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In the case of France and Haiti, who really owes what to whom, and why?

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A Thesis in the Field of Government

for the Degree of Master of Liberal Arts in Extension Studies

Harvard University

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Abstract

In 1825, Haiti agreed to pay an indemnity to France in exchange for international recognition of its sovereignty as a nation after winning its freedom from slavery and independence from colonial rule via the Haitian Revolution. Over the past few years, there has been much public debate around whether France should repay the initial indemnity imposed on Haiti. This thesis analyzes the social, political, religious, and economic dynamics that went into France's decision to initially impose the indemnity, and Haiti ultimately agreeing to pay it to answer the question, "Who really owes what to whom, and why?" This thesis mainly employs the use of qualitative research methods that include the examination of primary and secondary sources, though there is use of quantitative analysis regarding various socioeconomic factors. The analysis of all data shows that while Haiti has a strong legal and moral argument for repayment of the indemnity initially paid to France, Haiti too owes a debt to its own people. The thesis' analysis also explores the extent to which pervasive and prevailing Euro-centric ideology around classism and racism may have played a role in Haiti's acceptance of France's indemnity decree, and subsequent debt dependency at the expense of its own development. I conclude that the debt to Haiti is owed by both external entities, and Haiti itself, and Haiti will continue to be in decline should it go unpaid.

Dedication

Dedicated to my loving parents Denise and Elon, my sons Ayden and Khristian, and all the ancestors who came before me.

Acknowledgments

I would like to express my deepest gratitude to the individuals who both inspired and helped me navigate this thesis. Firstly, though I am not Haitian, I grew up in a religious community in Brooklyn, NY with a large contingent of first- and second-generation Haitians whose integrity, honor, hard work, devotion to family, love, and goodness inspired me to take up the task of writing this thesis in their honor. Secondly, I want to thank Samuel Pierre, and Pastor Mullery Jean-Pierre for their tireless work to improve the lives of Haitians in Haiti and abroad. Lastly, my thesis advisor James Herron has been instrumental during this process. James, thank you for your intellectual guidance, empathy, and challenging me to push beyond my own self-perceived limitations. Thank you all.

Table of Contents

Dedication iv

Acknowledgments v

List of Figures vii

Chapter I. Introduction 1

Chapter II. Debt 11

Chapter III. Property Rights. Religion and Legal Theory. Colonization. 20

Chapter IV. Post-Revolution Haitian Society 31

Chapter V. Negotiation 35

Chapter VI. Conclusion 47

References 51

List of Figures

Figure 1. Seed, “Ceremonies of possession in Europe's conquest of the New World, 1492-1640,” 69. 24

Figure 2. New York Public Library, “Digital Collections: Europeans in the Americas.” .25

Figure 3. Dupuy, “Haiti since 1804: Critical perspectives on class, power, and gender,” 26.....40

Figure 4. Obregon, “Empire, Racial Capitalism, and International Law,” 610.....42

Figure 5. Obregon, “Empire, Racial Capitalism, and International Law,” 611.....43

Chapter I.

Introduction

"My decision to destroy the authority of the Blacks in Saint Domingue is not so much based on considerations of commerce and money…as on the need to block forever the forward march of Blacks in the world.".

—Napoleon Bonaparte

This thesis examines how there can be two diametrically opposing views on the issue of Haitian debt to France regarding what is and is not "owed" to either country. The primary question this thesis seeks to answer is "who really owes what to whom and why?" More specifically, what were the legal justifications used by the French state in 1825 to justify demanding reparations from Haiti to France? What were the social, political, religious and economic ideologies of the day that informed those justifications? Alternatively, while Haiti made a formal demand for repayment of the money it paid to France, what culpable role, if any, did Haiti potentially play in its own economic enslavement? Did any Haitians benefit? We explore the concept of debt, and how it has been used throughout history by those in power to further exploit and subjugate those without it, especially as it pertains to France and Haiti, and how Haiti, Haitian elites in particular, engaged the broader Haitian society.

More specifically, the concept of debt, and the varied ways in which it has been weaponized against the Haitian people, will serve as the linchpin for this thesis. It is my position that the international community does owe a debt to Haiti, France in particular,

but Haiti as a nation too owes a debt to itself. France owes Haiti (re)payment of a monetary figure that is directly tied to its enslavement of African people, and the subsequent unjust enrichment France realized as result of its 1825 ordinance demanding reparations for its colonist's lost property because of losing the Haitian Revolution. On the other hand, Haitian elites who agreed to the 1825 ordinance, had its government take out loans to pay it, and saddled the nation with the responsibility to pay a debt from which they benefited, owe the Haitian people a government free of corruption, and one that makes material investment in all its people and not just the wealthy few. The Haitian people owe it to themselves to demand it. If these debts continue to go unpaid, Haiti will continue going down the path of instability.

On July 6, 2021 Haiti was once again thrust into turmoil when its sitting President Jovenel Moïse was assassinated, and his wife injured, during an overnight raid in the presidential palace.[1] Up until his assassination, Moïse was seen as ruling the country by decree, and deciding to forgo holding elections which led many in the opposition to have concerns over the return of an even greater degree of authoritarianism than had been seen in recent times. After an investigation, a Haitian court indicted the First Lady, Martine Moïse and several others for her late husband's murder in February of 2024. As of June 2024, Haiti's population of 11.8 million people,[2] saw over 2500 people killed or injured in Haiti due to gang violence and civil unrest in the first 3 months of 2024 alone.[3] To

[1] Coto, "Haiti in upheaval: President Moise assassinated at home."
[2]US Census Bureau, "Haiti"
[3]Coto, "Haitian leaders oust police chief and appoint a new one as gang violence claims officers' lives.

provide perspective, NYC is the most densely populated city in the U.S. with over 8 million people and saw 157 murders in the first half of 2024.[4]

Since its founding, the nation of Haiti has seen wave after wave of crises and disaster: from fighting for freedom from French enslavement in the late 18th and early 19th centuries, navigating peace talks, the continuation of a form of slavery by means of being forced to make reparatory payments to the French using debt after winning the Haitian Revolution, American occupation in the 20th century, the brutal dictatorships of François "Papa Doc" Duvalier and his son Jean-Claude "Baby Doc" Duvalier from the mid to late 20th Century, political unrest, institutionalized poverty - Haiti is the poorest nation in the Western Hemisphere,[5] public health crises, and back to back natural disasters in the 20th and 21st centuries. Amongst other things, it is easy, convenient, and even lazy to assume that Haiti's current plight is because of a people, who have proven to be unable to effectively govern themselves. However, an objective and thorough review of history could shed light on how Haiti has arrived at this point in history, who are the key players involved, and how we can identify and address any material injustices that may be linked to Haiti's 1825 debt and its subsequent effects.

Firstly, in 1789, France was roiled in the French Revolution, news of the war traveled quickly back to Saint Domingue, modern day Haiti, and by 1791 the ideals of the French Revolution: Liberty, Equality, and Fraternity arguably played a role in the decision of the enslaved blacks on the island to revolt against their white slave-owners. Over the next 13 years formerly enslaved blacks fought against the French, then with the

[4] NYPD, "CompStat"

[5] Council of Foreign Relations, "Haiti's Troubled Path to Development."

French against the British and Spanish, and then again against France under Napoleon's rule. By 1804 Haiti won its independence and freedom from slavery. Unfortunately, this watershed moment in human history has gone largely unheralded by the rest of the world. Haiti's victory marks the first successful slave revolt resulting in the founding of a nation by former enslaved Africans in the colonial West. During the war, the leader of the Haitian army, Toussaint L'Ouverture drafted the nation's first Constitution and included a complete prohibition of discrimination on the grounds of race roughly 163 years before the United States amended its constitution to include the same, however as we discover in this thesis a prohibition on racism was not a prohibition on classism. These historic victories were seen as a threat at the time by Western powers like Spain, Britain, Portugal, and the United States who were also slave holding nations, and by 1825, France assembled a naval fleet to descend onto Haitian shores threatening total annihilation if the newly found country did not agree to pay 150 million francs - later reduced to 90 million francs, equivalent to $21 billion in today's money when including interest on loans taken out to pay the debt, as restitution for France's lost labor and property as a result of the war.

Less conservative estimates put the dollar value of Haiti's payments at upwards of $115 billion today. Haiti somewhat reluctantly agreed to pay this restitution, and for the next 122 years the country was subjected to having to be enslaved yet again, but this time by debt. As a matter of fact, Haiti was known to suffer a "double debt," the initial debt to be paid to their former slave owners, and the usurious rates and terms applied to loans Haiti took out from French and American banks in order to repay the debt.[6] Arguably,

[6] Gamio, "The Ransom: Haiti's lost Billions."

this form of economic slavery completely paralyzed Haiti's ability to invest in its own development, and by the end of the 19th century, 80 percent of Haiti's national budget was allocated to financing its international debt payments connected to France's initial demand.[7] This attempt by France not only sought to enrich itself further on the backs of its former slaves without the overhead of actually having to run plantations on the island, but also to rewrite history to cause the world to forget the significance of Haiti's victory, and position itself as the victim, as the one offended and even as a liberator of Haiti, as opposed to being the offender, the perpetrator of injustice. Government propaganda disseminated around France at the time, portrayed King Charles X as benevolent by not re-enslaving the Haitian people, but rather merely imposing debt payments.[8]

On April 7, 2003, during an event to commemorate the 200-year anniversary of the death of L'Ouverture, Haitian president Jean-Bertrand Aristide made a public demand for France to repay Haiti the over $21bn Haiti paid to France. Aristide, the only Haitian president to make such a demand, characterized the payment as "restitution for the indemnity and reparation for the enslavement of Africans in Saint Domingue."[9] Unsurprisingly, the French rejected Aristide's demand, and put together a commission to address Aristide's claims. The commission found that there was no legal basis upon which Haiti could demand repayment because "the right for nations to self-determination did not exist in 1838 (when France recognized Haiti's independence)." The report went on to say slavery was not considered a crime against humanity until after World War II, France provided considerable aid to Haiti, and Haiti has not adequately managed those

[7] Center for American Progress, "Haiti's Changing Tide" 8.
[8] Gamio, "The Ransom: Haiti's Lost Billions"
[9] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 4.

funds.[10] In my opinion, France's justification presents an epistemic injustice and further highlights the insidious nature of institutionalized racism, and the colonial era. Crimes, such as slavery, are only crimes against humanity when the nations who commit those crimes say they are in fact crimes as if they were not so all along. This notion directly aligns with the reality that the powerful can always change the rules of engagement to suit their aims.

In contrast, based on international law today, it could be possible for Haiti to sue France, and potentially the United States, in the International Court of Justice (ICJ) on the legal grounds of unjust enrichment. The concept of unjust enrichment can be traced back to ancient Rome and began to be more broadly used during the rise of the decolonization era by former European colonies.[11] Unjust enrichment has long been held as a legitimate principle of international law, "...codified in the Statute of the ICJ, Article 38. A claim of unjust enrichment gives one party a right of restitution of anything of value that has been taken or received by the other party without a legal justification."[12] In such a case, Haiti would have to prove three crucial points: "(1) the defendant gained some benefit, (2) the benefit occurred at the plaintiff's expense, and (3) there is no justification for the enrichment—the enrichment was wrongful."[13] Slavery was briefly abolished in French territories in 1794 until Napoleon restored it in 1802. While the slave trade was abolished in 1818 by France, actual slavery in its territories was not finally abolished until 1848.[14] One could argue that even by today's standards France was well within its right in 1825

[10] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 4.
[11] Manga, "The Principle of Unjust Enrichment in International Law," 121.
[12] Fitzgerald, "Recouping the Price of Independence - Evaluating a Haitian Claim of Reparations from France."
[13] Oxford Bibliographies: French Emancipation
[14] Oxford Bibliographies: French Emancipation

to demand reparations for lost colonial property, an act that arguably does not violate international norms and law at the time due to prevailing sentiment around property rights which we explore later.

Many figures on the international stage look at Haiti not only as being a failed state, but as one that will always be so, and is the main cause of its problems. Such comments are full of racist undertones that are not only found in the era of the Trans-Atlantic slave trade, but also persist to this day. For example, in 2018 the sitting President of the United States of America, Donald J. Trump, referred to Haiti, and countries in Africa, as "shithole countries" during a meeting on immigration. Then President Trump went on to say that the U.S. shouldn't accept immigrants from these kinds of countries, but rather from ones like "Norway."[15] The blatant racism rooted in this kind of thinking is not new and is reminiscent of the dominant perspectives of the period regarding people of color on the part of Western powers. For instance, after the established government of the French Revolution abolished slavery in its territories in 1794, effectively freeing over one million people from bondage, several years later in 1802, Napoleon reinstated slavery when he comes to power. Napoleon makes his reasoning clear, and says, "My decision to destroy the authority of the Blacks in Saint Domingue is not so much based on considerations of commerce and money…as on the need to block forever the forward march of Blacks in the world."[16]

Additionally, there is persistent cognitive dissonance on the part of even those claiming to help Haiti when attempting to articulate Haiti's plight. For instance, during a

[15] Fram, "Trump: Why allow immigrants from 'shithole countries'?"
[16] Miller, "We've Never Forgiven Haiti for Being Black."

hearing before a Congressional sub-committee overseeing reconstruction efforts in Haiti after a devastating earthquake in 2010, several scholars on Haitian relations and leaders of nonprofits focusing on providing aid to Haiti spent very little time, if any, detailing the ways in which countries like France and America have played an instrumental role in why Haiti continues to find itself in dire straits.[17] Over the years, France pledged hundreds of millions of dollars in aid to Haiti particularly after natural disasters even as calls for reparations to Haiti go unanswered. It seems to be easier, and more convenient, for France to only allocate capital to Haiti after Haiti is in a further weakened state after some crisis, than for it to be earmarked as reparatory payments for historic injustices that continue to plague the Haitian people into the 21st century. Perhaps doing so would be an admission of guilt, and culpability on the part of France which could establish a (legal) precedent for former French colonies, and those claiming to have been exploited by the French to demand reparations as well. Furthermore, this admission could force other former slave holding nations like the United Kingdom, Spain, Portugal, and the United States to face the same challenge.

Upon further analysis of the preceding factors around racist ideology, and as we analyze in this thesis, one could possibly see the roots of why the kind of debt imposed on Haiti is devised and sanctioned. The imposition of reparations upon Haiti - the winning nation, by France - the losing nation, was largely unheard of, even during that period. For instance, 28 years before the Haitian Revolution, France was on the losing side after the 7 Years War in 1763. As a result, France was forced to give up all its North American territory to Spain, and France did not even attempt to have the victors - Prussia,

[17] US Congress, "Haiti Reconstruction: Smart Planning Moving Forward."

Russia, Great Britain, and Portugal pay reparations for its lost property.[18] Granted, the dynamics here are different because all of the nations involved in the 7 Years War were established European powers, and not consisting of formerly enslaved (black) people.

However, the point here is that the concept of losing a war was never synonymous with being owed a debt of any kind. Furthermore, 67 years after it lost the Haitian Revolution, France lost the Franco-Prussian War in 1871, and after signing the Treaty of Frankfurt, was forced to pay $5 billion francs to Prussia which occupied France until the debt was paid.[19] Again, this war was one of geo-politics, and not the result of a slave revolt, but as the loser, France had to pay a debt to Prussia under the threat of violence. Perhaps the issue of debt is less about what is owed, or even why a debt is owed, but is more about one's ability to threaten violence on another to enforce any debt claim whether one is the winner or loser of a war. Moreover, violence is just a tool for enforcement of debt which can take on many forms. Violence can be seen as physical, or in more "progressive" societies, a creditor ascribing negative remarks on one's credit report to damage one's ability to attain a worthy credit status can be a sort of violent act especially if the initial debt placement was predatory. These examples, and that of the Haitian debt to France, underscore the role violence plays when examining the dynamics of debt and morality.

France lost wars and was forced to either give up territory or pay a debt to the winners who had the power to exact violence over France if they did not acquiesce. France paid the debt not because they wanted to, or even arguably because it's the right

[18] Office of the Historian, "Treaty of Paris, 1763."
[19] US Congress, "Haiti Reconstruction: Smart planning moving forward."

thing to do, but they submitted themselves to indebtedness because the alternative was possibly certain death or pseudo-enslavement which is a kind of death in and of itself. On the other hand, France lost the war to Haiti, a new nation with very little wealth and nascent established diplomacy with foreign powers, but France determined that Haiti did not have the military power to defend against any further French attack, but more significantly, could economically and politically isolate the nation on the international stage. As a result, France used its established power and wealth to force debt onto the nation that defeated it in war.

Interestingly, on the point of providing aid to Haiti after natural disasters, many prominent voices speak out against governments and individuals donating any further funds to Haitian causes, or the idea of reparations in general.[20] The sentiment is that Haiti has received enough, and the international community, specifically the West, owe nothing else to Haiti. In other words, France and the international community do not owe any further debt to Haiti, but rather Haiti owes it to the international community to be grateful for whatever is given to it. Perhaps France could have a point, and nothing else is owed to Haiti. Or perhaps specific things are owed to Haiti by France and other culpable parties. Either way, I am of the belief that the issue of debt lies at the heart of the Haitian story from 1804 to today.

[20] Daily Free Press, "Horowitz Takes the Stage Amid Controversy."

Chapter II.

Debt

Debt - a word used with varied connotations, meanings, and applications throughout history. Debt is defined as: "1. a sum of money owed, 2. the state of owing money, 3. a feeling of gratitude for a favor or service,[21] or 4. a state of being under obligation to pay or repay someone or something in return for something received : a state of owing."[22] An American Proverb provides further context on how debt works from a socio-economic perspective - "If you owe the bank a hundred thousand dollars, the bank owns you. If you owe the bank a hundred million dollars, you own the bank."[23] This statement exposes the divide between debt and morality. If the proverb is true, and arguably objective historical reviews of capitalism would suggest that it is, what can cause a debtor who owes a hundred thousand dollars to the bank to be owned by that bank, and a different debtor owing a hundred million dollars to that same bank effectively owning that bank? When speaking of debt, dynamics of power, culture, money, race, violence, the legal system, and class all collide.

On one hand, as grotesque as it may be to modern sensibilities, one could argue that based on the socio-economic realities and legal theories of the day, French slave owners were owed a debt, or had a right to some kind of recourse after losing their slaves/property after the revolution. French slave owners could have been well within their right to appeal to the French government for reparations, who after all, was the

[21] Oxford English Dictionary
[22] Merriam Webster Dictionary
[23] Graeber, "Debt,"17.

primary governing authority and protectorate of its colonies and taxed all profits made from slave labor.[24] In an attempt to assert French sovereignty over its colonies, local courts, laws, and legal documents were created. These institutions and administrative tools guaranteed the right to one's personal property.[25] On the other hand, it can be argued that if the French legal system affirmed the claim of the French slave owners asserting the need for reparations, it was not incumbent for such payments to come from the Haitians who just won their freedom through a hard-fought war.

Pointing to an earlier thought on violence to enforce debt claims whether legitimate or not, power dynamics clearly played a huge role in the entire 19th century France-Haiti episode. Although France lost the war, it still had the support of fellow major world powers like the United States, and other European countries who, at the time, were also slave-owning nations who stood to lose much if enslaved people in their own territories mounted a revolution. In addition to there being clear economic interests at stake, there was also a need to maintain a particular social order that perpetuated black subjugation. Ultimately, with the blessing of the international community, France was able to further weaken a victorious yet vulnerable Haiti by ensuring an economic embargo against Haiti. This move essentially prevented Haiti from being able to broadly trade with wealthy nations, and severely crippled its ability to build the treasury and the nation.

Theoretically, the international community could have decided against this. For a time, prominent figures like US President John Adams and US Secretary of the Treasury

[24] Dupuy, "French Merchant Capital and Slavery in Saint-Domingue."
[25] Houllemare, "Procedures, Jurisdictions and Records: Building the French Empire in the early eighteenth century," 3-4.

Alexander Hamilton lobbied in support of recognizing Haiti and established a degree of diplomatic ties with Haiti during, and after, the Haitian Revolution, even as slavery raged on in the United States. In the case of the Haitian Revolution, the loser was able to reap the spoils of war as if it were the victor largely due to international support.

In "Debt," author David Graeber spoke of meeting an attorney at a party at Westminster Abbey. She worked for a foundation providing legal support for anti-poverty organizations in London. Although she was an attorney with clients working primarily on issues of poverty, she had no clue of the IMF, its activities around the world acting as "debt enforcer" to third world nations for the economic benefit of Western countries and corporations, and the subsequent perpetuation of systemic poverty and destabilization wrought in those nations for generations. Graeber went into detail about how during the oil crises of the 1970's, recently enriched OPEC countries began investing their wealth into Western financial institutions. [26]

Those institutions, like Citibank and Chase, then worked to coerce unelected dictators of Third World nations to take out massive loans with predatory interest rates. He went on to detail Western powers' tacit approval of dictators using allocations from the national debt as their personal bank account, while saddling the nation with debt payments. Additionally, he explained how when these countries could not repay the debt, the IMF had the power to implement "structural adjustment policies" which looked like responsible austerity measures on the surface but were really a furtherance of conspiratorial theft of the nation's resources by the government and Western financial

[26] Graeber, "Debt," 18.

institutions.[27] These policies reallocated spending initially meant for the public good, such as for education, infrastructure, healthcare, etc., to go towards making debt payments of which citizen's never approved.[28]

Furthermore, Graeber attempted to highlight these injustices to the attorney, and argued for the wholesale annihilation of the IMF, and complete debt amnesty for Third World nations held in its debt. Ironically, the attorney, who we mustn't forget represented organizations working on eliminating poverty in the U.K., responded by saying "...surely one must pay one's debts," essentially rejecting the idea of wiping out the debt of Third World nations.[29] Her statement was more than just economic and financial, but it ventured further into issues around morality and conscience. Her statement was one of cognitive dissonance, and indicative of a pervasive ideology that conflated paying one's debts with being the honorable thing to do, and those who did not pay their debts were dishonorable. Even if the debt was being paid by the debtor, there still seems to be a stigma for being in debt in the first place, especially if the person in debt was considered poor or of a lower class. The ubiquity of this idea cannot be overstated.

Her statement gave no room for nuance. It gave no space for investigation on how and why the debt is issued in the first place. This ideology automatically assumed that if debt is issued and taken out, it is done so by completely legitimate and ethical means. Unfortunately, there are too many examples where this proves not to be the case. In varied cultures around the world, we can see the myriad ways in which poor people, already maligned in the broader society, are further criminalized, marginalized, and

[27] Graeber, "Debt," 13.
[28] Graeber, "Debt," 12-16.
[29] Graeber, "Debt," 20.

preyed upon by those issuing debt. A study in 2019 found that although "debtor's prisons" were found to be unconstitutional, almost every state in the U.S. raised court fees and fines, and when a justice-involved person was unable to pay the fees, the fees became a debt, and they were (re)incarcerated until the debt was paid.[30] In other words being in debt seems to be closely associated with dishonor, and can be used as a tool to criminalize those not in power.

Historically speaking, the notion of dishonor was seen as being so abhorrent that in ancient Babylon, poor farmers depended on loans to survive periods of famine. When they couldn't pay the debts, the farmer's children were given up for debt pledges or adoption, and female family members became prostitutes to pay off the debt. Essentially, debt dependency, and its subsequent bondage, was institutionalized. Men, poor men in particular, were socialized in a system that taught it was better to sell their children, their future, than to not pay their debt. Men would rather suffer any shame associated with their daughters or wives becoming prostitutes, than to live with the dishonor of not paying their debt.[31]

Alternatively, the person or entity to whom a debt was owed would rather dehumanize, enslave, or kill than to be dishonored by not collecting what is deemed to be owed to them. As mentioned previously, Haiti suffers from having to pay a "double debt" - the initial debt imposed upon it by France, and then the interest on loans taken out to pay the debt. I believe it is really a "triple debt," with the third debt being even more pervasive in which as Haiti defaults on its initial debt payments, France can arguably

[30] Brennan Center for Justice: "The Steep Costs of Criminal Justice Fees and Fines."
[31] Graber, "Debt," 230.

reassert hegemony over the island with the default serving as the commensurate justification. Ultimately, the extent to which one is willing to go to avoid being, or feeling, dishonored cannot be underestimated.

In the case of Medieval Ireland, "one's honor is the esteem one has in the eyes of others, and one's power in the ability to protect oneself, family, and followers from degradation or insult."[32] Thus, any man publicly mocked would have no choice but to defend his honor. Irish jurists created a system of calculating injury to honor. If you stole one pig, you'd have to pay back 3 pigs plus the honor price of the owner. In that culture and period, the term "honor price" was the price one paid for an insult - the prices differed depending on the social rank of the free person.[33] A King, or even an abbot, had a higher honor price to be paid if insulted, than a wealthy peasant, because certain people were considered to be "sacred beings" worthy of the highest honor.[34] For example, offending an abbot by drawing his blood, resulted in a person having to pay a monetary honor price, and a female family member had to serve as "washerwoman" to the abbot for life.[35] Her permanent dishonor was the restoration of the abbot's honor. This application of honor had no issue with putting a monetary price on human dignity, and it was seen as one's ability to "get even" and seek retribution.

When viewing "honor" through the lens of dehumanization and retribution, we can better understand how the French were able to arrive at the conclusion of demanding reparations from Haiti after losing the Haitian Revolution. After all, the French not only

[32] Graeber, "Debt," 216.
[33] Graeber, "Debt," 218.
[34] Graeber, "Debt," 216.
[35] Graeber, "Debt," 220.

lost their slaves, but also lost the war to their slaves. The sense of embarrassment France faced was arguably a major blow to its sense of honor. In a Master-Slave relationship, the ability to strip others of their dignity becomes the foundation of honor for the Master. Additionally, not only is there historical precedent for acquiring slaves for economic gain, but also just to satisfy the slave owner's need for honor.

This fact is further evidenced by statements made by Napoleon referenced earlier in this thesis. Moreover, in the ancient Islamic world, and in comparative cultures, slaves were not only put to work for profit, but were rather just amassed as a symbol of a rich and powerful man's significance, and status. We see this dynamic play out between France and the formerly enslaved Haitians, and the French certainly apply this aspect of slavery to their interaction with enslaved peoples. France losing the Haitian Revolution could be seen as the erosion of the traditional, and prevailing, forms of hierarchy in the western world. In other words, France's loss at the hands of their slaves was a threat to the honor of the pre-established social order that so deeply defined what it meant to be European, white, wealthy, and powerful.

Firstly, while the institution of slavery may not be the genesis of markets in the Western world, it can be argued that it is in fact a primary factor in the rise of markets particularly during the Trans-Atlantic slave trade. Moreover, in the case of colonial France, at the time of the Haitian Revolution, the colony of San Domingue represented two-thirds of France's international trade, and "the greatest individual market for the European slave-trade…the greatest colony in the world, the pride of France, and the envy of every other imperialist nation. The whole structure rested on the labor of half-a-million

slaves."[36] What is slavery, especially given the context of this thesis? It is crucial to have a working definition. Slavery - enforced through violence, is the "ultimate form of being ripped from one's context" - ancestors, community, family, clan, identity, "and thus from all the social relationships that make one a human being."

To put it another way, "the slave is, in a very real sense, dead." The entire life of the slave "becomes one of degradation and contempt for the slave."[37] An enslaved person cannot make contracts or promises, in the context of the trans-Atlantic slave trade - the slave is forever tied to their Master."[38] In order to perpetuate the relationship of dominance over the slave, the treatment of the slave from the moment they are captured up until their death is key. Enslaved Africans headed for places like the French colony of San Domingue experienced being fed the organs of other slaves who were killed or died of disease or despair. Upon arrival to the slave market, prospective purchasers inspected the completely naked enslaved people for defects, this included their sexual organs.

To further dehumanize the slave, and maybe even regain dignity after offering "too intimate of an examination," the purchaser often spat in the slave's face.[39] Once purchased, the slave was "branded on both sides of the breast with a hot iron. His duties were explained to him by an interpreter, and a priest instructed him in the first principles of Christianity."[40] In my opinion, the act of spitting in the face of the enslaved person and branding them arguably reinforced a paradigm particularly in the mind of the slave owner more than that of the slave. The Haitian Revolution is proof that even after being spat

[36] James, "The Black Jacobins," 10.
[37] Graeber, "Debt," 213-14.
[38] Graber, "Debt," 213.
[39] James, "The Black Jacobins," p26.
[40] James, "The Black Jacobins," p27.

upon and branded, the enslaved Africans of San Domingue would never accept eternal subjugation. However, the French, and other Western powers, have not been able to see Haiti's land and labor as anything more than their property. As a result, even after losing the war, France could not resist the urge to plot methods of further subjugation of Haiti.

Chapter III.

Property Rights. Religion and Legal Theory. Colonization.

While racism clearly played a role in France's 19th Century ideology, understanding colonial-era thinking around property rights is central to France's 1825 ordinance. The idea of property rights is not really a relation between a person and a thing, but rather an understanding or arrangement between people concerning things.[41] This concept helps us further understand why after losing the war, France had no intention of establishing diplomatic ties with Haiti, as England did with America after the American Revolution. Because Haitians were seen as things, and not people on the same level as Europeans, there was seemingly no need to engage them as the French would with other world powers. As a result, those same powers were complicit, and supportive, in any action taken to enforce the right to one's property.

This represented a widely held ethos, apparent in the colonial era, of absolute power over what was private property, and the rejection of any infringement on maintaining power over one's possessions even when those perceived possessions were in fact people. Put another way, a creation of a "right' automatically creates the obligation for others to observe that right.[42] Similarly, this wholesale dehumanization is grossly ironic. How can you demand payment from "possessions" that are not supposed to be human? To the French, the Haitians were not human enough to be worthy of dignity so they should be slaves, but they were human enough to take on debt, generate income, run a government, and make erroneous debt payments to France.

[41] Graeber, "Debt," 258-260.
[42] Graeber, "Debt," 257.

It is interesting that there is in fact a need on the part of the slave master to concoct elaborate ways to dehumanize the enslaved person and relegate them to the status of "other," because otherwise the master would be forced to treat the enslaved person as he would himself, as a human being. It is my belief that slave owning societies like France had to relegate human beings to the position of "slave" to silence or assuage their own conscience. Afterall, how can one effectively exert total force over another human being in a way one would not want to be treated oneself? The ill treatment is not seen as ill treatment at all when one is convinced that this is a necessary way of life to maintain order over something subhuman, and unworthy of human dignity.

Before the genesis of the Trans-Atlantic colonial period, the notion of needing to quell one's conscience as it relates to slavery, whether physical or economic, and the theft of resources, there was already legal precedent that codified racialization. For instance, prior to 1492, in feudal Europe, monarchies racialized subjects like Jews, Slavs, Gypsies, and the Irish. These practices exaggerated cultural and regional differences and turned them into racially maligning identifiers which provided legal justification to enslave people considered "different" from them and dispossess those people from their own land.[43] It is easy to see how if Europeans could easily do this to other Europeans, doing so to Africans and people of color would not require much more intellectual effort. To truly understand how France could come to the legal conclusion that Haiti owes France reparations after losing the Haitian Revolution, we must explore what were other driving forces at the root of such thinking.

[43] Obregon, "Empire, Racial Capitalism, and International Law," 598.

Primarily, religion helped to serve as much of the foundation of legal theory that justified lifelong enslavement, dispossession of tribal lands, and colonialism in general. Subsequent to the fall of the Roman Empire, and the advent of Christianity, non-Christians were allowed to be enslaved and traded in what any given power deemed to be a "just war."[44] As the Crusades roared on, the number of groups who were "justifiably" enslaved expanded to include Greeks, Muslims, Canary Islanders, Moors, Turks, Russians, and Sardinians.[45] Specific to African enslavement, the Papal Bulls of 1454-1456 allowed for, and endorsed, the enslavement and "Christianizing of pagans as a just cause," which Portuguese traders used to justify their capturing of Africans for the purpose of the slave trade.[46] Moreover, a convenient and erroneous interpretation of the Christian bible further cemented in the mind of Europeans the idea that people of color were condemned to a life of subjugation.

In the book of Genesis, Noah had three sons, the youngest of whom was Ham. Ham saw Noah drunk and naked and went to tell his other two brothers. As it is told in the story, the two brothers covered up their father without looking at his nakedness-looking at his naked body was seen as dishonorable in this culture and period. When Noah woke up, he was made aware of Ham's dishonor and cursed Ham's son Canaan to be a "servant of servants."[47] This story has come to be interpreted as all people of color descended from Ham, and as a result, were cursed to a life of servitude sanctioned by God. This interpretation has been debunked by modern theologians, but we see its

[44] Obregon, "Empire, Racial Capitalism, and International Law," 599.
[45] Obregon, "Empire, Racial Capitalism, and International Law," 599.
[46] Obregon, "Empire, Racial Capitalism, and International Law," 599.
[47] Genesis 9:22-24

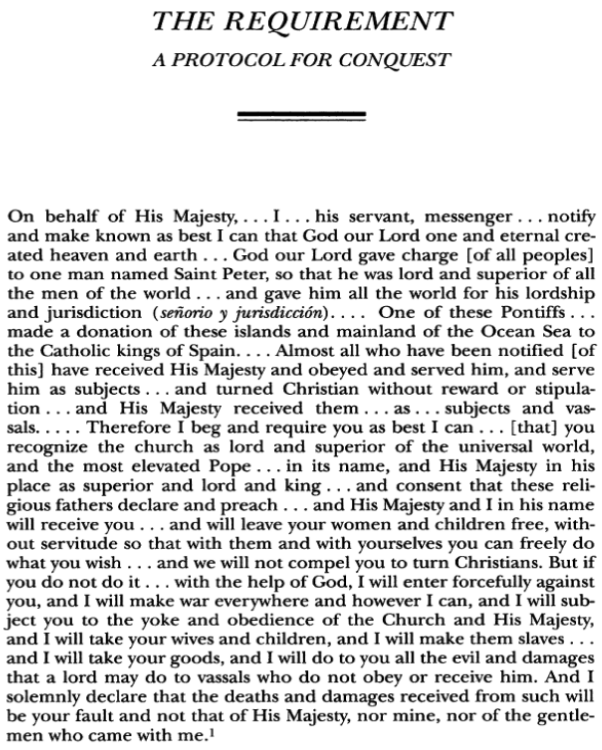
persistence even in the context of American slavery, and how it is used to justify the institution.[48]

This theology and need for moral justification to subjugate a land and its people, found its way in the beginning of Haiti's history, and the region's first encounters with the European world. Christopher Columbus made his first landing in the "New World" in 1492 on the island he later names "Hispaniola," which went on to consist of two countries: Haiti and the Dominican Republic. Initially, the Spanish Crown authorized the use of a "legalizing ceremony of possession" when their conquerors identified new lands. Once ashore, the ceremony consisted of members of the Spanish contingency "pacing back and forth, drinking water from a stream, cutting down branches' and making crosses, and carving the names of the King and Queen on rocks and on tree trunks."[49] This process served as the legal and symbolic basis for the Spanish Crown to now be the authority of this territory. This was all the conquerors had to do to justify the annexation of a territory. By 1510, legal advisors to the Crown urged for a more formal acquisition and occupation process. Once new land was found, the representative of the Crown read aloud a document known as "Requeremiento" or the "Requirement."

There were different versions of this document, but essentially the text was read within earshot of any "infidel" or tribal person demanding total and complete submission to Christianity, The King, The Pope, and to their emissaries.[50] It did not matter that the indigenous people did not understand Spanish or Portuguese, never saw people looking this differently from them, and never had a chance to reason with the Spanish. Anyone

[48] Lee, "From Noah's Curse to Slavey's Rationale."
[49] Phillips, "Transatlantic Encounters: Eyewitness Testimony and Spain's First American Possessions, 1492-1536," 145-57.
[50] Obregon, "Empire, Racial Capitalism, and International Law," 601.

who even appeared to be in objection to Spanish subjugation was killed immediately. In my opinion, the conceptualizing and subsequent codification of the need to create a legal process to seize a people and their land is evidence of how the very act of doing so is unnatural, and even wrong. At the very least, in the case of colonization, there was a tension that existed in one's humanity, within which one aspect of it was seeking to satisfy its greed, and the other was being impacted by certain theological considerations. If you are entitled to the land, why not just take it? If people of color are divinely relegated to subjugation and dehumanization, just kill and enslave them without the need to create complex religious and legal structures to support such applications.



THE REQUIREMENT

A PROTOCOL FOR CONQUEST

On behalf of His Majesty, . . . I . . . his servant, messenger . . . notify and make known as best I can that God our Lord one and eternal created heaven and earth . . . God our Lord gave charge [of all peoples] to one man named Saint Peter, so that he was lord and superior of all the men of the world . . . and gave him all the world for his lordship and jurisdiction (*señorio y jurisdicción*). . . . One of these Pontiffs . . . made a donation of these islands and mainland of the Ocean Sea to the Catholic kings of Spain. . . . Almost all who have been notified [of this] have received His Majesty and obeyed and served him, and serve him as subjects . . . and turned Christian without reward or stipulation . . . and His Majesty received them . . . as . . . subjects and vassals. . . . . Therefore I beg and require you as best I can . . . [that] you recognize the church as lord and superior of the universal world, and the most elevated Pope . . . in its name, and His Majesty in his place as superior and lord and king . . . and consent that these religious fathers declare and preach . . . and His Majesty and I in his name will receive you . . . and will leave your women and children free, without servitude so that with them and with yourselves you can freely do what you wish . . . and we will not compel you to turn Christians. But if you do not do it . . . with the help of God, I will enter forcefully against you, and I will make war everywhere and however I can, and I will subject you to the yoke and obedience of the Church and His Majesty, and I will take your wives and children, and I will make them slaves . . . and I will take your goods, and I will do to you all the evil and damages that a lord may do to vassals who do not obey or receive him. And I solemnly declare that the deaths and damages received from such will be your fault and not that of His Majesty, nor mine, nor of the gentlemen who came with me.[1]

Figure 1. Seed, "Ceremonies of possession in Europe's conquest of the New World, 1492-1640," 69.



Figure 2. New York Public Library, "Digital Collections: Europeans in the Americas."

By the early 1500's the Spanish wreaked so much havoc on Hispaniola and other newly acquired territories that entire native populations were practically killed off from disease or brutal working conditions. Spanish Priest Bartoleme de las Casas petitioned the Crown to replace native Arawak and Taino labor with African labor because natives were now considered to be subjects of the Spanish Crown, and Africans were idolatrous and better suited for hard physical labor.[51] His argument posited Spanish enslavement of native peoples was both illegal and against Catholicism. Here, yet again, we see the incestuous relationship between religion and legal theory, which helped to further

[51] Obregon, "Empire, Racial Capitalism, and International Law," 601.

transition colonial era ideologies about slavery being justified because of war to it being assigned to a race of people. In 1697, the Treaty of Ryswick between France and Spain formally separated the island into two territories: Saint Domingue and Santo Domingo. During France's rule over Saint Domingue, the colony became one of the most productive in the western hemisphere with the importation and forced labor of close to two million enslaved Africans- upwards of 40,000 died each year due to ill treatment, disease, or suicide. [52]

In order to control the massive amount of slaves, roughly 89% of the entire island's population by the time of the Haitian Revolution, the colony was governed by King Charles X's "Code Noir."[53] The Code Noir was meant to specifically govern the relationship between slaves and their masters consisting of the "...regulation of religion, security, communication, food, clothing, punishments, and slave manumission."[54] Additionally the code regulated interactions between plantation and other business owners. The primary goal of the codification of different segments of society was to cement the idea of hierarchy. This kind of system worked to cement the status of everyone at their pre-assigned level in society. Resident in the Code Noir was the idea that Africans cannot govern themselves, but the Haitian Revolution overturned this entire system. Essentially, after Haiti's victory over France, Haiti believed it was owed the debt of recognition as a sovereign nation by the international community. Haiti presented this argument as being a right, which automatically created an obligation on the part of France, and the West, to honor that right.

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[52] Obregon, "Empire, Racial Capitalism, and International Law," 600.
[53] Obregon, "Empire, Racial Capitalism, and International Law," 601.
[54] Obregon, ""Empire, Racial Capitalism, and International Law," 601.

Interestingly, an early twentieth century study noted that the "doctrine of recognition" dated back to the American revolutions. Initially in 1793, as France and Britain were poised to go to war, the United States declared itself neutral in the conflict, and required recognition among other European powers as an equal. Recognition was also demanded by the newly independent South American Republics.[55] This kind of U.S. neutrality during the Haitian Revolution was ultimately denied to Haiti because southern plantation owners would not support a slave revolt. However, while Haiti was not formally recognized by the society of nations until 1838, its engagement with other world powers was not completely void. Haiti may have been mostly isolated diplomatically, but not economically, largely due to the need for Britain, the U.S. and even France to have access to Haiti's valuable resources, like coffee. Haiti presented major ideological and social challenges for Western powers. While Western powers unanimously sided with France, in not wanting to formally engage Haiti without French approval, countries like Great Britain, the US, and even Russia saw the economic benefits to having limited economic ties to Haiti.

Up until the Haitian Revolution, nations entering formal diplomacy with one another were either European, white and Christian, or older established non-white / Christian civilizations like China and Japan. While the Japanese and Chinese were considered to be established, they were still not seen as totally equal in superiority to Europeans, but were effectively worthy of diplomatic relations[56] While Haiti was considered a Christian territory, it was not considered to be a sovereign nation, and was

[55] Paxson, "The Independence of the South American Republics: A Study in Recognition and Foreign Policy (1903)," 18.
[56] Cantir, "Savages in the Midst': Revolutionary Haiti in International Society (1791–1838)," 240.

led by non-Europeans who had no "autonomous status in international law."[57] European sentiment, especially on the part of international lawyers at the time, towards Haiti was that it was a "savage nation," and as a result civilized society could not recognize it. Official correspondence amongst Western powers showed a deep disdain and repudiation for Haiti and its leaders. For example, at one point Haitian leader, Jean-Jacques Dessalines attempted to negotiate a trade treaty with Jamaica, a British colony. However, Jamaican officials expressed their concerns about having any official relations with Haiti after Dessalines ordered the killing of the remaining white inhabitants of Haiti in 1804.

One official characterized Haiti and its leaders as a "hoard of ferocious banditti," and "Barbarous Chieftains." Thomas Jefferson even referred to the Haitian people as "Cannibals of the terrible republic."[58] In 1798, years before the end of the revolution, Haitian leader L'Ouverture successfully fought back against a British attempt to seize the island. Ironically, the British signed a convention with Haiti allowing for trade if Haiti did not interfere with the affairs of Britain's other colonies. Essentially, word of the Haitian revolt spread around the world to other slave populations, and as a result Western powers were afraid of "colonial contagion" that would inspire their enslaved people to revolt.[59] Even though France, Britain, Spain and the U.S. were either at war with each other, or were in some kind of tense engagement, all of these nations had a common and vested interest in not allowing a nation of former slaves to be perceived as being equal to them and their revolt as legitimate. From this perspective, this was the climate into which Haiti sought to negotiate recognition of its independence. Haiti was arguing for the debt

[57] Cantir, "Savages in the Midst': Revolutionary Haiti in International Society (1791–1838)," 246.
[58] Cantir, "Savages in the Midst': Revolutionary Haiti in International Society (1791–1838)," 249.
[59] Cantir, ""Savages in the Midst': Revolutionary Haiti in International Society (1791–1838)," 250.

of recognition to be paid, France was arguing for the wholesale return of the colony to French control and slavery, and the international community was attempting to honor the debt of obligation to France's claim of ownership of Haiti while balancing its own socio-economic interests.

Haiti and France underwent 6 attempts to negotiate terms of engagement after the war. There were two major forces that served as the collective impetus for France's effort to retake control of its lost colony: the French government itself, and the former plantation and slave owners. On one hand, the French government wanted to regain the vast economic benefit and regional presence the colony provided prior to 1791, especially after being forced to give up all its other North American territory at the end of the Seven Years War in 1763. On the other hand, the exiled French slave and plantation owners who survived the war were also lobbying to reclaim all of the property they felt was stolen from them due to unruly slaves revolting against their masters, and God-ordained position in society.[60] The former French planters had the deep conviction that the French government owed them some form of recourse, and as a result of constant pressure put on the French government by way of publicity, articles, and public debates aimed at garnering greater public support for reclaiming the lost colony, they were able to get important concessions leading up to formal negotiations with the Haitian government.

King Louis XVIII and the Congress of Vienna granted a five-year extension of the slave trade, and a recertification of France's sovereignty over the territory which provided legal grounds for the nation to retake the colony.[61] Again, we see the power

[60] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 17.
[61] Obregon, "Empire, Racial Capitalism, and International Law," 604.

dynamics at play that highlight notions of debt and violence. Planters felt they were owed recourse from the government, they used whatever political, social, and economic power they had to essentially force the King to acquiesce to their demands under the threat of the King losing crucial political capital at a vulnerable time after the French Revolution. Though not an outright threat of violence, the King losing favor with the powerful and wealthy class can certainly end in his violent demise.

Chapter IV.

Post-Revolution Haitian Society

Interestingly, though the Haitian government ultimately gave in to France's final demand in 1825 to pay an indemnity in exchange for recognition, it is easy to suggest that such a decision was solely due to the threat of violence, and that France was the sole culprit. It is important to better ascertain the social dynamics at play in Haitian society that could have played an additional role in Jean-Pierre Boyer's decision to accept France's demand. It can be argued that since L'Ouverture's rule to that of Boyer's, class, property rights, labor, race and politics play a crucial role in Haiti deciding to take on a debt many in Haitian society believed, and still believe, it never owed in the first place.

Firstly, in 1804, though Haiti was free from French rule it was not a unified society. A new class of landowners began to arise which was not exclusively European when L'Ouverture took control of the colony in 1800 called the "anciens libres" in French, "individuals free before 1789 and former revolutionary army officials." In Kreyol they were known as "milat" which accounted for their mulatto skin color, practice of the Catholic faith, use of the French language as opposed to indigenous Kreyol.[62] This designation highlights the fact that even after taking control of the colony and forming the country of Haiti, French-European culture and sympathies were still very present on the island. The new elite of the colony initially consisted of mulattos, and a small number of black men, who owned roughly one-quarter of enslaved people and one-third of all plantations before the revolution. Once L'Ouverture took control of the colony, he

[62] Zavitz, "Establishing a New Nation: Haiti after Independence, 1804–1843." 671.

encouraged the remaining white plantation owners to continue operating them, but the majority fled in fear for their lives. As a result, L'Ouverture, and his revolutionary government seized the remaining two-thirds of all previously owned private property. The government then put much of the seized property under the control of military officials, many of whom purchased, rented, or ended up becoming the "de facto" owners of land after having managed it for some time.[63] Under this form of land and wealth redistribution, we see a clear path to wealth and power by being a part of the military.

Alternately, by the time of Emancipation and Independence, Haiti's population was overwhelmingly made up of the "nouveaux libres," or formerly enslaved people, who were "either African born or of African descent." This group of people was black, spoke Kreyol, practiced the African religion of Vodou, and lived a life that embraced a culture more African than European unlike the mulattos who made up the elite social class. Moreover, even though slavery was abolished under L'Ouverture's government, the colony still needed a labor force to work the land to fund the ongoing war and begin the process of nation-building under Dessalines by 1804. As a result, and under the rule of law, the nouveaux libres were forced to work on the same plantations from which they had just been previously liberated. Although this time, these workers were to be paid 25% of the profits and could use a portion of the land for their own subsistence, to this group, post-colonial plantation life was seemingly all too like pre-colonial times. During this time, it was law that former slaves could not own land, and their movement around the country was restricted by military officials much like prior to Emancipation. Many blacks fled to the mountains and created their own communities, as they did during French

[63] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 12.

slavery.[64] Essentially, Dessalines expanded on L'Ouverture's more autocratic form of government.

Under Dessalines, the ruling class of Haiti consisted of the Dessalinesans and Republicans. The Republicans championed "individual rights, political equality, and the active contestation of any arbitrary government." Alternatively, Dessalinesans pushed for "independence from colonial rule over individual liberties or rights."[65] Dessalines further stoked these divisions by moving to confiscate land owned by mulattos to promote black land ownership, particularly in the southern part of the country where mulattos were more densely populated. Additionally, by 1805, his government constitutionally barred all foreigners, "meaning whites of any nationality," from owning land in Haiti.[66] Both poor and wealthy Haitians grew increasingly tired of Dessalines's repressive government, and by 1806 he was assassinated. His murder was supported by two of his top generals, Alexandre Petion who was mulatto, and Henry Christophe who was black. Christophe took control of the North, declared himself king, and had a government that was mostly made up of black men. On the other hand, Petion took control of the south, and led a government seemingly more democratic which consisted of a Senate with power to check the president. However, Petion later moved to limit the power of the legislative branch and increased the power of the executive office.[67]

Dessalines' draconian policies created a climate in Haiti that further heightened the sensitivities of the populace around land and labor, two issues that were the main

[64] Zvitz, "Establishing a New Nation: Haiti after Independence, 1804–1843." 670.
[65] Zavitz, "Establishing a New Nation: Haiti after Independence, 1804–1843." 671.
[66] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 14.
[67] Zavitz, "Establishing a New Nation: Haiti after Independence, 1804–1843." 675.

causes of the revolution in the first place. On one hand, former slaves who were effectively freed post-emancipation, and desired to own land and pursue their own freedom were suddenly thrust back into pseudo-slavery. On the other, wealthy, literate, and powerful mulattos of the elite class were dispossessed of their land, effectively stripping them not only of their land, but also their social status. The issue of land and labor took center stage in the ensuing negotiations between the French and Haitians. The French wanted to reimpose slavery, and repossess land formerly owned by its colonists. The ruling class of Haitians were faced with the issue of not being the initial title holders of land they claimed to now own and may have to return to the original owners either by direct French military force, or because of Haiti's negotiation with France. This was the socio-political climate in which negotiations commenced between France and Haiti.

Chapter V.

Negotiation

The first negotiation for recognition of Haiti's independence took place in 1814. French King Louis XVIII sent representatives to Haiti to offer a proposal which mandated that relations between France and Haiti return to pre-1789 norms which included all black Haitians returning to the plantations, mixed-race citizens receiving rights close but not equal to that of whites, and the return of land to former French plantation owners. France made it clear that the alternative to total surrender to the French was death. France was intimately aware of the racial and class divisions in Haiti and sought to further exploit them with their demands and by sending separate emissaries to Christophe and Petion. Christophe was mostly insulted by the proposition and had the emissary executed.[68] Christophe went as far as to say, "we will sooner bury ourselves beneath the ruins of our native country, than suffer an infraction of our political rights."[69]

Ironically, it was Petion, known to be sympathetic to the French unlike Christophe, who was the first to introduce any ideas of Haiti paying any amount of money to France in exchange for recognition. In response to the French, Petion offered a nominal indemnity to France to quell talks of re-enslavement and to repay the former colonial plantation owners, but the French completely rejected this counter offer initially. Prior to this first round of negotiations, in 1809 Petion expanded economic opportunity for not only his top military officials, but also low-ranking soldiers, and even peasants, to own land though government land grants. Essentially, Petion created a new class of

[68] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 19.
[69] Obregon, "Empire, Racial Capitalism, and International Law," 605.

landed elite who had a material stake in maintaining their property rights and not going back to war with France.[70] No doubt, this served as a driving force of Haiti's ultimate decision to acquiesce to France's demands in 1825.

Christophe on the other hand continued Dessalines' system of public ownership of most land but allowed foreign ownership of Haitian property to entice foreign investment, and socio-economic ties that he hoped could lead to recognition of Haitian sovereignty.[71] Ultimately, Haiti, the victor, was reduced to offering payment to France, the loser, in a failed attempt to have its independence recognized. Although France's first choice was not to go back into a costly war, Haiti cannot be entirely sure of that, so being able to make the threat of possible reinvasion was enough to embolden France - the loser, to demand anything from Haiti - the winner. As previously stated, powerful nations like the United States refused to recognize Haiti's sovereignty largely because it would legitimize a slave revolt, and further malign southern slave holding states. Generally, the European mind refused to accept the idea that blacks could ever be their intellectual equals and govern themselves.

In 1816, the second negotiation took place, and the French came back to the table with the same offer. However, both Petion and Christophe agreed that an indemnity payment could be plausible based on legal precedent concerning manumission in the Code Noir which allowed for freedom from slavery via payment to the slave owner for the loss as one method. Support for any payment to the French was especially slim in the north, where leaders like Christophe's foreign secretary Limonade who said, "Is it

[70] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 19.
[71] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 15.

conceivable that Haitians who have escaped torture…at the hands of these men,…should now purchase their property and persons once again with money paid to their former oppressors? It is not possible."[72] Christophe refused to meet with the French envoy after believing they were not in any position to reinvade Haiti. The degree to which prevailing and ubiquitous French thought consumed the minds of blacks, even after winning the Haitian Revolution cannot be ignored. Debt took on a sinister and pervasive form in the first two negotiations, the basis upon which the Haitian leaders form the idea of paying a monetary price for their freedom and independence comes from preconceived legal theory meant to keep black Haitians enslaved in the first place, the Code Noir.

In other words, the Haitians were negotiating with terms already set by the entity claiming to be owed a debt, and by conducting negotiations from that place, the Haitians were accepting and agreeing to the fact that they owed the French. While we cannot condemn the Haitians for taking this approach, after all they were able to overcome their enslavers which required an ability to reject certain ideas inculcated to blacks in Haiti for 179 years, this ideological tactic only served to keep the French in control of the discussion and gave them the ability to build on the idea of Haiti paying any kind of debt in future negotiations. Additionally, while Christophe owned and controlled vast swaths of land in the North, and Petion had valuable holdings in the south along with a powerful contingent of land holding Haitians, no class of people was willing to give up their freedom but would rather pay with their lives to preserve it. However, to some meaningful degree Haitian factions on both sides were willing to pay a monetary price to

[72] Obregon, "Empire, Racial Capitalism, and International Law," 606.

preserve their land holdings. This idea began to influence the French and their thinking around what to do with Haiti.

By the third attempt at negotiation in 1821, the French had a paradigm shift, instead of demanding recolonization and re-enslavement in the traditional sense, a form of neo-colonization was devised called "un nouveau genre de colonisation…la commercial," or a "new kind of colonization…commercial."[73] The idea was that an independent Haiti could serve as a commercial colony in which France would still realize economic benefits without the cost of having to formally govern the colony. It is important to note that after the death of Petion, Jean-Pierre Boyer, a mulatto, was elected as president. Boyer united all of Haiti after the death of Christophe in 1820 and furthered the racial divide in the country initially introduced by the French. Boyer limited opportunities and rights for blacks, and like Petion, had French sympathies. This divide made Haiti vulnerable to external forces and underscored the fact that while France lost the initial political and economic war, it did not lose the ideological battle around racialization and classism in particular which ultimately weakened Haiti.

France proposed the concept of "suzerainty" which formalized Haiti being a vassal state under the superiority of France. Under this structure, Haiti would be able to enjoy certain constitutional rights as a pseudo-sovereign nation, but France would continue to have ultimate authority over Haiti especially regarding issues of commerce. Boyer rejected this offer because it would require Haiti to be subservient to a foreign power, and he continued to propose Haiti making an indemnity payment to France.

[73] Obregon, "Empire, Racial Capitalism, and International Law," 606.

Again, the French rejected this offer. [74] Here we are at the third negotiation attempt after winning its freedom through a bloody war, and Haiti still held itself to the idea that it did in fact owe France. Perhaps, Haiti saw the idea of owing France a debt, and paying it, as a way not just to be recognized as a sovereign state, but also to make a statement to the international community that Haiti was "honorable."

As a nation founded by the formerly enslaved, people not considered to be people at all, and certainly unworthy of receiving honor and unable to give it given their status as being less than human, it was possible that Haitian thought at the time gave into the prevailing norms of the day that suggested that if one was in debt and pays it, honor was granted to them. With honor came acceptance and recognition of one's dignity, but what stood in the way of the realization of Haiti's full statehood, and personhood of its people, was the idea that a debt was owed. For instance, 19th century Haitian politician and historian Beaubrun Ardouin espoused this exact point and provides further nuance to it. While he understood the argument that French colonists should not be entitled to any indemnity because of the war fought and won by formerly enslaved Haitians which entitled them to have the choice to honor the rights of the colonists or not, but he said, "enlightened men must preserve what is sacred." An excerpt of what he went on to say is worth citing here:

[74] Obregon, "Empire, Racial Capitalism, and International Law," 608.

> And **property** is one such case because it is really the basis of all social order, old or new. A colony founded by a nation can resist oppression by its metropolitan power, take up arms against it, conquer its country to become a free, distinct, and independent and sovereign people, and exercise all rights over all goods in that country; but on the condition that it respects all that concerns the private rights of individuals.
>
> However, if, motivated by political considerations this new people deem it necessary to exclude certain private individuals from its midst, it has the right to do so; but it is obligated to indemnify them for the properties they owned legally, and which had been taken from them by necessity. Because all rights demand a corrective duty; otherwise, it is not a right, but violence, which can only be fought against and annihilated by a superior force. (Ibid., emphasis in the original)

Figure 3. Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 26.

This argument shed light on the power of the pre-existing sentiment of the day regarding the creation of a debt and the requirement of it to be paid to be considered enlightened or even civilized. Ardouin highlighted the fact that this debt to be paid was more than just about money, but about maintaining some sense of order and honor defined totally based on Euro-centric thought and ideals. Ironically, Ardouin's argument did not seem to apply to the Spanish who violently dispossessed the Taino people of their land in the 15th century. There was no talk of indemnification for Taino losses. I would imagine arguments against providing native tribes indemnification for lost property would include ideas around natives not legally owning land because the process by which to do so would have had to have been codified, recorded, and recognized by a European or "enlightened" power which wasn't the case regarding the Taino people.

The fourth negotiation attempt in 1823 also failed with Haiti offering, what it considered to be its best proposal- an indemnity payment and an exemption on all import

duties on French goods for 5 years in exchange for full recognition of Haiti's independence. France again rejected the offer. A fifth attempt in 1824 also failed largely due to France's unwillingness to concede recognition of Haitian sovereignty, and further humiliated Haiti by declining to even recognize Haiti's possession of the former Spanish colony of Santo Domingo now under Haitian control.[75] France was committed to relegating Haiti to a subservient position at all costs. The sixth and final negotiation in 1825 ended up not being a negotiation at all, but rather with the French issuing a demand, under threat of being fired upon by the French Navy docked on Haitian shores that Haiti pay the French 150 million francs in exchange for the kind of recognition a vassal state would receive from its imperial authority. As historians have noted "the indemnity amounted to five times France's total annual budget, and 3 times as much as the US paid Napoleon for the Louisiana Purchase (F50 million), the sum Petion was willing to pay previously."[76] King Charles X approved this ordinance by means of a decree that was structured in a similar tone to the "Requirimiento" discussed earlier in the thesis:

[75] Obregon, "Empire, Racial Capitalism, and International Law," 609.
[76] Obregon, "Empire, Racial Capitalism, and International Law," 610.

Charles, by the grace of God, King of France and of Navarre, to all present and to come, Salute. Having regard to Articles 14 and 73 of the Charter: Wishing to provide for the interest of French commerce, the misfortunes of the former colonists of Santo Domingo, and the precarious condition of the present inhabitants of that island; We have ordered the following:

Article I. The ports of the French part of St. Domingo shall be open to the commerce of all nations. The duties levied in these ports either on ships or on goods, both at entry and exit, shall be equal and uniform for all flags except the French flag in favour of which such charges shall be Reduced by half. Article 2. The present inhabitants of the French part of Santo Domingo shall pay to the Caisse des Depots and consignations of France in five equal terms from year to year, the first due to 31 December 1825, the sum of one hundred and fifty million francs intended to compensate the former settlers who demanded an indemnity. Article 3. We grant these conditions by the present Ordinance to the present inhabitants of the French part of Santo Domingo, the full and complete independence of their government. And shall be the present seal of the great seal. Given at Paris, at the Chateau des Tuileries, on the 17th of April, in the year of 1825, and of our reign first. Charles.

Figure 4. Obregon, “Empire, Racial Capitalism, and International Law,” 610.

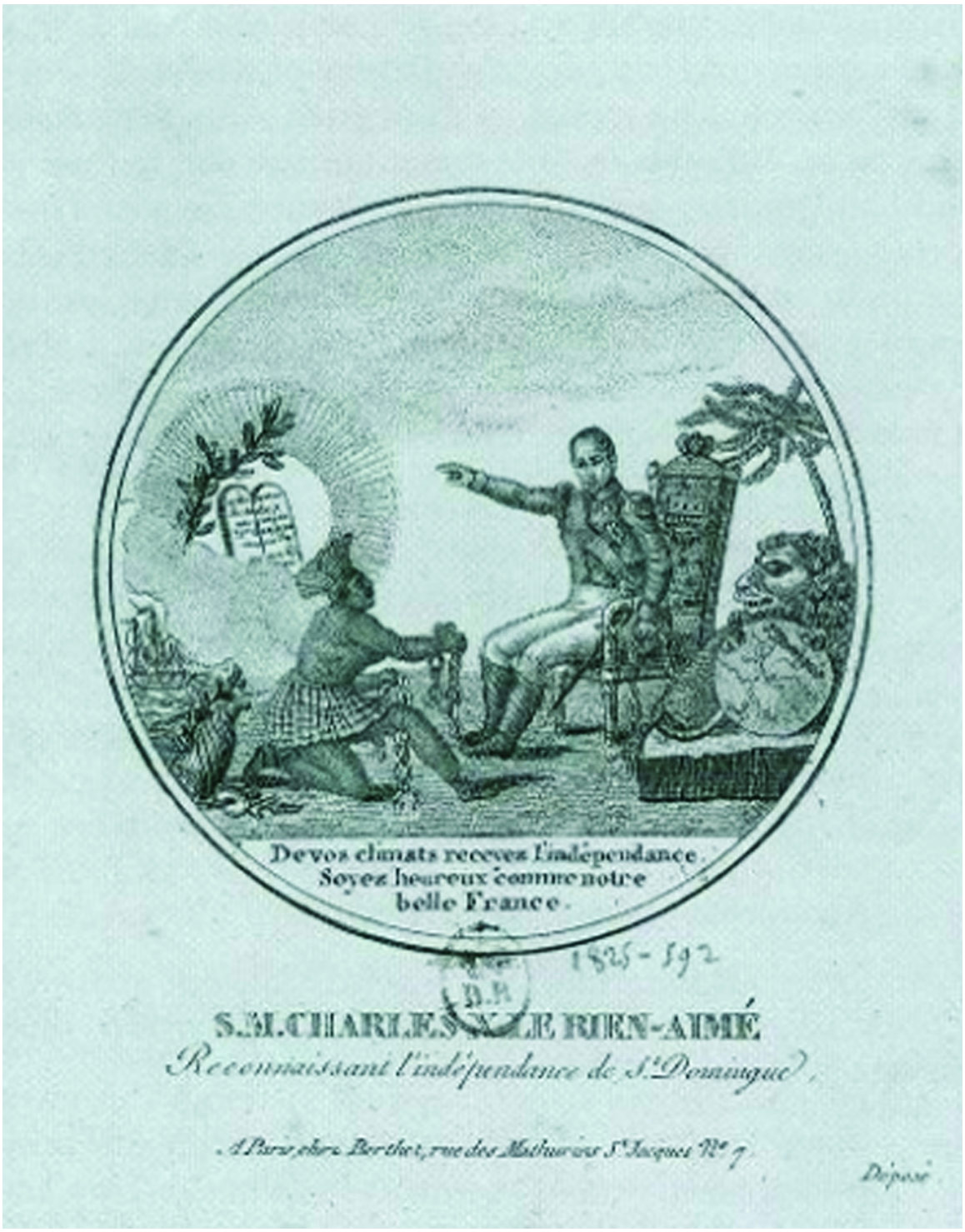


Figure 5. Obregon, "Empire, Racial Capitalism, and International Law," 611.

The ordinance opened by referring to the natural and divine authority of King Charles X, and only mentioned the "misfortune" of the former French slave owners who lost their property. This blatant disregard by the French King of the suffering of the Haitian people essentially further dehumanized them and delegitimized their own experience. The King referred to the "French part" of the island being open to commerce, effectively making Boyer's success in unifying the entire island null and void, and reasserting France's authority over the island to make such a declaration. The King referred to the Haitian people who won their own freedom with their own blood as "the present inhabitants of the French part…" He did not call them Haitians which would have indirectly given credence to the idea of Haitian statehood as opposed to inhabitants of the island being merely subjects of the French realm.

Furthermore, the King only highlighted the need for a debt to be repaid to the former slave owners, but nothing to be paid to the formerly enslaved Haitians. It is important to note not just what was being said, but who was saying it. King Charles X was not just the king of France and its territories, but also the symbol of French sovereignty to the outside world. This, arguably illegal and immoral imposition in Haiti, signaled to the rest of the world that his decree must be honored by other world powers as one should not interfere or infringe on one's right to one's own property. Moreover, just as in the case of Requierimiento, all King Charles had to do was say that the territory belonged to France to legitimize his claim. There were no international court proceedings, Haiti had no powerful allies willing to defend it, and Haiti was in no position to fight another war with France.

While France spent 21 years claiming to negotiate with Haiti, and ultimately decided to use the threat of violence to force Haiti to pay a debt it was led to believe it was owed, it was Petion who first offered to make an indemnity payment specifically for the repayment of some value of the land lost to colonial owners. Such a payment would put to rest any issues of rightful ownership of land acquired by the newly landed Haitian elite. Haiti's ruling class essentially received land without having to pay the actual price demanded by its former French owners. The price for the land is represented in the indemnity payments which were ultimately borne by the Haitian people through heavy taxes, and further debt taken out by the government without authorization from the citizenry. Moreover, one of the ways Boyer chose to fund indemnity payments to France was through the establishment of the 1826 Coode Rural. This law essentially forced Haitian peasants to work on farms as they did under Dessalines and continued to restrict their movement through an active police force.[77]

Politically speaking, Boyer's decision to agree to making indemnity payments to the French was deeply unpopular across many segments of the population that led to protests and even an uprising in Cap Haitien.[78] The prevailing thought regarding the indemnity amongst Haitians across the social spectrum was it was unjust to have to pay for their freedom once through war, and again with their economic output. Some 21st century scholars on Haitian history argue the indemnity "devastated the economy …(it) was a clear strategy by the old metropolitan power to maintain its unofficial hegemony on the colony (and) place [Haiti] under France's economic grasp."[79] While I completely

[77] Zavitz, "Establishing a New Nation: Haiti after Independence, 1804–1843." 687.
[78] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 30.
[79] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 30.

agree with this sentiment, the picture of Haiti's acceptance of the indemnity would be incomplete without holding the Haitian elite accountable. For instance, in 1843, Boyer was deeply unpopular, and a "Bill of Impeachment" was issued against him by members of the powerful and land-owning Haitian elite. As unpopular as acceptance of the indemnity may have been, it was not listed as one of the justifications for Boyer's impeachment, but rather Boyer was accused of "cronyism and abuse of power." He was also accused of removing "senators from office illegally, selected candidates for the Senate who would do his bidding, usurped his authority to pardon and issue paper money."[80] To put it another way, it is my belief that Haiti's ruling class did not have a material issue with Boyer's decision to accept the indemnity because it amounted to a land transfer in their favor, but rather their issues with Boyer had more to do with an erosion of their own power and status under his rule.

[80] Dupuy, "Haiti since 1804: Critical perspectives on class, power, and gender," 31.

Chapter VI.

Conclusion

In conclusion, it is my belief that Haiti has never really received what it is owed. As it pertains to France and the West, legitimate recognition of Haiti's sovereignty, monetary payments specifically as reparations for slavery, and restitution for unjust enrichment are debts owed to Haiti. While it can be argued that Haiti got partial recognition in the 1825 decree issued by King Charles, later full recognition in 1838 under a new treaty issued by King Louis Philippe, and subsequent recognition shortly thereafter by other Western powers, based on these decrees or treaties, did Haiti really get what it was owed? In other words, why didn't the recognition legally granted to Haiti offer it protection from France coming into the country in 1880 to set up Haiti's first national bank which ended up not allowing the Haitian government to deposit or spend money without paying hefty commissions to the French controlled bank? "In some years, French profits exceeded Haiti's entire public works budget." Would this have happened to European nations receiving the benefits of diplomatic recognition? If so, would other recognized nations standby and allow, or even participate, in it? Subsequently, German and American banks became partners in the French controlled national bank, and new loans with usurious terms were issued to the government.

At times, already earmarked funds would even be withheld from the government furthering a lack of investment in the public sector. Is this recognition? Is this Haiti getting what it is owed? By 1911, 85% of all revenue from coffee taxes went to pay debts held by French investors. In 1914, America, long considering taking control of and occupying Haiti, sent in the U.S. Marines to seize the gold in the Haitian Treasury for no

other reason than that the gold was there, the U.S. wanted it, and the U.S. had the power to get it without any military resistance from Haiti. Is this the recognition Haiti is owed? By 1915, the U.S. formally occupied Haiti for 19 years, rewriting its Constitution and took control of its government. America forced Haitians to build railroads for no pay, essentially representing a form of neo-slavery, anyone who resisted was shot.[81] Should this be seen as Haiti getting what it is owed? By 1947, the U.S. still had control over Haiti's finances, while Haitian farmers were near starvation and only 1 in 6 children is being educated. Is this what Haiti is owed?

On the other hand, the wealthy elite, including Petion who first offered the indemnity to France and Boyer who acquiesced to French demands to pay it, could have resisted. Moreover, the indemnity should not have been offered in the first place regardless of prevailing European thought around the issue. By revolting against their oppressors, Haiti already proved to be capable of pushing back against European ideology about what people of color could and could not be. Instead, Haiti's rulers capitulated to their own greed by accepting the indemnity to protect their ownership of land previously owned by the French colonists. This decision benefited the elite minority, at the expense of the poorer majority. In addition, this decision, coupled with persistent corruption, put Haiti on a path of perpetual debt dependency. For instance, starting in the 1970's under Haitian dictator Francois Duvalier, the country took out massive loans and failed to invest it into meaningful economic development. Instead, Duvalier allowed an increase on imports with low to no tariffs which further weakened the Haitian economy.[82]

[81] Gamio, "Haiti's Lost Billions."
[82] Sommers, "Haiti's Disorder Is Due to Elite Malfeasance and US Meddling."

When the US ended its first occupation of Haiti in 1935, American journalist William Pickens noted, "The marines are gone, but the American Financial Adviser is still there, collecting for American creditors…" He went on to say, "if opposing Haitian factions start cutting each other's throats with their machetes, [Vincent] may yell for the marines to come and help him protect the money bags."[83] This statement is an indictment not only against the US, but also Haitian leaders who allowed the nation to be in the debt of foreign powers all while the average Haitian pays the bill. Graeber, mentioned earlier, says "For thousands of years the struggle between rich and poor has largely taken the form of conflicts between creditors and debtors."[84] I agree with Graeber. Whether it was France, the wealthier nation, claiming it was owed a debt by Haiti, the poorer nation, for lost property, or the Haitian elite agreeing to an indemnity it forced its poorer countrymen to pay, all of this just boils down to debt and who must pay it. Furthermore, I believe it is up to the Haitian people to take control of their own destiny as they did in 1791 and demand the debt of material recognition, both by foreign powers and their leaders in the form of good governance, and repertory payments be paid in full. It is not incumbent on any non-Haitian, especially those not living in Haiti, to determine how this is accomplished. Once paid, my hope is that those newly in power won't repeat the same mistakes of the past by misappropriating land and labor, allowing the nation to be saddled with foreign debt and disadvantageous foreign intervention. Afterall, referring to the ancient world, and as we could apply even to modern day times Graeber quotes, "all

[83] Cook, "Imitation of Life in Paris."
[84] Graeber, "Debt," 21.

revolutionary movements had a single program: 'Cancel the debts and redistribute the land.'"[85]

[85] Graeber, Debt," 21.

References

Cantir, Cristian. "'Savages in the Midst': Revolutionary Haiti in International Society (1791–1838)." *Journal of International Relations and Development* 20, no. 1 (January 2017): 238–61. https://doi.org/10.1057/jird.2015.7.

Charles Manga Fombad, "The Principle of Unjust Enrichment in International Law." *Comparative and International Law Journal of Southern Africa* 30, no. 2 (1997):120-130

Compstat NYPD. "Crime Complaints." Accessed July 15, 2024. https://www.nyc.gov/assets/nypd/downloads/pdf/crime_statistics/cs-en-us-city.pdf.

Cook, Mercer. "Imitation of Life in Paris." *The Crisis*. June 1935.

Coto, D & and Evens Sanon. "Haiti in Upheaval: President Moïse Assassinated at Home." *AP News*, July 8, 2021. https://apnews.com/article/haiti-president-jovenel-moise-killed-b56a0f8fec0832028bdc51e8d59c6af2.

Dupuy, Alex. "French Merchant Capital and Slavery in Saint-Domingue." *Latin American Perspectives* 12, no. 3 (July 1985): 77–102. https://doi.org/10.1177/0094582x8501200307.

Dupuy, Alex. *Haiti since 1804: Critical perspectives on class, power, and gender*. Lanham: Rowman & Littlefield, 2024.

Fram, Alan. "Trump: Why Allow Immigrants from 'Shithole Countries'?" *AP News*, May 1, 2021. https://apnews.com/article/immigration-north-america-donald-trump-ap-top-news-international-news-fdda2ff0b877416c8ae1c1a77a3cc425.

Fred DeVeaux, Jared Abbott, Fred DeVeaux, et al. "Haiti's Disorder Is Due to Elite Malfeasance and US Meddling." *Jacobin*, May 4, 2024. https://jacobin.com/2024/04/haiti-disorder-poverty-us-intervention.

Oxford Bibliographies. "French Emancipation." Accessed July 20, 2024. https://www.oxfordbibliographies.com/display/document/obo-9780199730414/obo-9780199730414-0253.xml.

Gamio, Lazaro, Constant Méheut, Catherine Porter, Selam Gebrekidan, Allison Mccann, and Matt Apuzzo. "Haiti's Lost Billions." *The New York Times*, May 20, 2022. https://www.nytimes.com/interactive/2022/05/20/world/americas/enslaved-haiti-debt-timeline.html.

Graeber, David, *Debt: The First 5,000 Years*. Melville House, 2012.

Government Information. “Haiti Reconstruction: Smart planning moving forward.” Accessed June 5, 2024. https://www.govinfo.gov/content/pkg/CHRG-111shrg61559/html/CHRG-111shrg61559.htm.

United States Census Bureau. “Haiti.” Accessed July 1, 2024. https://www.census.gov/popclock/world/ha.

American Progress. “Haiti’s changing tide.” Accessed August 15, 2024. https://cdn.americanprogress.org/wp-content/uploads/issues/2009/09/pdf/haiti_report.pdf.

Council on Foreign Relations. “Haiti’s Troubled Path to Development.” Accessed August 15, 2024. https://www.cfr.org/backgrounder/haitis-troubled-path-development.

Houllemare, Marie. "Procedures, Jurisdictions and Records: Building the French Empire in the early eighteenth century." *Journal of Colonialism and Colonial History* 21, no. 2 (2020) https://dx.doi.org/10.1353/cch.2020.0015.

ILJ, Fordham. “Recouping the Price of Independence - Evaluating a Haitian Claim of Reparations from France.” *Fordham International Law Journal*, (2024): https://www.fordhamilj.org/iljonline/recouping-the-price-of-independence-evaluating-a-haitian-claim-of-reparations-from-france#_ftnref14.

ILJ, Fordham. “Recouping the Price of Independence - Evaluating a Haitian Claim of Reparations from France.” *Fordham International Law Journal*, (2024): https://www.fordhamilj.org/iljonline/recouping-the-price-of-independence-evaluating-a-haitian-claim-of-reparations-from-france#_ftnref14.

James, C. L. R. *The Black Jacobins: Toussaint L’Ouverture and the San Domingo Revolution*. Knopf Doubleday Publishing Group, 2023.

Lee, Felicia R. “From Noah’s Curse to Slavery’s Rationale.” *The New York Times*, November 1, 2003. https://www.nytimes.com/2003/11/01/arts/from-noah-s-curse-to-slavery-s-rationale.html.

Miller, Rann. “We’ve Never Forgiven Haiti for Being Black.” *Progressive*, October 1, 2019. https://progressive.org/latest/forgive-haiti-for-being-black-miller-191001/.

OBREGÓN, LILIANA. “Empire, Racial Capitalism and International Law: The Case of Manumitted Haiti and the Recognition Debt.” *Leiden Journal of International Law* 31, no. 3 (June 18, 2018): 597–615. https://doi.org/10.1017/s0922156518000225.

Paxson, Frederic L. “The Independence of the South American Republics: A Study in Recognition and Foreign Policy.” *Harvard Law Review* 17, no. 2 (December 1903): 149. https://doi.org/10.2307/1322624.

Phillips, William D. “Transatlantic Encounters: Eyewitness Testimony and Spain's First American Possessions, 1492-1536.” *Medieval Encounters* 13, no. 1 (2007): 145–57. https://doi.org/10.1163/157006707x174050.

Sanon, Evens, and Coto, Danica. “Haitian Leaders Oust Police Chief and Appoint a New One as Gang Violence Claims Officers’ Lives.” *AP News*, June 15, 2024. https://apnews.com/article/haiti-police-chief-ousted-replaced-gangs-036106ec40a55acb6a59eab25faf7c90.

Seed, Patrick. *Ceremonies of possession in Europe’s conquest of the New World 1492-1640*. Cambridge University Press, 1995.

Brennan Center for Justice. “The Steep Costs of Criminal Justice Fees and Fines.” Accessed July 15, 2024. https://www.brennancenter.org/our-work/research-reports/steep-costs-criminal-justice-fees-and-fines.

U.S. Department of State. “Treaty of Paris, 1763.” Accessed June 1, 2024. https://history.state.gov/milestones/1750-1775/treaty-of-paris#:~:text=The%20Treaty%20of%20Paris%20of,to%20the%20British%20colonies%20there.

Zavitz, Erin. “Establishing a New Nation: Haiti after Independence, 1804–1843.” *The Cambridge History of the Age of Atlantic Revolutions*, October 31, 2023, 663–88. https://doi.org/10.1017/9781108599405.031.