
Díaz, María Chiquinquirá

(c. 1750-?), enslaved woman and litigant for emancipation,

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was born near the city of Guayaquil, on the Pacific coast of present-day Ecuador, but then part of the Royal Audience of Quito, in the Viceroyalty of Peru. When María Chiquinquirá was around 45, she decided to legally claim her own and her daughter's freedom in a major legal battle that lasted nearly five years, from 1794 to 1798. She was the daughter of an African woman brought as a slave to Guayaquil, presumably in 1730. Named María Antonia, she was one of the many slaves belonging to the Cepeda family, among the most influential and richest in Guayaquil. Some years before Díaz was born, María Antonia had become infected with leprosy. Expelled from the family house she finally died abandoned in a miserable hut by the Baba River in the mountainous outskirts of the city. Her illness did not prevent her from becoming pregnant with several offspring. María Chiquinquirá was her last child; soon after the birth, María Antonia died. In her early years, María Chiquinquirá was raised by a friend of her mother, an Indian woman.

When she was 5, the patriarch of the Cepeda family reclaimed María Chiquinquirá as a slave. In the late 1760s or early 1770s, she was bequeathed to one of the sons, a man referred to in documents as Presbyter Cepeda. At the presbyter's home, Díaz joined a large group of slaves who worked performing various tasks outside the house. In exchange for their daily freedom, they gave the master a certain amount of money every day. This custom, very common during the colonial period in Spanish America, was called *jornal de esclavos* (slaves' daily wage), and in many cases it gave slaves the opportunity to be independent and accumulate some savings. At some point, Díaz married a skilled tailor, José Espinosa, a freeborn *pardo* (black man) who lived in the same house. Together, they built a home and carried on a successful business. By the time their daughter María del Carmen was born, they were living "as free persons." They lived as such until the presbyter suddenly reclaimed María del Carmen, now in her early teens, to serve as a slave to the Cepeda family. By then, Díaz's daughter was an educated young lady who had learned to read, write, and sew, and the mother was determined to safeguard her daughter's freedom. Without success, she begged the presbyter to desist in his demand and even bargained as to the prices of their freedom. As a last resource, she decided to sue the powerful priest. Although at that time it was common practice for slaves in Spanish America to sue their owners for their freedom or for better treatment, there were few who risked challenging their master's honor and social standing, and that was precisely what Díaz did.

In May 1794 she brought charges asserting that the presbyter had insulted her and her daughter by frequently using sexually offensive language, thus attacking their honor, and she asked for the protection of the court. In addition, she publicly revealed that the presbyter's father had procreated children with his household slaves. Díaz was able to make these accusations because she was effectively acting not as a slave, but as a free woman. She embarked on four years of legal procedures

to claim this identity. The legal argument put forward by the attorney in charge of her case was that once the owners of María Antonia abandoned her, she had acquired compulsory manumission. As a consequence, Díaz was considered freeborn.

The judges of the colonial city council of Guayaquil decided against Díaz and her daughter. However, they didn't return to the presbyter's ownership, but initiated an appeal to the royal court in Quito. Unfortunately the final outcome of the trial remains unknown. Still, Díaz's case set in motion an effort to articulate a narrative of multiple oral stories recovered from the people who, during a half-century, had known her mother and the story of her life. Though Díaz never wrote a book chronicling her experience, she produced a narrative of her own and her daughter's freedom, which, although permeated with the legal language of the day, remained of her own creation.

[See also Batallas, Angela .]

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See also

Batallas, Angela <<https://oxfordaasc.com/view/10.1093/acref/9780195301731.001.0001/acref-9780195301731-e-50806>>