

TOUSSAINT L'OUVERTURE

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THE HAITIAN REVOLUTION

INTRODUCTION BY DR JEAN-BERTRAND ARISTIDE

EDITED BY
NICK NESBITT



VERSO
London • New York

- July: News arrives in St-Domingue of the reintroduction of slavery in Guadeloupe; a massive uprising follows against the French.
- August: Toussaint is arrested by Leclerc in Gonaïves and deported to Fort de Joux, France.
- September: General Cafarelli interrogates Toussaint in his prison cell, hoping to gain information on riches Toussaint had putatively hidden in St-Domingue.
- October: Leclerc dies of yellow fever, joining the 50,000 French troops lost since February – out of a total of some 80,000 – to fighting and disease in St-Domingue.
- 1803
- January: Toussaint weakens and grows ill in his prison cell.
- 7 April: Toussaint L'Ouverture dies in prison in France from a respiratory infection, malnutrition, and exposure to the elements.
- May: Britain declares war on France; the French position in St-Domingue becomes untenable.
- June: British forces blockade St-Domingue.
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- December: Declaration of the independence of Haiti.

NOTE ON THE TEXTS

The correspondence of Toussaint L'Ouverture is vast, and remains to a great degree unpublished, dispersed across the globe in various archives and private collections, awaiting a critical edition (see David Geggus, *Haitian Revolutionary Studies*, Indiana University Press, 2002). The small selection of letters the editors of this volume have chosen seeks to present to the Anglophone reader a representative sample of L'Ouverture's writings.

These letters testify to the leadership of Toussaint L'Ouverture in the Haitian Revolution (1791–1804), as well as describing one of the most astounding instances of political subjectivation in human history. Toussaint L'Ouverture started life as a slave, and after 1776 became a free and slave-owning black. In a few short years after 1789, however, he reinvented himself to become the world-famous figure who transformed what had begun as one more colonial revolt into a world-historical sequence that initiated global decolonization and the destruction of plantation slavery. By 1801 he had led St-Domingue to *de facto* independence, simultaneously inventing the concept of associated statehood.¹

The editors have chosen this selection of writings with an eye to conveying Toussaint's rhetorical, theoretical and military genius. They bear witness to the manner in which he focused the Haitian Revolution around a single, non-negotiable struggle: the universal,

immediate and unqualified emancipation from slavery of all human beings. He did so at a time when there existed no available model for such political claims in the Atlantic world. In the United States, only a very few gradual emancipation laws had been promulgated by 1793; all were laws that subordinated the immediate interests of slaves to the defence of the rights of property owners. In revolutionary France, slavery would only be abolished under duress in February 1794, when general liberty had already been a de facto reality in St-Domingue for some three years, and a *de jure* one since the previous August.

Toussaint was fluent in both Kreyol and French, and, like his counterpart Napoleon, he dictated and rewrote all of his letters with a team of French and mulatto secretaries. Deborah Jensen has shown how, in this manner, he strove to 'spin' public perception of the revolution in St-Domingue.² One contemporary account reveals how this largely illiterate former slave actively transformed himself into a prominent figure and public intellectual of the French Revolution:

I saw him in few words verbally lay out the summary of his addresses [to his secretaries]; rework the poorly conceived, poorly executed sentences; confront several secretaries presenting their work by turns; redo the ineffective sections; transpose parts to place them to better effect; making himself worthy, all in all, of the natural genius foretold by Raynal.³

Incredibly, Toussaint would dictate as many as 300 letters in a single day.⁴

When Toussaint L'Ouverture made his first public announcement, on 29 August 1793, that he would lead the struggle to make 'liberty and equality reign in St-Domingue', he autonomously drew his own conclusions from the 1789 *Déclaration des Droits de l'homme et du Citoyen*. All those benefiting from the slave-holding system, including not only whites in France and the colonies, but also mulattos and even free blacks, had unani-

mously avoided invoking the cause of human rights in their struggle for hegemony over the unfolding French Revolution. In France, only Mirabeau had had the clarity and courage to deduce from the universal claims of the Rights of Man that 'any man, whatever his color, has an equal right to liberty'.⁵

Like his French counterparts, Sieyès, Mirabeau, Danton and above all Robespierre, Toussaint's correspondence shows the development of a tactical mastery in the art of communication. He developed this mastery in the context of a transformation in the nature of political power in 1790s France, when mastery over symbolic political capital – the rhetoric of Liberty, Equality and Fraternity – itself became a means of winning political power.⁶ Toussaint was able to assert hegemony over the unfolding events in St-Domingue because he combined the strategic military genius he has always been granted with a spontaneous and virtuosic grasp of the powerful role the ideology of universal human rights had suddenly come to play in international politics since 25 August 1789.

For Toussaint L'Ouverture and the former slaves of St-Domingue, the 'liberty' and 'equality' of 1789 were not *only* the ideological falsehoods of the bourgeoisie's bid for power that Marx would later assail. They also offered a previously inconceivable opportunity to upset the (symbolic) economy of the eighteenth-century world-system. In their very emptiness, these concepts harboured a latent operative efficacy. The signifier 'general liberty' thus opened a gap or interval in that century, a gap inherent in the inadequation between the slaves' political exclusion and the 'universal' rights of man. To witness the politicization of Toussaint L'Ouverture and the Haitian Revolution today is to initiate a genealogy of the process of political subjectivation – an inquiry essential to any conceivable progress towards emancipation.⁷

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June 2008

PROCLAMATION

29 August 1793

Toussaint Bréda issued this, his first public proclamation, from Camp Tuel. It announced both his adoption of the name *L'Ouverture* and his alignment with the cause of general liberty that would soon radicalize the French Revolution to include blacks within the compass of the Rights of Man and Citizen. His formulation of the relation between liberty and equality is radical and uncompromising: liberty and equality are inseparable, and to achieve them will require subordinating a plurality of competing demands within a unified struggle to destroy plantation slavery.

Brothers and Friends,

Remember the brave Ogé,¹ dear comrades, who was killed for having defended the cause of liberty! Yes, he died: but those who were his judges are now his defenders. I am Toussaint L'Ouverture; perhaps my name has made itself known to you. You know, brothers, that I have undertaken this vengeance, and that I want liberty and equality to reign in St-Domingue.² I have worked since the beginning [of the revolt] to make that happen, and to bring happiness to all. Unite yourselves to us, brothers, and fight with us for the same cause. [. . .] You say

that you are fighting for liberty and equality? Is it possible that we could destroy ourselves, one against the other, and all fighting for the same cause? It is I who have undertaken [this struggle] and I wish to fight until it [liberty] exists [. . .] among us. Equality cannot exist without liberty. And for liberty to exist, we must have unity.

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LETTER TO BIASSOU

15 October 1791

In autumn 1791, two months after the beginning of the uprising, Toussaint left his home at the Bréda plantation to join the forces led by Biassou. Toussaint addressed Biassou as an equal at this stage, and from the tone of this letter seems already to have achieved a level of authority at least equal to that of the other leaders, Dutty Boukman and Jean-François. The letter refers to a planned attack on Cap François that never took place.

Grande Riviere
15 October 1791

To M. Biassou, brigadier of the King's Army at Grand Boucan

My very dear friend

In keeping with the request I just made of the Spanish and daily awaiting the thing I asked for, I beg of you to wait until we are in a better state before going on to what you have the kindness to write me about. I have too much of a wish to go, but in all the habitations I would like to have crowbars in order to have the rocks of the mountains of Haut du Cap fall to prevent them [the slave-owners' forces] from approaching us for I think they have

no other means without exposing their people to a slaughter. I ask that you make sure with the spy you have sent to have him clearly explain where the powder works are in Haut du Cap so we can succeed in taking the powder works. Thus, my friend, you can see whether I took precautions in this affair, and you can tell this to Bouqueman [Boukman]. As for Jean François he can still go in a carriage with his ladies, but he hasn't done me the honour of writing to me for several days. I am very surprised by this. If you need tafia [rum-like liquor] I will send you some when you'd like, but try to use it sparingly. The troops must not be given this so they won't get out of hand. Send me a few barrows for I need them to transport wood to put up the cabins at the tannery for my people.

I ask you to assure your mother and sister of my humble respect.

I have the honour, my dear friend, of being your very humble, obedient servant.

General Doctor

LETTER TO THE GENERAL
ASSEMBLY FROM BIASSOU,
JEAN-FRANÇOIS AND
TOUSSAINT L'OUVERTURE

July 1792

This extraordinary document, signed by Toussaint in the name of his fourteen-year-old nephew Belair, was written by the leaders of the slave revolt to the colonial assembly in St-Domingue and the national commissioner Roume. After failed negotiations six months before, the letter testifies to an early and rapid radicalization of the revolution to encompass the call for general liberty based on the logic of indivisible, universal human rights.

Gentlemen,

Those who have the honour to present you with these memoirs are a class of men whom up to the present you have failed to recognize as like yourselves, and whom you have covered in opprobrium by heaping upon them the ignominy attached to their unfortunate lot. These are men who don't know how to

choose big words, but who are going to show you and all the world the justice of their cause; finally, they are those whom you call your slaves and who claim the rights to which all men may aspire.

For too long, gentlemen, by way of abuses that one can never too strongly accuse of having taken place because of our lack of understanding and our ignorance – for a very long time, I say – we have been victims of your greed and your avarice. Under the blows of your barbarous whip we have accumulated for you the treasures you enjoy in this colony; the human race has suffered to see with what barbarity you have treated men like yourself – yes, [men] – over whom you have no other right except that you are stronger and more barbaric than we; you have engaged in [slave] traffic, you have sold [men] for horses, and even that is the least of your shortcomings in the eyes of humanity; our lives depend on your caprice, and when it's a question of amusing yourselves, the burden falls on men like us, who most often are guilty of no other crime than to be under your orders.

We are black, it is true, but tell us, gentlemen, you who are so judicious, what is the law that says that the black man must belong to and be the property of the white man? Certainly you will not be able to make us see where that exists, if it is not in your imaginations – always ready to form new [phantasms] so long as they are to your advantage. Yes, gentlemen, we are free like you, and it is only by your avarice and our ignorance that anyone is still held in slavery up to this day, and we can neither see nor find the right that you pretend to have over us, nor anything that could prove it to us, set down on the earth like you, all being children of the same father created in the same image. We are your equals then, by natural right, and if nature pleases itself to diversify colours within the human race, it is not a crime to be born black nor an advantage to be white. If the abuses in the Colony have gone on for several years, that was before the fortunate revolution that has taken place in the

motherland, which has opened for us the road which our courage and labour will enable us to ascend, to arrive at the temple of liberty, like those brave Frenchmen who are our models and whom all the universe is contemplating.

For too long we have borne your chains without thinking of shaking them off, but any authority which is not founded on virtue and humanity, and which only tends to subject one's fellow man to slavery, must come to an end, and that end is yours. You, gentlemen, who pretend to subject us to slavery – have you not sworn to uphold the French Constitution? What does it say, this respectable constitution? What is the fundamental law? Have you forgotten that you have formally vowed the Declaration of the Rights of Man, which says that men are born free, equal in their rights; that their natural rights include liberty, property, security and resistance to oppression? So then, as you cannot deny what you have sworn, we are within our rights, and you ought to recognize yourselves as perjurers; by your decrees you recognize that all men are free, but you want to maintain servitude for 480,000 individuals who allow you to enjoy all that you possess. Through your envoys you offer liberty only to our chiefs; it is still one of your maxims of politics to say that those who have played an equal part in our work should be delivered by us to be your victims. No, we prefer a thousand deaths to acting that way towards our own kind. If you want to accord us the benefits that are due to us, they must also shower onto all of our brothers . . .

Gentlemen, in very few words you have seen our way of thinking – it is unanimous and it is after consulting everyone to whom we are connected in the same cause that we present to you our demands, as follows.

First: general liberty for all men detained in slavery.

Second: general amnesty for the past.

Third: the guarantee of these articles by the Spanish government.

Fourth: the three articles above are the basis and the sole means to achieve a peace that would be respected by the two parties, and only after they are approved in the name of the Colony and M. the Lieutenant Général, and when the National Civil Commissioners have agreed to present this approval to the king, and to the National Assembly.

If, like us, you desire that the articles above be accepted, we will commit ourselves to the following: first, to lay down our arms; second, that each of us will return to the plantation to which he belongs and resume his work on condition of a wage which will be set by the year for each cultivator who starts work for a fixed term.

Here, gentlemen, is the request of men who are like you, and here is their final resolution: they are resolved to live free or die.

We have the honour to be, gentlemen, your very humble and obedient servants.

Biassou, Jean-François, Belair

LETTER TO GENERAL LAVEAUX

18 May 1794

Toussaint refused to rally to the French republican cause until the French abolished slavery in February 1794. In this his first letter to the French general, Toussaint accounts for his previous decision to fight on with the Spanish forces until May.

Marmelade, 18 May 1794

Toussaint L'Ouverture, General of the Western Army, to Etienne Laveaux, interim Governor General

[. . .] It is true, General, that I have been led into error by the enemies of the Republic and humanity, but what man can flatter himself to have avoided all the traps of evil men? In truth, I fell into their nets, not without knowing what I was doing; you will remember that [. . .] my goal was only that we unite to combat the enemies of France and to bring an end to an internal war among the French of this colony. Unfortunately for all concerned, the paths toward reconciliation that I suggested were rejected. My heart bled and I shed tears over the unfortunate fate of my country, foreseeing the misfortunes that would follow, and in this I was not mistaken. Fatal experience has shown the truth of my predictions.¹

At the time, the Spanish offered me their protection and freedom for all those who fought for the cause of kings. Having always fought to achieve this same liberty, I accepted their offer, seeing myself abandoned by the French, my brothers. But a somewhat late experience opened my eyes to these perfidious protectors. Having perceived their treachery, I saw clearly that they intended for us to set upon each other to diminish our number and to enchain those who remained to return them to their former slavery. No, never would they achieve their infamous goal! And we will have revenge on these contemptible beings in our turn in every way. Let us unite forever, therefore, and, forgetting the past, let us seek henceforth only to crush our enemies and to avenge ourselves against our treacherous neighbours.

It is true that the national flag flies over Gonaïves and its surroundings, and that I have routed the Spanish and emigrants from the area. But my heart is broken to contemplate the event that occurred against a few unfortunate whites who were victims in this affair. I am utterly unlike many others who witness scenes of horror in cold blood. I have always held humanity in common to all, and I suffer whenever I cannot prevent evil. There were also a number of uprisings in the workshops, but I rapidly returned things to order and all are working as before.

Gonaïves, Gros-Morne, the canton of Ennery, Marmelade, Plaisance, Dondon, Acul, and all of Limbé are under my orders, and I count four thousand armed men in these areas, without counting the citizens of Gros-Morne, who number six hundred. As to war munitions, I am entirely bereft, having consumed them in the various attacks that I made against the enemy. [. . .]

Salvation in the fatherland.

Toussaint L'Ouverture

LETTER TO LAVEAUX

7 July 1794

By the summer of 1794, Spanish and British forces still occupied territory in the east, but the republican forces had defeated the Spanish in the west of St-Domingue. In July, Toussaint L'Ouverture defeated the rebel leader Jean-François, who was still siding with the Spanish.

Marmelade

Toussaint L'Ouverture, General of the Western Army, to Etienne Laveaux, interim Governor General of the French section of St-Domingue

I write to share with you the success I have had in the last three to four days against general Jean-François in Dondon. He had been sent to Fort Dauphin to combat me. In fact, he did attack my troops on various occasions during my stay in Port Magot, but he was always repulsed vigorously. Finally, upon my return, I felt in a position to attack him. Having taken my bearings, I attacked simultaneously Dondon, the Fort, and other posts. These were taken with sabre in hand. I very nearly captured Jean-François; he owed his salvation to the thickness of the bushes he threw himself into in desperation, leaving his clothes behind him. I

captured all his affairs and papers. He saved only his shirt and pants. My troops made a carnage of his men and I took many prisoners. [. . .]

I also read of the September sessions of this last year of the National Convention and the decree they issued for the abolition of slavery. This is reassuring news for friends of humanity, and I hope that in the future all will feel more at ease and that, if we are able to enjoy peace and tranquility, the colony will flourish to an unparalleled degree. [. . .]

I hope that we may meet to discuss our affairs together. Let me know the day and place that I may be there. [. . .]
Salvation in the fatherland, and its success,

Toussaint L'Ouverture

TOUSSAINT L'OUVERTURE TO HIS BROTHERS AND SISTERS IN VARETTES

22 March 1795

Brothers and Sisters

The moment has arrived when the veil obscuring the light must fall. You should never again forget the decrees of the National Convention. Its principles, its love for freedom, are invariable, and henceforth there can exist no possibility of the destruction of this sacred edifice.

I learned with infinite joy of the return of the citizens of Upper Varettes within the Republic. There they will find the happiness they had fled at the instigation of the soldiers of tyranny and royalty.

To give them support, to console them of their past faults and to lead them to abjure the errors they nourished insidiously, is for all republicans an absolute duty and the sacred maxim of the French.

It is for this reason not only because of the powers confided in me by General Laveaux, but even more so because I am animated by feelings of humanity and fraternity, that I remind

the citizens of Upper Varettes of their mistakes. But as much as they may harm the interests of the Republic, I do sense that their return, if it is sincere, can be an advantage helping towards our success.

The French are our brothers, the English, the Spanish, and the royalists are ferocious beasts who only care to suck at their leisure, until they are satiated, the blood of their women and children.

Citizens, I do not wish here to describe your wrong actions further; I have at all times considered them as no more than errors. You have returned to the Republic, and so the past is now forgotten. Your duty is now to contribute with all your moral and physical might to strengthen your parish and to make flourish therein the principles of holy liberty. If it is otherwise, do not hope for any further signs of our fraternity. Think well about what I am saying.

It is in these circumstances that I have ordered and order the following:

First Article - All citizens united under the flag of the French nation, whether in the parish of Varettes or in the Republican camps of the Western Line, are and will remain under the safety and protection of the law. It is forbidden to slander or do harm to them.

Second Article - The conservation of citizens' properties is assured by the constitution; consequently, all the commanders of the parishes, camps and posts of the line are ordered to respect and preserve these, and this, under their personal responsibility. [. . .]

Fifth Article - All farmers, twenty-four hours after the publication of the present proclamation, shall return to pursue all forms of agricultural labour in the plantations to which they are dependent, except those contiguous with enemy territory. The cultivators of plantations bordering the enemy, if they are not soldiers, will report to other plantations to participate in labour.

Sixth Article - Work is necessary, it is a virtue. It is the general good of the state. Every lazy and errant man will be arrested to be punished by the law. But service is also conditional and will be paid a just wage.

4. Should the republican party destroy all its enemies, as we have no doubt it will, it will have no need to adopt us anew; together we support a single, identical cause. [. . .]

5. You finish, vile slaves that you are, by offering us the protection of the king, your master. Discover and tell to Casa-Calvo [the Governor of Spanish Santo-Domingo] that republicans cannot come to agreement with a king. Let him come, and you with him; we are ready to receive you in the manner of republicans.

LETTER TO JEAN-FRANÇOIS

13 June 1795

While Toussaint joined the French Republican forces in the summer of 1794, Jean-François continued to fight for the Spanish. In his attempt to rally the citizens of Dondon to the Spanish, Jean-François told them that [there is no irrevocable liberty for the former slaves except that which the Spanish monarch would grant them because, as a legitimate king, he alone has the right to legitimate that freedom'.] This letter is Toussaint's response to that claim.

1. It would seem from the first article of your pronouncement that republicans have offered to give themselves up to you. Should there exist among us men cowardly enough to take back their chains, we willfully abandon them to you; they do not deserve to be our brothers.

2. You claim in your second article to show that we have been misled, while we hope to convince you that anyone who is a subject or vassal of kings is no more than a vile slave, and that a republican alone is truly a man.

3. Consequently we are free by natural right. It could only be kings, whose name alone expresses what is most vile and despicable, who could dare claim the right to reduce into servitude men made like them and whom nature has made free.

LETTER TO DIEUDONNÉ

12 February 1796

Dieudonné was an African-born leader who controlled some 3,000 soldiers in the mountains above Port-au-Prince. Born in the kingdom of the Kongo, he and his followers were by 1796 increasingly reluctant to submit to the mulatto leadership of Rigaud and Bauvais. Resenting the discrimination he felt he received from the latter, Dieudonné had begun negotiations with the British in late 1795. The following letter is Toussaint's attempt to prevent Dieudonné and his troops from defecting to the British.

Verettes, 23 Pluviôse, year IV of the French Republic, one and indivisible

Toussaint to Pierre Dieudonné

My dear brother and friend
I know that our friends the civil commissioners Polvérel and Sonthonax had the greatest confidence in you because you were a true republican. And so it is impossible for me to believe the slanderous rumours that have been spread about you: that you have abandoned your fatherland to join the English, the sworn enemies of our freedom and equality.

Is it possible, my dear friend, that in the moment when France has triumphed over all the royalists and, through its beneficent decree of 9 Thermidor, grants us all the rights for which we have been fighting, that you would let yourself be deceived by our former tyrants, who only exploit a group of our unfortunate brothers the better to enchain the others? Though the Spanish, for a certain time, attracted me, I quickly recognized their malevolence. I abandoned them and have since thoroughly defeated them. I returned to my fatherland which received me with open arms and has rewarded me for my services. I invite you, my dear brother, to follow my example. If for some reason you are unable to put your trust in generals Rigaud and Bauvais, Governor Laveaux, who is the father of us all and in whom the motherland has placed her trust, must also merit yours. I think as well that you will not refuse it to me, a black like yourself, and I assure you that I wish nothing else in the world than to see you happy, you and all our brothers. For my part, I believe that this is only possible by serving the French Republic; it is under its flag that we are truly free and equal. This is how I see things, my dear friend, and I don't believe I am mistaken.

If it had been possible for me to see you, I would have had the pleasure of embracing you, and I flatter myself that you wouldn't have refused me your friendship. You can trust what my three officers will tell you; it will be the truth. If, when they come, you wish to send me two or three of your own, we will speak together, and I am certain that what I will say to them will open their eyes. If it is possible that the English have managed to fool you, believe me, my dear brother, abandon them, unite with the good republicans, and, all together, let us rid our land of the royalists. They are scoundrels who wish to return us to the shameful chains that we had so much difficulty breaking. Despite everything that has been said about you, I have no doubt that you are a good republican; as such, you must unite with generals Rigaud and Bauvais who are good republicans, since our country

has rewarded them for their services. Should you nonetheless have small disagreements, you should not fight against them, because the Republic, which is the mother of us all, does not wish us to fight our brothers. Moreover, it is always the poor people who suffer the most. When we leaders have disputes amongst ourselves, we should not have the soldiers in our charge fight one another. Instead, we should turn to our superiors who are there to render justice and bring us to agreement. Remember, my dear friend, that the French Republic is one and indivisible, that that is what constitutes its strength, and that it will vanquish all its enemies.

Believe me, my dear friend, forget all individual animosity, reunite with our brothers Rigaud and Bauvais. They are brave defenders of general liberty who love their fatherland too much not to desire with all their heart to be friends of you and all whom you command. [. . .]

I embrace you and salute you in the name of the fatherland, you and all our good brothers.

Toussaint L'Ouverture

LETTER TO LAVEAUX

20 February 1796

In February 1796, plantation workers in the northern mountains near Port-de-Paix revolted in response to the dismissal of Etienne Datty, a local black commander. Toussaint, who rode overnight to put down the rebellion, describes in this letter his negotiations with the rebels. The letter is particularly important in its examination of the diverse claims and definitions of freedom being made by the various communities united under the French flag. For Toussaint, freedom is only possible through organized labour under the rule of universal, rights-based law offered by the French Republic (in implicit contrast to the slave-holding Spanish and English states in competition for control of the island). For the rebellious workers, freedom arises instead through a shared communal experience of suffering such as that they have shared with Datty which has no necessary connection, and is even inimical, to large-scale plantation labour.

1 Ventôse, An 4

Toussaint L'Ouverture to Etienne Laveaux

[. . .] As soon as I arrived [in Port-de-Paix], I wrote to Pageot, commander of the Northern Province, to alert him to my arrival, and sent Baptiste Andro with two of my dragoons to deliver the letter. At that moment, a large number of farmers, both men and

women, came to me with food, some chickens and eggs. They told me how glad they were to see me and that they hoped I would put an end to all these disorders. I ordered them to get me hay, which they did immediately and seemed to do with pleasure. I took this to be a good sign that it would not be difficult to resolve things.

At seven in the evening, Etienne arrived, in conformity with the order I had sent him, with around five hundred men, many of them armed. I saddled my horse and ordered Etienne to form a circle of all the citizens who had gone with him, as well as those who had just arrived with the hay. I mounted my horse and entered the circle where, after having condemned the murders they had committed, I told them that if they wished to preserve their liberty they would have to submit to the laws of the Republic, and be docile and work, that it was only in this way that they would benefit from their freedom. Furthermore, I said that if they had any claim to make that they would never obtain it in this manner, and that God had said: Ask and ye shall receive, knock and my door will be open to you, but that he has not said to commit crimes to obtain what one needs.

I asked them if they knew me and whether they were glad to see me. They answered yes, that they knew that I was the father of all the blacks, and that they also knew that I had never ceased to work for their happiness and for their liberty, but they begged me to listen to them and that perhaps I would see that they perhaps were not so in the wrong as I believed. I was quiet and listened to them. One of them spoke and said to me: 'General, all of us look upon you as our father, it is you after God who are dearest to us and in whom we have the most confidence.' I told him to be silent and said that if they thought of me in this way they should not have acted as they had, and that if they had feared to address the Governor General [Laveaux] whom we must all regard as our father and the defender of our liberty, they should have come to me. I would then have tried to convince

Catholic influence

the Governor General to meet their demands if I found them just, and that I would in this way have prevented them from committing such crimes. They answered me that they love the Governor General, but that unfortunately for them, all men are not like him, for then they would surely be happy. They went on to say, 'Since the beginning of the revolution, Etienne has always been our leader, it is he who has always commanded us. He has always shared in our misery in our struggle to win our freedom. Why has his command been taken from him, and why is he seen as so undeserving as to give it to another without our agreement? That is why, general, we took up arms. It is unfortunate for us that there are bad men among us who have committed crimes. But we are by no means accomplices in all that. Alas, general, they wish as well to make us slaves; there is no equality here, as it seems there is with you. Look how the whites and coloured men who are with you are good and are united with the blacks. One would think they were brothers from the same mother. That, general, is what we call equality. Here it is not the same. We are looked down upon, they vex us at every turn. They don't pay us what we are owed for the food we grow. They force us to give away our chickens and pigs for nothing when we go to sell them in the city, and if we complain, they have us arrested by the police, and they throw us in prison without giving us anything to eat, and then make us pay to get out. You see, general, that one is not free if he is treated like this. We are certain from what we observe that all those who are with you are content and love you.'

When he stopped speaking, I asked him if this was all they had to complain about. He answered me: 'Yes.' I asked all the others if what he had said was true. They answered me all together that it was true. I quieted them down and said, 'My friends, I shouldn't treat you in this way, because the shame you bring to me and all the men of our colour makes me see that you are not my friends. All the reasons that you give appear just to me,

WTF

but if you should give me a house full of them' - I used this expression to make them understand that they could have all the reasons they wished and still they were in the wrong because they had rendered themselves guilty in the eyes of God, of the law, and of men. 'What will I tell the National Convention when it will ask me for an account of what you have just done? How is it possible, when I have just sent deputies to the National Convention to thank them in the name of all the blacks for the unanimous decree that grants them liberty? How can I assure them, after this, that they will work to deserve this decree and will prove to France and to all nations that they are worthy by their submission to the law, by their work and their docility, that I can answer for them all, and that soon, with the help of France, we shall prove to the entire universe that St-Domingue, worked by free hands, will recover its wealth? Answer me this. My shame will show that I have deceived them; it will prove to them what the enemies of our freedom have tried to make them believe, that blacks are not fit to be free, that if they become free they will no longer work, and that they will steal and kill.'

They answered me that they were wrong and begged me, in all my friendship for them, to repair this mistake, and swore to me never to do wrong again and to be wise and obedient, to do nothing more without consulting me and to stop the first among them who would dare to give bad advice. They said to me as well that it was absolutely essential that I put things back in order before leaving, that I had come too far not to leave them in peace before returning. I promised them that I had come for nothing else, but that it was up to them to prove that they wanted peace and tranquillity by all of them returning immediately to their respective plantations and starting back to work, and that this was entirely up to them. They answered me in a single voice: 'Forgive us, general, we will be so good that you will be forced to forget what we have just done.' So I asked them to go away. To Etienne I said that these were not all the citizens of his parish.

He answered me that no, there were still three camps in the mountains. After that, I said to all those I had just sent away to return the next day when those from the mountains had arrived, that I wished to pardon them all together. →

It was 9.30 in the evening. I asked Etienne where his secretary was. He said to me that he was also in the mountains. I ordered Etienne to give him the order to return to the plantation with all the citizens who were camped in the mountains to see me.

[...]

LETTER TO FLAVILLE

This letter is Toussaint's attempt to defuse growing tensions between himself and the mulattos in northern St-Domingue. In January 1795, some 180 of Toussaint's troops had defected to his rival Villatte, who controlled the area around Cap Français. In June, Joseph Flaville and his troops joined Villatte. On 20 March 1796, these troops entered into open rebellion against Toussaint when they took Laveaux prisoner. After rescuing the latter, Toussaint strove to reinforce unity among the various factions fighting the English and Spanish (African-born Bossales, blacks like himself born in St-Domingue, and mixed-race mulattos). The letter is in response to an apology from Flaville, who had written in defeat to Toussaint: 'Let us live united in brotherhood, so that nothing can trouble the harmony that must exist among good republicans.'

Toussaint L'Ouverture, Commander of the Western Line, to Joseph Flaville, Commander of Acul

I received your letter of 8 Messidor; previously, I had received that of my colleague Villatte. From that moment on I felt no more hatred. I know that you were under the command of our brother, and am glad of it. Your wrong was great: you were under orders at the Cap and you reported to me in everything.

That being the case, my dear Flaville, you should have made me aware of your commission so that I would have left you alone under the command of my colleague Villatte.

You know me, my dear Joseph Flaville, you know the flexibility of my heart, always ready to pardon. I wish to believe in your sincerity, but, to reassure myself, I only ask (and it is right to do so) that all the troops whom you have led astray and who have taken up arms against me return to their posts as before. This in order that the disobedience into which you have plunged them be transformed into a perfect submission, and that you make them aware that it was through your own fault that they fell into disobedience, and that you now understand that the lack of discipline in the troops is the mother of all its vices and that an undisciplined troop is lost. [. . .]

I wish to live in peace, united with my brothers.

Greetings and friendship

Toussaint L'Ouverture

ADDRESS TO SOLDIERS FOR THE UNIVERSAL DESTRUCTION OF SLAVERY

18 May 1797

Let the sacred flame of liberty that we have won lead all our acts. [. . .] Let us go forth to plant the tree of liberty, breaking the chains of those of our brothers still held captive under the shameful yoke of slavery. Let us bring them under the compass of our rights, the imprescriptible and inalienable rights of free men [Let us overcome] the barriers that separate nations, and unite the human species into a single brotherhood. We seek only to bring to men the liberty that [God] has given them, and that other men have taken from them only by transgressing His immutable will.

Bulletin officiel de St-Domingue, 18 May 1797

LETTER TO LAVEAUX

23 May 1797

This letter is addressed to Laveaux as the representative of St-Domingue in the French Assembly, where Toussaint had dispatched him to defend the interests of the colony and through him the legislature against the forces of reaction, as well as (presumably) to give himself a freer hand to rule over the colony. L'Ouverture goes to considerable lengths in this letter to convince Laveaux, and the Legislature, of his fidelity to France and, by implication, his lack of interest in declaring the colony independent

Gonaïves, 4 prairial, year 5 of the French Republic, one and indivisible

Toussaint L'Ouverture to Etienne Laveaux, Representative of the People, Deputy of St-Domingue in the Legislature

My dear Representative

Since your departure and to this day, I am still denied the sweet satisfaction of receiving your news. I have written to you a number of times, and remain uncertain whether my letters have reached you unhindered. May this one reach you as promptly as I desire. [. . .]

The perfect harmony, tranquillity and union that reign among us portend happy success in our future endeavours, and I can only believe that with the help of God we shall soon purge the French territory of the tyrannical hordes who have infested the colony for too long, and that soon we will form a single, unified family of friends and brothers.

It would be in vain for the enemies of France still to seek to undermine the cause that the republicans who live here defend. The colony's survival is guaranteed. Please convey to the Legislature the nature of my efforts and my sincere attachment, describing to them how such an important portion of France as this colony must no longer be deprived of the aid she owes it, and that the enemies of France and general liberty have kept from it by distorting the true position of St-Domingue. Its preservation, let me repeat, is assured, and [France] can count upon my irrevocable zeal as its true defender.

I have just been promoted by the Commission of the French government to the rank of General in Chief of St-Domingue. Inspired by a love of the public good and the happiness of my citizens, I am not blinded by such honours, and remain steadfast in the important task that has been confided in me. My time and attention will be fully occupied in seeking to merit the support of the Legislature and of my fellow citizens. My wishes will be granted and my compensation ideal if, with the help of God, I am happy enough to be able, after having expelled the enemies of the colony, soon to say to France: the flag of liberty flies across the surface of St-Domingue. [. . .]

How sweet it would be for me, my dear Representative, to be able to correspond with you as frequently as I desire it and to receive from you more often your dear news, if the communication between France and the colonies were not so hindered. Seize every occasion, I beg of you, to give me this satisfaction, which will always be, as you know, infinitely sweet to me.

I send into your care my beloved children, whom I miss dearly. May God look over their days and bestow upon them His grace, that they may profit from the education that France grants them, to render themselves one day worthy of expressing their gratitude! Kiss them tenderly for me and on behalf of their mother, and do send me news of them at the nearest occasion.

May you remain, I repeat to you and beseech you, in the name of the salvation of the colony, in the name of its prosperity and tranquillity that reappear here daily, the true defender of its rights, by striking down its enemies who, through vain stratagems, continue to seek to distract the favourable gaze of France from her colony, which today more than ever must remain fixated upon it. Reassure her of the preservation of this colony, by all that we hold dear, and by all that she may expect of our courage and devotion. She may be certain that so long as the blood flows in our veins, we shall only strive for the defence of the colony and of liberty, and to cast away all agitators and enemies.

In reiterating to you in particular the devotion that you have inspired in me, I ask you to transmit my feelings of respect and those of my wife to your own wife and dear family, and be certain that the ties of our friendship will only terminate with the end of my days.

Greetings and friendship

Toussaint L'Ouverture

13

LETTER TO THE
FRENCH DIRECTORY

November 1797

This letter, along with his 1793 proclamation the most famous Toussaint ever wrote, is the culminating document of his republican political philosophy and his steadfast defence of universal human rights. It was written in response to the increasing conservatism of the French Directory, and, in particular, the attacks against Toussaint by the anti-racist, pro-slavery representative Vaublanc.

Toussaint L'Ouverture to the French Directory

When the people of St-Domingue first tasted the fruit of liberty that they hold from the equity of France; when to the violent upheavals of the revolution that announced it succeeded the pleasures of tranquillity; when finally the rule of law took the place of anarchy under which the unfortunate colony had too long suffered, what fatality can have led the greatest enemy of its prosperity and of our happiness still to dare to threaten us with the return of slavery? The impolitic and incendiary speech of Vaublanc has threatened the blacks less than the certainty of the plans meditated upon by the property owners of St-Domingue.

Such insidious declamations should have no effect upon the wise legislators who have decreed liberty to humanity. The attacks the colonists propose against this liberty must be feared all the more insofar as they hide their detestable projects under the veil of patriotism. We know that illusory and specious descriptions have been made to you of the renewal of terrible violence. Already, perfidious emissaries have crept among us to foment destruction at the hands of liberticides. They will not succeed, this I swear by all that is most sacred in liberty. My attachment to France, the gratitude that all the blacks conserve for her, make it my duty to hide from you neither the plans being fomented nor the oath that we renew to bury ourselves beneath the ruins of a country revived by liberty rather than suffer the return of slavery.

It is for you, Citizen Directors, to remove from over our heads the storm that the eternal enemies of our liberty are preparing in the shades of silence. It is for you to enlighten the Legislature, it is for you to prevent the enemies of the present system from spreading themselves on our unfortunate shores to sully them with new crimes. Do not allow our brothers, our friends, to be sacrificed to men who wish to reign over the ruins of the human species. But no, your wisdom will enable you to avoid the dangerous snares which our common enemies hold out for you. [. . .]

I send you with this letter a declaration which will acquaint you with the unity that exists between the proprietors of St-Domingue who are in France, those in the United States, and those who serve under the English banner. You will see there a resolution, unequivocal and carefully constructed, for the restoration of slavery; you will see there that their determination to succeed has led them to envelop themselves in the mantle of liberty in order to strike it more deadly blows. You will see that they are counting heavily on my willingness to espouse perfidious views out of fear for my children. It is not astonishing that these men who sacrifice their country to their interests are unable

to conceive how many sacrifices a true love of country can support in a better father than they, since I unhesitatingly base the happiness of my children on that of my country, which they and they alone wish to destroy.

I shall never hesitate in choosing between the safety of St-Domingue and my personal happiness, but I have nothing to fear. It is to the solicitude of the French government that I have confided my children. [. . .] I would tremble with horror if it was into the hands of the colonists that I had sent them as hostages; but even if it were so, let them know that in punishing them for the fidelity of their father, they would only add one degree more to their barbarism, without any hope of making me fail in my duty. [. . .]

Blind as they are, they cannot see how this odious conduct on their part can become the signal of new disasters and irreparable misfortunes, and that far from it helping them regain what in their eyes liberty for all has made them lose, they expose themselves to total ruin and the colony to its inevitable destruction. Could men who have once enjoyed the benefits of liberty look on calmly while it is taken from them! They bore their chains when they knew no condition of life better than that of slavery. But today when they have left it, if they had a thousand lives, they would sacrifice them all rather than to be subjected again to slavery. But no, the hand that has broken our chains will not subject us to them again. France will not renounce her principles. She shall not permit the perversion of her sublime morality and the destruction of the principles that honour her the most, and the degradation of her most beautiful accomplishment, by rescinding the decree of 16 Pluviôse [4 February 1794, abolishing slavery in the French colonies] that honours so well all of humanity. But if, in order to re-establish servitude in St-Domingue this were to be done, I declare to you that this would be to attempt the impossible. We have known how to confront danger to obtain our liberty, and we will know how to confront

death to preserve it. This, Citizens and Directors, is the morality of the people of St-Domingue, these are the principles I transmit to you on their behalf.

Let me renew to you the oath that I have made: to cease to exist before gratitude is stricken from my heart and to remain faithful to France, to my duty, and before the land of liberty be profaned and blackened by the liberticides, before they can wrest from my hands this glaive, these arms that France has confided in me for the defence of her rights, for those of humanity, and for the triumph of liberty and equality.

Greetings and respect

Toussaint L'Ouverture

14

BONAPARTE'S LETTER TO ST-DOMINGUE

25 December 1799

This letter in support of Napoleon's new constitution sought to placate blacks suspicious that it constituted a first step towards the reinstatement of slavery. Its promulgation of particular, differential legal status for the colonies, in distinction to the universalism of Republican law and the Declaration of the Rights of Man and of the Citizen, hearkened back to Ancien Régime differentialism. 'Special laws' had historically meant those laws allowing for slavery in the colonies. Reassurances of the 'SACRED' principles of freedom and equality had long rang hollow for Toussaint and his colleagues; indeed, his refusal to join the French after Southonax's unilateral declaration of abolition in 1793, and his decision to wait until the gesture was codified in national law are indicative of such a politics of suspicion. The paternalistic, almost obsequious tone of the text must have further encouraged such suspicion. This proved to be well-founded; Napoleon reinstated slavery in the French colonies in May 1802, and when news of this act reached St-Domingue, it radicalized the movement for universal emancipation to lead directly to the final defeat of the French and the independence of Haiti in 1804.

Paris, 4 Nivôse, year VIII

Citizens, a constitution that wasn't able to sustain itself against multiple violations has been replaced by a new pact destined to solidify freedom.

Article 91 states that French colonies will be ruled by special laws.

This disposition derives from the nature of things and the differences in climate.

The inhabitants of French colonies located in America, Asia and Africa cannot be governed by the same laws.

The differences in habits, in mores, in interests; the diversity of soil, crops and goods produced demand diverse modifications.

Far from being a subject of alarm for you, you will recognize here the wisdom and profundity of vision that animate the legislators of France.

The Consuls of the Republic, in announcing to you the new social pact, declare to you that the SACRED principles of the freedom and equality of blacks will NEVER SUFFER among you the least attack or modification.

If there are ill-intentioned men in the colony, if there are those who still have relations with enemy powers, remember BRAVE BLACKS, that the French people alone recognize your freedom and the equality of your rights.

The First Consul, BONAPARTE

the other farmers, while all the white generals, officers, their subordinates and soldiers are engaged in permanent activity to protect the sacred rights of all. [. . .]¹

15

PROCLAMATION ON LABOUR

1800

The tortuous logic and grammar of this proclamation are perhaps indicative of the contradictions of Toussaint's position. His various attempts to force the former slave population he putatively represented to engage in plantation labour they reasonably equated with their prior enslavement progressively led him to a position of paternalistic authoritarianism.

You will realize, citizens, that agriculture supports governments, because it promotes commerce, comfort and abundance, gives birth to the arts and industry, and keeps all occupied. It is the mechanism of all states, and if each member of society works, the result is public tranquillity; troubles disappear along with idleness, which is the mother of vice, and each enjoys in peace the fruits of his labours. [. . .] It is a fact that to ensure freedom, without which man cannot be happy, it is necessary for all to occupy themselves usefully in order to contribute to the public good and general tranquillity . . . Since the revolution, farmers, both men and women, who, since they were young at the time, were not engaged in farming, do not wish today to take part in it because, they say, they are free, and so spend their days running about aimlessly, thus setting a very bad example for

proclaimed the general freedom of the blacks. A secret voice said to me: 'Since the blacks are free, they need a chief, and it is I who must be the chief predicted by the Abbé Raynal. I returned, transported by this sentiment, to the service of France; France and the voice of God have not deceived me.'

16

SELF-PORTRAIT

1801

This short autobiographical statement passes over the fact that when the Revolution began in 1791, Toussaint had been a free man and even a slave-owner since at least 1776, and had accumulated a comfortable, though not extraordinary, amount of wealth in his name (see Geggus 2007). He had been taught to read and write at a basic level by Jesuits in the colony prior to 1789.

I felt that I was destined for great things. When I received this divine portent, I was fifty-four years old; I did not know how to read or write; I had a few *portugaises*; I gave them to a junior officer of the Regiment du Cap; and, thanks to him, in a few months I knew how to sign my name and read correctly.

The revolution of St-Domingue was going its way; I saw that the whites could not hold out, because they were divided among themselves and crushed by superior numbers; I congratulated myself on being black.

It was necessary to begin my career. I crossed into the Spanish region, where they had given asylum and protection to the first troops of my colour. This asylum and protection ended up nowhere; I was delighted to see Jean-François turn himself into a Spaniard at the moment when the powerful French Republic

all classes of citizens with transports of joy that will not fail to be reproduced when it is sent back bearing the sanction of the government.

Greetings and profound respect

Toussaint L'Ouverture

17

LETTER TO NAPOLEON ON THE 1801 CONSTITUTION

16 July 1801

27 Messidor, year IX

Citizen Consul

The Minister of the Navy, in the account he gave you of the political situation of this colony, which I devoted myself to making known to him, should have submitted to you my proclamation of last 16 Pluviôse [5 February 1801] on the convocation of a Central Assembly, which would be able to set the destiny of St-Domingue through wise laws modelled on the mores of its inhabitants. I today have the satisfaction of announcing to you that the final touch has just been put to this work. I hasten to send it to you in order to have your approval and the sanction of my government.

Given the absence of laws, and the Central Assembly having requested to have this constitution provisionally executed, which will more quickly lead St-Domingue to its future prosperity, I have surrendered to its wishes. This constitution was received by

ANTI-CORRUPTION PROCLAMATION

9 Thermidor, year 9 (29 July 1801)

As a public servant I must render justice without pay. Therefore, all acts on my part will be granted without charge to individuals [except for the issuing of passports]. No public functionary shall demand payment, in the name of his ministry, except those that have been authorized by the law or by regulations prior to this one.

HAITIAN CONSTITUTION OF 1801

Toussaint convoked an assembly to draft a constitution for Saint-Domingue on 4 February 1801. As with the reinterpretation of the rights of man and citizen that he had promoted since 1793, Toussaint here took strategic advantage of calls among French conservative forces to reintroduce 'special' laws for the colonies (traditionally a means of justifying slavery) to promote both the autonomy of the colony in a period of increasing reaction as well as his own personal hold on power. Members of this assembly included Julien Raimond (an emissary of Bonaparte to the colony) and the white planter and mayor of Port-au-Prince Bernard Borgella. The committee included not a single former slave. Completed in May, the constitution was promulgated in June 1801. The constitution reflects the many contradictions of L'Ouverture's political and social philosophy. On the one hand, it is the first modern constitution to address the conflict between the defence of property rights and human rights: if all humans possess a fundamental and inalienable freedom, property rights must logically be explicitly qualified not to include humans. Aside from Robespierre's never-adopted 1793 proposal for just such a constitutional limitation, this constitution was the first in Western modernity explicitly to base itself on the unlimited, universal right to

freedom from enslavement. At the same time, the document puts in place a secondary series of paternalistic, authoritarian measures. If fully implemented, these would have so severely curtailed public freedom in every specific dimension as to regress far behind the various French constitutions – both pre- and post-Thermidor – the document draws from.¹

The representatives of the colony of St-Domingue, gathered in Central Assembly, have identified and established the constitutional bases of the regime of the French colony of St-Domingue as follows:

TITLE I OF THE TERRITORY

Art. 1. St-Domingue in its entire expanse, and Samana, La Tortue, La Gonave, Les Cayemites, L'Île-à-Vache, La Saone and other adjacent islands form the territory of a single colony, which is part of the French Empire, but ruled under particular laws.

Art. 2. The territory of this colony is divided in departments, *arrondissements* (districts) and parishes.

TITLE II OF THE INHABITANTS

Art. 3. There cannot exist slaves on this territory, servitude is therein forever abolished. All men are born, live and die free and French.²

Art. 4. All men, regardless of colour, are eligible for all employment.

Art. 5. There shall exist no distinction other than those based on

virtue and talent, and other superiority afforded by law in the exercise of a public function.³

The law is the same for all whether in punishment or in protection.⁴

TITLE III OF THE RELIGION

Art. 6. The Catholic, apostolic, Roman faith shall be the only publicly professed faith.⁵

Art. 7. Each parish shall provide for the maintenance of the cult of religion and of its ministers. The wealth of the factories shall be especially allocated to this expense, and the residences to the housing of ministers.

Art. 8. The Governor of the colony shall assign to each minister of religion the extent of his spiritual administration, and said ministers can never, under any circumstance, form a corps in the colony.

TITLE IV OF THE MORES

Art. 9. Marriage, by its civic and religious institution, supports the purity of mores; spouses who will practise the virtues required by their condition shall always be distinguished and specially protected by the government.

Art. 10. Divorce shall not take place in the colony. →

Art. 11. Laws that will tend to expand and maintain social virtues, and to encourage and cement family bonding, shall fix the condition and rights of children born in wedlock.

TITLE V

OF MEN IN SOCIETY

Art. 12. The Constitution guarantees freedom and individual security. No one shall be arrested unless by a formally expressed mandate, issued from a functionary to whom the law grants the right to order arrest and detention in a publicly designated location.

Art. 13. Property is sacred and inviolable. Each person, either by himself, or by his representatives, has the free right to dispose of and to administer property that is recognized as belonging to him. Anyone who attempts to deny this right shall become guilty of crime towards society and responsible towards the person whose property is troubled.⁶

TITLE VI

OF CULTURES AND COMMERCE

Art. 14. The colony being essentially agricultural cannot suffer the least disruption in the works of its cultivation.⁷

Art. 15. Each plantation shall constitute a manufacture that requires the gathering of cultivators and workers; it shall represent the quiet haven of an active and constant family, of which the owner of the land or his representative shall be the father.

Art. 16. Each cultivator and each worker is a member of the family and is entitled to a share in the revenues. → 運送

Every change in domicile on the part of the cultivator threatens the ruin of the crops. In order to repress a vice as disruptive to the colony as it is to public order, the Governor issues all policy requirements necessary in the circumstances and in conformance with the bases of the rules of police of 20

Vendémiaire, year IX [12 October 1800], and of the proclamation of the following 19th Pluviôse [9 February 1801] of the Chief General Toussaint-L'Ouverture.

Art. 17. The introduction of cultivators indispensable to the re-establishment and to the growth of agriculture shall take place in St-Domingue. The Constitution charges the Governor to take convenient measures to encourage and favour the increase in manpower, to stipulate and balance the diverse interests, to ensure and guarantee the execution of respective engagements resulting from this process.

Art. 18. Commerce in the colony consists uniquely of exchange goods produced on its territory; consequently, the introduction of goods similar in nature is and shall remain prohibited.

TITLE VII

OF THE LEGISLATION AND LEGISLATIVE AUTHORITY

Art. 19. The colonial regime is determined by laws proposed by the Governor and rendered by a gathering of inhabitants, who shall meet at fixed periods at the central seat of the colony under the title Central Assembly of St-Domingue.⁸

Art. 20. No law relative to the internal administration of the colony shall be promulgated unless it contains the following formula:

The Central Assembly of St-Domingue, upon the proposition of the Governor, renders the following law:

Art. 21. No law shall be obligatory to the citizen until the day it is promulgated in the chief town of each department.

The promulgation of law shall take place as follows: In the name of the French colony of St-Domingue, the Governor

orders that the subsequent law be sealed, promulgated and executed in all of the colony.

Art. 22. The Central Assembly of St-Domingue shall be composed of two representatives of each department, whom, to be eligible, shall be at least thirty years of age and have resided for five years in the colony.

Art. 23. The Assembly shall be renewed every two years by half; no one shall be a member for six consecutive years. The election shall proceed as follows: every two years each municipality nominates one deputy each, on the 10th Ventôse [1 March], each of the deputies, who shall meet ten days thereafter at the chief town of their respective departments, where they shall form as many departmental electoral assemblies that will each nominate one representative to the Central Assembly.

The next election shall take place on the 10th Ventôse of the eleventh year of the French Republic [1 March 1803]. In case of death, resignation or other vacancy of one or several members of the Assembly, the Governor shall provide a replacement.

He shall equally designate the members of the current Central Assembly who, at the time of its first renewal, shall remain members of the Assembly for two additional years.

Art. 24. The Central Assembly shall vote the adoption or the rejection of laws that are proposed to it by the Governor; it shall express its vote on rules made and on the application of laws already made, on abuses to correct, on improvements to undertake in all parts of service of the colony.

Art. 25. The session shall begin each year on the 1st Germinal (22 March) and shall not exceed three months in duration. The Governor can convoke the Assembly in extraordinary meetings; the hearings shall not be public.

Art. 26. On the state of revenues and spending that are proposed to the Assembly by the Governor, the Central Assembly shall determine, when appropriate, establishment of rates, quotas, the duration and mode of tax collection, its increase or decrease; these conditions shall be summarily printed.

TITLE VIII OF THE GOVERNMENT

Art. 27. The administrative direction of the government shall be entrusted to a Governor who corresponds directly with the government of the Metropole, on all matters relative to the interests of the colony.

Art. 28. The Constitution nominates the citizen Toussaint-L'Ouverture, Chief General of the army of St-Domingue, and, in consideration for important services rendered to the colony, in the most critical circumstances of the revolution, and upon the wishes of the grateful inhabitants, he is entrusted the direction thereof for the remainder of his glorious life.

Art. 29. In the future, each Governor shall be nominated for five years, and shall continue every five years for reasons of his good administration.

Art. 30. In order to strengthen the tranquillity that the colony owes to the steadfastness, activity, indefatigable zeal and rare virtues of General Toussaint L'Ouverture, and as a sign of the unlimited trust of the inhabitants of St-Domingue, the constitution attributes exclusively to this general the right to designate the citizen who, in the unfortunate event of the general's death, shall immediately replace him. This choice shall remain secret; it shall be cosigned under sealed envelope to be opened only by the Central Assembly, in the presence of all

active generals and chief commanders of departments of the army of St-Domingue.

The Governor Toussaint L'Ouverture shall take all necessary precautionary measures to let the Central Assembly know the depository of this important envelope.

Art. 31. The citizen who shall be chosen by the Governor Toussaint L'Ouverture to take the leadership of the government upon his death, shall swear in front of the Central Assembly to execute the Constitution of St-Domingue and to remain attached to the French government, and shall be immediately installed in his functions; all this shall be done in the presence of the active generals and chief commanders of departments of the army of St-Domingue, who all, individually and without delay, shall swear obedience to the orders of the new Governor of St-Domingue.

Art. 32. At least one month before the expiration of the five years fixed for the administration of each Governor, the said Governor, jointly with the active-duty generals and chief commanders of departments, shall meet at the ordinary place of hearing of the Central Assembly, in order to nominate, concurrently with the members of this Assembly, the new Governor or to continue the administration of the one who is in place.

Art. 33. Failure of a Governor to convoke [the General Assembly] constitutes a manifest infraction of the Constitution. In such circumstance, the highest-ranked general or the senior general of equal rank, who is in active service in the colony, shall rightfully, if provisionally, take control of the government.

This general shall immediately convoke the other generals in active duty, the chief commanders of departments and the members of the Central Assembly, who shall all obey the convocation, in order to proceed concurrently to the nomination of a new Governor.

In the event of the death of, resignation of or other vacancy by a Governor before the expiration of his mandate, the position of Governor passes, again provisionally, to the highest-ranked general, or the senior general of equal rank who shall convoke, to the same ends as above, the members of the Central Assembly, the active-duty generals and the chief commanders of the departments.

Art. 34. The Governor shall seal and promulgate the laws; he nominates to all civilian and military employment. He is the chief commander of the armed forces and is charged with its organization; state vessels in station at the shores of the colony receive orders from him.

He shall determine the divisions of the territory most beneficial to internal relations. He watches and provides, according to the law, for the internal and external security of the colony, and given that the state of war is a state of abandonment, malaise and nullity for the colony, in those circumstances the Governor is charged to take measures he deems necessary to ensure the subsistence of and the supply of goods of all sorts to the colony.

Art. 35. He shall exercise the general policing of inhabitants and of the factories, and enforce the obligations of owners, farmers and their representatives towards cultivators and workers, and the duty of cultivators towards owners, farmers and their representatives.

Art. 36. He shall propose laws to the Central Assembly, as well as changes to the Constitution that experience may necessitate.

Art. 37. He shall direct and supervise the collection, the payments and the use of finances of the colony, and shall give, to this effect, any and all orders.

Art. 38. He shall present, every two years, to the Central Assembly the receipts and disbursements of each department, year by year.

Art. 39. He shall supervise and censor by the authority of his commissaries, all writings intended for printing on the island; he shall censor all those coming from abroad that would tend to corrupt mores or trouble the new colony; he shall punish the authors or bearers of these writings, according to the severity of the situation.

Art. 40. If the Governor is informed of some plot against the tranquillity of the colony, he shall immediately proceed to the arrest of the presumed authors, instigators or accomplices; after having them undergo extra-judicial questioning, he shall cite them in front of a competent tribunal.

Art. 41. The salary of the Governor is fixed at the present time at 300,000 francs. His honour guard shall be charged to the colony.

TITLE IX OF THE COURTS

Art. 42. Citizens shall have an inalienable right to be tried by Judges [*arbitres*] if they so wish.

Art. 43. No authority shall suspend or impeach the execution of judgements rendered by the courts.

Art. 44. Justice shall be administered in the colony by courts of first instance and by courts of appeal. The law determines their organization, their number, their competence and the territory of each court's jurisdiction.

These tribunals, according to their jurisdiction, shall recognize all civil and criminal affairs.

Art. 45. There shall exist for the colony a Court of Cassation that shall pronounce on requests for the annulment of judgements rendered by appeal courts, and issue opinions and those com-

plaints made against an entire tribunal. This court does not hear the facts of the cases, but overturns judgements rendered on procedures in which due process has been violated; or that contain some express contravention [infringement] of the law, and shall return the evidence of the trial to the tribunal in question.

Art. 46. Judges of the various courts maintain their position for life, unless they are found guilty of forfeiture. Commissioners of the government can be revoked.

Art. 47. Military misdemeanours shall be submitted to special tribunals and subject to special judgements.

These special courts also hear cases of theft, abduction, violation of domicile, murder, assassination, arson, rape, treason and mutiny.

The organization of these courts pertains to the Governor of the colony.

TITLE X OF MUNICIPAL ADMINISTRATIONS

Art. 48. There shall be in each parish of the colony a municipal administration; where there is a court of first instance, the administrative body shall be composed of a mayor and four administrators.

The commissioner to the government near the tribunal shall hold without remuneration the functions of commissioner to the municipal administration.

In other parishes, municipal administrations shall be composed of a mayor and two administrators; a substitute commissioner to the responsible tribunal shall hold the function of commissioner to the municipality without remuneration.

Art. 49. Members of these municipal administrations shall be

nominated for two years; their position can be renewed. Their nomination devolves to the Governor, who, from a list of at least sixteen individuals, presented by each municipal administration, chooses the persons most appropriate to manage the affairs of each parish.

Art. 50. The function of municipal administrators consists in the exercise of the simple policing of cities and towns, in the administration of taxes originating from revenues of factories and additional obligations of the parishes.

They are, in addition, charged with the keeping of records of births, marriages and deaths.

Art. 51. The mayors exert particular functions determined by law.

TITLE XI OF THE ARMED FORCES

Art. 52. The Armed Forces are essentially obedient, they can never deliberate; they are at the disposition of the Governor who can mobilize them only to maintain public order, protection due to all citizens, and the defence of the colony.

Art. 53. They are divided into the paid colonial guard and the unpaid colonial guard.

Art. 54. The unpaid colonial guard shall not go outside the limits of its parish unless there is a case of imminent danger, and upon the order and the responsibility of the local military commander.

Outside of its parish it shall be compensated; and shall submit, in this case, to military discipline, and in all other cases it is only subject to the law.

Art. 55. The state police force of the colony shall be part of the Armed Forces; it shall be divided into a mounted force and a pedestrian force. The mounted force is instituted for the policing of the countryside; it has charge of the wealth of the colony. The pedestrian force is instituted for the policing of cities and towns; it shall be at the charge of the city or town for which it performs services.

Art. 56. The army is recruited upon the request of the Governor to the Central Assembly, according to the mode established by law.

TITLE XII OF FINANCES, OF SEQUESTERED AND VACANT ESTATES

Art. 57. The finances of the colony shall be composed of: (1) duties on imports, weights and measures; (2) duties on the rental value of city and town houses, and duties on manufactured goods, other than agriculture and salt marshes; (3) revenues from ferries and postal services; (4) fines and confiscated wrecks; (5) duties on the rescue of wrecked ships; revenue of colonial domains.

Art. 58. The proceeds from the sale of sequestered properties of absentee and represented owners becomes provisionally part of the public revenue of the colony and shall be applied to expenses of administration.

Circumstances shall determine the laws that should be made relative to outstanding public debt, and to the farming of sequestered property collected by the administration prior to the promulgation of the present law.

Art. 59. Funds originating from the sales of personal estates and from the sale of vacant inheritances in the colony under the French government since 1789, shall be placed in a designated

coffer. These shall not be available, along with real estate gathered under colonial domains, until two years after the announcement of peace in the island, between France and the maritime powers; let it be understood that this deadline is only relative to successions whose five-year deadline fixed by the edict of 1781 has expired; and concerning those opened on or around the peace period, they shall not become available and unified until after seven years.

Art. 60. Foreign successors of French parents or foreign parents in France shall succeed them also in St-Domingue; they shall be allowed to enter into contracts, acquire and receive properties situated in the colony, and dispose of them in the same manner as the French by all means authorized by laws.

Art. 61. Laws shall determine the mode of collection of finances of sequestered and vacant estates.

Art. 62. A temporary accounting commission shall regulate and verify the revenue and disbursement accounts of the colony; this commission shall consist of three members, chosen and nominated by the Governor.

TITLE XIII GENERAL DISPOSITIONS

Art. 63. The residence of any person shall constitute an inviolable abode. During night-time, no one shall have the right to enter therein unless in case of fire, flooding or upon request from within. During the day, authorities shall have access for a particular objective determined either by a law or by an order issued by a public authority.

Art. 64. For an act ordering the arrest of a person to be executed, it must

- (1) formally express the motive of the arrest and the law in virtue of which it is ordered;
- (2) be issued by a functionary whom the law formally empowers to do so;
- (3) be presented to the person in the form of a copy of the warrant.

Art. 65. Anyone who, without the authority of the law to make an arrest, gives, signs, executes or causes to be executed the arrest of a person shall be guilty of the crime of arbitrary detention.

Art. 66. Any person shall have the right to address individual petitions to all constitutional authorities and especially to the Governor.

Art. 67. There cannot exist in the colony corporations or associations that are contrary to public order.

No citizen association shall constitute a civil organization [société populaire]. All seditious gatherings shall be dissolved immediately, first by way of verbal order and, if necessary, by armed force.

Art. 68. Any person may form particular establishments of education and instruction for the youth under the authorization and the supervision of municipal administrations.

Art. 69. The law supervises in particular all professions regarding public mores, public safety, health and wealth of citizens.

Art. 70. The law provides for awards to inventors of agricultural tools, and for the preservation of the exclusive ownership of their discoveries.

Art. 71. There shall exist in the colony uniformity of weights and measures.

Art. 72. There shall be given, by the Governor, in the name of

the colony, awards to soldiers who have rendered exceptional services while fighting for the common defence.

Art. 73. Absentee owners, for whatever reason, conserve all their rights to properties belonging to them and situated in the colony; it suffices, to remove any sequestration that might have been imposed, to reintroduce their titles of ownership and, in default of title thereof, supplementary acts whose formula is determined by law. Exempt from this disposition are, nevertheless, those who might have been inscribed and maintained on the general list of emigrants of France; their properties shall continue, in this case, to be administered as colonial domains until their removal from the list.

Art. 74. The colony proclaims, as a guarantee of public law, that all leases of properties legally leased by the administration shall have their full effect, if the contracting parties prefer not to enter into agreement with owners or their representatives who would obtain the return of their sequestered goods.

Art. 75. It proclaims that agriculture, all production, all means of employment and all social order are founded upon on the respect of persons and of properties.

Art. 76. It proclaims that any citizen owes services to the land that nourishes him or in which he was born, for the maintenance of freedom, equality and property, whenever the law calls upon him to defend them.

Art. 77. The Chief General Toussaint L'Ouverture is and shall remain charged with sending the present Constitution to be sanctioned by the French government; nevertheless, and given the absence of laws, the urgency to overcome the present perilous situation, the necessity promptly to re-establish agriculture and the unanimous wishes pronounced by the inhabitants of St-Domingue, the Chief General is henceforth invited, in the

name of public good, to proceed with its execution in all areas of the territory of the colony.

Made at Port Républicain, this 19th Floréal, year IX [10 May 1801] of the French Republic, one and indivisible.

Signed:

Borgella, President,

Raymond Collet Gaston Nogérée,

Lacour,

Roxas,

Munos,

Mancebo,

E. Viert, secretary

After having taken knowledge of the Constitution, I give it my approval. The invitation of the Central Assembly is for me an order; consequently, I shall pass it to the French government in order to obtain its sanction; as for its execution in the colony, the wish expressed by the Central Assembly shall be fulfilled as well and executed.

Given at Cap Français, this 14th Messidor, year IX [3 July 1801] of the French Republic, one and indivisible.

The General in Chief:

Signed: Toussaint L'Ouverture

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LETTER FROM NAPOLEON TO TOUSSAINT

18 November 1801

This letter was presented to Toussaint at his plantation at Emery on 8 February 1802, by his two sons, returned from their studies in France, and their tutor Coisson. The letter had little chance of success, as it named Leclerc as Toussaint's superior officer. In fact, virtually every word of it was either false or highly ambiguous; Leclerc had explicit orders from Napoleon to capture and deport Toussaint and the entire black officer class with him, and to reinstate slavery as soon as possible.

Citizen General

The peace with England and all the European powers, which has established the Republic in the highest degree of power and grandeur, now allows the government to occupy itself with the colony of St-Domingue. We are sending there Citizen Leclerc, our brother-in-law, in his quality as General to serve as first magistrate of the colony. He is accompanied by a considerable force in order to ensure the respect of the sovereignty of the French people.

It is in these circumstances that we hope that you will prove to us, and to all of France, the sincerity of the sentiments that

you have regularly expressed in the letters that you wrote to us.

We hold you in esteem, and we are happy to recognize and proclaim the great services that you have rendered the French people. If its banner flies over St-Domingue, it is to you and the brave blacks that this is owed.

Called by your talents and the force of circumstances to the leading position of command, you have done away with civil war, put a brake on persecution by several ferocious men, and returned to its place of honour the cult of God, from which everything emanates.

The constitution you made, while including many good things, contains some that are contrary to the dignity and sovereignty of the French people, of which St-Domingue forms only a portion.

The circumstances in which you found yourself, surrounded on all sides by enemies without the metropole being able to either assist or resupply you, rendered articles of that constitution legitimate that otherwise would not be. But today, when the circumstances have changed for the better, you should be the first to render homage to the sovereignty of the nation that counts you among its most illustrious citizens thanks to the services you have rendered it and by the talents and the force of character with which nature has graced you. A contrary conduct would be irreconcilable with the idea we have conceived of you. It would have you lose the many rights to recognition and the benefits of the republic, and would dig beneath your feet a precipice which, in swallowing you up, could contribute to the misfortune of those brave blacks whose courage we love, and whose rebellion we would, with difficulty, be obliged to be punished.

We have made known to your children and their tutor the sentiments that animate us. We are returning them to you.

Assist the General with your counsels, your influence and your talents. What could you wish for? Freedom for blacks? You

know that in all the countries we've been we have given it to people who didn't have it. Consideration, honours, fortune? After the services you have rendered us, that you can yet render us, and the particular sentiments that we have for you, can you possibly be unsure about your fortune and the honours that await you?

And, General, think that if you are the first of your colour to have arrived at such a great power, and to have so distinguished himself for his bravery and military talents, you are also before God and ourselves principally responsible for the conduct of the people of St-Domingue.

If there are evil ones who say to the individuals of St-Domingue that we arrive to investigate what they did during the time of anarchy, assure them that we are informing ourselves only of their conduct in those circumstances, and that we are only investigating the past in order to learn of the traits that distinguished them in the war they carried out against the English and the Spaniards, who were our enemies.

Count without any reservation on our esteem, and conduct yourself as should one of the principal citizens of the greatest nation in the world.

The First Consul, Bonaparte

PROCLAMATION

25 November 1801

This document testifies to the dictatorial 'delirium' (Ditbois) that overlooked L'Ouverture in response to the series of rebellions of October 1801 that culminated in Toussaint's decision to execute his adoptive nephew Moïse, thought to have led the uprisings. Its call for identity cards and a punitive regime of chain gang labour are the culmination of the forcible militarization of agriculture he attempted to implement from 1796 to 1802. Fundamentally, the proclamation demonstrates L'Ouverture's tragic inability to perceive the fundamental incompatibility between this totalitarian social model and the uncompromising call for general liberty he continued to defend until his death.

Cap Français, 4 Frimmaire [Frimaire], year X

Since the revolution, I have done all that depended upon me to return happiness to my country and to ensure liberty for my fellow citizens. Forced to combat internal and external enemies of the French Republic, I made war with courage, honour and loyalty. I have never strayed from the rules of justice with my enemies; as much as was in my power I sought to soften the horrors of war, to spare the blood of men . . . Often after victory I received as brothers those who, the day before, were under

enemy flags. Through the overlooking of errors and faults I wanted to make even its most ardent enemies love the legitimate and sacred cause of liberty.

I constantly reminded my brothers in arms, generals and officers, that the ranks to which they had been raised were nothing but the reward for honour, bravery and irreproachable conduct. That the higher they were above their fellow citizens, the more irreproachable all their actions and words must be; that scandals caused by public men had consequences even more dire for society than those of simple citizens; that the ranks and functions they bore had not been given to them to serve only their ambition, but had as cause and goal the general good. [. . .]

It is up to officers to set a good example to their soldiers. Every captain should have the noble goal of having his company the best disciplined, the most cleanly attired, the best trained. He should think that the lapses of his soldiers reflect on him and believe himself lowered by the faults of those he commands. [. . .]

Having always regarded religion as the basis of all virtues and the foundation of the happiness of societies, in one of my proclamations, at the time of the war in the south, I laid out the obligations of fathers and mothers, their obligation to raise their children in the love and fear of God.

Nevertheless, how negligently fathers and mothers raise their children, especially in cities. They leave them in a state of idleness and in ignorance of their principal obligations. They seem to inspire in children contempt for agriculture, the first, the most honourable, and the most useful of all occupations.

Barely are they born than we see these same children with jewels and earrings, covered in rags, their clothing filthy, wounding the eyes of decency through their nudity. Thus they arrive at the age of twelve, without moral principles, without a skill, and with a taste for luxury and laziness as their only education. And since bad impressions are difficult to correct, it is certain beyond any doubt that they will be bad citizens, vagabonds, thieves. And

if they are girls, then they are prostitutes all of them ready to follow the prompting of the first conspirator who will preach murder and pillage to them. It is upon such vile mothers and fathers, on students so dangerous, that the magistrates of the people must ceaselessly keep an open eye.

The same reproaches equally apply to cultivators on the plantations. Since the revolution, perverse men have told them that freedom is the right to remain idle and to follow only their whims. Such a doctrine could not help but be accepted by evil men, thieves and assassins. It is time to hit out at the hardened men who persist in such ideas.

As soon as a child can walk, he should be employed on the plantations according to his strength in some useful work, instead of being sent into the cities where, under the pretext of an education that he doesn't receive, he learns vice, to join the horde of vagabonds and women of ill repute, to trouble by his existence the repose of good citizens, and to terminate it in ignominy. Military commanders and magistrates must be inexorable with this class of men. Despite this, they must be forced to be useful to society upon which, without the most severe vigilance, they will be a plague.

Since the revolution, it is evident that the war has made perish many more men than women. In addition, many more of the latter, whose existence is based on libertinage, can be found in the cities. Entirely given over to concern for their attire, a result of their prostitution, they want to do absolutely nothing that is useful. It is they who harbour evil men, who live on the products of their crimes. It would be all to the honour of magistrates, generals and commandants to not leave a single one in the cities. The least negligence in this regard would render them worthy of public lack or esteem. [. . .]

As for domestics, each citizen should only have as many as are necessary for indispensable services. The persons in whose homes they reside should be the first overseers of their conduct and

should not tolerate anything in their conduct contrary to good morals, submission and order. If they are thieves they should be denounced to military commandants so they can be punished in conformity with the law. And since under the new regime all labour deserves a salary, every salary demands work. Such is the invariable and firm will of the government.

An object worthy of attention is the surveillance of foreigners who arrive in the colony. Some among them, knowing only of the changes that have taken place through the reports of enemies of the new order of things, make statements that are all the more dangerous in that they are avidly listened to by those who, basing their hopes on the troubles, ask only for pretexes. Such straying must be severely punished. The carelessness of public functionaries in this regard will undermine the confidence of which they are in need and will cause them to be looked upon, and rightly so, as accomplices of the enemies of freedom!

The most holy of all institutions among men who live in society, that from which flows the greatest good, is marriage [. . .] Thus a wise government must always occupy itself with surrounding happy couples with honour, respect and veneration. It should only rest after having extirpated immorality to the last root. Military commanders, and especially public functionaries, are inexcusable when they publicly give themselves over to the scandal of vice. Those who, while having legitimate wives, allow concubines within their houses, or those who, not being married, live publicly with several women, are not worthy of command: they shall be dismissed.

Idleness is the source of all disorders, and if it is at all tolerated, I shall hold the military commanders responsible, persuaded that those who tolerate idleness and vagabonds are secret enemies of the government.

In keeping with his abilities, no one under any pretext is to be exempt from some task. Creole mothers and fathers who have

children and properties should go there to live and work, to make their children work or to oversee their labour; and in moments of rest they should, either themselves or through instructors, teach them the precepts of our religion.

It is through these means that useful and respectable citizens will be formed, and we will distance forever from this colony the horrible events whose memory should never be effaced from our minds.

Consequently, I decree the following:

Any commander who during the recent conspiracy [the October rebellions, brutally repressed by Dessaline and Christophe under L'Ouverture's orders] had knowledge of the troubles which were to break out and who tolerated pillage and murder or who, able to prevent or block the revolt, allowed the law that declares that 'life, property and the asylum of every citizen are sacred and inviolable' to be broken, will be brought before a special tribunal and punished in conformity with the law of 10 August 1801. Any military commander who, by lack of foresight or negligence, has not stopped the disorders that have been committed will be discharged and punished with one year in prison. In consequence of this, a rigorous inquest will be carried out, according to which the government will pronounce on his destiny.

All generals and commanders of *arrondissements* and quarters who in the future neglect to take all necessary measures to prevent or block sedition will be brought before a special tribunal and punished in conformity with the law of 10 August 1801.

In case of troubles, or upon indication that such will break out, the National Guard of a quarter or *arrondissement* shall be under the orders of the military commanders upon their simple requisition. Any military commander who shall not have taken all the measures necessary to prevent troubles in his quarter, or the spreading of trouble from a quarter neighbouring that which he commands, and any military man, be he of the line or the

National Guard, who shall refuse to obey legal orders shall be punished with death.

Any individual, man or woman, whatever his or her colour, who shall be convicted of having pronounced serious statements tending to incite sedition shall be brought before a court martial and punished in conformity with the law.

Any Creole individual, man or woman, convicted of making statements tending to alter public tranquillity but who shall not be worthy of death shall be sent to the fields to work with a chain on one foot for six months.

Any foreign individual found in the case of the preceding article shall be deported from the colony.

In all the communes of the colony where municipal administrations exist, all male and female citizens who live in them, whatever their quality or condition, must obtain a security card. Such card shall contain the name, family name, address, civil state, profession and quality, age and sex of the person who bears it. It shall be signed by the mayor and the police superintendent of the quarter in which lives the individual to which it shall be delivered. It shall be renewed every six months and paid at the price of one *gourdin* for each individual, and the sums coming from this are destined for communal expenses.

It is expressly ordered that municipal administrators are only to deliver security cards to persons having a known profession or state, irreproachable conduct and well-assured means of existence. All those who cannot fulfil the conditions rigorously necessary to obtain a security card will be sent to the fields if they are Creole, or sent away from the colony if they are foreigners.

Two weeks after the publication of the present act, any person found without a security card shall be sent to the fields if they are Creole and if they are foreigners deported from the colony without any form of trial if they don't prefer to serve in the troops of the line.

Any domestic who has not been judged worthy of obtaining a certificate of good conduct upon leaving a house in which he or she served shall be declared incapable of receiving a security card. Any person who, in order to favour them shall have delivered them one shall be punished with one month in prison.

Dating two weeks after the publication of the present act, all managers and drivers on plantations are to send to the commanders of their quarter the exact list of all the cultivators on their plantations of every age and sex, under penalty of one week in prison. Every manager and driver is the first overseer of his plantation. He is declared personally responsible for any kind of disorder that shall be committed, and for the laziness and vagabondage of the cultivators.

Dating from one month after the publication of the present act, all commanders of quarters are to send lists of the cultivators of all the plantations of their quarter to the *arrondissement* commanders under penalty of discharge.

The *arrondissement* commanders are to send list of all the plantations of their *arrissements* to the generals under whose orders they serve, and these latter to the Governor as quickly as possible, under penalty of disobedience. Said lists, deposited in the archives of the government, shall serve in the future as the immutable bases for the fixing of cultivators on the plantations.

Any manager or driver of a plantation upon which a foreign cultivator shall have taken refuge shall denounce him to the captain or commander of the section within twenty-four hours under penalty of one week in prison.

Any captain or commander of a section who through negligence allowed a foreign cultivator on a plantation in his section for more than three days shall be discharged.

Vagabond cultivators arrested in this way shall be taken to the commander of the quarter, who will have them sent to the gendarmerie on their plantation. They will be confided to the special surveillance of the drivers and managers and they shall

be deprived of passports for leaving the plantation for three months.

It is forbidden for any soldier to work on a plantation or for private individuals in the cities. Those who want to work and who obtain the permission of their officers shall be employed in labours for the account of the republic and paid according to their work.

It is forbidden for any soldier to go to a plantation, unless it is to see his father or mother and with a limited permit from his chief. If he fails to return to his corps at the stated hour he shall be punished in accordance with military ordinances.

Any person convicted of having disturbed or attempted to disturb a married couple shall be denounced to the civil and military authorities, who shall render an account to the Governor, who shall pronounce on their fate in accordance with the needs of the case.

My regulations on cultivation, given at Port Républicain on the 20th of Vendémiaire of the year IX [1800] shall be executed exactly as stated. All military commanders are enjoined to execute them rigorously and literally in all that is not contrary to the present proclamation.

The present proclamation shall be printed, transcribed on the registers of administrative and judiciary bodies, read, published and posted wherever needed, and also inserted in the *Bulletin Officiel de St-Domingue*. A copy shall be sent to all ministers of religion for it to be read to all parishioners after Mass.

All generals, military commanders and all civil authorities in all departments are enjoined to maintain a firm hand in ensuring the full and complete execution of all of these dispositions on their personal responsibility and under penalty of disobedience.

NAPOLÉON'S ANALYSIS OF TOUSSAINT FROM ST HELENA

This fascinating text makes clear that the tragedy of the Haitian Revolution lay in part in the inability of these two leaders to overcome their own respective hubris: while Toussaint was unable to restrain himself from promulgating his constitution, though he was conscious that it would probably lead to open war with the French, Napoleon here reveals that he failed to follow his own better instincts, and in the process ended up losing virtually the entire French holdings in the Americas.

The prosperous situation in which the Republic found itself in 1801, after the Peace of Lunéville, made already foreseeable the moment when England would be obliged to lay down her arms, and when we would be empowered to adopt a definitive policy on St-Domingue. Two such options presented themselves to the meditations of the First Consul: the first to clothe General Toussaint L'Ouverture with civilian and military authority and with the title of Governor-General; to entrust command to the black generals; to consolidate and legalize the work discipline established by Toussaint, which had already been crowned by happy success; to require the black leaseholders

[those who were operating the plantations of French colonists who had fled St-Domingue] to pay a tax or a rent to the former French proprietors, to conserve for the metropole the exclusive right to trade with the whole colony, by having the coasts patrolled by numerous cruisers. The other policy consisted of re-conquering the colony by force of arms, bringing back to France all the blacks who had occupied ranks superior to that of battalion chief, disarming the blacks while assuring them of their civil liberty, and restoring property to the [white] colonists. These projects each had advantages and inconveniences. The advantages of the first were palpable: the Republic would have an army of between 25,000 and 30,000 blacks, sufficient to make all America tremble; that would be a new element of power, and one that would cost no sacrifice, either in men or in money. The former landowners would doubtless lose three-quarters of their fortune; but French commerce would lose nothing there, since it always enjoyed exclusive trade privileges. The second project was more advantageous to the colonial landowners, [and] more in line with justice; but it required a war which would bring about the loss of many men and much money; the conflicting pretensions of the blacks, the coloured men and the white landowners would always be an object of discord and an embarrassment to the metropole; St-Domingue would always rest on a volcano: thus the First Consul was inclined towards the first policy, because that was the one that sound politics seemed to recommend to him – the one that would give more influence to his flag in America. What might he not undertake, with an army of the 25,000 to 30,000 blacks, in Jamaica, the Antilles, Canada, the United States even, and the Spanish colonies?

LETTER TO DESSALINES

8 February 1802

This letter, written just after the French troops under Lederc landed in Le Cap on 4 February, describes the strategy of guerrilla warfare that would eventually carry the colony to independence and victory over the greatest army in the contemporary world. Already on that earlier date, Henry Christophe had inaugurated this scorched-earth policy by setting fire to Le Cap. General liberty was for the blacks of St-Domingue – as it was for their less successful colleagues Louis Delgrès and Joseph Ignace in Guadeloupe – a non-negotiable principle. In the name of general liberty and the unconditional refusal to be enslaved, all must be sacrificed without reserve.

LIBERTY. EQUALITY.

The Governor-General [Toussaint L'Ouverture] to General Dessalines, Commander-in-Chief of the army of the west

Headquarters Gonaïves, 8 February 1802

There is no reason for despair, Citizen-General, if you can succeed in removing from the [French] troops that have landed the resources offered to them by Port Républicain [Port-au-

Prince]. Endeavour, by all the means of force and address, to set that place on fire; it is constructed entirely of wood; you have only to send into it some faithful emissaries. Are there none under your orders devoted enough for this service? Ah! my dear General, what a misfortune that there was a traitor in that city, and that your orders and mine were not put into execution.

Watch for the moment when the garrison shall be weak in consequence of expeditions into the plains, and then try to surprise and carry that city, falling on it in the rear.

Do not forget, while waiting for the rainy season which will rid us of our foes, that we have no other resource than destruction and flames. Bear in mind that the soil bathed with our sweat must not furnish our enemies with the smallest aliment. Tear up the roads with shot; throw corpses and horses into all the fountains; burn and annihilate everything, in order that those who have come to reduce us to slavery may have before their eyes the image of that hell which they deserve.

Salutation and Friendship,
Toussaint L'Ouverture

LETTER TO NAPOLEON FROM ON BOARD THE HEROS

12 July 1802

This letter was written to Napoleon following Toussaint's capture by Leclerc's troops. Various interpretations have been offered for Toussaint's failure to foresee this betrayal, from lubricity to complacency and world-weary fatigue, to a premonition that his self-sacrifice would galvanize a fragmented black and mulatto community to defeat the French invaders (an interpretation most eloquently articulated by Aimé Césaire). Whatever Toussaint's subjective state and motivations, it is clear that the latter effect was the objective result of his arrest and deportation to Fort de Joux.

1 Thermidor, year X

General Toussaint L'Ouverture to General Bonaparte, First Consul of the French Republic

Citizen First Consul

I will not conceal my faults from you. I have committed some. What man is exempt? I am quite ready to avow them. After the word of honour of the Captain-General [General Leclerc] who

represents the French government, after a proclamation addressed to the colony, in which he promised to throw the veil of oblivion over the events that had taken place in St-Domingue, I, as you did on the Eighteenth Brumaire, withdrew into the bosom of my family. Scarcely had a month passed away, when evil-disposed persons, by means of intrigues, effected my ruin with the General-in-Chief, by filling his mind with distrust against me. I received a letter from him which ordered me to act in conjunction with General Brunet. I obeyed. Accompanied by two persons, I went to Gonaives, where I was arrested. They sent me on board the frigate *Creole*, I know not for what reason, without any other clothes than those I had on. The next day my house was exposed to pillage; my wife and my children were arrested; they had nothing, not even the means to cover themselves.

Citizen First Consul: A mother fifty years of age may deserve the indulgence and the kindness of a generous and liberal nation. She has no account to render. I alone ought to be responsible for my conduct to the government I have served. I have too high an idea of the greatness and the justice of the First Magistrate of the French people, to doubt a moment of its impartiality. I indulge the feeling that the balance in its hands will not incline to one side more than to another. I claim its generosity.

Salutation and respect,
Toussaint L'Ouverture

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LETTER TO NAPOLEON
FROM FORT DE JOUX

17 September 1802

In the dungeon of Fort de Joux, this 30 Fructidor, year XI
General and First Consul

The respect and the submission which I could wish forever graven on my heart [here several words are illegible]. If I have sinned in doing my duty, it is contrary to my intentions; if I was wrong in forming the constitution, it was through my great desire to do good; it was through having employed too much zeal, too much self-love, thinking I was pleasing the government under which I served; if the formalities which I ought to have observed were neglected, it was through inattention. I have had the misfortune to incur your wrath, but as to fidelity and probity, I am strong in my conscience, and I dare affirm that among all the servants of the state no one is more honest than myself. I was one of your soldiers, and the first servant of the Republic in St-Domingue; but now I am wretched, ruined, dishonoured, a victim of my own services; let your sensibility be moved at my position. You are too great in feeling and too just not to pronounce a judgement as to my destiny. I charge General

Cafarelli, your aide-de-camp, to put my report into your hands. I beg you to take it into your best consideration. His honour and his frankness have forced me to open my heart to him.

Salutation and respect,
Toussaint L'Ouverture

MEMOIR OF TOUSSAINT L'OUVERTURE

This text was first published in Paris in 1853 by the exiled Haitian lawyer Joseph Saint-Remy. Toussaint composed its seventy-five pages with the aid of a French secretary in his prison cell at the Fort de Joux in the Jura mountains, where he had arrived on 23 August 1802. Bonaparte never replied to L'Ouverture's entreaties, and by the following April the latter would die from the harsh conditions of his imprisonment. The text takes the form of a juridical brief for a military trial that would never occur. In it, the leading architect of the Haitian Revolution argues that the devastation of the island and the deaths of some 20,000 French troops were due entirely to General Leclerc's breaches of military protocol. Though the document is a first-hand account, it must be read critically, since Toussaint seeks to present his own participation in the most favourable light. Moreover, Toussaint was unaware, though he most likely suspected, that his capturer Leclerc had arrived in St-Domingue with explicit orders from Napoleon to reinstate slavery. He further ordered Leclerc to 'arrest [. . .] all the black generals' and 'not [so] allow any blacks having held a rank above that of captain to remain on the island'.¹

It is my duty to render to the French government an exact account of my conduct. I shall relate the facts with all the