

GUNVOR SIMONSEN

SLAVE STORIES

LAW, REPRESENTATION, AND GENDER
IN THE DANISH WEST INDIES

AARHUS UNIVERSITY PRESS

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in the Danish West Indies

Gunvor Simonsen



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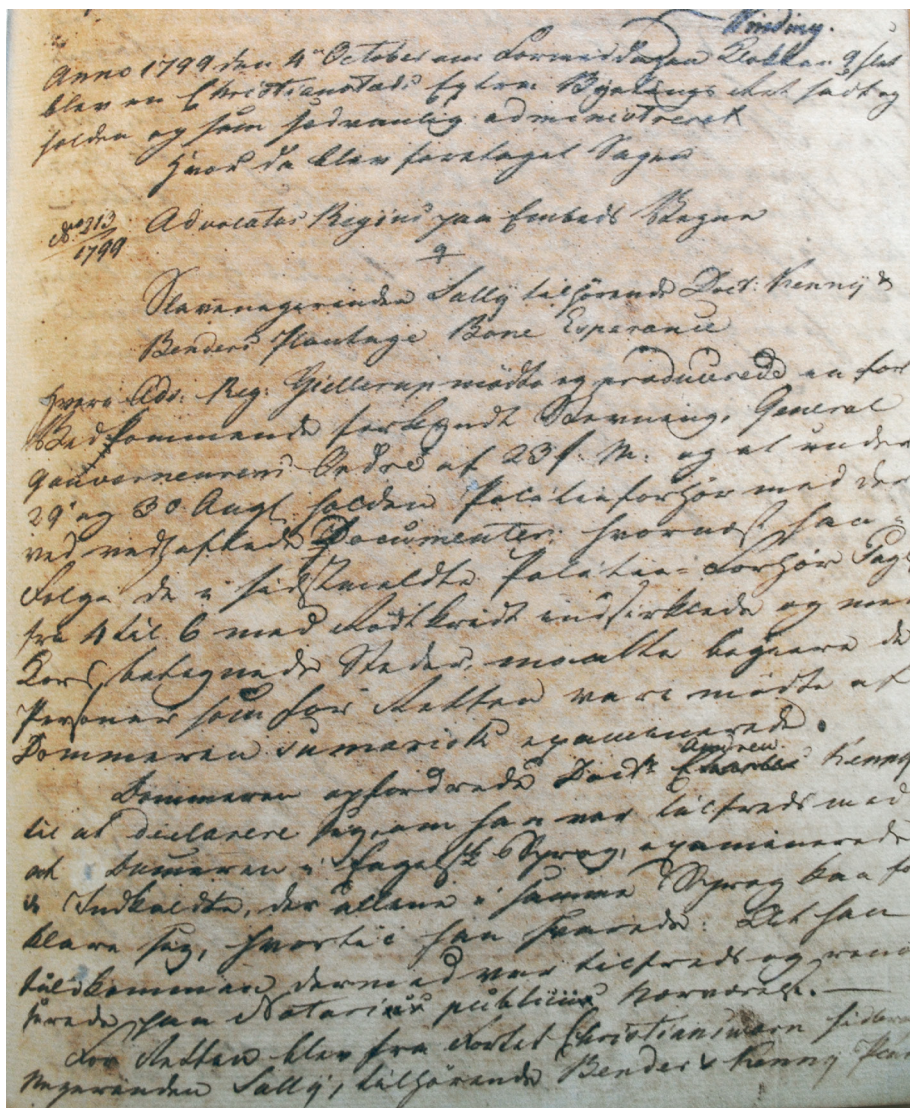
INTRODUCTION

Legal Power and Gendered Voices in the Danish West Indies

In 1799, the enslaved woman Sally appeared before Christiansted Lower Court in St. Croix of the Danish West Indies (today the US Virgin Islands). She was charged with attempted murder of her common law husband. The road that led to Sally's trial was long and winding. It began when she walked to Christiansted town to complain to Governor General Wilhelm Anton Lindemann about the treatment the slaves received on Bonne Esperance Estate where she worked as a field hand. Sally's complaint resulted in the fining of the estate administrator, but it also led to the investigation that implicated her in a murder attempt on her husband, Leander. During her trial, Sally stated that she was innocent. She emphasized that she "loved Leander" and "wished that she could live with him" forever. Yet Leander was unfaithful and maintained a second wife. Sally explained that it was Leander's "infidelity" that had led her to burn down his house and mix marl in his drinking water. All her deeds had been done "for him," Sally claimed; indeed her feelings were so strong that she was "unable to leave him."¹

Judge Brown of Christiansted Lower Court drew heavily on Sally's court testimony when he drafted his verdict, but he disregarded the main thrust of her argument: Sally claimed that she had no intention of causing harm to the man she loved. During the trial, Sally admitted that she felt "jealous" and "revengeful" towards Leander, and she confessed that she harbored feelings of "hatred" against her overseer. These were the elements of Sally's testimony that Brown chose to repeat in his verdict. Disregarding Sally's main claim, he picked her statement apart and chose only those bits and pieces that allowed him to issue a death sentence.²

Though unusual, Sally's testimony was not unique in the Danish West Indian courts. Indeed, this book is about Sally and the many other enslaved men and women who appeared in the courts of Christiansted jurisdiction in St. Croix from the 1750s until the abolition of slavery in the Danish West Indies in 1848. Representational processes that included slave depositions were central to litigation in



Detail of the court book containing the testimony of the enslaved woman Sally, 1799.

The folio-sized *retsprotokol*, i.e. the court protocol, containing the transcript of the statement Sally gave in Christiansted Lower Court on October 4, 1799. On the following pages, Sally explained that she “loved” her husband and she related how she had attempted to deal with what she understood to be his infidelity.

the Danish West Indies in the eighteenth and nineteenth centuries. Thousands of enslaved men and women appeared in the Danish West Indian courts. What they said was meticulously recorded by the royal judges and scribes. Today, the judicial records pertaining to or including slaves in the jurisdiction of Christiansted, St. Croix, take up more than 190 large volumes in the *Rigsarkiv*, the National Archives in Copenhagen, Denmark. These volumes comprise a substantive, tangible sign of the important role that slaves' words played in the Danish Atlantic legal institutions during the eighteenth and nineteenth centuries.³ In these courts, the testimonies of enslaved men and women were part of long, tortuous, and inclusive trials that were decided through the ingenious interpretations of schooled jurists.

Sally's court appearance points to the inclusive element of the processes of representation that took place in the Danish West Indian courts. Several identity markers were attributed to slaves who entered the courtroom. Sally was described as a "negress," belonging to "Bonne Esperance Estate," "born on St. Eustatius," who "did not know her age" and did not "confess to any religion." Like other slaves appearing in court, Sally was labeled according to her sex, skin color, faith, age, birthplace, and owner. Such labels were used to distinguish one slave from another. Usually enslaved people did not have the possibility of adding further layers of meaning to the sketchy portraits they engendered. This was not the case with gender. As Sally's story illustrates, gender provided a narrative opening that enslaved Africans and Afro-Caribbeans could sometimes use to establish themselves as subjects before the Danish West Indian courts. Though slaves and judges had very different preconceived ideals of manliness and womanliness, they shared a concern for the ways in which gender ideologies came into play in Atlantic slavery. This common concern paved the way for a broken, distorted, and unequal dialogue in the courts of Christiansted in St. Croix.⁴

Yet dialogue seldom amounted to tangible influence in the Danish Atlantic legal system. Sally's trial and verdict illustrate a central argument of this book. In *Slave Stories* I argue that legal power in the Danish West Indies should be understood as both inclusive and repressive. On the one hand, the court's procedural practices included statements by enslaved Africans and Afro-Caribbeans, particularly when they portrayed themselves as Christian men and women living industrious and respectable lives. On the other hand, the self-portraits and stories developed by slaves seldom affected trial outcomes. Judges developed reading practices that allowed them to reach guilty verdicts in most trials. In the Danish West Indian courts, inclusive procedures and repressive verdicts went hand in hand and enabled slaves to tell their stories while simultaneously allowing judges to sentence them harshly afterwards.