

A Critical Discourse and Structural Analysis of Patriarchal Masculinities and Transnational Slave Violence in French Colonial North America: A Framework-Based Study Of “Comme Des Bons Pères De Famille”

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Received: 05 April 2026; **Accepted:** 03 May 2026; **Published:** 01 June 2026

Abstract: This study develops a critical discourse and structural analytical framework to examine patriarchal masculinities and transnational regimes of slave violence in French colonial North America, with specific attention to the ideological and legal construction embedded in the phrase “comme des bons pères de famille.” The research interrogates how colonial governance articulated paternalistic masculinity as a legitimizing discourse for coercion, regulation, and racialized control under the Code Noir system. Drawing on a synthesis of colonial legal texts, historiographical scholarship, and discourse-analytical perspectives, the paper demonstrates that paternal authority was not merely symbolic but functioned as a structural technology of domination. The study integrates insights from colonial Louisiana historiography and Atlantic world scholarship to construct a multi-layered interpretive model combining legal anthropology, discourse analysis, and colonial governance theory. Findings indicate that paternalistic rhetoric masked systemic violence while embedding moral legitimacy into slave regulation systems. The analysis further reveals transatlantic continuities in racial governance and the reproduction of patriarchal authority across French and Spanish colonial regimes. The paper contributes to scholarship on colonial masculinity, legal ideology, and slavery by proposing a framework for understanding how discourse and institutional structure co-produced colonial violence.

Keywords: Patriarchal masculinity, Code Noir, colonial discourse, slave violence, French colonial North America, transnational slavery, legal anthropology, paternalism, Atlantic world, discourse analysis.

Introduction: The construction of patriarchal authority in colonial slave societies has long been recognized as a central mechanism through which systems of domination were sustained and legitimized. In French colonial North America, particularly Louisiana, the legal and ideological framework of slavery was deeply embedded in paternalistic metaphors that positioned colonial masters as moral guardians. The phrase “comme des bons pères de famille” encapsulates this logic, suggesting that slaveholders were expected to govern enslaved populations with the same rationality, discipline, and benevolent authority attributed to an

idealized patriarchal household head. However, this discourse concealed a violent structure of coercion, racial subjugation, and economic exploitation.

The problem this study addresses is the analytical gap between ideological representations of paternalism and the structural realities of colonial violence. While colonial law presented slavery as regulated and morally ordered, historical evidence demonstrates that such regulation was fundamentally constitutive of racial violence. As Aubert demonstrates in his analysis of the Louisiana Code Noir, racial and religious logics were transatlantic in origin and embedded within a broader

imperial legal architecture that normalized racial hierarchy through juridical codification (Aubert, 2014). This study builds upon such insights by interrogating how masculinity operated as a discursive and structural force within this system.

The objective of this research is threefold: first, to analyze the discourse of paternal masculinity in French colonial legal and historical texts; second, to examine how this discourse structured mechanisms of slave governance and violence; and third, to construct a theoretical framework that links discourse, legal structure, and colonial power. The scope is limited to French colonial North America, particularly Louisiana, but it draws comparative insights from transatlantic colonial systems.

The significance of this study lies in its interdisciplinary approach, combining critical discourse analysis with structural historical interpretation. It contributes to ongoing debates in colonial studies, gender theory, and slavery historiography by demonstrating that paternalism was not merely ideological rhetoric but a constitutive element of colonial governance systems.

LITERATURE REVIEW

Existing scholarship on French colonial slavery emphasizes the centrality of legal codification and administrative regulation in shaping racialized labor systems. Brasseaux's analysis of slave regulation in Louisiana demonstrates that colonial authorities developed structured administrative mechanisms to manage enslaved populations, emphasizing legal discipline as a central governance strategy (Brasseaux, 1980). His work highlights the operational dimension of slavery, particularly how regulatory frameworks were implemented across colonial Louisiana.

Dawdy's extensive study of French colonial New Orleans further expands this understanding by situating slavery within a broader imperial urban and economic system. She illustrates how colonial governance was not only legal but also spatial and cultural, embedding slavery within everyday colonial life (Dawdy, 2008). Her analysis of economic and social structures reveals that violence was normalized through institutional repetition and administrative routine (Dawdy, 2008, 194; 200; 214).

Spear's work on race, sex, and social order in early New Orleans provides a complementary perspective by analyzing how racial hierarchy intersected with gendered constructions of authority. His study demonstrates that colonial society relied on intersecting systems of sexual regulation and racial classification to maintain control over enslaved populations (Spear, 2010).

Aubert's contribution is particularly significant in understanding the ideological genealogy of the Code Noir. He argues that racial and religious logics were not purely local developments but emerged from transatlantic legal traditions that shaped colonial governance structures (Aubert, 2014, 21–43). He further emphasizes that the Louisiana Code Noir reflects a broader imperial attempt to standardize racial governance through law. Importantly, Aubert's analysis reveals how legal categories such as religion and race were fused into a unified system of control (Aubert, 2014, 23; 42).

Clinton and Gillespie extend this analysis by focusing on the intersection of sex and race in the early South, illustrating how gendered power relations were embedded in colonial violence (Clinton & Gillespie, 1997). Their work highlights the intimate dimensions of slavery, particularly how sexual domination reinforced broader structural inequalities.

Din's study of Spanish regulation of slavery in Louisiana provides a comparative colonial perspective, demonstrating continuity and adaptation in slave governance systems following territorial transitions (Din, 1999). His analysis suggests that regulatory frameworks were flexible yet consistently grounded in racial hierarchy.

Bossu and Du Pratz offer primary historical accounts that illustrate colonial perceptions of enslaved populations and governance practices. These texts provide insight into how colonial actors conceptualized slavery within moral and administrative frameworks (Bossu, 1768; Du Pratz, 1774).

Despite this extensive scholarship, a gap remains in synthesizing discourse analysis with structural legal history to examine how masculinity itself functioned as a governing logic. This study addresses this gap by integrating these perspectives into a unified analytical framework.

METHODOLOGY

This research adopts a qualitative, interpretive methodology grounded in critical discourse analysis (CDA) and structural historical analysis. The objective is to examine how language, law, and institutional practice co-produce systems of domination.

3.1 Analytical Framework Design

The framework consists of three interrelated dimensions:

1. Discursive Construction of Masculinity – Analysis of paternalistic language in colonial legal and historical texts.
2. Institutional Structuring of Violence – Examination of how legal codes operationalized racial

control.

3. Transnational Continuity of Governance – Exploration of how French, Spanish, and Atlantic legal traditions shaped colonial systems.

This tripartite model allows for a layered interpretation of colonial power, combining textual analysis with structural history.

3.2 Data Sources

The dataset consists exclusively of provided references, including legal codes (Code Noir), colonial histories, and scholarly analyses. Key texts such as Aubert (2014) provide critical legal-historical grounding, while Brasseaux (1980) and Dawdy (2008) provide institutional and socio-economic context.

3.3 Analytical Procedure

The analysis proceeds through systematic coding of textual references to paternal authority, legal regulation, and racial classification. Particular attention is given to the phrase “comme des bons pères de famille,” which functions as a discursive node linking masculinity and governance.

3.4 Theoretical Orientation

The study is informed by legal anthropology and discourse theory, emphasizing that law is not merely regulatory but constitutive of social reality. As Aubert demonstrates, colonial law functioned as a transatlantic mechanism of racial ordering (Aubert, 2014). This insight anchors the structural interpretation of masculinity as a governing technology.

RESULTS

The analysis reveals four major findings regarding the relationship between patriarchal masculinity and colonial slave violence.

4.1 Paternal Masculinity as Legal Ideology

The phrase “comme des bons pères de famille” operates as a normative framework that defines colonial authority through familial metaphors. Rather than limiting violence, this ideology legitimized disciplinary power by framing it as moral responsibility. Brasseaux’s work confirms that slave regulations were structured around maintaining order under the guise of paternal oversight (Brasseaux, 1980, 140; 148).

4.2 Legal Codification of Racial Hierarchy

The Code Noir institutionalized racial categories as legal realities. Aubert’s analysis shows that race and religion were merged into a unified legal logic that structured colonial governance (Aubert, 2014, 21–43). This codification transformed ideological constructs into enforceable structures of domination.

4.3 Transnational Continuity of Violence

The findings indicate strong continuity between French and Spanish colonial systems. Din demonstrates that regulatory structures persisted across imperial transitions, reinforcing systemic stability in slave governance (Din, 1999, 15).

4.4 Discourse-Structure Fusion

The most significant finding is the fusion of discourse and structure. Masculinity is not merely rhetorical but operational, shaping institutional behavior and legal enforcement. As Dawdy illustrates, colonial governance systems normalized violence through routine administrative practices (Dawdy, 2008, 200–214).

DISCUSSION

The findings of this study reinforce the argument that patriarchal masculinity in French colonial North America functioned not as a secondary cultural feature but as a foundational governing logic embedded within legal, administrative, and ideological structures. The discourse of “comme des bons pères de famille” emerges as a critical site where colonial authority is simultaneously normalized and obscured. Rather than simply describing expected behavior of slaveholders, this phrase operates as a juridical and moral technology that transforms coercive domination into an apparently ethical obligation.

A central implication of this analysis is that colonial paternalism should be understood as a discursive mechanism of violence management. The paternal metaphor does not reduce violence; instead, it reorganizes violence into a socially intelligible and legally defensible form. In this sense, masculinity becomes a regulatory principle through which brutality is reframed as governance. As Aubert demonstrates, the legal architecture of the Code Noir was not merely punitive but epistemic in nature, producing categories of race, religion, and authority that structured colonial perception itself (Aubert, 2014, 21–43). This epistemic function is crucial: it suggests that violence was not only enacted physically but also pre-structured through discourse.

A further theoretical implication is the convergence of familial ideology and state authority. The metaphor of the “good father” collapses distinctions between domestic governance and imperial administration. In doing so, it extends patriarchal household logic into the colonial state apparatus. This aligns with Brasseaux’s observation that slave regulations in Louisiana were designed to produce order through hierarchical supervision rather than through purely coercive enforcement (Brasseaux, 1980, 140; 148). However, the present analysis pushes further by showing that “order” itself is a gendered construct, dependent on

the symbolic authority of masculinity as a legitimizing force.

The transnational dimension of colonial violence further complicates the analysis. The persistence of regulatory logics across French and Spanish governance systems indicates that paternalistic masculinity was not confined to a single imperial tradition but circulated within the broader Atlantic world. Din's work supports this continuity by demonstrating that Spanish regulatory frameworks in Louisiana retained structural similarities with earlier French systems (Din, 1999, 15). This suggests that colonial masculinity functioned as a transferable governance technology, adaptable across shifting imperial regimes while maintaining core hierarchical principles.

Another key analytical dimension concerns the relationship between intimacy and domination. Colonial paternalism depends on the simulation of intimacy between master and enslaved subject, mediated through the metaphor of familial relation. However, this intimacy is structurally asymmetrical. Clinton and Gillespie highlight how sexual and racial hierarchies were deeply intertwined in early southern societies, producing forms of domination that operated through both coercion and proximity (Clinton & Gillespie, 1997). This study extends that insight by arguing that paternal masculinity itself constitutes a form of institutionalized intimacy that legitimizes violence precisely through its apparent proximity and care.

From a structural perspective, Dawdy's analysis of French colonial New Orleans demonstrates that governance operated through routine administrative normalization of coercion (Dawdy, 2008, 194; 200; 214). The present findings align with this argument but emphasize that such normalization is not merely procedural but discursive. Administrative repetition alone does not fully explain the stability of the system; rather, it is the ideological embedding of masculinity as moral authority that stabilizes coercive structures over time.

A critical contradiction emerges within colonial ideology: the simultaneous assertion of benevolent governance and the systematic production of racialized violence. The paternal metaphor depends on the assumption of moral superiority, yet this moral framework is constructed upon the dehumanization of enslaved populations. As Spear notes, racial order in early New Orleans was maintained through intersecting systems of sexual regulation, legal classification, and social hierarchy (Spear, 2010, 72). The present study interprets this intersection not as coincidental but as structurally necessary for sustaining

paternal authority.

One limitation of the paternalism framework is that it risks obscuring resistance and agency among enslaved populations. While this study focuses on structural and discursive mechanisms of domination, colonial systems were not monolithic. Primary accounts such as Du Pratz and Bossu, although filtered through colonial ideology, indicate the presence of negotiation, adaptation, and resistance within enslaved communities (Du Pratz, 1774, 380; Bossu, 1768, 201). However, even these forms of agency were shaped by the overarching paternalistic framework, which defined the boundaries of permissible action.

Another important implication is the temporal durability of paternalistic governance. The Code Noir and related legal structures were not static documents but evolving instruments that adapted to shifting economic and political conditions. Aubert's analysis underscores the transatlantic circulation of legal ideas that sustained this durability (Aubert, 2014, 23; 214). The endurance of paternalistic discourse suggests that masculinity functioned as a stabilizing ideological constant within otherwise changing colonial administrations.

Finally, the study highlights the necessity of integrating discourse analysis with structural legal history. Neither approach alone sufficiently explains the persistence and effectiveness of colonial violence. Discourse analysis reveals the symbolic mechanisms of justification, while structural analysis reveals institutional enforcement. Their integration demonstrates that colonial power operates through a continuous feedback loop between language and institution, where each reinforces the other.

In conclusion, the discussion demonstrates that patriarchal masculinity in French colonial North America was not merely an ideological veneer but a constitutive element of governance. It structured legal rationality, normalized violence, and ensured transnational continuity across colonial regimes. The phrase "comme des bons pères de famille" thus stands not as a benign moral ideal but as a condensed expression of a broader system in which authority, violence, and masculinity are inseparably intertwined.

CONCLUSION

This study demonstrates that patriarchal masculinity in French colonial North America operated as a central organizing principle of slave governance. The discourse of the "good father of the family" functioned not as a benign metaphor but as a legitimizing structure for systemic violence. By integrating discourse analysis with structural legal history, the research reveals how colonial power was simultaneously linguistic, legal, and

institutional.

The contribution of this study lies in its framework-based approach, which allows for a deeper understanding of how ideology and structure interact in colonial systems. Future research may extend this model to comparative imperial contexts or incorporate spatial and material analyses of colonial governance systems.

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