

“YO, JOSE DUPARD, PARDO LIBRE NATURAL Y VECINO
DE ESTA CIUDAD':
MASCULINITY, RACE AND RESPECTABILITY IN SPANISH
NEW ORLEANS.
"/"JOSE DUPARD, A FREE MAN OF COLOR IN SPANISH
NEW ORLEANS"

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ABSTRACT

This paper explores the methods free men of color used to assert their masculinity in Spanish New Orleans. Jose and Carlos Dupard were free, mulatto brothers living in New Orleans in the late eighteenth century, at a time when Spanish officials attempted to force new laws, like *coartación*, on resistant French masters. *Coartación* was a Spanish law that allowed for slaves to buy their freedom or self-purchase and views on the French population. Thus at the same time that new opportunities opened up for free people of color, challenges appeared as French masters attempted to enforce their hegemony by limiting the social and economic aspirations of New Orleans' free people of color. Free men of color like the Dupard brothers fought against this and solidified their claims to masculinity and respectability through land ownership, slave ownership, patronage, and participation in the colonial militias.

KEYWORDS: *New Orleans, Slavery, Spanish Colonialism, African Diaspora.*

INTRODUCTION

From its beginning in 1718, New Orleans was filled with a mix of people of European, Indian, and African descent, some free and some enslaved. Due to the heterogeneous nature of the settlement, the small number of settlers, and the myriad potential threats the frontier settlement faced, a complex racial hierarchy developed over the years. This was further complicated by the transition from French to Spanish control in 1768. The social ideal the French ruling elite planter class envisioned and enforced had the white male patriarch at the top and the slave of African descent at the bottom. The complex relationships that developed between people of different races meant that reality often challenged this ideal. And while the upper and lower echelons of this hierarchy were firmly established, the place of free people of color in society was much more ambiguous. Throughout the era of Spanish control in New Orleans, the community of free people of color continually tested and negotiated its place in society. This was especially true of the free men of color, whose claims to full citizenship, masculinity and social respectability were often challenged by the ruling class. Two men who embodied this struggle in Spanish New Orleans were Jose and Carlos Dupard, two mulatto brothers who both typified the successes and struggles of the free community of color. Free men of color like the Dupard brothers solidified their claims to masculinity and respectability in the same way that white men of Spanish New Orleans did: through land ownership, slave ownership, patronage, and participation in the colonial militias.

Jose and Carlos Dupard, living in New Orleans in the late eighteenth century, were descended from Pedro Delille Dupard, a French patriarch and plantation owner.¹ In the mid-eighteenth century, Pedro Delille Dupard lived with his wife Jacqueline Michel and their children on St. Anne Street in New Orleans.² His brother, Pierre Joseph Delille Dupard, was also a prominent landowner in New Orleans and lived with his wife and children at their large cattle ranch at Cannes Brulées above Tchoupitoulas. Both the Delille Dupard men owned slaves and the cattle ranch at Cannes Brulées was home to 69 slaves by 1763.³ As the patriarchs of elite wealthy Creole families Pedro and Pierre Delille Dupard embodied the ideals of masculinity in colonial Louisiana. They had all the necessary titles, possessions and duties that made a man honorable and respected in colonial Louisiana: they were *vecinos*, or citizens of the city of New Orleans, owned large properties, served in the militia, were the masters of numerous slaves, and heads of their families.

Land and slaves were concrete markers of wealth and prosperity in colonial New Orleans. But illegitimate mulatto sons of respected white men, such as Pedro Delille Dupard's sons Jose and Carlos, faced great challenges in establishing and maintaining their masculinity. While some mulatto sons inherited homes or slaves from their white fathers, most had to start from scratch in their accumulation of wealth. In their business dealings and in society in general, mulatto and Black men faced the racism of a slaveholding society that equated darker skin with slavery.⁴ Society viewed the masculinity of these free men of color as a threat and a challenge to the traditional patriarchy of white men. Despite these challenging social conditions, Jose and Carlos

Dupard were able to accrue many of the markers of masculinity and respect, such as land ownership and slaves, and proudly called themselves *vecinos* of New Orleans.⁵

Much has been made of Louisiana's French colonial heritage in both academic scholarship and popular culture. The American antebellum period from 1803-1860 has also been intensely studied as well, but the period of Spanish rule over New Orleans, 1763 –1803, and its influence on the city is often ignored, despite the fact that this era was a crucial time in the development of New Orleans' distinctive society. The city grew from 6,375 people in 1766 to 12,000 total residents in the beginning of the nineteenth century. At the close of the French period there were about 200 free people of color. By the end of the Spanish era, there were around 1,355 free persons of color, roughly one-fifth of the city's population.⁶ In fact, recently scholars such as Jennifer M. Spear, in her comprehensive and groundbreaking work, *Race, Sex, and Social Order in Early New Orleans*, have shown that the introduction of Spanish slave laws and attitude helped strengthen and solidify the position of free people of color in New Orleans.

Interracial sexual relationships and the system of *plaçage* in colonial New Orleans are aspects of New Orleans's history that have received much attention from both scholars and popular media, but the focus of most of this scholarship is on the mulatto or quadroon woman, her relationship with white men, and her place in society. On the other hand, the history of the sociological status of free men of color has often been overlooked. Comparing and contrasting the lives of the Dupard men and the white Delille Dupards can illuminate the ambiguous and multifaceted roles that free men of color played in Spanish New Orleans society.

RACE AND MASCULINITY IN COLONIAL NEW ORLEANS

The French settlers of Louisiana and New Orleans brought their existing conceptions of masculinity and race with them to the Americas. Of course, those conceptions were shaped and changed to some extent by the unstable nature of a frontier society. But the seeds of the gender and racial hierarchies that eventually developed in the colony had germinated in France. Several international factors converged in the sixteenth and seventeenth century that shaped France's and the wider Atlantic world's notion of masculinity. The rise of imperialism and colonization fueled the growth of commerce and mercantilism and contributed to the new ideal of individualism. Men began to value themselves more as individuals and the accumulation of material possessions became an important measure of that. At the same time, the necessity of warfare as a means to colonization and the acquisition of wealth led to the professionalization of armies so that valor on the battlefield was further proof of a man's masculinity.⁷ All these trends led men in the Atlantic world to view property ownership and service in the military as markers of masculinity.

At the same time that this was occurring throughout Europe, there was a rising concern and unease over threats to masculinity in France. This was the result of several factors, among them changing property laws and ideas about women's place in society. Throughout the seventeenth century more and more elite French women became literate.⁸ Over time, the French courts began to protect the property rights of wives as well as protect them from physical abuse by their husbands.⁹ The Catholic Church was able to

reduce the occurrence of concubinage in France, which slightly improved the status of women. All these factors led to an increased concern over masculinity, and a feeling among many in the early eighteenth century that they had to establish control over their wives and families.¹⁰ Thus many of the colonizers who came to New Orleans arrived with heightened concerns about their masculinity.

Another factor that affected French masculinity in the 17th and 18th was the exploration and colonization of foreign places and peoples. The French encouraged people who looked and acted very different from themselves and as their empire expanded there was a need to determine these new peoples' place in French society. This was especially true of the millions of Africans transported and enslaved in France's American and Caribbean colonies. French art and popular culture of the mid eighteenth century tended to depict Africans as either acculturated yet alien servants in France or as enslaved workers on distant colonial plantations. And in both types of these depictions, it was usually implied that these were not fully "men." Instead they were "boys" because of their supposed inherent and inferior nature, or because of their lack of freedom.¹¹

The changes and subsequent anxiety seen in French society in the eighteenth century were exacerbated for the settlers of France's colonies. As scholars like Gwendolyn Midlo Hall have pointed out, French Louisiana was an incredibly dangerous and constantly changing place. And as she and others have argued, this meant that the French had to rely, intermingle, and even work alongside their slaves in a way that was not necessary in France's other colonies.¹²

In addition to masculine anxiety, the early French colonizers of New Orleans faced a severe lack of respectable white women who were suitable for marriage. In fact,

the French Mississippi Company that was responsible for bringing settlers to the colony neglected to import any women until the 1720s.¹³ This meant that even respectable men chose to couple with women of a lower class or even of a different race, in both informal sexual liaisons and in formal marriage, which led to the rapid development of a mixed race population. Although social relations in New Orleans started to stabilize as the colony developed throughout the eighteenth century, the influx of numerous immigrants from diverse backgrounds and the change in colonial ownership of the colony meant that there were constant threats and pressures on the social hierarchy.¹⁴ One such pressure came from free men of color, who tried to secure their place as respected citizens of New Orleans.

One impediment to free men of color establishing their respectability and masculinity was the dehumanization and the demasculinization of African men in the Atlantic slave system. Throughout the Americas, the elites of slave owning societies continually emasculated African slaves as part of the process of maintaining the traditional patriarchy of white men. According to the previous white racial views, African men were both beasts and boys. Because planters needed African slaves for labor they conceptualized them as beasts of burden, with the strong bodies, simple minds and the soullessness of an animal. At the same time, in order to suppress and oppress African slaves, white society always saw African men as boys regardless of their age or size.¹⁵ White planters also had no regard for slave families when economic gain was at stake, and were more than willing to separate families to make a profit. Slave husbands also faced the threat of sexual advances on their wives by their masters.¹⁶ These factors meant that male slaves' positions as heads of households were completely negated by the

conditions of chattel slavery. While some men of color in New Orleans were able to gain their physical freedom, they were not equally able to escape from the racial denigration of their masculinity.

THE FREE BLACK COMMUNITY IN NEW ORLEANS

Africans, both free and enslaved, arrived in New Orleans as some of the city's earliest residents, including two free Africans who arrived in the city in 1719: Marie, a paid servant, and Jean-Baptiste César, a manual worker. Several free people of African descent chose to immigrate to the new colony from various places near and far in the African diaspora: Simon Vanon from Senegal, Thomas Hos from Jamaica, and Jean Baptise Raphael from Martinique.¹⁷ The community also grew in these early years when slaves were emancipated in gratitude for their fighting American Indians in the area. This was the case in 1729, when Étienne Périer emancipated a small number of African slaves as a reward for their killing of Native Americans in the area.¹⁸ This also marked the beginning of the use of free Black men in combating rebellious Native Americans and slaves, which would continue through the rest of the century.

In general, the free Black community of French Colonial New Orleans was very small and very weak. Slaves were sometimes freed by their masters, but there were no systematic legal guarantees for self-purchase as there would later be in the Spanish era. And labor of any kind was in such demand, that slave labor was especially valuable. Around 150 slaves were manumitted during the French period and in 1769 there were approximately 200 free people of color living in New Orleans. According to Thomas Ingersoll, their status was closer to slaves than to poor white men.¹⁹

Over time the community slowly grew, as some slaves were able to save and earn money to purchase their own freedom or were freed by their masters in return for loyal service. When slaves were freed they were given certain rights of white men: property ownership and the ability to enter into contracts. This gave former slaves some freedoms, but they were still constrained by the social rules of the colony, which prevented them from truly living their lives like white men.²⁰ Because of the possible challenge to the established patriarchy that free Blacks presented, the French, and later the Spanish enacted laws that limited the rights of this class. The basis of much of the French law that governed free people of color as well as Indian and African slaves was the Code Noir. This decree initially issued in 1685 was supposed to govern separate communities of free whites and Black slaves.²¹ But because Africans and Europeans in actuality lived closely together in the colonies and produced numerous multi-racial progeny, the Code had to be modified over time and for different colonies to adapt to the reality of the colonies. As a community of free people of color developed in New Orleans, the Code Noir also imposed restrictions such as larger fines for abetting fugitive slaves, prohibitions on marriage with whites, and requiring freedmen to respect their former masters.²² Because of these types of constraints, free men of color had to work especially hard to establish themselves as reputable, upright citizens of New Orleans.

The popular assumption is that the free Black community of New Orleans grew due to the numerous liaisons between women of color and white men as embodied in the *plaçage* system and the quadroon balls. While the balls certainly did take place in New Orleans, they did not begin until the nineteenth century, by which time New Orleans already had an established free Black population.²³ The quadroon balls did grow out of

the long tradition of white men having liberal sexual access to women of color in colonial Louisiana. Yet scholars such as Thomas Ingersoll make powerful arguments that the domestic relationships between Black women and white men were not the main cause of growth for the community of free people of color. According to both French and Spanish law, children inherited the status of their mother. Thus children born to an enslaved mother were themselves slaves. And while some white fathers did make efforts to free their enslaved children and their mothers, scholars like Ingersoll have found that the majority of emancipations in colonial New Orleans do not appear to be linked to romantic relationships or patriarchal duty. Mulatto and Black women were only slightly more likely than mulatto and Black men to receive gratuitous freedom. Ingersoll also asserts that there were more Black and mulatto women who purchased their own freedom than those who had it granted to them, though this is refuted by other scholars.²⁴ The most likely scenario, as historians like Kimberly Hanger and Jennifer Spear have asserted, is that being young, female, and having lighter skin would greatly increase one's chance of gratuitous emancipation, but there were other pathways to freedom that enslaved peoples of all skin tones sought.²⁵

Thus mixed racial heritage did not automatically lead to freedom. Masters did not necessarily free the mulatto children of their slaves as can be seen in the baptismal records of the Delille Dupard slaves. There are 15 baptismal records of slaves belonging to Monsieur Dupard ranging in date from 1777 to 1799. The first name of the slave owner is never listed, but in every case the man was given the honorific title "Monsieur," so it can be inferred that the slave owner is one of the white Delille Dupards and not Jose or Carlos Dupard, who always appear in the records without the Monsieur title and with

“mulatto libre” following their names. All of the mothers’ first names are listed, but the paternal parentage is always listed as “padre incognito” or “padre no conocido.” Of the 15 baptisms of slaves of Monsieur Dupard, eleven are clearly listed as “negrito” or “negrita,” one as “grifo,” two are listed as “mulata,” and one as a “quarterona.”²⁶ It cannot be assumed that all these children of mixed race parentage were in fact children of the white Delille Dupard men. But it is possible, and some would argue likely, that they may have indeed been their children. There is no indication in the archives that the children’s white fathers, whoever they were, made any effort to obtain their freedom.

The existing baptismal records hold only one case of any of the Dupards’ slave children being freed at birth. On March 27, 1799 twin mulatto boys, Juan Francisco Dupard and Juan Pedro Dupard, were baptized at St. Louis Cathedral. They had been born on December 15, 1798 to Maria Morine, a “negra esclava” of Monsieur Delisle Dupard and an unknown father. The twins, though, were not listed as slaves, but instead as “mulato libre” and were given the last name Dupard. The record also specified that Monsieur Delisle Dupard was giving the children their freedom. The godfather of Juan Francisco was Jose Dupard, who in other records listed himself as the illegitimate son of Pedro Delisle Dupard. Juan Pedro’s godfather was Carlos Dupard, mulatto libre.²⁷ There is no concrete proof that Juan Francisco and Juan Pedro were indeed the sons of Delisle Dupard. Still, it seems unlikely that a slave owner would be willing to free two potentially very valuable slaves for reasons other than fatherly obligation. But as the other mulatto children who were born as slaves demonstrate, being born the mulatto child of a wealthy, white planter did not guarantee freedom.

The ultimate cause for the rapid growth and solidification of the free Black community in the second half of the eighteenth century is this: the introduction of Spanish laws and judicial system, which allowed for owners to easily manumit their slaves when they desired and tended to support the ability of slaves to purchase their freedom through the right of *coartación* or self-purchase. The French laws regulating slavery legally restricted avenues to manumission such as self-purchase as well as discouraging gratuitous manumission by masters.²⁸ According to the *coartación* custom, which had developed in Cuba and was introduced to Louisiana in the early 1770s, the slave and owner agreed on a price, and the slave then paid that price through money earned in the markets or by hiring out their labor on Sundays. When there was a disagreement in this process between slave and master, slaves had the right to appeal to the Spanish courts.²⁹ During the Spanish period, half of the slaves who gained their freedom did so through *coartación* and French plantation owners repeatedly tried to restrict the process.³⁰ As previously stated, the free Black community was made up of approximately 200 people at the end of French rule in 1763; by 1803 when the United States purchased the Louisiana Territory, there were more than 1300 free people of color living in New Orleans who made up approximately one fifth of the city's population.³¹ This new guarantee of the right to self-purchase led to the flourishing of the free community of color in Spanish New Orleans.

The free Black population grew rather quickly in the Spanish era, mostly through this system of *coartación*. Under the new Spanish legal system 1,100 men and women of color purchased their freedom in New Orleans between 1769-1807.³² All the archival records of Jose and Carlos Dupard indicate that they were born free, to a free mother, so

while it is true that they did not purchase their own freedom, it is very possible that their mother had purchased her freedom.³³

The explanation as to why Spain's laws and customs granted slaves more access to the courts and the right to self-purchase is another contentious historical debate. But one basic explanation lies with religion: Spain's colonial policy had been fundamentally shaped by the Catholic Church. The Church's rulings on slavery changed over time, but typically insisted that African slaves must be instructed in the Catholic faith and all efforts should be made to convert them. A similar policy existed in all French colonies, but numerous accounts of visitors to French Louisiana noted that very little effort was given to slave religious instruction and Spanish priests also complained of the French settlers' failure in this.³⁴ Modern scholars agree with this assessment and have found that it was one of many official laws and policies that French Louisiana settlers routinely ignored.³⁵ But because of the greater number of priests and colonial officials in Spanish colonies, a greater effort was made to enforce policies and instruct slaves in the Catholic religion. And since even slaves were members of the Catholic Church, they too had a right to ecclesiastical courts and by extension, secular ones as well.

Yet this should not be viewed as a Tannenbaum-esque interpretation of history: slavery was not inherently more benevolent in Spanish colonies. Spain simply allowed for some legal avenues to freedom and gave slaves access to Spanish courts. The Spanish state, its officials, and its citizens, for the most part, fully believed in their moral and legal right to enslave people of African descent, gain profit from them, and treat free people of African descent as lesser citizens. In fact, under the Spanish Crown, the number of slaves imported greatly increased and the buying and selling of people of African descent

flourished.³⁶ While some were able to gain freedom in the Spanish era, thousands more lived under the grueling and demanding bonds of enslavement.

For those men that were able to gain freedom, they quickly sought to establish themselves as respectable, honorable citizens. They did this through protecting their families, owning land and slaves, and serving in colonial militia. Securing their respectability and masculinity were especially important to free men of color because of the numerous threats and restrictions on their rights and their manhood. Laws prevented people of color from dressing a certain way, marrying whites and owning white indentured servants. People of color were also banned from many social clubs and at times even prevented from engaging in elite sports such as fencing.³⁷ As other avenues to respectability closed, familial protection, land ownership, slave holding and service in the militia became the primary ways of establishing the manhood of free men of color in Spanish New Orleans.

MASCULINITY AND THE FAMILY

One clear source of masculine identity for men in colonial New Orleans was their role as the head of the household. Both white and Black men drew power from their control of the family. Protection of the family was especially important to free Black masculinity, because their role as fathers had been completely disregarded and devalued under slavery. The disregard of slave fathers began when a child was born. As the Delille Dupard slave baptismal records indicate, the father of slave children was almost always listed as “incognito” or “desconocido.”³⁸ Because they were not legally acknowledged as fathers they had no right to protect their children and were routinely

separated from their children.³⁹ Therefore many free fathers of color like Jose and Carlos Dupard valued and treasured their ability to exercise authority in the home and protect their families.

The origin of this authority, of course, was marriage. A man's status could be judged by his ability to secure a wealthy and respectable bride. For pardo men like Jose Dupard, this usually meant marrying another free pardo woman. Dupard had numerous "hijos naturales" with slave and free women. But when he decided to marry in 1797, his bride was also a pardo, and like him, she was the illegitimate, mixed-race child of a prestigious white planter.⁴⁰ Free men and women of color tended to marry someone with their same racial and social classifications. And because of the fact that children of slave mothers would also be slaves, men sought out free partners. Of the 109 marriages of slaves and free Blacks recorded at the St. Louis Cathedral between the years 1777 and 1800, 91 of them were between people of the same racial classification and the same status in freedom. Unions between mulattos account for 25 of these marriages, 33 were between "negros libres," 6 were marriages of quadroons, and 27 were between Black slaves.⁴¹ Thus the union of Jose Dupard and Maria Suave, two pardos libres, was a representative match of the marriages in the free community of color in Spanish New Orleans.

After marriage a man protected his masculinity and honor by protecting his family. And once a man's father died, he often assumed control over his sisters and widowed mother. Jose Dupard also sought to protect his family, as well as his property, when soldiers damaged his home near the English Turn in 1813. He and his wife Maria Suave had bought the land in 1805 and began growing sugar. In 1809 the U.S. military

decided to build a fort on the Dupard property and later purchased two arpents of land from Jose, then going by the Anglicized version of his name, Joseph. When the soldiers' activities disrupted his sugar fields, he appealed for help to the governor, William Claiborne.⁴² Formal appeals and petitions such as these were ways that men sought to protect their families.

There is a popular and erroneous belief that free parents of color wanted their daughters to become the mistresses of white planters. Instead many free fathers of color wanted their daughters to enter into happy and legitimate marriages with men from their own social and racial standing. This was certainly the case when Carlos Dupard's daughter Maria married the *mulatto libre* Basilio Salio on November 4, 1800. Carlos was obviously proud of this match and the wedding itself, as shown by the fact that Noël Carrière, a respected leader in the free Black militia and Carlos's brother Jose Dupard were witnesses.⁴³ Free men of color knew that if their daughters entered into the *plaçage* system, their daughters and their children would have no legal rights to inheritance.⁴⁴ Thus it is likely that men like Carlos and Jose wanted to make sure that their daughters found legitimate husbands.

Illegitimacy was very common among slaves and New Orleanians of mixed racial heritage. Of the 29 Black, mulatto, and quadroon Dupard children baptized between 1777-1799, twenty-two of the children are listed with unknown fathers. Because of this, free fathers of color were very careful to make sure their own children were listed as legitimate sons or daughters. The baptismal records of the children born to free Dupards of color always specify "mulata libre y legitima" or "hijo legitimo."⁴⁵ In order to stress the legitimacy of the child the records often include the grandparents, such as the record

of Carlota Dupar. The record states that she was the legitimate daughter of Carlos Dupar and Carlota Belem and her maternal grandmother was Maria Belem, while her paternal grandmother was simply listed as “Dupar.”⁴⁶ Married men of color were careful to make sure that the priests and the community at large knew that their children were the product of a legitimate marriage.

Free fathers of color also sought to give their illegitimate children freedom. This was the case when Marcial Dupard was baptized in 1790. Marcial was the illegitimate child of Jose Dupard and Margarita and although his baptismal record lists the father as unknown, Jose acknowledged Marcial as his child in his 1797 marriage contract with Maria Suave. And when Marcial’s younger brother was baptized in 1792, Jose was listed as the child’s father. Both baptismal records list Maragarita as a free mulatta, although at this point she was actually Jose’s slave.⁴⁷ Jose emancipated Margarita, Marcial, Augustin and her child from a previous relationship on September 23, 1793.⁴⁸ Through the earlier misleading statement that Margarita was free and her later emancipation it is clear that Jose Dupard had a strong desire for his natural children to be free. Securing a child’s freedom or legitimacy were important ways that free men of color could protect their families and thereby protect their own honor and respectability.

LAND OWNERSHIP

One right the community of free people of color in New Orleans took seriously was the right to own property and the concomitant right to enter into contracts. Property ownership was a key component of masculinity, because it gave a man a certain degree of status and allowed for participation in politics and society. Without property, a man

could not be a *vecino*, or citizen of the city. Members of the elite planter class owned large tracts of land in both the countryside and the city and saw property as an essential element for respectability. The Delille Dupard men owned a large number of slaves and several prime pieces of land including a cattle ranch near Tchoupitoulas and a house on St. Anne Street in the heart of the Quarter.⁴⁹ All men in New Orleans saw property as an essential element for respectability.

For much of his life, Jose Dupard was a carpenter, which was a reliable, but not hugely lucrative, trade.⁵⁰ However, the fact that he was both industrious and enterprising was evidenced by the fact that between 1788 and 1799 he was able to purchase three small pieces of property from various landowners.⁵¹ One of his purchases was from a white man, but the other two pieces of property were purchased from free women of color. It was not uncommon for free women of color to transcend traditional racial and gender roles by owning land and engaging in land sales. In fact, as Kimberly S. Hanger notes, free women of color proportionally engaged in more business transactions than either free men of color or white women.⁵² Jose's marriage to the free mulatta Maria Sauve no doubt enhanced his income and enabled them to purchase more land, as they did with the acquisition of 11 arpents near the English Turn in 1805.⁵³

The other important element of acquiring property was the ability to enter into contracts. This was especially important for free men of color like Jose Dupard because of the social and economic constraints placed on them. Contracts were a crucial component of eighteenth century business negotiations and allowed a man to mortgage his current property in the hope that he would acquire more property. When Jose Dupard bought land from Francisco Fleury in 1788 he mortgaged his property.⁵⁴ Free men of

color were especially proud of their right to enter into contracts because it set them apart from slaves.

Yet free men of color were also aware that their rights to property could be attacked and infringed upon by white men. One free family of color was expelled from their land by white neighbors because the family did not keep up the stretch of public road that went by their land. In another case, the heirs of a free Black man tried to preserve their inheritance rights, but were prevented from getting the property they should have inherited by the Ursuline nuns, who had given it to a white man in return for his service to them.⁵⁵

Land was such a vital component of masculinity because it opened up further possibilities for citizenship and economic ventures. With land, a man could call himself a *vecino* and without *vecino* status one could not truly gain esteem in society. With land ownership, a man of color could legally mortgage existing property in the hopes of gaining even more land. For free men of color like Jose Dupard, property ownership was one of the few concrete ways in which they could establish their masculinity and citizenship and, at the same time, improve the economic security of themselves and their families.

SLAVE OWNERSHIP

Another component of masculinity in eighteenth century New Orleans was slave ownership. Being a master of slaves contributed to a man's masculinity both as a symbol of his wealth and a symbol of his ability to exert authority and power over other men and women. A man who had numerous slaves was seen as prosperous and respected.⁵⁶

Slaveholding built upon the existing notions of patriarchy and family: the slave owner saw himself as the father of his plantation, who worked his slaves, but also took care of them.⁵⁷ Slaveholding fit within and confirmed the society's paternalistic and patriarchal nature, so it is not surprising that many ambitious men of color like Jose Dupard owned slaves.

Many slaveholders did envision themselves as compassionate and generous masters. Certain records indicate that this was how the Delille Dupards saw themselves. In 1774 Pierre Delille Dupard was called to testify in a case concerning slaves' rights to work or rest on their free days. He was called to testify because of his respected place in the community as a patriarch and slaveholder. Delille Dupard testified that he believed that slaves were customarily entitled to free days on which they could work for others or rest and did not need permission from their masters to work for someone else.⁵⁸ Delille Dupard clearly saw himself as beneficent master who allowed his slaves to have one day a week to themselves.

The issue of slave ownership by free men of color is especially complicated because of the links between the free Black community and slaves. Slaves and free people of color were united by the prejudices and racism of the white community, who saw all descendants of Africans as inherently lesser and unequal beings. At the same time, they were also often connected to the slave community through familial ties. In the case of Jose Dupard, the relationships that developed between himself and his slaves seem similar in some ways and different in others from the relationships between white masters and their slaves.

Both white and Black slaveholders occasionally granted freedom to their slaves. Some masters, including many of the Delille Dupards, emancipated slaves in return for their years of loyal service. This appears to have been the case in 1775, when Catalina Dupard and her husband Pedro Deverges freed their 80-year-old slave Catin. But this manumission should be viewed with a certain amount of skepticism because the records of this event make no mention of monetary or housing support for Catin. An eighty-year-old former slave would certainly have a very difficult time supporting herself.⁵⁹ In any event, it is impossible to know the precise motives behind these emancipations, regardless of whether they were granted by Black or white slave owners.

Like many white masters, Jose Dupard engaged in sexual relations with some of his female slaves. He openly acknowledged his children with his slave Margarita; as previously mentioned, her children were listed as free in the baptismal records, and she was eventually freed herself.⁶⁰ While Dupard acknowledges his “amor y cariño” for Margarita and the children in the emancipation, he clearly did not see her as a social equal.⁶¹ Dupard was single and eligible to marry Margarita when they had their two children in the early 1790s. But Dupard did not marry until 1797 and then it was to a different woman who had been born free and was classified as a *parda*.⁶² Like the elite planters, Jose Dupard used his authority as a slaveholder to gain sexual access to his slaves without feeling any responsibility to legitimize their relationship.

Jose Dupard also owned several male slaves. Unlike the traditional stereotype of a slaveholder who used his slaves for labor on a plantation, Dupard probably worked alongside his slaves in his carpentry shop. In 1794 Dupard paid Don Geromo LaChiapella, a prominent slave merchant, seven hundred pesos for a male slave skilled in

carpentry.⁶³ Dupard made only one other purchase of slaves from LaChiapella.⁶⁴

Unfortunately, the archives cannot reveal whether or not Dupard and other free men of color felt conflicted about their role as slaveholders of color; they only indicate that Dupard was a willing participant in the slave economy.

MILITARY SERVICE

In colonies throughout the Americas, service in militias came to be seen as a symbol of masculinity. It was a way for men to protect their families and their community from threats such as hostile Native Americans, *cimarrones*, and competing colonial powers. In the militia a man could showcase his bravery and honor through exemplary service. In the 1763 Census several white Dupard men are listed as militiamen, although their first names are not included, so it is impossible to tell which Delille Dupard.⁶⁵ In addition, Francisco Delille Dupard, legitimate son of Pedro Delille Dupard, was a Brigadier in the Compañia de Carabineros de la Provincia de la Luisiana.⁶⁶ But colonial militias were also an important avenue for upward mobility for the lower and middle classes. As scholar Kimberly S. Hanger notes in her book *Bounded Lives, Bounded Freedom* this was especially true for free men of color in colonial Spanish New Orleans.

The special militia of free men of color began in the French period. During this time planters also engaged in organizing more informal groups of free men of color for the specific purpose of capturing runaway slaves.⁶⁷ In fact, the Black militia was primarily engaged in catching and controlling the runaway slave community, although they also fought in battles against Native Americans and colonial enemies as well as

doing more mundane tasks like repairing levees.⁶⁸ While these militias show a certain degree of trust and alliance between whites and free Blacks, the militias were not respected in the same way as white militias, and were proportionally smaller than the Spanish militias.

Because of the small size of colonial Louisiana's population and the numerous threats the colony faced, the Spanish Crown had a strong need for free men of color to man the militias. In fact, under Spanish rule, New Orleans' militias of free men of color grew dramatically in size. In 1779 there were 89 free men of color in the militia, while by 1801 there were 469 militiamen of color. These are especially large numbers when one considers that in 1778 New Orleans had a population of approximately 121 free men of color and that in 1805 there were still only 624 men of color residing in the city.⁶⁹ Joining militias was an attractive option for free men of color not only because of the monetary benefits, but also because of the military *fueros*: exemption from tribute, possible retirement and death benefits, the right to bear arms and the right to be tried in military courts.⁷⁰

While free men of color were wanted and welcomed in the militia, they were excluded from serving alongside white men. In fact, the militias of free men of color were divided into *pardo* and *moreno* units. The militiamen of color were also often assigned more unpleasant tasks, more dangerous military assignments and even mundane manual labor such as levee repair.⁷¹ Nevertheless, the militia served to unite the free Black population and create a unified community. The list of men belonging to the militia is in Havana, Cuba and therefore it cannot be definitively determined whether Jose and Carlos Dupard did indeed belong to the free Black Spanish militia. Local records do

show that the two were very closely connected socially to many of New Orleans' most prominent militiamen of color.⁷² At Jose Dupard's 1797 wedding to Maria Suave, Josef Favrot, Carlos Brulé, and Noël Carrière served as witnesses.⁷³ Favrot and Brulé were members of the militia and respected and propertied members of the free community of color.⁷⁴ Carrière served as a second lieutenant of the moreno militia and later as the unit's commander and eventually received recognition and a reward from the Spanish Crown for his service in the militia.⁷⁵ Carrière also served as a witness at Carlos Dupard's daughter's wedding in November of 1800.⁷⁶ Perhaps the most respected and well-known militiaman of color was Francisco Dorville, Commander of the Mulatto Militia.⁷⁷ He served as a witness at the wedding of Jose Dupard's natural son Joseph Dupard; the record of the wedding specifically states that the witness was the "comandante de las milicias de mulatos."⁷⁸

The biggest military issue in colonial New Orleans was that of runaway slaves. Black, white and mulatto men saw it as their duty to monitor, capture, and control marronage. In 1747 Nicolas Delille Dupard, seventeen years old at the time, traveled to Havana and returned to New Orleans with information that several runaway slaves were living as free people in the Spanish colony. His information eventually led to the capture of two of these slaves.⁷⁹ Not only did marronage threaten the labor supply and economic stability of the colony, but it also threatened security. This was the case in the summer of 1784 when a group of cimarrones known as the San Maló Band stole from plantations and generally terrified the colony. One of the Delille Dupard brothers captured six slaves.⁸⁰ Perhaps the Delille Dupards felt obliged to capture slaves, as one of the fugitives captured was Sambo Dupard.⁸¹ The pardo and moreno militias also helped

search for the San Maló Band, most notably Carrière, the witness at several Dupard weddings.⁸² Serving in the militias was a way for the free community of color to earn not only monetary benefits, but also to earn the trust and respect of elite, white New Orleanians. Free people of color continued to serve in militias through the American period. Through their own probable service in the militias, Jose and Carlos Dupard would have gained esteem and proven their masculinity.

CONCLUSION

During the Spanish period Jose and Carlos Dupard were able to accumulate land, slaves, and a certain modicum of status through their hard work, business acumen and probable service in the militias. The Dupard brothers were not unique in this era; many free men of color followed this same path to respectability, establishing themselves as respected *vecinos* of New Orleans and thereby securing their masculinity. Establishing themselves in this manner was critical for free men of color because other avenues to wealth and status were closed to them either by law or custom.

Free men of color also felt the need to secure their manhood because they were living in a slave society that constantly dehumanized and emasculated men of African descent. White men felt the need to protect their patriarchy through racism against all men of color, whether or not they were slaves. And in turn, men of color challenged this patriarchy through their economic and social successes. This is not to say that men of color were trying to radically change this slave society, as can be seen in the fact that many free men of color owned slaves themselves or participated in military expeditions

to capture runaway slaves. Free men of color typically only wanted to change the system so that they would be allowed entry into the upper echelons of society.

By the end of the Spanish period, leading white citizens were becoming increasingly concerned about the growth of the free Black population's size, prominence and wealth, especially in light of the Haitian Revolution. It was at this time that the window of opportunity for free people of color to negotiate their place in society closed. Once the city came under United States control in 1803, the Spanish practice of *coartación* was soon prohibited, stunting the growth of the free community of color.⁸³ However, due to the industriousness and success of men like Jose and Carlos Dupard during the Spanish period, free men of color in New Orleans had established their masculinity and a continuing claim to a place of respect in society.

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BIOGRAPHY

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ENDNOTES

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