The English Asiento and the Slave Trade

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The asiento was a term used in Spanish public law and designated any contract made for the purpose of public utility, for the administration of a public service with the Spanish Government, and for an individual or country rendering service for Spain. This asiento or contract had to do with tax, colonization, public works, recruiting a militia, and providing for manual labor and materials.¹

A prelude to the asiento was propagated in the year 1444 with the selling of slaves in the European market, but the inception of it was given to Prince Henry the Navigator. During his life Prince Henry contrived policies in slave trading which were carried on even after his death in 1460 whereby some eight hundred slaves entered Portugal every year. Slavery as an institution had been suppressed in Europe for almost two centuries preceding its reanimation in 1444.² Spain was among the first nations to join with Portugal in the slave trade. Ortiz de Zámaga, historian of Seville, in 1470 wrote that the number of African slaves in Seville grew to such proportions that a special police force was set up expressly for the purpose of regulating and managing them. One police order stipulating separation of female and male slaves from personal contact impelled one gentleman to remark that such regulations were “better calculated to form a society of monks than to accelerate the growth of a rising colony.”³ If an asientoist, in the time allowed, could not fulfill his quota of “piezas de Indias,”⁴ he was given two years grace to do so. Asientoists were cautioned that extreme care had to be taken in obtaining slaves and to deal only with those countries at peace with Spain. Cartagena, a seaport town in northern Colombia, was established as Spain’s primary port of entry because of its central location: moreover, slaves could be distributed from this port with facility, and so it became a cogent center for the Spanish asiento headquarters in the New World.⁵

The colonial policy of Spain was built around a system called “Pact Colonial” or “Reciprocal Trade Exclusiveness.”⁶ This system comprised four main parts: (1) All products of the colonies were to be carried to the mother country; (2) Only Spanish vessels should be used to carry products to and from the colonies; (3) All products were to be carried only by Spanish merchants; (4) The colonists were to purchase manufactured goods only from the mother country.⁷ Spain was aware that she could not supply enough goods to satisfy all of her colonies in the New World and because the colonists had a considerable amount of silver to spend, probably knew also that they would seek devious ways to rid themselves of it. The decay of her industry as well as her navy helped to defeat Spain’s colonial policy. An answer for survival of Spanish colonists in the New World was illicit trade carried on by England and other European powers over Spain’s protests, however.⁸ England was another major factor in putting an end to the “Pact Colonial” and by this action accomplished what Holland, Portugal and France had tried to do for years.⁹ Spain, in her dilemma, decided that if she could not supply her colonies and subjects with enough goods, she would have a single company, subject to direct regulation from Madrid, provide these goods for her. The asiento or contract was the closest stipulation to a type of settlement and resulted in a diplomatic rivalry which lasted down to the Nineteenth century.¹⁰

England thought she was entitled to some of the land in the West Indies so in 1655 sent a naval force there and captured Jamaica. However, it was not until the consummation of this capture that Spain objected, because now she saw the advantage of Jamaica as a unique base for distribution, especially since Cartagena, the old seaport town and main base of operation for her, proved to be insufficient as a central location for distribution. Spain needed Jamaica and, therefore, granted to private contractors the right to import slaves into her West Indies dominions and to carry on a limited amount of trade subject to control of the Casa de Contratación (House of Trade). Jamaica, now a British controlled island became the principal source of slave supply and its location afforded the easiest access to the Spanish markets of Cartagena, Porto Bello, Havana, and Vera Cruz.¹¹

Enmity between Spain and England existed a long time before the asiento. Spain considered England an heretical Protestant Country and England, on the other hand, thought Spain an intellectually backward country. Nevertheless, since there was a desire on the part of Spain to obtain access to Jamaica for slave trade purposes and a desire on the part of the English to obtain access to Spanish markets on the mainland of South America, a trade compromise was worked out in the form of the asiento.¹² The Treaty of Madrid, signed July 18, 1670, had ended the perpetual warfare between England and Spain in the Caribbean, but also made illegal trade in this area easier. And in addition, it aroused hopes that legal trade might be established.¹³ The Solicitor-General of England, however, objected to this unwritten agreement of hope for trade and in 1678 the Lords of Trade of the British cabinet agreed with him that trade in Negroes with Spain was forbidden until a written agreement was obtained. The English traders who lived on the islands of Jamaica and Barbados were disappointed in this decision and for a period of about twelve years traded illegally with the Spanish slave asientoists.¹⁴

Sometime around 1700 the French and the Dutch began to undersell dry goods exported from Jamaica. They were among the first to strike at the English trade, to send expeditions
against Jamaica and to seize English vessels trading on the Spanish coast. This action occurred during the War of the League of Augsburg and forced England to station two regiments in Jamaica. England attempted to keep her pledge with Spain as stated in the Treaty of Madrid of 1670, but again the French during the War of the Spanish Succession forced her to seek trade privileges from Spain. England wanted not only to get revenge on France and her partner Holland but trade advantages for herself as well. On the death of Charles II of Spain in 1701, the French merchants persuaded Louis XIV to obtain the asiento for France. This design explained in part why Louis XIV desired the Spanish throne for Philip of Anjou, Spain granted the asiento contract to France and this had been one factor occasioning the entrance of England into the War of the Spanish Succession in 1702. In order to get France out of the West Indies trade, England had conducted a diplomatic campaign among the Spaniards in behalf of the Archduke Charles along with fighting the war. The end result of the war was the “Family Compact” for France and the asiento for England.

The asiento granted England the privilege of transporting 4,800 slaves to the Indies and was to last for thirty years. In 1732, the English brought 10,000 slaves to the Indies paying a tax of $33½ pesos per slave. They established themselves in Spanish American ports, ostensibly to inspect and to direct this large slave traffic, but actually to engage in commerce on a large scale. Furthermore, the English received permission to rent lands on which to set up houses for slave living quarters, until they were sold, and were permitted to cultivate these lands either with their own slaves or the natives. This gave them an opportunity to see what merchandise the Spanish colonists needed and thus increased their contraband trade. Many English business houses founded for this purpose outlived the Spanish rule in the Indies. The “navio de permiso” or the “permission ship,” as the vessel with merchandise was called and provided for in the Treaty of Utrecht, extended an additional trade privilege which enriched England more than the slave traffic during any given year.

The British South Sea Company handled the slave trade for Great Britain and Spain. In an effort to prevent this company from smuggling goods into the Indies, Spain forbade it to carry to South American ports any commodities other than Negroes, except those carried on the “permission ship” once a year. The South Sea Company complained that since the French had had the right to build ships at Panama it should be granted the same permission; otherwise, it was being deprived of privileges granted to a former holder of the asiento. This and other requests went on undiminished until a diplomatic war broke out in 1713 between Spain and Great Britain in which the South Sea Company suspended all shipments of Negroes and resulted in a loss for that company as well as a slight loss for Spain. A new contract was drawn up in 1724: however, in 1733 the Spanish and the English were again in disagreement. The result of which led to another war fought in 1739-1748 and humorously called the “War for Jenkins’ Ear” which merged into the War of the Austrian Succession. France entered this war as the ally of Spain, in keeping with the “family compact,” and was in addition Prussia’s ally against Austria.

During the “War for Jenkins’ Ear,” Spain excluded English merchant vessels from its territorial waters and seized, in the port of Havana, the annual vessel of license, the Prince Frederick. It was Spain’s object to secure the asiento contract from England but in spite of all the help given to her by France and other maritime powers she could not extricate herself from the asiento contract she had signed with England. The thirty years asiento agreement which would have expired in 1743, according to the terms of the Treaty of 1713, was now extended, the years interrupted by the war having been deducted. In 1750 England, however, permitted Spain to buy the asiento contract for 100,000 Pounds. Britain at this time purchased land in the Gulf of Honduras and claimed that Spain had to recognize her colonies here and in all of America under the terms of the Madrid Treaty of 1670, which in addition included the settlement of British log-cutters on the coast of Honduras. This land was owned by the Mosquito Indians who agreed and sold the land to England, but a final agreement was not reached until the Paris treaty of 1763 which ended the French and Indian War. England, therefore, from this vantage point, had ample time to smuggle goods from Honduras and Jamaica into the Spanish provinces of Mexico, Central America, and the mainland of South America.

The asiento lasted as a slave contract for about fifty years rather than the thirty years granted by the original agreement with England. Because of this time element, Great Britain sufficiently established herself in the two Americas and her commercial current continued to effect the growth and wealth in these areas. Moreover, the colonies of North America helped to play the part Jamaica had once played. After the War of the Spanish Succession, the asiento granting permission for England to deliver slaves to the West Indies was no longer a domestic policy, but had become instead a subject of European diplomacy. At the close of the Revolutionary War in America, Great Britain started an abolition movement against slavery and urged France to join her in abolishing all slave trade. Abolition of the legal slave trade was not finally consummated until December 19, 1817, although Great Britain had officially stopped it as early as 1807.

The asiento, as such, was largely a peculiar business contract between Spain and the other big western powers of the Eighteenth century. The latter wanted to win Spain’s friendship so that each might carry on, not only the slave trade but other commercial trade as well. Furthermore, this rivalry between these powers, an important raison d’etre for the asiento, seemed hardly sufficient reason for the explanation of a total national policy. Yet, for the people who were sold into slavery, the asiento was perhaps one of the first.
instruments through which a cessation of the nefarious trade was suggested and finally terminated.

FOOTNOTES
1. The American Journal of International Law, IV, 612.
2. Elizabeth Donnan, Documents Illustrative of the History of the Slave Trade in America, I, 1.
4. A prime slave, sound in limb and usually between the age of eighteen and thirty.
7. Ibid., 612-613.
8. Ibid.
9. Ibid.
13. Ibid., 110.
16. Ibid., 15.
17. Ibid., 18-19.
18. "Family Compact" was an unwritten agreement between Spain and France averring that if one should get into trouble the other would assist.
28. Ibid., 689.

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