Interpretations of memory were central in the development of Haitian autonomy, independence, and government – as illustrated in the Constitution of the French Colony of Saint-Domingue of 1801, the Declaration of Haitian Independence in 1804, and the Haitian Constitution of 1805. Recently, scholars have sought to correct the historiography's "forgetting" of the Haitian Revolution in broader contexts, emphasizing the significance of remembering the Haitian Revolution in the histories of France, the Atlantic, and the world.¹ Even though historians have begun to rewrite the Haitian Revolution back into historiographical prominence, they have largely overlooked how early Haitians managed, altered, and fought over their own historical and racial identities. In fact, Haitian leaders also "forgot" parts of their past as they formed the new nation.² Therefore, in this


² In his 1882 lecture, Ernest Renan discussed the importance of forgetting for the creation of European nations, even noting the roles of violence and race in achieving national unity. "What is a Nation?" trans. and ann. Martin Thom, in *Nation and Narration*, ed. Homi K. Bhabha (New York: Routledge, 2013), 8-22. Eric J. Hobsbawm emphasizes how
In this way, memory held considerable political value during the Revolution and the founding of Haiti. Competing memories of the Old Regime, especially memories of slavery, directly contributed to the development of the colony of Saint-Domingue into the independent Republic of Haiti. Despite the varied individual experiences – such as the contrast between the lives of revolutionary leaders Toussaint Louverture and Jean-Jacques Dessalines – former slaves shared a collective memory of the brutality of Saint-Domingue’s institution of bondage. Leaders of all colors were able to use this shared mnemonic narrative of slavery to justify guaranteeing liberty in the 1801 Constitution, proclaiming separation from the colonizing and slaving power of France in the 1804 Independence Declaration, and prohibiting white land ownership in the 1805 Constitution. While the political memory of slavery played a dominant role in the way leaders sought to form a Haitian government, other shared elements of the Old Regime and Haitian Revolution also influenced the early state. Before the revolution, free people of color and whites in Saint-Domingue were the primary slaveholders. Along with the ex-slaves, these former slave-owners attempted to take part in the new nation’s development based on contrasting memories of the colonial past. Some desired to partake in colonial and national government, while others embraced the ideas of the universality of rights of the Age of Revolutions. Regardless of their race or particular vision of Haitian politicians can create a national identity through myths, particularly by highlighting a common past. Eric J. Hobsbawm, Nations and Nationalism since 1780: Programme, Myth and Reality (Cambridge: Cambridge University Press, 1990).

While revolutionaries in France associated the Old Regime with absolutism before 1789, colonists of all colors in the French Caribbean had a broader and more inclusive view of the Old Regime as a time before the formation of Haiti as an independent nation. In French Saint-Domingue, the Old Regime included colonialism, slavery, and racial inequality. These subjects needed to be woven into the French historiography at large, whereas to a point, they have remained held at arm's length - almost reflecting the former colonial mentality. Malick W. Ghachem, The Old Regime and the Haitian Revolution (New York: Cambridge University Press, 2012); and John D. Garrigus, Before Haiti: Race and Citizenship in French Saint-Domingue (New York: Palgrave MacMillan, 2006).


memory, men of all colors participated in Haiti's post-revolutionary state formation process to prevent a return to the inequalities of the Old Regime. Overall, the manner in which leaders represented opposing Haitian memories of the Old Regime in government documents influenced identity and policies of the new black republic.

Scholars have a tendency, perhaps unintentionally, to attribute authorship of Haiti's major governing documents to Louverture and Dessalines, overlooking their limited literacy, the roles of other men, and the centrality of memory in shaping early Haitian politics. Louverture did not write "his" constitution; he had never been formally educated and was not fully literate when he became the colonial governor in 1800. In March 1801, he convened a Constituent Assembly comprised of white and colored men, chosen as much for their literacy as for their semblance of racial unity and interpretation of the colony's history. The constitution's shared authorship by men of different colors reflected the type of memory they sought to represent in the Constitution of 1801. Similarly, Dessalines did not write the Haitian Declaration of Independence or the Haitian Constitution of 1805. While the black leader surely shared in its authorship, Louis Boisrond-Tonnerre, a man of color and one of Dessalines' scribes, actually wrote the Declaration of Independence. A group of seventeen black and colored men wrote

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8 Jeremy Popkin hints at Boisrond-Tonnerre's influence on the declaration when emphasizing the French revolutionary rhetoric and use of certain tropes. Popkin,
the Constitution of 1805, including future Haitian king Henri Christophe and Haitian President Alexandre Pétion. Louverture and Dessalines were not the sole authors any of these pieces alone, and in ignoring the other men involved in formulating Haiti’s earliest government documents, scholars overlook what Chris Bongie terms scribal politics while adding to the heroic mythology of the two black revolutionary leaders. White, colored, and black men contributed to the creation of these works, but academics only ascribe authorship to the major black revolutionary figures. Regardless of who wrote what exactly, these constitutions and declaration represent competing forms of memory used for political ends - internally and internationally - in the founding of Haiti.

Leaders used two different representations of the colony’s past for similar political ends in the closing stages of Haitian Revolution. Philippe Girard has shown that Louverture and Dessalines were quite similar in their ruling behavior. Indeed, both former slaves rose to power during revolutionary violence, became leaders for life through governing documents, and attempted to maintain the agricultural profitability of their territory with African laborers. However, both leaders worked with respective advisors - white and colored - to create and control conflicting histories of Saint-Domingue. While very likely motivated by Louverture and Dessalines’ divergent backgrounds, revolutionary experiences, and respective interests, the two manifestations of the colony’s history collectively authored by all of its leaders also reflected the creators of and members included in the identity built in the governing documents and the historical context in which they were conceived.

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Historical Context

When Louverture’s Constituent Assembly was drafting the Constitution of 1801, the French colony was experiencing relative stability after over a decade of violence beginning in 1789. The French Revolution forced white Saint-Dominguans to choose sides on important issues. While whites had been socioeconomically divided before 1789, the French Revolution offered hope for political equality among all whites. Rights for free people of color were the second revolutionary issue to confront Saint-Domingue. After attempting to persuade French officials in Paris to give equal rights to free people of color in the colony, Vincent Ogé led the first of many revolts by enslaved and free people in Saint-Domingue, but it failed and the rebels were arrested. As the whites and free coloreds within the French Atlantic continued to fight over the status of men like Ogé, the slave population in Saint-Domingue organized a violent and bloody revolt against the masters of the island in 1791. After the initial slave uprising in 1791, the Spanish and British made attempts to encroach on the colony. The French declared general emancipation in 1793 and 1794, gaining the military support of former slaves who drove out the foreign invaders, eventually bringing Spanish Santo Domingo under French control. Finally, in 1799, Louverture’s black soldiers defeated André Rigaud’s colored forces in the War of the South. In this moment of peace, Saint-Domingue’s leaders attempted to shape the colony’s identity through an almost nostalgic memory of the Old Regime.

The peace was not to last long. When Napoleon Bonaparte came to power in France, he immediately expressed his interest in the French colonies in the Caribbean. On 25 December 1799, Bonaparte sent a proclamation to the citizens of Saint Domingue, stating, “Article 91 [of the French Constitution of the Year Eight] lies down that the French colonies will be governed by special laws.” He assured inhabitants of African descent that the new laws would protect their freedom. In a meeting of the Council of the State on 16 August 1800, Bonaparte expressed his sentiments regarding the colonies and slavery. He stated, “The question is not to know if it is good to abolish slavery, but if it is good to abolish the freedom in the free part of Saint-Domingue. I am convinced that this island would become English, if the blacks were not attached to us by the interest of their freedom.” He seemed most concerned with geopolitics and maintaining the most profitable French Caribbean colony. Along these lines, Bonaparte planned for the legislative

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body in metropolitan France to draft laws or a Constitution for Saint-Domingue and the other French Caribbean colonies. Yet, not all Saint-Dominguans interpreted Bonaparte’s proclamation as he intended, especially Louverture’s Constituent Assembly that convened in 1801.

In contrast, Haitians under Dessalines responded to trauma in 1804 and 1805. After receiving the constitution drafted by Louverture’s Constituent Assembly, Bonaparte sent an expedition to Saint-Domingue under his brother-in-law Charles Leclerc to remove black leaders and restore slavery in 1802. After Louverture’s arrest, Dessalines assumed his power. When Leclerc died from yellow fever, Donatien Rochambeau took command of the French expedition. Under his leadership, the expeditionary forces inflicted brutality and cruelty upon the colonial populations of African descent. Men of all colors defected from the French and defeated the expeditionary forces under Dessalines in 1803 and declared independence from France in 1804. In a state of betrayal and rage, black and colored leaders put forth an independent, vengeful Haitian identity through governing documents based on an oppressive imperial memory of the Old Regime. In 1805, they drafted a new Haitian constitution that starkly differed from the Constitution of 1801.

**Textual Analysis**

The Constitution of 1801 embodied a political memory that included peoples of all colors and celebrated the French achievement of general emancipation and racial inequality. In March 1801, Louverture called for the election of a group of colonists to draft a constitution for the island.15 After municipal nominations and departmental elections, Louverture’s Constituent Assembly comprised of himself, three men of color, and six white men. Other than Louverture, the Assembly did not include a representative who had been a slave.16 Three of the white men represented Spanish Santo Domingo; a fourth died before the Assembly met.17 It is likely that the white colonists from French Saint-Domingue who closely allied themselves with Louverture in 1801 had sought autonomy from France in 1790. However, “the objectives, the circumstances, [and] the issues” had changed throughout the course of a revolutionary decade, especially with the abolition of slavery.18 If these men hoped for autonomy or independence in 1801, it would have to be under a black leader and in a free society.

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15 In 1795, Spain had ceded Santo Domingo, the eastern portion of the island of Hispaniola, to France.
It is also possible that whites took part in Haitian Revolutionary politics under Louverture, because his colonial regime filled the legal void of the 1790s and offered a return to an ordered civil society. That these white men were willing to adapt to revolutionary changes in the Atlantic World shows how far things had come, particularly in regards to racial equality, but their influence on the Constitution also showed how much things had not really changed from the Old Regime.

The Constitution of 1801 incorporated the ideas of its authors and was uniquely Saint-Dominguan. However, it also adhered to French culture and commitment to the Republic. Although the Saint-Dominguan constitution did not call for independence, there was an air of separation between the island and the metropole. Title 1, Article 1 asserted, “Saint-Domingue in its entirety…and other adjacent islands, form the territory of a single colony, which is part of the French empire, but submitted to particular laws.” The last phrase echoed the words of Bonaparte, who intended to decide all particular laws for Saint-Domingue and the other French colonies from France. Here, the autonomist desires of the whites emerged most prominently, as it complemented Louverture’s desire to maintain his power in the colony. Title 2, Article 3 stated, “There can be no slaves in this territory; servitude is abolished within it forever. All men who are born here live and die free and French.” Responding to the trauma of centuries of slavery, the Constitution clearly maintained abolition, but associated its achievement with France. Further, all people involved in agricultural production remained bound to their duty to the colony’s commerce. The Constitution described the plantation owner as “the father” of the cultivators. The memory the Constituent Assembly created of slavery ‘forgot’ that the cultivators were often the former slaves of those exact proprietors or nostalgically remembered Saint-Dominguan slave society as paternalistic. Finally, Louverture became governor for life and given the right to name his successor. While such a leader was unprecedented in the Atlantic World, this hearkened back to the Old Regime when a limited group had political power in the colony.

Only a few months after presenting the Constitution to the citizens of Saint-Domingue, a rebellion erupted in the North Province. The Constitution of 1801 troubled Louverture's nephew General Moyse, especially the composition of the Constituent Assembly and the possibility of importing more Africans to work on

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19 Miranda Frances Spieler explains how Saint-Domingue lacked a constitutional framework for most of the 1790s. For example, the colony lacked an official court system, and most of the legal responsibilities were handled by the remaining notaries. See Spieler, “The Legal Structure of Colonial Rule during the French Revolution,” *William and Mary Quarterly* vol. LXVI, no. 2 (2009), 365-408.


the plantations, as suggested by Article 17.\textsuperscript{22} While the Constituent Assembly put forth a colonial memory that suited their interests, Moyse's protest reflected a contrasting memory of the colony with white slaveholders and African slaves. He believed the Constitution of 1801 represented a return to that past. However, Moyse was not one of the political leaders formulating Saint-Domingue's governing documents. When the uprising broke out in October 1801, Louverture accused Moyse of organizing the revolt, citing his nephew's well-known distrust of whites. Despite Moyse's refuting his uncle's claims, Louverture had Moyse and his accomplices executed.\textsuperscript{23} In the wake of the abortive rebellion, Louverture issued another proclamation in November 1801, reiterating the importance of plantation work. He asserted, "As soon as a child can walk, he should be put to work on the plantations in some useful job suitable to his strength." To prevent any further uprisings, Louverture also introduced severe punishments - from working in the fields with one leg chained for six months to death - for sedition or disturbing "the public peace."\textsuperscript{24} In the face of disputes over memory and colonial governance, the black leader was determined to keep blacks working on plantations in Saint-Domingue.

Despite the specification in the Constitution of 1801 that the governor had to maintain correspondence with the metropole, Bonaparte saw it as an act of defiance. Unlike early years when Bonaparte intended to regain control of the island, in late 1801 and into early 1802, he was able to send a sizeable force. Although Britain and France did not sign the Treaty of Amiens until March 1802, the two powers anticipated peace by the end of 1801. On 2 February 1802, a French expedition under Charles Leclerc, brother-in-law of Bonaparte, arrived in Saint-Domingue with 22,000 soldiers and 20,000 sailors.\textsuperscript{25} Bonaparte sent a reassuring letter to Louverture regarding his authority and the freedom of the blacks in the colony. However, he gave contradictory secret instructions to Leclerc. He commanded Leclerc to engage the trust of the Saint-Domingue leaders, returned to France with their rank if cooperative, or arrested and executed if taken by force.\textsuperscript{26} A primary goal of the expedition was to capture Louverture, which occurred in June 1802. Without their primary leader, Bonaparte believed the French could return the colony to its status before 1789, a slave society. However, Bonaparte did not anticipate Rochambeau's aggressive tactics or the rise of Dessalines to power, and he underestimated the determination of the former slaves to remain free.

\textsuperscript{22} Dubois, \textit{Avengers of the New World}, 247.
\textsuperscript{23} "Moyse's Rebellion," in Geggus, \textit{The Haitian Revolution}, 164-165.
\textsuperscript{24} "Proclamation, 4 Frimaire X," in Geggus, \textit{The Haitian Revolution}, 166-167.
\textsuperscript{25} Dubois, \textit{Avengers of the New World}, 251.
\textsuperscript{26} Napoleon Bonaparte, "Confidential Instructions to General Leclerc," 1801, translated and printed in Rafe Blaufarb, \textit{Napoleon, Symbol for an Age: A Brief History with Documents} (Boston: Bedford/St. Martin's, 2008), 162-164.
Commissioned by Dessalines in November 1803 and written by his colored secretary Boisrond-Tonnerre, the Haitian Declaration of Independence passionately defended general emancipation and repeatedly voiced hatred for France. In sharp contrast with the Constitution of 1801, which credited the French with abolishing slavery, the Declaration of Independence underscored France’s enslavement and attempts to re-enslave peoples of African descent. Written and read out loud by a Paris-educated man of color who had never been enslaved, the declaration vilified only French whites, emphasizing the compounded trauma of slavery and colonialism. Although free people of color, including ancien libres like Louverture, owned slaves and plantations before the Revolution, the memory created by the declaration only consisted of white slave owners. The declaration demanded Haitians, ’vow to ourselves, to posterity, to the entire universe, to forever renounce France, and to die rather than live under its domination...to live free and independent and to prefer death to anything that will try to place you back in chains.’

Despite this, a former French slave owner endorsed the Haitian Declaration of Independence. Nicolas Pierre Mallet, nicknamed Mallet bon blanc (good white) by the black revolutionaries, had been an officer in the armée indigène (indigenous army) in the South under Dessalines. He commanded slaves that he had freed on and recruited from all of the Mallet family plantations. Mallet - the only white who did so - signed the Haitian Act of Independence, alongside blacks and men of color. A Haitian citizen, Mallet bon blanc supported abolition and independence, as he had demonstrated militarily and politically, but he was not represented in the identity and memory characterized in the declaration.

After Haitian independence from France in 1804, while the country continued to experience political struggles, Dessalines ordered the massacre of most of the whites in Haiti. Again, Dessalines did not write the proclamation calling for the slaughter; Paris-educated man of color Juste Chanlatte wrote the declaration, pushing beyond the Declaration of Independence penned by Boisrond-Tonnerre. The proclamation of 28 April 1804 reaffirmed that the whites had been solely responsible for slavery, referring to them as "true cannibals," but used "European" instead of just French. Further, this document broadened its accusations to include all oppression of peoples of African descent - free or enslaved - claiming that "the refined duplicity of Europeans sought so long to

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divide" the two groups. This separation of peoples of African descent from whites was likely necessary to unite blacks and people of color after they had fought against one another in the War of the South. Perhaps, the Dessalines and Chanlatte were attempting to reconcile the racial differences that previously existed between blacks and people of color in colonial and revolutionary Saint-Domingue. Demanding vengeance, the declaration proclaimed that "all who tyrannize the innocent, all oppressors of the human race" must "perish." This brought about the massacre of hundreds of French citizens in Haiti, possibly even Mallet bon blanc. However, Dessalines spared "a handful of whites distinguished by the opinions they have always held and who, besides, have taken the oath to live with us obedient to the law." It seemed that this act of mercy was only to ensure the trust of "neutral and friendly nations" Haitians planned to engage in trade in the future. Therefore, the brutal memory of white tyranny represented throughout most of the proclamation, intended to unite blacks and coloreds while inciting fear in Europeans in the Caribbean, was tempered by the leaders' international commercial and political agenda.

In 1805, seventeen black and colored men presented the first Haitian Constitution to Dessalines for approval. Unlike the Constitution of 1801 and the Declaration of Independence, no whites authored or signed the Haitian Constitution of 1805. Uniquely Haitian, there were many other differences. Article 1 reiterated independence from France, referring to the new sovereign state as the Haitian Empire. Article 2 concisely stated that "slavery is abolished forever." The Constitution of 1801 credited the French with ending slavery, but in more than one place, the Constitution of 1805 ascribed freedom - from enslavement and colonialism - to one man, "our liberator," Dessalines, forgetting the thousands who

30 With Chanlatte as the scribe, this seems to fit the "mulatto/a vengeance narrative" identified and debunked by Marlene Daut. However, Chanlatte established that he was calling for vengeance for all peoples of African descent, not just people of color. Also, Chanlatte wrote this declaration for Dessalines, a previously enslaved black man. Therefore, the proclamation of 28 April 1804 supports Daut's argument that racial tropes have overshadowed the Haitian Revolutionary struggles for liberty and equality. See Tropics of Haiti: Race and the Literary History of the Haitian Revolution in the Atlantic World, 1789-1865 (Liverpool: Liverpool University Press, 2015).
31 It is still unclear if Dessalines ordered another black officer Bazelaïs to kill Mallet in 1805 or if Mallet died naturally in 1846, still residing in Haiti. See Mangones, "Le colon Mallet," 22, 29; Rulx Leon, Propos d'Histoire d'Haiti (Port-au-Prince: Imprimerie de l'Etat, 1945), 144; François Roc, Dictionnaire de la Révolution Haitienne, 1789-1804 (Montréal: Les Editions Guildeves, 2006), 284; and Cauna, Haiti: L'Éternelle Résolution, 147.
also fought in the Haitian War of Independence.\textsuperscript{33} While some white women, Germans, and Poles were naturalized as Haitian citizens, the Constitution of 1805 prohibited any "white man, regardless of nationality" from owning "any property" in Haiti. Further, Article 14 removed racial distinctions, and made all Haitians "blacks."\textsuperscript{34} This echoed the claims in the April 1804 declaration that whites had divided peoples of African descent, further solidifying the memory of whites as the only enslavers and oppressors in Haitian history.\textsuperscript{35} The Haitian Constitution put forth a new cultural representation of agricultural labor. Instead of being a bound duty, Article 21 labeled it as "the first, most noble, and most useful of the arts." In fact, Article 27 ensured a national holiday to celebrate agriculture.\textsuperscript{36} Haitians were no longer subject to paternal plantation owners, and the Constitution portrayed cultivators in an elevated status. In other words, Haitian memory contained oppressors, but no oppressed peoples. Lastly, Dessalines, a black former slave, became Emperor of Haiti with the right to name his successor.

**Conclusion**

Revolutionary Saint-Domingue and independent Haiti thrived on sugar produced by African laborers driven by leaders that used the possession of memory as a political strategy. Louverture and Dessalines were named governor and emperor for life, respectively, but they shared power with literate, educated white and colored men who helped them control historical representation and shape identity through governing documents. Within less than five years, two competing memories of the Old Regime emerged to support and justify political power in the Caribbean territory. In 1801, leaders authored a nostalgic memory of the Old Regime to maintain satiability and promote forgiveness for the past. In contrast, after the compounded trauma of centuries of colonialism and enslavement, as well as the French expedition and the war for independence, Haitians created a vengeful, anti-imperial memory to unify peoples of African descent and forge a new independent nation. While the Constitution of 1801 highlighted the commonalities between France and Saint-Domingue, the Haitian Declaration of Independence and Constitution of 1805 emphasized the separation of French and Haitian identities. However, this would not be the end of the fight over Haiti's

\textsuperscript{33} "Haitian Constitution," translated and printed in Dubois and Garrigus, *Slave Revolution in the Caribbean*, 192.

\textsuperscript{34} Ibid., 193.

\textsuperscript{35} This presents an important counterexample to the role of race in the United States. While race served to create inequality in the U.S., it established equality in Haiti. Perhaps, Haiti further proves the argument for the uniqueness of the U.S. black experience discussed by Karen and Barbara Fields. For more on the role of race in the United States see *Racecraft: The Soul of Inequality in American Life* (New York: Verso, 2012).

\textsuperscript{36} Ibid., 196.
memory. In 1806, after the assassination of Dessalines, Haiti divided into "a republic ruled by Alexandre Pétion comprised of the southern and western regions, and a monarchy under Henri Christophe in the north." The two leaders, active throughout the Haitian Revolution, also built their respective countries around contradictory political memories.

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37 Dubois and Garrigus, Slave Revolution in the Caribbean, 191.