LOS ABOLICIONISTAS CRISTIANOS CONTRATAN A UN INTÉRPRETE JUDICIAL PARA LOS MENDE-AFRICANOS EN EL CASO AMISTAD PARA DESAFIAR LA INSTITUCIÓN DE LA ESCLAVITUD EN LOS ESTADOS UNIDOS DEL SIGLO XIX

CHRISTIAN ABOLITIONISTS RECRUIT A COURT INTERPRETER IN THE AMISTAD CASE FOR THE MENDE-AFRICANS TO CHALLENGE THE INSTITUTION OF SLAVERY IN 19TH CENTURY USA

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Resumen: Este artículo analiza las estrategias de reclutamiento para encontrar a un intérprete judicial para los africanos-mende en el caso de La Amistad empleadas por los cristianos abolicionistas que parecen desprenderse de sus fundamentos ideológicos. Luego de haber navegado por varios meses, tan pronto los africanos pisaron suelo estadounidense, el 26 de agosto de 1839, lo que necesitaban más era un intérprete. Simultáneamente los abolicionistas necesitaban un incidente que despertara el fervor anti esclavista. Con esto en mente, formaron un comité diseñado para contratar representación legal y al necesitado intérprete del caso. Aplicando un filtro poscolonial a las cartas enviadas entre los abolicionistas y artículos de periódicos, este ensayo explora cómo este caso generó un proceso de reclutamiento *sui generis* en busca del intérprete judicial para los prisioneros de la Amistad.

Palabras claves: Amistad, esclavitud, africanos-mende, abolicionistas cristianos, intérpretes judiciales, reclutamiento, *Ladinos*, *Bozales*

Abstract: This paper explores the recruitment strategies and ideological underpinnings of the Christian Abolitionists in securing a court interpreter for the Mende-Africans in the *Amistad* Case. After months of sailing, when the Africans stepped on USA soil on August 26th of 1839, what they needed most was a court interpreter. Meanwhile the Abolitionists needed an event to ignite the anti-slavery movement—the timing of this fortuitous arrival provided just that. With this in mind, Abolitionists formed the *Amistad* Committee to hire a court interpreter and legal assistant on their behalf. Examining handwritten letters and newspapers and applying a postcolonial methodology, this article studies how this case engendered a particular recruitment process for the court interpreter of the *Amistad* Africans.

Key words: *Amistad,* slavery, Mende-Africans, Christian Abolitionists, court interpreter, recruitment process, *Ladinos*, *Bozales*

I. Introduction—Contrasting *19*TH *and 21*ST *centuries court interpreting*

Nowadays, in main cities of the Northeastern states of the United States of America (USA), those in charge of furnishing a court interpreter can do so with relative ease. Recruitment and hiring of court interpreters are facilitated through an established network of in-house court interpreting offices and outside agencies, just an email or phone call away. In federal or state court, recruitment and certification of court interpreters has been streamlined, because laws were approved during the last quarter of the twentieth century by federal (Court Interpreter's Act of 1978) and state judicial bodies (for instance, in November 1985 by the New Jersey Supreme Court). In the 20th century, USA courts developed procedures that satisfy the linguistic need to close the gap of equal access for Limited English Proficiency (LEP) and Deaf and Hard of Hearing (DHH) clients.

However, this was not the case in 19th Century Northeastern USA context. Appointment of court interpreters providing linguistic access to defendants was not a constitutional right. It was at the discretion of the presiding judge or representing counsel for the party to plea to the Court of this judicial remedy (González 2012: 4). In the

Amistad [1] Case, political implications of assuring freedom and rights for enslaved Africans under a wide canopy of pro-slavery sentiments represented added hardships in the search. Without legislation regulating requirements for court interpreters and without companies or professionals offering these services readily, finding a Mende interpreter proved challenging in 1839.

Nonetheless, Christian Abolitionists' appointed themselves as legal team for the Mende Africans exercised this discretionary remedy to avail themselves and defendants of a suitable interpreter. With great stamina, Abolitionists launched an intense search for an interpreter to assist attorneys in discovering the details of what they already suspected. Without an interpreter, Abolitionists would have never won the trials faced by the Mende-Africans, freed them, returned them to their motherland, or advanced their cause to abolish slavery, as revealed in the letter corpora.

The present article used as foundation twelve (12) handwritten letters exchanged among Christian Abolitionists from August 30th to October 4th, 1839. found in The Baldwin Family Papers and the American Missionary Association Archives (AMA). A postcolonial (PT) methodological filter will be applied to the corpora, as defined by Douglas Robinson. According to Robinson, PT looks "across power differentials marked off by the concepts of 'first world' and 'third world'" (1997: 3). The intersection between TS and PT searches for power imbalance, for example, how power became a tool of colonialism or to decolonize.

This article attempts to demonstrate how the Abolitionists mounted an intentional search among their close network based on their theological-political principles to furnish a Mende interpreter. Furthermore, it aims to illustrate how this search contributed to the abolition of the inhuman institution of slavery in colonial times. Because of persecution and the possibility of death for the Mendes if found guilty, the Abolitionists identified 'trustworthiness' as the main requirement to ensure a reliable interpretation and safety in the search. Additionally, this article explores how this requirement was measured.

II. The Colonial and Religious Context of The *Amistad* Case

a. An Unfriendly Voyage—a brief version of the *Amistad* story

In April 1839, on board the *Tecora,* the Africans began their 'Middle Passage' from the Lomboko Harbor until they anchored in Cuba in June. Once in Havana, they were sold again. However, in order to be transported within Cuba, issuance of *licencias* indicating their Spanish/*Ladino* names was required. *Ladinos* were Africans who had assimilated culturally and spoke or understood Spanish (Pichardo 1839: 152). On the other hand, monetary transfers of *Bosales,* who mainly spoke an African language, were not allowed. With falsified *licencias* in hand, the Spaniards forced the Mende Africans unto another vessel, The *Amistad*.

Shortly after setting sail from Havana, in June 1839, forty-nine African slaves revolted on the *Amistad*. The Mende Africans were convinced that their bodies would be served to the crew once the food supply ran out. In the face of death, different forms of resistance manifested "from hunger strikes to suicide to outright insurrection" (Rediker 2007: 7). Fearful of a cannibalistic future, the leader of the revolt, Joseph Cinque, devised a plan to unlock their manacles and take command of the ship (refer to Image 1).

Among the Spaniards aboard, only two were left on board to steer the ship. The other survivor was a *Ladino*, Antonio, a Creole boy of African birth raised in Cuba, who would have been killed but whose linguistic skills proved helpful for the Mende Africans. "[H]e acted as interpreter between [them], as he understood both languages" (Barber 1840: 7). The Mendeans ordered the Spaniards, José Ruiz and Pedro Montez, to sail in the direction of the 'rising sun', which was back to their homeland, Sierra Leone, West Africa; nonetheless, they did not follow these instructions.

After a few months, their supplies ran low and six Africans starved to death (Kromer 1997: 26). In response to the impending crisis, Cinque, along with other Mende voyagers, traded bounty from the vessel for water and food supplies that required regular stops, anchoring along USA shore (Barber 1840: 7). On what would become their last supply-trading stop, on August 25th, 1839, The *Amistad* was seized and captured in Long Island, New York by the USS Washington, a USA Navy ship. Thus, The *Amistad* Case began.

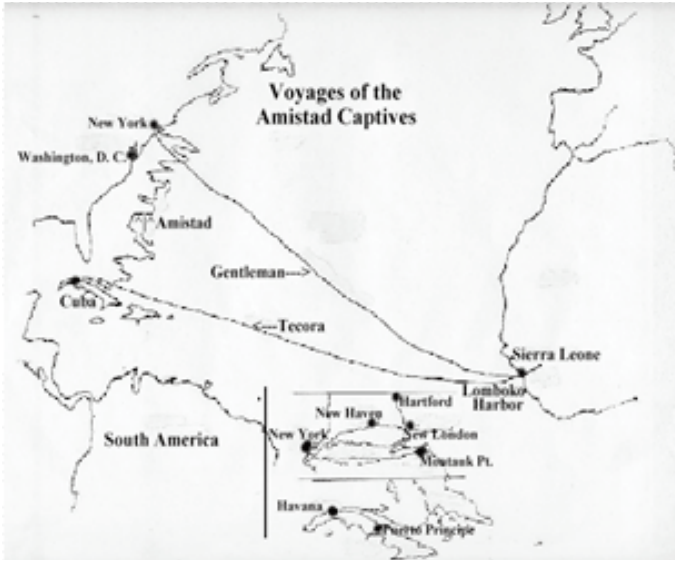

Image 1

b. The theological-political principles of Christian Abolitionists

Abolitionists, most of whom had received formal training as ministers and lawyers, were better known as 'Christian' Abolitionists. 'Christian' described their antislavery sentiments in their theological interpretation of the Bible. For Abolitionists, slavery was more than an abomination; it was a sin in direct opposition to Christian doctrines that corrupted society's moral fiber. Furthermore, Abolitionists criticized antislavery proponents:

> Even in the states in which slavery is not tolerated, the great majority of the people are its apologists and supporters. Many, while they acknowledge that slavery is an evil, seem quite unconscious that to keep men in bondage is a sin. They [...] have no sympathy for the wretched slave (The Abolitionists, Vol I. No. I. p. 1. January 1833).

Though published after 1839, these following sources also capture the hermeneutics of *Amistad* Abolitionists. In 1850, Rev. Enoch Pond published a tract entitled "Slavery and the Bible" that challenged those who based their racist beliefs on the Bible: "Until the advocates of slavery can point us to the chapter and verse in which their favorite institution is divinely established, we are safe in saying that there is no such chapter or verse in the Bible" (Pond 1850: 3). For Pond, one of the greatest contributions of the biblical text was to establish a higher ground for relationships: "The Bible lays down truths and principles[...]all men [sic] have a common origin, and constitute but one family… endowed by their Creator…with equal natural rights; each is to love his neighbor as himself, and do to others as he would that they should do to him (ibid.).

But faith-based political organizing for the Abolitionists came with a price. Not only were they criticized for their radical beliefs but also suffered persecution. "Abolitionists belonged self-consciously to the tradition of imprecatory prophets; they were thundering Isaiahs and Jeremiahs of their time" (Delbanco 2012: 9). The body of William Lloyd Garrison, founder of the Anti-Slavery Society, was dragged through the streets of Boston; Elijah Lovejoy met his death when he insisted on printing articles in support of the liberation of slaves; Prudence Crandall followed her vocation to teach Black students even though the school where she taught was stoned because of her commitment; and for the Tappan brothers a $100,000 reward was issued payable anywhere in the South for their heads (Zeinert 1997: 42-45).

Despite possible consequences, Abolitionists came together to organize in favor of the *Amistad* Africans. They believed that the *Amistad* Case "had the potential for causing an emotional debate over slavery in the United

States" (Jones 1987: 32) as well as for broadening anti-slavery support. Marcus Rediker (2007: 8) asserts that success for "the Abolitionists movement lay in making real for people in Britain and America the ships carrying slaves were pervasive and utterly instrumental terror, which was indeed its defining feature." The *Amistad* afforded them a chance to inject into the discussion of slavery first-hand testimony of the brutal and inhuman treatment of slaves from their capture to the Middle Passage. They desired to shake the legal and religious foundations of slavery and, hopefully, to accelerate its end. A catalyst was needed. "[A] dramatic event…to awaken their countrymen to the sordid nature of slavery" (Jones 1987: 35). And this is precisely what The *Amistad* Case provided. However, to maximize this fortuitous event, an Mende-English interpreter was required who could communicate between attorneys and Africans. Hence, an intense recruitment process ensued for a trustworthy court interpreter.

III. The unique recruitment process for a court interpreter in the *Amistad* Case by Christian Abolitionists to ensure a trustworthy interpreter.

The recruitment process for a court interpreter began with the hand-written letters by Abolitionist Dwight P. Janes dated August 30th and August 31st 1839. Perhaps the most important letters related to this case. Janes, who resided in New London, attended the first *Amistad* proceeding. At the hearing, he learned information supporting a pivotal fact that, if proved, would sustain the right of *Bozales* to bear arms in pursuit of their freedom. Janes reported that "some say that the cabin boy [Antonio], who is a principal witness about the murder of the capt., can speak Spanish and African…When asked how long the negroes [sic] had been there, he gave us [sic] to understand that they had just come (AMA FI 4590). Confirming this supposition required verification through an interpreter, prompting him to write another letter on September 2nd to fellow Abolitionists in NYC: "can't you find some person in NY who can speak African and send him up to

New Haven?" (Ibid.) (See Image 2). In the same letter, he demanded a response, and so he left room for another fellow Abolitionist to assist the Africans, though perhaps not in that order. His correspondence highlights the political motivations that accompanied their concern to help the Africans. The anti-slavery movement needed a trigger, and this case seemed beneficial to the cause:

> The case of the slaves attended to in the above letter of Mr. Janes I think will involve several important questions, and I hope will receive a thorough investigation. The discussions consequent on such a trial would be highly beneficial to the cause of freedom in the States. We want something to ["wake" or "make"] the people [illegible] as well as to get justice for the sufferers. (AMA FI 4590)

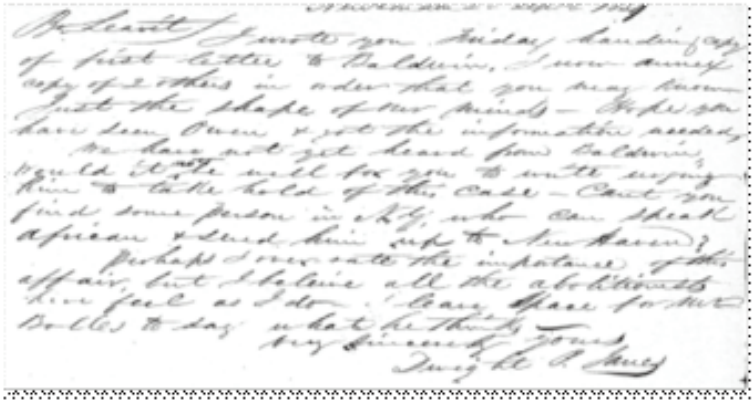

Image 2 (AMA FI 4590)

Successful in his efforts to organize his readers, a few days afterwards, *The Emancipator* newspaper—a weekly newspaper—announced the creation of the *Amistad* Committee. Joshua Levitt, editor of the newspaper and one of the three founders of this committee, published this announcement every other Thursday for a few months, and he dedicated a few columns to update on matters of the case for months to come. The first announcement of this kind was printed on September 5th, a day after the

creation of this threesome initiative, urging fund collection to ensure the rights of the Mende defendants, beginning with the supply of interpreters:

> (Transcription of Image 3)
> Thirty-eight fellow men from Africa, after having been practically kidnapped from their native land, transported across the seas, and subjected to atrocious cruelties, have been thrown upon our shores, and are now incarcerated in jail to await their trial for crimes alleged by their oppressors to have been committed by them… Under these circumstances, several friends of human rights have met to consult upon the case of these unfortunate men, and have appointed the undersigned a committee to employ interpreters, able counsel, and take all necessary means to secure the rights of the accused.
> (The Emancipator, Sept 5th, 1839)

Image 3

However, given the volatile social and political pro-slavery climate, finding a trusting and trustworthy interpreter became of utmost importance for the *Amistad* cause. Trustworthiness represented an important trait in the search given the colonial context of 1839 USA and the deep-seated distrust in both captives and Christian Abolitionists. Said repeated concern reflected in the letters, justifying the consideration of one possible candidate or another, speak to the precarious feeling of participants on the African side. The kidnapped Africans were charged with a felony, while Abolitionists heading the defense had been subjected to death threats. It is understandable how 'trustworthiness' turned into an essential requirement in this search.

This trust surpassed linguistic issues or unintentional mistakes; it rested on purposeful manipulations of testimonies proffered by the Africans through the voice of the interpreter. In the letter to Lewis Tappan from John Pickering on September 10th, 1839, Pickering discusses the 'trustworthy' aspect of the oral translator: "it will be all important to the prisoners to have a faithful [emphasis in original] and trustworthy interpreter" (AMA FI 4606).

Again, another letter by Rev. Burgess, introducing another possible candidate, touches upon this important consideration: "he was educated in England, but has spent many years in his native land, and is familiar with the languages of the Gold Coast [...] and he is, as I feel assured, perfectly trustworthy" (AMA FI 4601).

Activating their Northeastern-coast network of Abolitionists proved the best solution to ensure recruitment of a trustworthy interpreter. This strategy assured candidates from known circles. In a letter written to Roger Baldwin, who became the *Amistad* case attorney-of-record, Janes advised how important is was to reassure the Africans that the interpreter was a 'friend.' An observation suggesting how skeptical and guarded the Mende felt about the people surrounding them:

> If you can find someone who speaks Spanish, you will perhaps be able to communicate with the Blacks thro' this Boy. You must let them know that they are among friends or they will be unwilling to say much (AMA FI 4594).

Incarcerated Mende Africans must have conveyed their distrust after such a horrific journey since forced out of Africa. English was not necessary for Mendeans to communicate their skepticism, after being surrounded by 'unfriendly' faces for months. Pickering's letter to Josiah Gibbs alludes to the positive impact of familiarity in this process when on discovering of Samuel Barney as possible interpreter candidate he said: "He should proceed to the place of trial; when you will soon discover [illegible] that the captives recognize him as a country man" (AMA-FI 4625). Abolitionists knew that only when the captives sensed being 'among friends,' preferably a compatriot, they would feel safe to tell their stories.

In addition to friendliness and common ethnicity, trustworthiness occupying such a prominent role in this recruitment process would be measured through other important characteristics. Connections to the community emerged as a crucial component to assess trustworthiness. Inquiries about how long candidates had lived in the vicinity, were they churchgoers, did they have family, were they

gainfully employed, and who knew them were expounded in the letters. These combined requirements proffered selection of the ideal-reliable interpreter, though personal knowledge, reliable ties, and references were necessary.

Geographical approximation to the Africans and Abolitionist generated certainty and trust. Early in the process, Janes, writing on behalf of the other Abolitionists in New London, instructed Baldwin and Leavitt in New York City to "find some old African in your vicinity who can speak the native language, so that you may learn the facts from them" (AMA FI 4593). In a letter to Gibbs, on discovering Samuel Barney as a candidate, Pickering added the following personal information:

> "I should add that I have known him for more than twenty years. And he had even sustained the character of an honest, industrious, hardworking man; he now has a family of grown up children—and I should place full reliance upon his statements. I hope he may be made useful in this interesting and important case." (AMA-FI 4625).

In another letter, references and religious affiliation were checked to confirm reliability and moral character of John Shain, another candidate:

> I am assured by his present employer James Mulford, a respectable grocer of this city, that all he says may be relied on that he is a member of the Baptist denomination and although a seafaring man, he is in every respect a worthy, honest, sober person. (AMA FI 4613).

Though Shain did not possess competency in the desired African language to mediate linguistically, trustworthiness was assessed in the meeting with the captives. Informing Baldwin and Tappan of this encounter, Janes observes: "I […] was almost as much disappointed as Shain himself, that he failed to converse with the Prisoners—altho' I cannot doubt from his account that had the full confidence of Joseph Cinquez. He could communicate with him" (AMA FI 4654).

In the end, final selection of their interpreter relied solely on the Mende captives. Language competency

paired with trustworthiness yielded the ideal court interpreter, one who spoke Mende and who was positioned ideologically in favor of the Africans while politically aligned with Christian Abolitionists. The recruiting strategies brought forth two interpreters, James Covey and Charles Pratt, of whom, Covey became the 'interpreter-off-record.' Various letters attest to the joyful news of the candidates. On October 3rd, Abolitionist Amos Townsend described this moment. After 40 days, a link was established between them and the outside world, Townsend reports:

> The marshal objected to the entrance of the interpreters until the breakfast was over, but one of the captives coming to the room and finding a fellow country men who could talk in their own language took hold of him and literally dragged him in….
>
> Breakfast was forgotten, all crowded around the two men and all talking as fast as possible. The children hugged one another with trumpet and much jolling and shouting took place as made the apartment for a time a complete bedlam. [AMA FI 4660].

Covey, Mende himself who had experienced a similar fate as the Africans, became the best possible interpreter for the captives. Versed in the language of the enslaved, knowledgeable of English, the language of the court, and trusted by the Africans, interpreting facilitated the awaited attorney-client conferences. The 'examination' that proceeded with the interpreter afterwards verified the initial hypothesis by Christian Abolitionists:

> The Interpreters can converse freely with the whole of them. Their examination thus far which has been in a separate room with one at a time, brings out a very clear and consistent story. They were all brought from Africa in the main vessel except Antonio (AMA FI 4660).

'Brought from Africa' meant that they were *Bozales* and not *Ladinos*, as the Spaniards claimed in direct violation of international treaty. Telling their stories brought Mende-Africans closer to freedom. At the same time, the Abolitionist were able to confirm their hypothesis, which

was essential for their litigation strategy, drawing closer the end of USA slavery.

VI. Conclusion

Nonexistent court interpreting laws and recruiting guidelines, prompted Christian Abolitionists to devise their own process based on their historical and religious context. Activating their network via handwritten letters and a newspaper ad in the Abolition newspaper, *The Emancipator*, *Abolitionists* developed two strategies to find a trustworthy and linguistically competent court interpreter. To establish trust they studied the close connections to the community, church and employment, of the interpreting candidates to ensure collaboration from the Mende Africans in their own defense. After their long and arduous journey, which began on April 1839, after 40 days in October 1839, came to an end, the Mende-Captives were able to communicate their truth and understand and interact with their environment with the assistance of Charles Pratt and James Covey. Finally, the truth was uncovered in open court: they had never lived in a Spanish-speaking country. Furthermore, another agenda now could be advanced.

Abolition for the recruiting Christians meant a radical elimination of slavery for a society heavily siding with this oppressive institution. Despite the contradictory nature of Scriptural passages supporting bondage of human beings, their hermeneutical filter weighed primarily on those verses proclaiming loving thy neighbor and securing human rights for enslaved peoples. Standing for this vision had harmful consequences for Abolitionists. Yet, those who organized in favor of the Mende-Africans resolved to use their privilege and resources for this cause. As they organized on their behalf, they broaden the anti-slavery support base by reporting on the horrific journey of Africans via a Mende-English interpretation. Though doubtfully a completely symbiotic relationship, the solution of finding an interpreter assisted both, Africans and Abolitionists, in challenging the institution of slavery in nineteenth century USA.

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IMAGES

Image 1—The journey of the *Amistad* Africans
Image 2—excerpt AMA FI 4590
Image 3—*The Emancipator*, September 5, 1839

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http://law2.umkc.edu/faculty/projects/ftrials/amistad/AMISTD.HTM.This map depicts the long voyage of the Mende Africans from captivity to freedom.

NOTAS

1 *Amistad* in Spanish means friendship.