were missing; some of them certainly dead — as shown in some other parts of the Chemonie journal. Again, the list was divided into family groups; in fact Evans headed the list:

"Negroes in Famileys on Chemoonie"

Jacob	
B. Mariah	
Caroline	
L. Cate	C+
George	C+
Prophet	
Sinder	
Joe	C
June	C
Simon	+
Fillis	
B. Peggy	
Frances	
York	C+
Rachel	C+
Cubet	
Lucky	
Esaw	
O.ben	
B. Dick	
Fanny	
Frank	C+
Sofa	C+
Eave	C+
England	
Sarah	
Molly	
Syke	C+
Rinah	C+
Doll	C+
Isaac	C
Siller	C+
O. Billy	
Betty	
Binner	C
Eaves	children
Demps	C+
Martha	C+
Patience	C+
Florida	C+
Rose	C+
B. Mungin	
Minder	
L. Renty	
Lear	
L. Dick	C
Braboy	C
Wallace	C
Ishmael	C+
Frinah	C+

At the end of the long list, abridged above, the overseer added his explanatory remarks: "I put a mark between Each Familey of Negroes and a C against theair children Names and a cross Mark against all the Children that dont work out. . . ."[51] Even when there were no dividing lines or brackets, one can still perceive families emerging out of a straight listing. For example, in 1850 Isaac Franklin's slaves at West Feliciana Parish in Louisiana were listed thus:

[51] Phillips and Glunt, *op. cit.*, p. 547-48.

Slaves	Age	
John Ford	23	griff
Watty Ford	21	
Andrew Ford	20	
Emiline, wife of John Ford	29	black
Allen Beadle	30	
Mahala, his wife	30	
Lydia, her child	14	
Joana, do	10	
Pleasant do	2	
Austin	35	griff
Rachel Hill, his wife	27	black
Lafayette, her child	11	griff
Georgianna do	5	
Austin do	3	
Melissa do	infant	

It is obvious that there are three families in this abridged list.

One point, however, is worth mentioning: not all the children listed under one family were necessarily the offspring of that union. Often, individual slaves brought into their marriage children from previous marriages and/or children born out of wedlock. There is no evidence that either partner objected to this practice — especially since in many cases they could not do much about it. It is difficult to accept the theory that this practice, in the nineteenth century, was a survival of the Negroes' African past, rather than a product of circumstances. First, the Negroes knew that both man and child were individual properties of the slaveholder, and that any parental possessiveness towards a child, or discrimination against the other children was therefore meaningless. Secondly, there was a consciousness of kinship emanating from an awareness of a common fate; that created a sense of solidarity. Finally, there was not that economic responsibility which impose strains on a normal marriage: the slave children were fed, clothed and cared for by the master. All these pressures created in the slaves attitudes and values towards sexual and extra-marital relationships not necessarily in keeping with Anglo-Saxon sentiment. These were attitudes of casualness and simplicity towards a union which, at that time and place, had become over-sacred and rigidified. The white planters, of course, contributed to this destruction of black sexual morality by, among other practices, using the female slaves as sexual objects. But the instinct of family consciousness prevailed nonetheless and some blacks were able to preserve a kind of family cohesion.

It is important at this stage to reopen the debate about the matrifocality of the slave family. The popular belief has been that any relatively stable families that survived were mother-centered because, for various reasons, the male heads had disappeared; moreover, that even when the male heads were present, the women were domineering, as a consequence

of the fact that they enjoyed better recognition and fairer treatment. The truth, as revealed by plantation journals and slave narratives, is not that one-sided. There certainly were numerous cases where families were listed with male heads conspicuously missing. Sometimes it was because the husband had been sold for being too troublesome; sometimes he lived on another plantation; in some cases, he had run away. In many cases all the children belonging to a particular slave woman were born out of wedlock, some of them fathered by the masters, and some by various men with whom the mother had had sexual relations. But unless a head count is made and the absolute number of mother-centered homes are found to be greater than father-centered homes, it is erroneous to assume the matrifocality of the slave family. In antebellum America there were numerous cases where the records did not show a man as the head of the family, but so were as many other cases where the man was shown to be present. Herbert Gutman has shown in his unpublished research that the complete family with the father present was characteristic of the black family, even immediately after emancipation. Gutman found that complete families constituted between 80 and 90 percent of the families he examined.[52]

One probable source of the matrifocal idea must have been the better treatment or the greater recognition that slave women enjoyed some of the time. Because slave breeding was to the economic advantage of the planters, they placed a special value on these women who had become "factors of production." Their husbands were useful enough as partners in procreation, but as "fathers" they had no place in the slaveholders' economic value-system. That was why children were often referred to as part of "Maria's family," or "Charlotte's family," never as the man's family. Overseer Jesse Whatley's return for December 1854 was a typical example of this obliteration of the slave father. He compiled this list thus:

[52] M. Degler, *op. cit.*, p. 174.

Slave Mothers and Children, El Destino, December 1854,

Children and there names[53]

Ester's family
Rimer
Mary
Rutha

Jane's Family
Mary
Elen

Barton Family
Fenton
Jiles
Pall

Melia's Family
Emily
Becker
Sarah
Eley

Mariahs Family
John
Charles
Sarah and Elick

Lucy B. Family
Larry

Tempy's Family
Robert
Rose and Limbeck

Ann's Fa(m)ily
Jerry
William

Rachels Family
Hariett;
Davy

Venas Family
Julia
Jack
Peggy
Hariat
Amey

Charlottes Family
Silvey

Had there not been previous lists of slaves on this plantation, one would not have realized that these children had fathers who lived with them at the time the above list was compiled.

Again, we know that a "good breeder" usually commanded a higher price on the auction block; and if these women were not ugly they often shared the master's beds. We also know that pregnant slaves were "indulgently" treated. Sometimes these women even had time off work. On the rice estate of P. C. Weston in South Carolina, for example, one of the rules was that "women with six children alive at any one time are allowed all Saturday to themselves."[54] With such privileges, it should not be surprising if the women developed an air of importance and behaved as if they controlled their household. It is easy then to get the impression of a matrifocal family structure.

Some historians have also contributed to this erroneous impression. To prove that the mother was "the mistress of the cabin" E. Franklin Frazier, for example, suggested that the slave woman could ask for a divorce at any time and surely get it — the underlying impression being that a similar request from the man would be rejected. Frazier quoted a Florida plantation journal where a slave asked the overseer for im-

[53] Phillips and Glunt, *op. cit.*, pp. 551-52.
[54] U. B. Phillips, *Plantation and Frontier Documents, 1649-1863*, Vol. I, (Cleveland, 1904).

mediate leave to separate from her husband because they were always quarreling and "on the account of his having so many children." "So I let them sepperate," wrote the overseer.[55] The truth is that it was just as easy for any slave husband to have similar requests granted. In actual fact, in this particular case, it appeared that the husband was the first to ask the overseer for permission to marry another woman called Lear. The request was granted; then his existing wife, Rose, asked permission for divorce — not necessarily as a consequence of the husband's request. The two requests were together the consequence of a marriage which appeared to have irretrievably broken down.

Unsubstantiated statements by another historian are not likely to correct this erroneous idea either. "Travellers in Africa have noticed that the women there have a marked ascendancy over the men," said J. S. Bassett, explaining why an overseer was having more trouble with the slave women. "These qualities," Bassett continued, "appeared in the slaves in the South."[56] The implication of this for an analysis of the slave family structure is obvious.

Records reveal however that although the women exploited any "priviledges" to their advantage whenever possible, they were by no means the dominant heads of their families where males were present. Instances were numerous where slaves disciplined their wives in ways more severe than the masters themselves normally practiced. And if fugitive slaves can be believed, they certainly give the impression that they were the masters of their own homes, punishing their wives for misdemeanors such as unnecessary gossipings or infidelity, suspected or real, and attempting to insure that their children never deviated from any standards they might set for them.

Franklin Frazier has an important point which enhances a patriarchal theory — a contradiction perhaps to his previously mentioned suggestion. He has pointed to the new plantation system of the late nineteenth and early twentieth century, where the tendency for the Negroes was to organize into working squads of husband, wife and children. The husband usually assumed a position of authority, and payments were given in his name. Frazier concludes from this that the participation of the father in semi-free economic activities for the maintenance of wife and children indicated that he had acquired strong interests in family structure before emancipation. That Frazier's perception is valid in this instance is further enhanced by another phenomenon. Time and again, fugitive slaves emphasized how reluctant they were to leave their wives and children behind, and how they struggled against all odds to retrieve these families, sometimes by helping them also to escape rather than buying them out. Often they failed, sometimes they succeeded. But the

[55] E. Franklin Frazier, *The Negro Family in the United States* (Chicago, 1966), p. 47.
[56] John Spencer Bassett, *The Southern Plantation Overseer. As Revealed in His Letters* (Northhampton, Mass., 1925), pp. 19-20.

important point is that a man who had the chance to get away from a family where he had no control, from a wife who dominated him, would hardly risk his life to go back in an attempt to retrieve that wife. The Negro slave certainly loved his family and did not shrink from exercising the little authority that was left to him.

Family consciousness manifested itself in other ways as well. When as a child Pennington saw his father being flogged by their master, there was nothing he could do; but the whole family shared the sorrow of the humiliation. "This act created an open rupture with our family," recalled the fugitive blacksmith, "each member felt the deep insult that had been inflicted upon our head; the spirit of the whole family was roused; we talked of it in our nightly gatherings, and showed it in our daily melancholy aspect."[57] The "nightly gatherings," the idea of "the spirit of the whole family" — all underly a strong kinship awareness. Another slave, Samuel Tayler, wrote to a woman planter in 1838, who apparently owned his family. He had been living in Mobile for about three years, he said, and was quite happy with his kind master, Samuel Jacques, a merchant. "But," he continued, "still my mind is always dwelling on home, *relations,* and friends which *I would give the world to see*" [my emphasis]. He therefore implored this woman to buy him so that he could be back among his people. He ended: "I beg you will write me how all my relations are, and inform them that I have enjoyed uninterrupted health since I came here. Remember me also to Sarah, my ma-ma, and Charlotte, my old fellow servant, and Amy Tayler."[58] Finally, what else can better demonstrate this kinship affection than the numerous stories of slaves persuading their prospective buyers to purchase their wives and children as well.

A final consideration of major importance for anyone wishing to demonstrate the relative stability of slave families is the length of time slaves remained married, especially on one plantation. Typically, slaves usually had between three and five, but sometimes more, masters in the course of their servitude. It appears that frequency of movement decreased with the increasing size of plantations. In other words, owners of large plantations tended to keep the same slaves for much longer than smaller planters who were frequently forced by fluctuating economic vicissitudes to sell their slaves. Slave autobiographies tend to reveal that the disruptions were caused most often by indebtedness, and subsequent forced sales. One slave told of his master who was always in debt because he had a passion for liquor. Whenever trouble came, which was often, this particular farmer quickly sold a slave to save himself from financial embarrassment. Many small planters sold their entire farms when times were bad, scattering their thirty or forty slaves.

[57] Bontemps, *op. cit.*, p. 211.
[58] Samuel Taylor to Elizabeth Frances Blyth, Mobile, Sept. 2, 1838, in Easterby, *op. cit.*, p. 339.

But some of the most heroic sections of the slave narratives deal with attempts of husbands and fathers to keep their families intact in the face of harsh realities. Henry Bibb's wife was afraid that she would be separated from her husband if he should not succeed in finding somebody to buy both of them. She need not fear, for clever Henry soon persuaded a prospective buyer called Whitfield who purchased not only Bibb and his wife but their child as well. Another slave called George was sold in Natchez by Isaac Franklin, the slave trader and planter. After collecting his few belongings, this slave returned and addressed his new owner with sincere supplication: "Young master, you never be sorry for buy George; I make you a good servant. But — beg pardon master — but — if master would be so good as buy Jane." "Who is Jane?" — "My wife, since I come from Wirginny (Virginia). She good wife and a good girl — she good seamstress an' good nurse — make nice shirts and eberyting." "Where is she, George?" "Here she be master" said he, pointing to a bright mulatto girl, about eighteen, with a genteel figure and a lively countenance, who was waiting with anxiety the reply of the planter. After some questions regarding her ability as ironer, nurse, and seamstress, the planter took her also.[59]

Often, slave buyers did not need such supplications. They saw it in their own interest to buy whole families, in order to keep the slaves happy, to insure peaceful operation of the plantation. Sometimes, a planter's main purpose for going to the market to buy slaves was to acquire his slaves' relatives. An instance was shown by this entry in the plantation records of Louis Marigault, 1833-1860, owner of the Gowrie and East Hermitage estates.

Negroes bought Feby 1839[60]

Brave Boy, Carpenter, 40 years old.
Phillis, his wife, 35.
Pompey, Phillis's son, 18
Jack B. Boy & Phillis's son, 16
Chloe child do do
Primus B. Boy's son 21
Cato child, B. Boy's son
Jenny (Blind) B. Boy's mother
Nelly's husband in town, 30
Betty, her sister's child who died — child
Affey Nelly's child — child 11
Louisa her sister's child who is dead — child, 10
Sarah, Nelly's child, 8
Jack, Nelly's carpenter boy, 18
Ishmel, Nelly's 16
Lappo Phillis x Brave boy's, 19
I paid cash for these 16 Negroes, $640. each — $10,240.00

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[59] W. N. Stephenson, *Isaac Franklin, Slave Trader and Planter* (Baton Rouge, 1938).
[60] Phillips, *Plantation and Frontier Documents*, *op. cit.*, p. 136.

This planter not only bought a man, his wife and their six children, he also had the kind nature to purchase the man's mother who was blind. Secondly, he purchased the husband of one of his slaves called Nelly, together with her children. Kinder still, he acquired the two children left by Nelly's sister who had died. Sixteen Negroes in all, but they were only two families.

So, some planters in their humanity which, granted, was often engendered by economic considerations, contributed in no small measure to the stability of the slave family. They also, unconsciously perhaps, encouraged group consciousness by giving certain privileges to heads of families. For example, the agreement by Robert Allston to purchase hogs from his slaves in 1859 stipulated that, "Every negroe who is the head of a family will be allow'd the privilege to keep one hog." Again James R. Sparkman explained that valuable slaves, family servants and "heads of families receive alike *extra* considerations and attention without reference or regard to cost."[61]

The death of a planter could cause disruptions among the slaves, but as there were instances where that happened, there were also many occasions where the family groupings were kept intact. In some cases entire estates were inherited by relatives of the deceased; in many cases wealthy planters simply bought whole estates or part of them, carefully avoiding separation of families. In 1884, George Noble Jones bought all the slaves belonging to the estate of William B. Nuttal. But the Allston family purchased in 1859 only forty-one slaves of Mrs. Withers from the remainder of the estate of "the late Francis Withers." Those forty-one hands consisted of nine families plus a single slave.

Slavery in its abstraction and in its practice was most unconducive to the stability of any emerging Negro social institution; but the slaveholders' paternalism (often referred to as humanity) together with the slaves' indestructable human desires and the more mature economic considerations conspired to sustain that most basic of human institutions.

This paper has attempted to show that amidst chaos there was stability. But one important point must be stressed. Many more slave families experienced disorganization than cohesion. One main reason is that only in large plantations did everything conspire to give the slaves a relatively stable life; and as we know, really large plantations were few. Half the slaves in the rural South lived on farms of twenty or fewer slaves — another 25 percent lived on plantations with twenty to fifty slaves. Only 25 percent or so lived on plantations of fifty or more, and of those, the overwhelming majority lived on units of less than one hundred — *i.e.*, units of about twenty slave families. This however does not mean that the majority of the slaves lacked family consciousness.

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[61] Easterby, *op. cit.*, p. 339.

There is a related observation. Those planters who treated their slaves best and who had greater respect for the slaves' desire to keep families were usually the well educated — many were practising physicians, and some either retired or gave up their work as attorneys to devote their time to plantation work.

The casualness surrounding the slaves' family life did not necessarily mean that immorality was not controlled. Many narratives reveal the slaves' respect for each other and show how seriously they regarded marriage. There certainly was promiscuity among the single slaves, but married ones had respect for each other's wives. And just in case any slave wanted to take liberty for licence, many planters had strict regulations to check such misbehavior.

As for the slaves, the only function that their families appear to have performed effectively was that of emotional gratification. We may never know what husbands said to their wives, or wives to their husbands as they lay down at night in the family cabins. But we do know that they shared each other's sorrows and frustrations.