

“It Has Always Been Customary to Make Slaves of Savages”: The Problem of Indian Slavery in Spanish Louisiana Revisited, 1769–1803

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The enslavement of Indigenous peoples by Europeans was not a small and isolated practice in the lands that now comprise the United States. Contests for land and labor were not mutually exclusive, and enslaved Native people labored in mines, domestic households, and plantations across North America. In the vast Louisiana Colony, French records frequently enumerated enslaved Indigenous people, but their presence is conspicuously absent from Spanish period records. Scholars have previously assumed that the practice of Indian slavery had simply been outlawed and any remaining Indian slaves were emancipated under the *Leyes y Ordenanzas Nuevamente de las Indias* after Don Alejandro O'Reilly raised the Spanish flag over New Orleans in August 1769. However, the very first case brought before the Louisiana State Supreme Court disproves that assumption. During the period of its supposed illegality, Indigenous enslavement persisted through a discursive practice of Indigenous erasure; changing notions of race and legal personhood hid enslaved Native Americans within a socioracial order that negated their existence. These machinations allowed “Indianness” to be controlled and exploited, and Native people continued to be trafficked and enslaved across the Gulf South into the antebellum period. Their stories must become part of the broader history of American slavery.