

# “Secessionist Maroons who have asserted sovereignty”: Accompong Maroons and the Jamaican State today\*

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## ABSTRACT

In 2021, on the election of a new chief – the youngest ever colonel at the age of 40 – relations between the Accompong Maroons and the Jamaican Government soured. Under Chief Richard Currie, who describes himself as a government official and head of state, Accompong asserted sovereignty as the “Sovereign State of Accompong,” with Accompong Town as the capital of

the Cockpit Country. The Maroons of the State of Accompong identify themselves as “heirs to the 1738 Treaty and Maroon Identification”, claiming descent from self-freed formerly enslaved West Africans and indigenous Amerindians. According to Chief Currie, “The earth is the lord and the fullness thereof. Our sovereignty is derived from the freedom of our lands, so whatever we do with our lands is of imperative value to our security as a people”. This declaration

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of sovereignty has led the Jamaican Government to declare that they do not recognise any “state within a state”. The Government, therefore, refuses to engage with or fund those communities that they have described as “Secessionist Maroons”. This case study situates the contemporary Maroons in the history of Jamaica and their current relationship to the Jamaican state. It explores, in particular, the contending notions of sovereignty which may lay behind the conflict between the “Sovereign State of Accompong” and the Jamaican State. Key to the conflict is the differences in meanings of the 1738 Treaty made by the “First Time Maroons,” who fought the British to a stand-still in the 18th Century, forcing them to come to terms with them. For Maroons today, the Treaty is eternal, while the now-independent Jamaican state sees it as abrogated. Therefore, is a rapprochement possible?

**Key words:** Jamaica; sovereignty; maroons; secessionist; accompong; treaty; Jamaican state.

## **“Los cimarrones secesionistas que han afirmado su soberanía”: Accompong cimarrones y el Estado de Jamaica hoy**

### **RESUMEN**

En 2021, con la elección de un nuevo jefe (el coronel más joven de la historia, con 40

años), las relaciones entre los Accompong Maroons y el gobierno de Jamaica se deterioraron. Bajo el mando del jefe Richard Currie, que se describe a sí mismo como funcionario del gobierno y jefe de Estado, Accompong afirmó su soberanía como el “Estado soberano de Accompong”, con Accompong Town como capital del Cockpit Country. Los cimarrones del Estado de Accompong se autodenominan “herederos del Tratado de 1738 y de la identificación cimarrona”, afirmando ser descendientes de africanos occidentales autoliberados y anteriormente esclavizados y de amerindios indígenas. Según el jefe Currie, “La tierra es el señor y su plenitud. Nuestra soberanía se deriva de la libertad de nuestras tierras, por lo que cualquier cosa que hagamos con nuestras tierras tiene un valor imperativo para nuestra seguridad como pueblo”. Esta declaración de soberanía ha llevado a que el Gobierno de Jamaica declare que no reconoce ningún “Estado dentro de un Estado”. Por lo tanto, se niega a colaborar o a financiar aquellas comunidades que ha descrito como “cimarrones secesionistas”. Este caso de estudio sitúa a los cimarrones contemporáneos en la historia de Jamaica y su relación actual con el Estado jamaicano. Explora, en particular, las nociones contradictorias de soberanía que pueden estar detrás del conflicto entre el “Estado soberano de Accompong” y el Estado de Jamaica. La clave del conflicto son las diferencias en el significado del Tratado de 1738 firmado por los “primeros cimarrones”, que lucharon contra los británicos hasta un punto muerto en el siglo XVIII, obligándolos a llegar a un

acuerdo con ellos. Para los cimarrones de hoy, el Tratado es eterno, mientras que el ahora independiente Estado jamaicano lo considera abrogado. ¿Es posible un acercamiento?

**Palabras clave:** Jamaica; soberanía; cimarrones; secesionista, Accompong; Tratado; Estado jamaicano.

## INTRODUCTION

In February 2021, the Maroons<sup>1</sup> of Accompong in the hills of St Elizabeth, Jamaica, elected a new chief or colonel, Richard Currie. At the age of forty, Currie was the youngest person elected to lead the community, who are the descendants of self-freed Africans and, as he and others argue, also of Indigenous Amerindians or Taínos, the first inhabitants of Jamaica.<sup>2</sup> The early or "first

time" African Maroons fought the British to a standstill and earned their freedom via treaties signed in 1738/39 (Leeward Maroons) and 1739/40 (Windward Maroons). Currie ran a very astute campaign over new and traditional media focused on key issues such as protection of the Cockpit Country, where Accompong is located; infrastructure development; the defence of the Cockpit Country from encroachers, who want to mine the area for bauxite, destroying the way of life of inhabitants as well as the flora and fauna (Green, 2019); the creation of a smart city in the landlocked "Maroon state" and economic independence (Ewing-Chow, 2021a, 2021b; Silvera, 2021a). His election was greeted with much interest in both the local and international media (Ewing-Chow, 2021a, 2021b; Silvera, 2021a). However, conflict with the Jamaican state was on the horizon. So, during the heights of the

<sup>1</sup> The appellation of "maroon" was not self-chosen but was rather a derivation of the Spanish word "cimarrón" meaning "wild", which was first applied in the Spanish colonies to runaway Indigenous people; only later was it used of runaway enslaved Africans. Shepherd (2022) notes an alternate lesser-known etymology for "maroon" – the Taino word "samara", meaning arrow, signifying the unerring flight of an arrow; this is clearly a metaphor for these enslaved Africans and Amerindians intentionally removing themselves from the oppression of enslavement. Wallace Sterling, Colonel of the Moore Town Maroons, has rejected the description of Maroons as "runaway slaves", which he deems derogatory. He argues that Maroons were free people, who resisted slavery (Titus, 2022). Pestana (2017) similarly maintained that the first Maroons were not runaway slaves, but rather refugees from the British invasion of the island (both slave and free), who defied the authority of the Spanish Governor Ysassi by withdrawing into the interior to form their own communities away from the Europeans. To these were added later enslaved Africans, who escaped in small groups or individually, as the system of enslavement expanded. Pestana maintains that Jamaica's maroon communities, therefore, emerged from a complex mix of backgrounds—refugees and runaways. She, like Sterling, therefore, argues against using the single category of runaway slave to describe maroons as it "reduces the range of African experiences of freedom and struggle in the Americas" (Zhang, 2023, pp. 121-127).

<sup>2</sup> Vasciannie (2022b) calls this claim to indigenous heritage doubtful. For a contrary argument, see H. Fuller and J. Benn Torres (2018, pp. 47-78). Investigating the "Taíno" ancestry of the Jamaican Maroons: a new genetic (DNA), historical, and multidisciplinary analysis and case study of the Accompong Town Maroons.

COVID-19 pandemic, Accompong held their annual celebrations commemorating the signing of the treaty and Kojo's birthday, despite the existence of the DRMA (Order No. 12), limiting public gatherings to ten persons, and police warnings against disobeying the Order (Silvera, 2022b; Silvera, 2022a). The ensuing confrontation reportedly led to violence (Vasciannie, 2022a). Robinson (2021) notes that these clashes with the police are a direct result of the Maroon claims to sovereignty. He is sanguine that no casualties have yet resulted from those clashes and urges a speedy and amicable settlement of the issues.

The militant claims to being a sovereign state within the boundaries of the independent, unitary Jamaican state as well as open conflict with the police have led to a rift with the Jamaican state; the Jamaican Prime Minister, in pushing back against their claims of sovereignty, has described Accompong without naming it directly as "secessionist", hence the title of this article (Silvera, 2022c). The Prime Minister has since refused to include Chief Currie in meetings with other Maroon leaders; he directed further that the usual funding provided for special Maroon events in such "secessionist" communities cease (Titus, 2022). At the heart of this conflict may well be a difference in the meaning of the

Maroon treaties and the contending notions of sovereignty in which these are mired.

### CONTENDING NOTIONS OF SOVEREIGNTY

This case study unearths the contending notions of sovereignty that may lay behind the conflict based on the differing understandings of the treaties for the "nowadays" Maroons and the post-independence Jamaican state, focussing particularly on the Accompong Maroons. In so doing, it draws upon ideas of plural and fragmented sovereignties to capture the circumstances of the "first time Maroons" and their descendants. It takes account of the Accompong Maroons' discourse about their circumstances as well as the response of the Jamaican state. Thereby, it recognises the dominance of the colonial voice in the written sources presenting the story of the treaty and its meaning, which is oftentimes a crude distortion (Zips, 2011). It lays out the efforts of the Maroons to tell and retell the story of the Treaty and its meaning for them today as citizens of Jamaica.

Sovereignty, while everywhere imperfectly realised, concerns where final authority rests within a state, which is presumed to be unitary (Vasciannie, 2023). Maroons maintain that the blood Treaty<sup>3</sup> signed by their ancestors is enduring and places an obligation on the Jamaican state to recognise

<sup>3</sup> The term Treaty/treaties is used to refer to the documents signed by the Maroons and the British. It is used in the singular form mainly as it refers, in particular, to the Treaty signed by the Leeward Maroons, the ancestors of the Accompong community, the main focus of the discussion.

their rights, especially their claims to sovereignty, which places them outside of the laws of Jamaica, as a separate, independent state. They are not alone in making this claim as it has been repeated in the media and even by political leaders:

Currie has been sparring with the Government over the 1738 treaty with the British government, which granted the indigenous group sovereignty over their lands, making them exempt from paying property taxes and giving them full autonomy as a sovereign state. But questions have been raised in government circles about whether the pact is still valid in post-Independence Jamaica. (Titus, 2022)

Maroons resort to the 1738 Treaty to justify their claims to their lands and to certain special privileges. As in this case of sovereignty, Maroons are often inaccurate on and indifferent to specific details of the written document, embroidering it with new elements in keeping with its meaning to them (Kopytoff, 1979). As mentioned by Titus (2022), Maroons have frequently claimed that the Treaty granted them freedom from all taxation, but this is nowhere specified in the text of the documents.<sup>4</sup>

In addition, neither the Jamaica Constitution nor the Bill of Rights mentions Maroons nor any special relationship to

the Jamaican state. "This silence is not accidental" (Vasciannie, 2022b). Today, the Maroons also claim rights as an Indigenous People under the UN Declaration on Indigenous Peoples, a resolution of the UN General Assembly passed in 2007 (A/RES/61/295), largely as descendants of the indigenous Tainos, who were first peoples and first maroons of Jamaica (Carey, 1997). This UN Declaration recognises rights such as self-determination, freedom from forcible removal from lands and territories, and autonomy and self-governance, based on indigenous identity (Shepherd, 2022). However, this UN Declaration is non-binding (Vasciannie, 2022b). Even so, while Jamaica is a signatory to this Declaration, it has not passed any laws enacting it (Vasciannie, 2022b, 2023).

The post-independence Jamaican state has recognised the symbolic value of the Maroons as part of the story of the Jamaican people, co-opting it as they have a wont—especially the signing of the Treaty—to tell the Jamaican story of freedom<sup>5</sup> (Mackie, 2005; Jaffe, 2015). However, in keeping with the practices of the British parliament and the colonial House of Assembly in Jamaica, which drafted legislation that amended the rights of Maroons, the independent Jamaican state sees that

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<sup>4</sup> "Colonel Sterling [of the Moore Town Maroons,] said the only thing the treaty prohibited Maroons from growing was sugar cane, as it was the crop of the day, and the intention was that their foreparents should not enrich themselves" (Cited in K. Hibbert, 2021).

<sup>5</sup> Jamaica's only national heroine is Nanny of the Maroons, a fabled female freedom fighter and practitioner of African spiritual rituals.

Treaty as a piece of legislation, which has been superseded and abrogated with the passage of time and the changes in the political and socio-economic circumstances of the island (Bilby, 1997; Zips, 2011). More importantly, they maintain that the Treaty never granted or even contemplated offering sovereignty to the Maroons. They are, therefore, simply Jamaican citizens and not even a special class of citizen at that.

### FRAGMENTED SOVEREIGNTY

Nonetheless, viewed from the perspective of anthropology, the experiences of the “early” Maroons can be described as an example of the presence of multiple or fragmented sovereignties in the Caribbean (Jaffe, 2015). The sovereign state is contested by the presence of “non-state”, “informal” or “social” sovereignties, alongside or in contestation with the nation-state. Multiple sovereignties are configured differently over time, even within the same polity. Accepted distinctions between *de facto* or local sovereignty versus the legal sovereignty are complex; in concrete performances of sovereignty, law and violence tend to intersect as the case of the colonial Maroons illustrates. Maroon territories, in their development of alternative jurisprudential and regulatory systems, existed as the margins of the Jamaican colonial state.

The Maroons’ legal rights in land, confirmed by legislation, were unique among people of African descent on the island and, along with their status as slaveholders themselves, became crucial

to their own perception of themselves as British subjects, separate from and superior to free blacks and coloreds. This semiautonomous, ambiguous status within the political and legal structures of the island endowed the Maroons with considerable room for maneuver and reinvention. (Wilson, 2009, pp. 62-63)

Indeed, colonial Maroon communities demonstrate the existence of legal pluralism, which Jaffe argues, is the response of the colonial and postcolonial Jamaican state, when “faced with threats to security” (Jaffe, 2015, p. 53). The colonial and postcolonial state “have struck deals that involved a differential zoning of the island’s territory and a partial outsourcing of state responsibilities to former adversaries” (p. 53). In so doing, state actors sought to contain illegal activities [such as enslaved people absconding] and govern potentially unruly populations by co-opting extra-state actors and promulgating multiple legal systems” (p. 53). “Systems of legality, then, are by no means the exclusive domain of state sovereignties” (p. 51). “First time” Maroons were therefore, “legal outlaws”, who were:

Not entirely African, native, or European, neither entirely sovereign nor entirely dependent, not “free-born” (their rights were conditional on certain performances) or slave, their “in-betweenness” made them a threat that complicated and troubled the categories of European order on the island. (Wilson, 2009, p. 63)

Given this in-between status as “legal outlaws” (Jaffe, 2015, p. 53), it is difficult to

categorise the [colonial] Maroons as either *de facto* or legal sovereigns. The situation of their descendants is far different and cannot be contemplated as legal pluralism, even as their circumstances indicate the existence of fragmented sovereignties, if not legal sovereignty.

### **CHIEF CURRIE'S CAMPAIGN AND ACCOMPONG SOVEREIGNTY**

Under Chief Currie, who describes himself on his X (formerly known as Twitter) account as "a government official and head of state," Accompong (re)asserted sovereignty as the "Sovereign State of Accompong," with Accompong Town as the capital of the Cockpit Country (State of Accompong, 2022). This reassertion was played out almost violently, in an August 2021 incident, where armed Maroons at Accompong led by their Chief routed policemen. The policemen had come to seize what they termed illegally cultivated ganja,<sup>6</sup> as they were empowered to do according to the laws of Jamaica (Hibbert, 2021). As noted previously, this was not the first such confrontation between Maroons and the Jamaican state, particularly the Accompong

community. Indeed, such confrontations between Maroons and the colonial state increased after Emancipation, especially concerning land rights (Kopytoff, 1979; Thompson, 2020). "The colonial government, unhappy with the dangerous example set by Maroon performances of freedom, had sought continuously to undermine their position by stratagems that aimed at reducing their mobility, landholdings, and privileges" (Wilson, 2009, p. 65). Such confrontations did not decrease after Jamaica gained independence in 1962 but perhaps focussed on matters of sovereignty, given the changed political circumstances of the nation. In the week of March 20, 2023, for example, Jamaican police patrolling Maroon Town, in the parish of St James, seized an illegal gun and ammunition; three people were arrested (Silvera, 2023). According to the boundaries of the parish of Trelawny, Maroon Town falls within the jurisdiction of the Sovereign State of Accompong and, therefore, is not considered by the Maroons to be under the charge of the Jamaican state (Silvera, 2023). In 2020, the Accompong Maroons contested the Jamaican Government's plan to allow mining in the Cockpit Country, lands<sup>7</sup> that they

<sup>6</sup> See M. Goffe (2018) for an assessment of Maroon rights to cultivate ganja.

<sup>7</sup> The Leeward Treaty granted 1,500 acres of land to Trelawny Town but did not recognise Accompong. However, in 1756, because of a land dispute between Accompong and some neighbouring plantations, the Jamaica Assembly granted an additional 1,000 acres specifically to Accompong. A map of the Accompong lands reproduced by the Windsor Research Conservatory ([cockpitcountry.com](http://cockpitcountry.com)) has the following note: "Laid out as 1000 acres by virtue of the 31.Geo 11 Cap9 passed 1758. But found by resurvey Nov 1868 to contain 1200 acres". The question of land ownership, particularly the question of Maroon ownership of lands in Accompong, is to be distinguished from the question of sovereignty.

consider part of their heritage and which they have rights to protect (Mundle, 2022; Green, 2019). They brought suit against the Jamaican Government and the Jamaica National Heritage Trust (JNHT) in the local courts. Interestingly, the Maroons are seeking a declaration from the Supreme Court that ownership of the lands in the Cockpit Country be given to the Maroons. The Government has moved to have the case stricken. A Government-led project to conserve biodiversity and reduce land degradation in the Cockpits has also been shelved. Such an acknowledgment of the Jamaican Courts is suggestive.

Chief Currie signalled throughout the campaign his intention, like others before him, to reassert the sovereignty of Accompong state. Under him, a previous Constitution was amended and ratified, a flag designed, an ID system put in place, a website and other social media platforms redesigned, although he did reject the LUMI currency, which had been minted under the previous administration (Silvera, 2021c). Stories also circulated of the issuing of drivers' licences and gun permits for the Maroon State. Within a week of his election, he was pushing back against descriptions of Accompong in the *Jamaica Gleaner* newspaper as a "quasi-sovereign state" (Silvera, 2021b) (Other *Gleaner* stories have described them as a "quasi-ethnic group" [Small, 2023]); such a description, the Accompong Chief maintained "is an attempt to undermine the indigenous status of Maroon people" (Silvera, 2021b). According to Currie, "Entangled in this duality is that

people feel that we fall under the Jamaican jurisdiction, but that's not what a treaty does. So, anyone who keeps coming back to me with these terms, I challenge them to [sic] that for their lack of knowledge and understanding of treaties between sovereign nations" (Silvera, 2021b). In recounting his side of the August 2021 confrontation with the police, Currie harkened back to the experiences of his ancestors, and made it clear that, while he wanted peace, he was willing to fight to protect the sovereignty of the people he was elected "to lead, serve, and protect" (Fratier, 2021).

#### THE PM RESPONDS

That confrontation with the police, accompanied by such a bold declaration of sovereignty based on a 1738 Treaty, considered defunct by the Jamaican state, led to equally passionate declarations by the Jamaican Prime Minister. The PM stated firmly that Jamaica "is a unitary sovereign state" and does not recognize any "state within a state" (Silvera, 2022d). From then the Government has refused to engage with or fund activities in Accompong, describing them without naming them outright in a December 2021 Cabinet Directive as "Secessionist Maroons who have asserted sovereignty" (Small, 2023). The Directive was clear: "There must be no acceptance of, or acquiescence to, any language or suggestion regarding sovereignty or indigenous rights, and no funds must be placed at the disposal of any person or entity claiming such" (Silvera, 2022d). Notably, since the



issuing of the Directive, two years ago, the PM has held meetings with the other Maroon Chiefs without inviting Currie (Titus, 2022). Currie has viewed this as a betrayal by the other colonels, who had agreed "that there should be only one conversation about the rights of indigenous peoples and the maroons" (Titus, 2022).

Indeed, the Minister of Tourism, when challenged about the continuing decision to "defund" the Maroons stated further that "while the policy was articulated in light of specific circumstances, it would always have been the case that the Government would not recognize a state within a state and therefore no change is foreseen" (Small, 2023). As a result of that decision, sponsorship from the Tourism Enhancement Fund for the yearly 6<sup>th</sup> January celebrations held in Accompong have since been halted.

The PM made clear that there has been a widespread misunderstanding of the legal status of the Maroons – the dangerous premise that there is a legal basis for any claims of Accompong sovereignty. Of course, nowhere in the Treaty was there any mention of sovereignty, beyond the recognition of "the Sovereign Lord the King George the Second" (Zips, 2011). Furthermore, any claim to sovereignty is a threat to Jamaica's very existence as a unitary sovereign state, despite the existence of multiple sovereignties, as Jaffe (2015) maintains. The PM in his post-Cabinet briefing argued that in other polities, such claims to sovereignty have led to warfare and conflict. Furthermore, if it is the case that Accompong is claiming sovereignty, then for the

Jamaican Government to fund them would be tantamount to taking the tax dollars of Jamaicans to finance a rival state.

Importantly, the PM noted, neither the Jamaican Constitution nor the Bill of Rights mentions Maroons and their special relationship to the Jamaican state. Indeed, the framers of the Constitution were careful to delimit the boundaries of Jamaica such that the Cayman, and Turks and Caicos Islands were distinguished from Jamaica, yet they did not mention the Maroons. The PM's assertions are backed by the opinions of constitutional scholars such as Vascianie (2022a, 2022b 2023).

He calls out discussions that are held "in places that should know better," probably referring to previous statements by the then British High Commissioner at a 6<sup>th</sup> January Celebrations at Accompong where he acknowledged the Treaty, which, while not always honoured by the British, had been made between "two sovereign nations". The Sovereign State of Accompong uses this statement from a representative of the former colonial power as well as a proclamation from the US House of Representatives to bolster its case for recognition (State of Accompong, 2022). As indicated previously, the Jamaican government, the PM himself included, has also engaged in rhetoric where the idea of sovereignty for Accompong has been thrown around loosely as well, although always in a way where the Maroon identity as citizens of Jamaica and voters to boot was clear (Vascianie, 2023).

### THE CHIEF CLAPS BACK

Via his social media account, Currie claps back that Jamaica is not a unitary state as it is still governed by a Sovereign, who was at that point Queen Elizabeth II (Silvera, 2022d). This is a misrepresentation of the meaning of the unitary state, made perhaps to call into question Jamaica's claims to "independence". In Currie's retelling, the Maroons of Accompong won independence (hence sovereignty and self-governance) from Britain after eighty-plus years of warfare, which culminated in a Treaty that they hold as sacred and eternal. The remit for honouring the terms of that Treaty has been passed to the Jamaican government. Currie makes the case for this by posting a copy of a letter from a British MP sent to the Colonial Secretary at the eve of Jamaica's independence in 1962, referring to Treaty rights and urging an amicable solution that respects the traditions of "this proud people" (State of Accompong, 2022).

The Chief states that, furthermore, the rest of Jamaica did not gain independence until 1962, and they got that by "begging", i.e., obsequiousness (State of Accompong, 2022). Somewhere in the rhetoric, the militant struggles of the people against enslavement was lost or was deliberately ignored. Patterson (1970, p. 289) demonstrates that few slaveholding societies boast "a more impressive record of slave revolts than Jamaica". For the first two centuries of Jamaica's existence as a society built on enslaving Africans, there was at least one large scale revolt every decade or so, which threatened

to destroy the system. Alongside these more wide-scale rebellions were numerous smaller clashes, endless scheming, individual acts of violence against enslavers and other acts of resistance, often referred to as petty marronage. All of these actions "constantly pressed upon the white ruling class the fact that the system was a very precarious one, held together entirely by the exercise, or threat, of brute force" (p. 289). Most importantly perhaps was that the Chief also did not countenance the role of the early Maroons in suppressing rebellions and returning runaways.

Currie's statements suggest that Jamaica's independence remains partial, as the country still goes cap in hand to beg other sovereign nations for help with their debt. Jamaica indeed remains a debt-ridden constitutional monarchy. There is significant agitation afoot to have the country move towards republican status and there is now a Ministry dedicated to slowly moving that forward. Civil society groups are also engaged in the discourse around the meaning of democracy and republican status. The begging jibe lacks the understanding of how Jamaica and other nations in the South were left impoverished by the colonial project and continue to be victimised in the current climate (Perkins, 2023). Underlying Chief Currie's statement may also be the long-held distinctions made between themselves and other Jamaicans, who know they are looked down upon, as this 2019 exchange between Christian Vannier and a university student tour guide illustrates:

"They still call us 'Black Niggers'".

"Who calls you that?"

"Maroons do. To people. Jamaicans, who are not Maroons. They look down on us who they say didn't fight or runaway like they did". (Vannier, 2019, p. 159)

The rhetoric of difference between Maroons and other Jamaicans has deep roots in the post-Treaty polities, where they drew significant distinctions between themselves and the enslaved population (Kopytoff, 1976, 1978; Sivapragasam, 2018). In deploying this rhetoric of resistance against the Jamaican Government and people, Currie caused much offence, as responses to reporting in the papers, the airwaves, and in social media indicate (Moyston, 2022).

### **DIFFERING MEANINGS**

Underlying this conflict are some issues of meaning. When two very different groups engage in a common enterprise, there is no guarantee that members will view the enterprise in the same way. Indeed, the agreement may have a different meaning and purpose in the agenda of either group. "When the common enterprise stems from a treaty defining the relationship between two societies, this difference in viewpoints may be obscured by the fact that both parties give assent to a common text, a document that sets out explicitly what their relationship is to be" (Kopytoff, 1979, p. 2). In addition, written documents are always open to interpretation, especially when the initial interpretation of the document was different to

begin with. A divergence of views can be the result of deliberate manipulation by either side or can occur more innocently, especially as there were differing and incompatible assumptions from the beginning. Arguably, the case of the Accompong Maroons and the Jamaican Government on the matter of the treaty signed originally between the British and the Trelawny Maroons in 1738 is a case in point. The 1738 Treaty signed by the Trelawny Maroons can be seen to be such a one, where from the beginning there was divergence in meaning between the signatories. Such divergences were exacerbated by the asymmetries in the relationship between the two groups. The Maroons, for example, would not have been able to read and indeed Kojo signed with an x. This divergence continues today with the descendants of the Early Maroons and the Jamaican state.

When the treaty was signed in 1738/9, neither signatory envisioned a society or a world in which Africans would be freed, and the plantation system abolished. While the differing perceptions of the nature of the treaty was evident from the beginning, these differences apparently did not pose a significant challenge in the period up to Emancipation. The colonials signed a treaty of peace and pacification to co-opt the Maroons and ensure the economy of Jamaica thrived. Zips (2011) argues that the signing of the peace treaty prevented an island-wide rebellion like occurred in Haiti. For the representatives of the colonial state, it was sufficient that it was signed with a handshake and then ratified in Jamaican

Law by the local Assembly. However, the one-sided act of ratification dated 12<sup>th</sup> May 1739 “can be understood as a piece of legal fiction in the juridical sense of a ‘consciously counterfactual representation of reality’” (p. 184). The British in effect turned their capitulation into the Maroons’ subjection and subordination. There was a stark difference between the signed treaty and the actual Act of Ratification, which toned down and saved the face of the imperial power. The Treaty is usually titled, “Articles of Pacification with the Maroons of Trelawney Town, Concluded March the first, 1738” and mentions specifically “Captain Cudjoe, Captain Acompong, Captain Johnny, Captain Cuffee, Captain Quaco, and several other Negroes, their dependents and adherents” (p. 184). The British were not able to quell the Maroons using force, but they created a written narrative which distorted the reality that they sued for peace and signed a reciprocal treaty (Zips, 2011).

### **BENEFICIARIES OF THE TREATY**

Arguably, “The colonial Jamaican state was the major beneficiary of the settlement of the First Maroon War, even more than the Maroons themselves, though Maroon success in not being defeated in the 1730s allowed them a remarkable amount of autonomy within the British Empire” (Burnard, 2020, p. 242). They had been transformed from the planters’ “greatest internal foe into a considerable supporter of the plantation regime” (p. 242). Along with their role as policemen and wartime

auxiliaries, Burnard argues that the result of the pacification of the Maroons was evident a decade after the treaties when Jamaica’s potential became realised “through a boom in exports and an increase in imports” (p. 242). In the 1740s, Jamaica was Britain’s most valuable asset in terms of its contribution to imperial wealth. At the time, the wealth generated made the Jamaican Governor the best paid in the British Empire, excepting the Governor of Ireland. At the same time, the cost for fulfilling the terms of the Maroon treaties was substantial; by 1769, the cost was £2,000, including paying white superintendents, rewards for returning runaways and bribes to maintain allegiance (Burnard, 2020).

Individual planters made special arrangements with Maroons to keep restive enslaved people in order. The Maroons occasionally gave information on plans for rebellions to their white partners and were active in attacking and subduing runaways. Even so, the alliance was an unreliable if enduring partnership. It was a largely non-violent relationship, unlike the brutal terror experienced by those forced to remain on the plantations. Ironically, the freedom of the Maroons may have inspired some of those who participated in the emblematic Tacky’s Revolt of 1760, as one of the rebels is claimed to have said they wanted to “force the Whites to give them Free like Cudjoe’s Negroes” (Edward Long in Burnard, 2020, p. 118). The rebels were “routed by “the late rebellious Negroes that submitted in 1739”, as Governor Trelawney referred to the Maroons (p. 112).

## MAROON TREATY OBLIGATIONS

It was very difficult for enslaved people to escape slavery in eighteenth-century Jamaica, yet many sought freedom through marronage. No doubt, flight from the plantation was a most pressing problem for the enslavers, for whom each enslaved person was a costly chattel. The early Maroons established themselves firmly in the hilly interior of central and eastern Jamaica thereby preventing the English from gaining control over the entire island for almost one hundred years. They raided plantations for food, ammunition, animals, and additions to their numbers (especially women), destroying what they did not take with them, driving fear into planters in the process. In the first forty years of the First Maroon War, the Jamaica Assembly passed forty-four acts regarding them; at least a quarter of a million pounds was disbursed to fund the war against them. Their knowledge of the terrain along with their ability to use fighting tactics that took advantage of the thick forest cover made them a formidable force.

They fought the English, at that point, the world's most formidable fighting force, to a standstill before they signed the treaties, which guaranteed their freedom and certain rights and obligations before the Crown, including the return of runaways for which a bounty was paid. Treaty Maroons destroyed the communities established by "runaways", preventing the emergence of new Maroon societies. They also agreed to act as an auxiliary militia for the colonial state, responsible to assist

in quelling rebellions and uprisings. Their handiwork included quelling the Tacky Revolt, the 1831-32 Christmas Rebellion led by enslaved Native Baptist deacon Sam Sharpe, and the capture of Paul Bogle, during the suppression of the 1865 Morant Bay Uprising; their role in suppressing these rebellions continue to be a source of contention between Jamaicans and contemporary Maroons.

## A PRAGMATIC APPROACH

Maroon involvement in acts of refolement is often viewed as an inexcusable moral failing. Throughout, the Maroons' chief goal was freedom; they could not survive in a state of perpetual war with the colonials, so the signing of the treaties was a means of ensuring their survival, albeit at the expense of the freedom of other enslaved Africans.

The chief goal of those early Maroons was freedom for survival; they could not survive in a state of perpetual war with the colonials, so their signing of the treaties was a means of ensuring their survival (Kopytoff, 1979). This pragmatism is seen across the events of the 18<sup>th</sup> and 19<sup>th</sup> centuries as they acted to preserve the special status of their communities. The enslaved population were particularly embittered by the Treaty. Kojo's own lieutenants were also in disagreement and went into open revolt causing him to turn four of them over to the colonial authorities; two were hanged and the others transported (Patterson, 1970). Around the same time, some enslaved people made plans to revolt, especially around St Jago

de la Vega, the then capital of Jamaica. The planters sent out troops against them; many were executed, others punished, or transported, putting paid to any further open unrest for the moment. This history is not acknowledged by Currie's rhetoric.

This pragmatism is seen in the events of the 18<sup>th</sup> and 19<sup>th</sup> centuries as they acted to preserve the independence of their communities, while cementing their Maroon identity, through accepting the idea of being different from the enslaved. Kojo, according to Accompong tradition, united the disparate ethnic groups among the Maroons in a gathering under a mango tree, where he exhorted them to make a pact that they were kin and would unite to fight the British, hence the continued reverence for the Kindah Tree – kin de ya (“kin is here”) (Kopytoff, 1978, 1976). Parker (2021) argues that the Maroons recreated their understanding of Africa in order to unite as Maroons, putting aside the ethnic divisions, which travelled with them across the Atlantic. In the act of reinventing themselves, they separated their identity from that of the enslaved population.

By not viewing the enslaved as the same as themselves, the early Maroons were able to justify their acts of refoolment after the peace treaty. The self-interested posture of the Jamaican Maroons was not unique to them, however. Maroon communities throughout the Americas have been critiqued for such a position. A singular contrast appears to be the Maroon community in Dominica, who were “universal emancipationists”; according to Vaz (2019), they

attempted to remove all traces of the existence of slavery from their nation, through forming covert and overt alliances with the enslaved residing on plantations. Notably, they maintained a philosophy separate from that of the French Revolution, which was in full swing during the time of their existence. Their separate philosophy and ideas may well have come from their Igbo traditions. Paradoxically, this independent philosophy may well have been the reason for their success as well as their eventual downfall.

Lockett (1999) claims that the treaties signed by the early Maroons were the only ones in Latin America and the Caribbean that involved capturing runaways. Joe Pereira has demonstrated to the contrary that the Dutch and others included similar clauses in the treaties they signed with their Maroon communities. These “First-time” Maroons effectively transitioned to upholding the system of enslavement, from which they themselves sought to escape. As a result, one historian calls for an apology from the current Maroons on behalf of those who “did oppress enslaved and newly freed Africans” in order “to heal the wounds of the past and all of us to reconcile our differences and sign a realistic 21st-century ‘Peace Treaty’”. Even as the current Maroons’ own retelling of these events diverges significantly from the official narrative, calls have been made for Maroon leadership to be “more forthcoming in seeking a rapprochement with the Jamaican people about this regrettable part of their history; something akin to a truth

and reconciliation process may be needed" (Shepherd, 2022).

Colonel Currie's response was, therefore, even more unfortunate as it can be read as suggesting a docility and an acceptance of their state of enslavement on the part of the enslaved population and marks them out perhaps as deserving of their status for being unwilling to fight for their freedom. The reality is certainly much more complex than this. Currie's heavily laden charge ignores the very terms of the Treaty and concrete acts of Maroons over time. Currie's statement echoes a description of the Maroons given by Lady Evelyn Baker in 1889, where she stated, "The Maroons of Jamaica are an interesting people. Though coming of the same race as the other negroes, they look down on the latter and hold them in contempt, their theory being that Maroons were never slaves to the English" (p. 558).

Of course, the colonial policy of divide and rule cut both ways, so, among the greatest threats to Maroon survival before the treaties of 1738/9 was the Black Shots, slave troops, who, tempted by promises of freedom and other enticements, fought with the British in their attempts to wipe out the early Maroons (Bilby, 2010). Before the treaty, Maroons were constantly under threat from betrayal by enslaved people

they admitted to their enclaves. Once the Treaty was in place, the Maroons acted as agents of the colonial state through carrying out administrative functions, delegated to them by the state. There is no question but what the government intended to propose in making the treaties was that the Maroons, less than one thousand in all, should become a special class of free subjects of the Crown. They did not intend the Maroons to be a sovereign nation unto themselves (Kopytoff, 1979). Indeed, Kopytoff (1979) describes their position in the rigidly hierarchical slave society as being in a bubble off to the side of the free Blacks and Coloured but with a direct line to the ruling elite.

#### TOWARDS A CONCLUSION

The question of Maroon sovereignty has caused much passionate response and some friction among so-called ordinary Jamaicans, Maroons, the representatives of the Jamaican state, legal and constitutional experts, researchers, the Diaspora, etc. The contemporary claims to sovereignty made by the Chief accompanied by the open exercise of resistance to and violence against the agents of the Jamaican state has rightly caused alarm in the halls of government, expressed in fears of secession.<sup>7</sup> At the same

<sup>8</sup> The Jamaican state has experienced conflict with counter-societies such as the inner-city garrison communities, which often have parallel legal and welfare systems that compete with those of the state, for example. This is a background against which the PM's alarms with the statements and actions of Accompong must also be seen. See P. Ashley (2018).

time, longstanding hostilities between Jamaicans and the Maroons simmer beneath the surface, based on understandings of the divergent stories of origin, often captured in the story Maroon tell about two sisters – one accepted enslavement; the other fought for her freedom. Indeed, some frictions in contemporary Jamaican society, such as those between the Maroons and the Jamaican Government and citizenry, can be linked to its “slave-ocracy past...manifest in contemporary political realities” (Vannier, 2019, p. 160). “A comment here, an observation there, an unguarded moment can reveal feelings from the age of slavery and colonialism running over three hundred fifty years, kept alive by the inherited identities [such as Jamaican versus Maroon] that exist only in relation to one another” (p. 174). The social tensions that exist today between Maroons and other members of Jamaican society can be traced to “their emergence as distinct social groups with distinct social histories, collective identities, and moral economies” (p. 160).

If the Maroons have full and final decision-making power in relation to matters in Accompong, they have sovereignty. If the Jamaican state is sovereign over Accompong then final authority rests with them. The question of land ownership, particularly the question of Maroon ownership of lands in Accompong, is to be distinguished from the question of sovereignty (Batts, 2008). The Treaty in its specific terms does not contemplate sovereignty for the Maroons. As Vasciannie summarised it: “The Maroons seized or retained their freedom, obtained

a land grant, were promised jurisdiction over certain crimes and were assured of some other rights. But they remained subject to English control and ultimate authority in ways incompatible with notions of sovereignty and independence” (2023). The Treaty was abrogated both by Emancipation (1838) and Independence (1962) and has been treated as such by the State (Vasciannie, 2022; Thompson, 2020). The Accompong Maroons, however, continued to view the Treaty as a permanent governing document and refused to accept the new legal parameters.

“By and large, the abstract notion of Maroon autonomy seems to have been tolerated by the Jamaican state, so long as its practical consequences have remained insignificant” (Bilby, 2010). However, successive Jamaican governments have failed to address head on the question of Maroon sovereignty (Bilby, 2010). Tensions have escalated further since the Accompong Maroons have sought a Supreme Court order to declare their ownership of the lands in the Cockpit Country (Small, 2023). The Court action may result in some clarity as “Despite how the Maroon may view themselves, the laws of Jamaica view the Maroon in a different light” (Mugabe Kilimanjaro in Small, 2023). In more recent times, Currie seems to have toned down his rhetoric a bit, expressing hope that “the relationship with the Government will be mended very quickly” (Small, 2023). Perhaps, as Jamaica works to sort out its status vis-à-vis the British Crown, such a ruling could help to settle the sovereignty question once and for all.



The "first time" Maroons' fight for freedom against a formidable enemy before the signing of the treaties is worthy of acclaim. Their collaboration with the colonial state to preserve their own communities while contributing to Africans on the plantations and their own communities remaining in "miserable slavery" calls out for interrogation, acknowledgment, and healing. While they consider their treaties as living documents, their lives are bounded by the significant changes in the circumstances of the Jamaican state and society, brought on by Emancipation and Independence. Perhaps historian Joy Lumsden, sister-in-law to the late Frank Lumsden – Colonel of the Charles Town Maroons – put it best:

The combination of sincere loyalty to sworn allegiances with the pursuit of narrow group self-interest is foreign to 20<sup>th</sup> century ideological interpretations and sensibilities, but it is the key to the actions of the Maroons and others like them. But for the Jamaican Maroons it was a way of viewing the world that had no future after 1865. (Lumsden, 2001)

Arguably, while there is no strict legal sovereignty vis-a-vis the now-independent Jamaican state, there is a complex understanding among the Accompong Maroons of their sovereign status, which may be better captured by ideas of complementary sovereignties. At the same time, Maroon rights need to be recognised in Jamaican law. The meaning of internal self-determination rooted in a recognition of Maroons

as Indigenous Peoples with a special relationship to their land may be the direction of travel required. This will require a ratification by the Jamaican Government of ILO 169 on Indigenous Rights. Also, an assent to the non-binding UN Declaration on the Rights of Indigenous Peoples (UNDRIP) (Goffe, 2018). Indeed, the time for such conversation is ripe as Jamaica contemplates constitutional reform on the way to republican status.

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