“Proposal to Your Majesty about Slavery in Lands Conquered by Portugal”
Anonymous, 1612
(Primary Source)

The following selection comes from a letter to King Philip III of Spain (Philip II of Portugal), in about 1612. The letter argues that the legal grounds on which the seventeenth-century Iberian kingdoms (Spain and Portugal) had based their enslavement of Africans were being abused. These legal grounds included: the concept of a “just war” in which “infidels” might be enslaved, the right of a local ruler to enslave his delinquent subjects, the individual’s right to sell himself into slavery, and a needy father’s privilege of selling his own children. Given the growing demand for labor in the Americas, new justifications for slavery had been invented, including kidnapping. The letter may have come from a priest because the writer expresses concern about the injustice of the enslavement process and the stultifying effect it has on the spread of Christianity.

Modern theologians in published books commonly report on, and condemn as unjust, the acts of enslavement which take place in the Provinces of this Royal Empire, employing for this purpose the same principles by which the ancient theologians, doctors of canon law, and jurists have regulated legitimate and just acts of enslavement. According to these principles, only infidels who are captured in just wars, or who because of serious crimes have been condemned by their Rulers may be held as legitimate slaves, or if they sell themselves, or if they are sold by their own fathers who have legitimate need. And because, by the use of these four principles, great injustices are committed in the buying and selling of slaves in our Empire, as will late be seen, it is also certain that most of the slaves of this Empire are made so upon other pretexts, of which some are notoriously unjust, and others with great likelihood may be presumed to be so as well. Because on the entire Guinea Coast and at Cape Verde those persons called tangosmãos and other dealers in this merchandise, men of loose morals with no concern other than their own interests, commonly carry out their raiding expeditions up the rivers and in the remote interior far from these areas that are frequented by the Portuguese, by His Majesty’s officials, and by the priests of those regions. They collect as many pieces (peça; or in other words persons) as they can, sometimes through deception, at other times through
violence, capturing them in ambushes when our ships arrive the natives themselves go out to hunt each other, as if they were stags, with the intention of selling them to us.

At other times our own people enslave many free persons as substitutes for the slaves who flee from them, merely because they are brothers or relatives of the runaways. And this wickedness is carried to the point that even the authorities seize the children and relatives of those who give them reasons to do so.

Also the blacks themselves falsely assert that the persons whom they bring to be sold are captured in a just war, or they say that they will butcher and eat them if they are not purchased. So that, of every thousand slaves who are captured, scarcely one-tenth will be justly enslaved, which is a notorious fact confirmed by all God-fearing men who reside or have resided in those places.

Not even the merchants themselves deny that they collect these slaves in the ways described, but they defend themselves saying that they transport them so that they may become Christians, and so that they may wear clothes and have more to eat, failing to recognize that none of this is sufficient to justify so much theft and tyranny, because as St. Paul says, those who perform evil acts in order to bring about some good are justly condemned before God. How much more is this true in a matter as serious as the freedom of human beings.

Finally, all these methods of enslavement are notoriously unjust, as are any others that are not those referred to above. And in those places even these may be commonly presumed to be unjust in the following ways:

Concerning the principle of just war, it is known that, since they are infidels and barbarians, the Kings and private Lords of the entire Conquest [Portuguese colonial conquests in Africa, Asia, and America] are not normally motivated by reason when they make war, but rather by passion, nor do they examine or consult others about their right to do so. Therefore most of their wars are unjust wars carried on merely for greed, ambition, and other unjust causes. Often the same may be presumed about the wars carried on by individual Portuguese captains, because, greedy as they are to capture slaves and other prizes, they often do so without any concern for their consciences.

The principle of condemning persons to perpetual slavery must be looked upon as a very questionable principle in the same places, and especially in Guinea and the land of the Kaffirs [southern and eastern Africa], because of an infinite number of persons are unjustly condemned to servitude for very trifling reasons, or because of some passion of their masters. Because, just as when among us someone displeases a King he is cast out of Court or loses his favored status, among them, his freedom is
attacked, and he and his whole family are enslaved, and all too often with
a thousand tricks and much false testimony.

Concerning the other two principles: the need to sell oneself to seek release from
an unjust death or some other great misery; or being sold by one’s father who is in
dire need—these are the causes of many unjust acts of enslavement in those
places. Because in some places, as has been said, some persons make a pretense of
wanting to eat others, or of wishing to slaughter them, so that they can be sold.
Many fathers sell their sons for almost nothing, without being in dire need which
might justify such a sale, which is invalid and without any force in law, because the
power is not given to a father to sell his minor son, except in dire need, according
to common scholarly doctrine. And also in place of their children they sell other
relatives who are close at hand, and other strangers using tricks which they invent
for the purpose, saying, or making them say, that they are their sons . . . this ill-
treatment and enslavement is scandalous to everybody, and especially to those
same heathens, because they abandon our religion, seeing that those who are
supposed to convert them are the same persons who enslave them in such unjust
ways, as is witnessed every day.

Source: “Proposta a Sua Majestade sobre a escravaria das terras da Conquista de Portugal,” [A
Proposal to Your Majesty about slavery in the Portuguese Dominions], Document 7, 3, 1, No. 8,
Seção de Manuscritos, Biblioteca Nacional, Rio de Janeiro, comes from Robert Edgar Conrad,
Children of God’s Fire A Documentary History of Black Slavery in Brazil (Princeton, New Jersey:

Caravans of slaves in Africa being taken to the coast.

Mungo Park, Viagens, séc. XVIII. In João Medina, A Rota dos Escravos: Angola e a Rede do Comércio