

ABSTRACT

Title of thesis: ENGENDERED EXPERIENCES OF FREEDOM:
LIBERATED AFRICAN WOMEN IN RIO DE JANEIRO,
1834-1864

Ana Paula Nadalini Mendes, Master of Arts, 2020

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“Engendered Experiences of Freedom: Liberated African Women in Rio de Janeiro (1834-1864)” investigates how gender differences in daily lives of liberated African women in Brazil shaped the way they experienced freedom. This research argues that gendered-based differences influenced their experiences of freedom in its various contexts, including their relationship to labor, their struggles for emancipation, and their approach to legal system. Moreover, this thesis follows the lives of particular liberated African women through their process of petitioning for emancipation twenty years after they got to Brazil.

Although the first half of the nineteenth century was marked by legal efforts to bar importation of slaves from Africa to Brazil, many slave ships entered Brazilian ports successfully. The *Rio da Prata*, however, was an exception. In November 1834, the British marine intercepted the vessel, that was halfway between Africa and South America. The Anglo-Brazilian Mixed Commission judged the case as a transgression of the Treaty of 1826, that forbade Brazil to participate in the slave trade, condemned the vessel to be a good-prize and liberated more than two hundred Africans. These Africans worked for private houses and public works in a probation system for at least 20 years when the decree 1303 of 1853 allowed them to

access the legal system and request their final emancipation. This process lasted for ten years, when in 1864 the Brazilian government declared emancipated all liberated Africans

This thesis intervenes in debates about bondage and resistance by considering liberated Africans women inside the context of slavery in Brazil. It argues that these women had a particular way of fighting for freedom, due, first, to their own capacity of resistance, second to their conditions of labor, and, third, to specificities of the Brazilian set of laws. From legal petitions of emancipation, police records, guardians' declarations, and newspapers advertisements the chapters follow lives of liberated African women from the *Rio da Prata* to show how they experienced freedom.

ENGENDERED EXPERIENCES OF FREEDOM:
LIBERATED AFRICAN WOMEN IN RIO DE JANEIRO (1834-1864)

by

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To Andreza, Bonifacia, Clemencia, Dionizia, Eufrazia, Fabiana
Guiomar, Justa, Justina, Michaella, and Narciza, liberated African
women who taught me the meaning of their freedom.

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A Kite

“I often sit and wish that I
Could be a kite up in the sky,
And ride upon the breeze and go
Whichever way I chanced to blow.
Then I could look beyond the town,
And see the river winding down,
And follow all the ships that sail,
Like me before the merry gale
Until at last with them I came
To some place with a foreign name”

Frank Dempster Sherman

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Introduction

In late 1834, an African girl, later named Guiomar,¹ arrived in Rio de Janeiro. She was on board of the slave ship *Rio da Prata*. On her identification papers that she received after being liberated, there is information about her name, gender, age, and nation - she was an eleven-year old girl *de nação* Congo. A crucial information in this document was, however, her status of a free person.² Guiomar and her shipmates were declared emancipated after the judgement of the case of the *Rio da Prata*, vessel caught trafficking Africans illegally.³ Despite her freedom, her identification document informs that she would serve her guardian Roza Maria da Conceição in compulsory work. Guiomar only got her final emancipation in 1858, after twenty-three years of labor.⁴ Guiomar is one among thousands of cases of liberated Africans in Brazil, whose stories reveal labor, resistance, and struggle for freedom.⁵

Guiomar's identification document reveals also a larger context of transformations and controversies that Brazilian society was undergoing in the first half of the nineteenth century. In a society that experienced the simultaneous increase in the number of slaves coming from Africa to Brazil and multiple attempts to banish the slave traffic, Guiomar was an ostensibly free African who experienced both liberty and compulsory labor. Slavery in Brazil continued in spite of the efforts to end the slave trade. The boom in coffee cultivation in southwestern provinces along with

¹ Guiomar, Congo, #180. Guiomar was the name that this liberated African received after her emancipation, soon after the judgement of the case of the *Rio da Prata*. Congo refers to the region of Africa from where she was original, or the slave port from where she left her region. The number "180" refers to the matricula, a tool that the Brazilian government used to identify the liberated Africans. This identification will follow the reference of other liberated Africans, but only the first time they appear.

² Slaves, liberated Africans, and free blacks were identified by their African *nações*. In Brazil, there was a reinvention of these *nações*, which allowed group identification, and the formation of community. Juliana Barreto Farias, Soares Carlos Eugênio Libano, and Gomes Flávio dos Santos. *No Labirinto das Nações: Africanos e Identidades no Rio de Janeiro*. (Rio de Janeiro: Presidência da República, Arquivo Nacional, 2005).

³ Rio de la Plata, Voyage ID 1420. <https://slavevoyages.org>.

⁴ Guiomar. Identification document. 11/20/1835. ANRJ. Ministério da Justiça, Caixa 782, Pacote 2.

⁵ Beatriz Mamigonian, *To be a Liberated African in Brazil: Labour and citizenship in the nineteenth century*. (Ph.D. dissertation, University of Waterloo, 2002), 6.

the continuation of slavery in other regions boosted the strength of slavery in Brazil. The internal traffic increased, and coffee planters purchased a large quantity of slaves from the northeastern region. Moreover, the number of slaves brought from Africa to Brazil expanded.⁶ In the same context, Brazil was also facing the pressure from England to restrict the international slave trade since the last years of the colonial period. The actions for shrinking the slave trade dated back to the Treaty of 1815 between Portugal and England, and a complementary act in 1817, plus a royal decree issued in 1818, that restricted the legal trafficking to Portuguese possessions south of Equator, and the establishment of the term of service of 14 years to those illegally imported to Brazil before the definitive emancipation.⁷ Additionally, when Brazil became independent from Portugal in 1822, the negotiations with England continued, resulting in the ban of the international slave trade in Brazil with the Treaty of 1826, which took effect in March 1830.⁸ This treaty also established the Anglo-Brazilian Mixed Commission, which was responsible for judging cases of illegal traffic. After that, the Feijó law, in 1831, declared free all Africans brought to the country after the approval of that act and established their reexportation.⁹ Because the exportation of liberated Africans happened only in isolated cases, the Brazilian government faced the expansion in the number of these Africans who increased the expenses of the public treasure and crowded public shelters. In 1834 and 1835, Brazilian government approved instructions to regulate the concession of these liberated Africans to work in public constructions and private houses.¹⁰

⁶ James Naylor Green, Victoria Langland, and Lilia Moritz Schwarcz, eds. *The Brazil Reader: History, Culture, Politics*. (Durham: Duke University Press, 2019), 165-6. *Salve Voyages* shows that from 1800 to 1850, more than 1,700,000 entered Brazil. This number represents more Africans arriving in Brazil in these 50 years than the previous 250 years. <https://www.slavevoyages.org/voyage/database#tables>

⁷ Great Britain and Lewis Hertslet. *A Complete Collection of the Treaties and Conventions, and Reciprocal Regulations at Present Subsisting between Great Britain and Foreign Powers: and of the Laws, Decrees, and Orders in Council, Concerning the Same*, vol II. (London: H. M. Stat. Off, 1841). 72-123.

⁸ Great Britain and Lewis Hertslet. *A Complete Collection*, vol III, 33-40.

⁹ Brazil, Lei de 7 de novembro de 1831 Coleção de Leis do Império do Brasil, 1831.

¹⁰ Brazil, Aviso de 29 de outubro de 1834, Coleção de Leis do Império do Brasil, 1866.

Liberated Africans, who kept arriving especially in the 1830s and 1840s, started their service without knowing for how long they should work. In 1850, after the enactment of the Eusebio de Queiroz Law that banished the slave trade and reaffirmed the 1831 Law, this group of Africans was still working without a stablished term.¹¹ In 1853, however, the Decree 1303 instituted that liberated Africans who served for fourteen years or more for private concessionaires would have the right to plea for their definitive emancipation.¹² Liberated Africans all over Brazil accessed the Brazilian legal system to file their petitions for their second emancipation until the Decree 3303 of 1864 emancipated all liberated Africans.¹³

Although this set of legal actions had an effect in the whole group of liberated Africans in Brazil, it shaped the experiences of the particular group of liberated African women in a unique way. After the approval of the instructions of 1834 and 1835, the Brazilian government directed most of the women to work in private houses where they performed tasks connected to the domestic service.¹⁴ The work of domestic servant, performed both inside and outside the houses, provided these women with access to public and private spheres. A significant number of men, on the other hand, integrated the workforce in public institutions where their mobility was limited. These circumstances enhanced the chances of liberated African women of building community with other liberated Africans, slaves, and freed blacks. Moreover, when the Brazilian government enacted the decree 1303, it only contemplated the portion of the liberated Africans who worked for private houses, therefore favoring women to write their petitions and preventing most men from seeking final emancipation. This thesis argues that these conditions helped to create a mindset

¹¹ Brazil, Lei de 4 de setembro de 1850. Coleção de Leis do Império do Brasil, 1850.

¹² Brazil, Decreto de 28 de dezembro de 1853. Coleção de Leis do Império do Brasil, 1853

¹³ Brazil, Decreto de 24 de setembro 1864. Coleção das Leis do Império do Brasil, 1864.

¹⁴ This affirmation is valid until 1850, when the Brazilian government directed newcomer liberated Africans, both men and women, to public service.

for freedom among liberated African women. Even though these women worked for some time with the uncertainty of how long they should serve – which led them to compare their conditions of labor to the ones experienced by the enslaved population – their ability to mobilize themselves and their community, conjoined with the relative mobility of their labor, and the benefits that the laws helped them to envision liberty. Their experiences of freedom appear in the petitions that they made to request their second emancipation. Through the investigation of the petitions made by the liberated Africans women from the vessel *Rio da Prata*, it is possible to observe that they connected themselves with a net of supporters and acquired information, which gave them tools to apply a variety of strategies to their cause.

This thesis contributes to a literature that situates liberated Africans in the context of nineteenth-century Brazilian slavery, especially those focused on the tension between the pressures of the slave system and resistance. The group of laws, the conditions of labor, and the proximity of liberated Africans with enslaved people were inserted in a context where slavery supporters were seeking means to make slavery survive. For instance, in the 1970s Robert Conrad looked at the phenomenon of the liberated Africans as a group of “legally free, but kept of de facto servitude.”¹⁵ In a similar avenue, Sidney Chalhoub argued that in general the Brazilian society treated liberated Africans as slaves, which was endorsed by official actions of the police and imperial government. For example, the police increased the imprisonment of free blacks, suspected of being fugitive slaves. In addition, the limitations of the 1831 Law, the working condition of liberated Africans that were similar to slavery, and the removal of the responsibility for slave owners to prove that their slaves were legally imported were other ways that the Brazilian government contributed to the continuation of slavery. Brazilian politicians worried about a black

¹⁵ Robert Conrad, “Neither Slave nor Free: The Emancipados of Brazil, 1818-1868.” *The Hispanic American Historical Review* 53, no. 1 (1973): 51.

insurrection, which could result in violence against the white society and the exhaustion of the slave system. In this context, recognizing the status and rights of liberated Africans could trigger a massive revolt. Acknowledging the full freedom of liberated Africans could help to spread the awareness that the law of 1831 liberated all the Africans transported to Brazil and disseminate the idea that even Africans slaves, if transported after the enactment of the law, should be free.¹⁶ Beatriz Mamigonian agreed with Chalhoub in the argument that, when the Brazilian government restricted the Law of 1831 and limited liberation only for those African formally rescued from the slave trade and not to all of those illegally imported, it gave strength to the continuation of the slave regime. On the other hand, Mamigonian contended that even though liberated Africans had their rights restricted, their actions, especially their fight for emancipation, increased the awareness of the law and changed the scope of the notion of who should be included on the category of liberated African. She investigated the growth of cases of slaves that challenged their status, through escapes and suits for illegal enslavement. Added to that, she argued that the visibility caused by the diplomatic crisis between Brazil and England over the issue of liberated Africans increased the awareness over the subterfuges of the government to keep this group under conditions similar to slavery and boosted abolitionist movements.¹⁷ This thesis brings the gender focus to contribute to this debate. In the chapters that follow, the investigation of liberated African women shows an essential part for the understanding of the decline of slavery in Brazil as well as the spreading of ideas of freedom.

The documentation from the liberated African women from the *Rio da Prata* provides information about their struggle toward emancipation. Guiomar's case, for example, contains 26

¹⁶ Sidney Chalhoub, *A Força da Escravidão: Ilegalidade e Costume no Brasil Oitocentista*. (São Paulo: Companhia das Letras, 2012).

¹⁷ Beatriz G Mamigonian, *Africanos Livres: A Abolição do Tráfico de Escravos no Brasil*. (São Paulo: Companhia das Letras, 2017).

documents including her identification registration, petitions for emancipation letter, declaration of her concessionaires, statement of the House of Correction, and requests of documents proving her years of service and her good behavior, which brings a rich set of information for this research.¹⁸ Even though the documents present in the cases of other women from the *Rio da Prata* can vary, the petitions for full freedom, filed between 1854 and 1864, provided the scenario for a qualitative analysis of their experiences of freedom. They allowed a biographical approach for this investigation. In addition to these documents, there are nominal lists produced in three different times. The first was the register of the Africans upon their arrival, produced in 1835. The second was produced in 1864 and contains the names of liberated Africans divided in existents, emancipated, and deceased. The last one was produced in 1865 and has a more detailed register of names, last concessionaires, and final destination. These lists served to the quantitative analysis of the population of the *Rio da Prata* that considered gender rate, number of deaths, and number and timeline of petitions. Moreover, the books *Notes on Brazilian Question* (1865), by William Dougal Christie, *Cartas do Solitário* (1864), by Aureliano Cândido Tavares Bastos, and *A Escravidão no Brasil* (1866-7) by Agostinho Marques Perdigão Malheiro, gave an overview on how the issue of liberated Africans was treated in the 1860s and allowed assessment on women and their struggle. In addition, this research used advertisements and excerpts from 1850s and 1860s newspapers as well as the information collected by the British Consul Robert Hesketh to access information on liberated Africans' flight or kidnapping, marriages, offspring, and domestic service. Furthermore, the consultation of the laws relative to slave trade and

¹⁸ The British Minister William Dougal Christie listed 21 steps for the request of emancipation. These steps included a petition to the Imperial government, requests of information about time of service and behavior and the report containing approval or disapproval of the Minister of Justice. These procedures were intermediated by procurators, the judge of orphans, the chief of police, the House of Correction, and the Minister of Justice which caused the back and forth of documents. William Dougal Christie, *Notes on Brazilian Questions*, (London and Cambridge: Macmillan and Co., 1865).

regulations of the liberated Africans was essential to understand the legal context of this particular group as well as the legislative transformation of slavery in Brazil. Lastly, this thesis drew on records from the ship, used to get information about the trip, the crew, and the decisions of the Mixed Commission that judged the case.

The Rio da Prata: Brazilian Slave Trade in Montevidean Color



Image 1. A brigantine depicted in the late eighteenth century.¹⁹

The Brazilian experiences of the different liberated African women who appear throughout this thesis share much in common. Similar conditions of labor, a common fight for their rights, and familiar strategies adopted in the appealing to the Brazilian legal system were some of the aspects that shaped their lives in Rio de Janeiro. These live stories, however, were

¹⁹ Detail of “Prospecto da nova praça do pelourinho mandada fazer pelo governador e capitão general D. Francisco de Souza Coutinho. Representa a sahida do novo bergantim de guerra n° 1, que o mesmo fez construir.” [S.l.: s.n.], [17--]. Available at: http://objdigital.bn.br/acervo_digital/div_manuscritos/mss1255478.jpg.

already tied together before these women stepped foot on Brazilian soil as *emancipadas*, forged on board of the brigantine *Rio da Prata* and the protracted period between the ship's apprehension in the high seas and the declaration of the captive's liberty, one hundred days later. Tracing the trajectory of the vessel is crucial to locate the individual narratives of these women in a transnational history of slavery that included not only Brazil, but also the West Central Africa, England, and Uruguay.

The *Rio da Prata* (Voyage ID 1420) touched on the Brazilian mainland on December 15, 1834.²⁰ In its cargo, there were more than 500 Africans. If the Middle Passage ended that day for those Africans, it started four months before, with the first purchases of slaves in West Central African Coast.²¹ Brazilian slave traders, commanded by Captain Antonio Cardoso da Silva, went through the ports of Benguela, Novo Redondo, Luanda, and Ambriz, purchasing more than 550 Africans, of which more than two-thirds were children.²²

This, however, was not the first trip of the *Rio da Prata* to the Coast of Africa. Earlier in 1834, the *Rio da Prata* shipped 450 Africans to Maldonado, Uruguay, to work as indentured servants. In fact, Teodoro Villaça, the owner of the *Rio da Prata*, was “part of a twofold operation which brought slaves to Brazil and also disguised the shipments of Africans to Montevideo as ‘colonists.’”²³ “Colonists,” in this context, were supposed to be Africans younger than 16 years brought by their free will to Uruguayan Republic. It was, however, a way to bring slaves to countries like Brazil – where slavery was allowed but the traffic was not – and indentured servants to countries like Uruguay – where slavery was forbidden. Villaça, in

²⁰ Hesketh to Palmerston, 01/23/1835, FO 84/180

²¹ Alex Borucki, The ‘African Colonists’ of Montevideo: New Light on the Illegal Slave Trade to Rio de Janeiro and the Río de la Plata (1830–42), *Slavery and Abolition* 30, no. 3, (2009), 438.

²² Information about the crew and number of African embarked on the *Rio da Prata* on <https://www.slavevoyages.org>.

²³ Alex Borucki, The ‘African Colonists’ of Montevideo.

accordance with the Uruguayan government, had introduced colonists in Uruguay as early as 1832, and continued to do so in 1834.²⁴ The second trip of the *Rio da Prata*, on the other hand, did not succeed. On November 28, 1834, the English corvette *Raleigh* intercepted the vessel halfway between Africa to Brazil, close to the Island of Saint Helena. Under the accusation of illegal slave trade, the *Rio da Prata* followed the *Raleigh* to Rio de Janeiro to be presented by the Anglo-Brazilian Mixed Commission established under bilateral treaty.



Image 2. Point of the interception of the vessel *Rio da Prata* on a contemporary map.²⁵

The case of the *Rio da Prata* disturbed the British officers in Brazil and Uruguay. In a letter to Foreign Secretary Palmerston, the chief British diplomat in Brazil Fox states that “the circumstances attending the case of the Montevidean brig “*Rio de la Plata*” have rendered it more clearly evident than before, that the foundation of a free black colony in the Uruguay has been a fraud from the beginning.” In addition, he accused the Uruguayan government of being

²⁴ Alex Borucki. *From Shipmates to Soldiers: Emerging Black Identities in the Río De La Plata*. (Albuquerque: University of New Mexico Press, 2015), 52.

²⁵ Map. Google Maps. Google. Aug 1, 2020. The exact coordinates of the interception of the *Rio da Prata* by the British Marine, 20° 58' South/ 17° 48' West was present in the condemnation sentence of the *Rio da Prata*, published on Correio Oficial, 03/03/1835. <http://memoria.bn.br/docreader/749443/1991>

“all along aware of and participating in the fraud.”²⁶ For the British, it was clear that the Uruguayan colony of free blacks was a subterfuge to the “Brazilian Slave trade [to be] carried on under Monte Videan color.”²⁷ The Mixed Commission’s sentence, executed in March 7, 1835, condemned the *Rio da Prata*, declared the vessel a good prize, and emancipated the surviving Africans who remained under the captor’s control. The main argument at trial for the accusation was a violation of the Treaty of 1826, that forbade Brazil from participating in trade of slaves from the Coast of Africa. The use of the Uruguayan flag, in this case, did not work, since the crew of the vessel was composed by Brazilians. The sentence also questioned the status of Uruguayan colonists and equaled them to slaves, based not only in the conditions of labor that they would face if they had got to Uruguay, but also the conditions of the transportation inside the vessel, which had few similarities with a trip of free people. The approximation of the colonists with slaves reinforced the argument of the illegality of their traffic.²⁸

While the sentence seemed evident for the British judges George Jackson and Fred Grigg, it was not clear for the Brazilian judge João Carneiro de Campos, the Brazilian member of the Mixed Commission. For Campos, the *Rio da Prata* did not qualify to be judged by the Anglo-Brazilian Mixed Commission, since, as foreign vessel, it was not under the scope of the Treaty of 1826. Campos also found support for his defense in the legality of the introductions of colonists in Uruguay, which would become illegal only in 1835. These were also the arguments of the Uruguayan government when looking for reparation in late 1835.²⁹

²⁶ Fox to Palmerston. 01/20/1835, FO 84/179.

²⁷ Ouseley to John Backhouse. 01/10/1835, FO 84/179.

²⁸ The sentence is available on *Jornal do Commercio*, 04/21/1835.
http://memoria.bn.br/DocReader/364568_02/6460

²⁹ Hood to Palmerston. 02/25/1835, FO 84.

The continuation of the Brazilian slave trade through Uruguay was not the only aspect of the case of the *Rio da Prata* that concerned the British. The destiny of Africans who survived the trip was an urgent issue for English authorities working in Brazil. Some of the Africans had already spent four months inside the *Rio da Prata* in late November 1834 and they continued to wait for one more month before putting their feet on the shore of Praia Grande (current Niteroi). Their situation was precarious. The vessel was sinking, as a result of rat-holes. “Many of the negroes were suffering from dysentery and from scorbutic ulcers,” Consul Robert Hesketh stated in his letter to Palmerston, and continued describing that “the crowded state of the vessel, swarms of rats on board and the putrid provisions [occasioned] scenes of misery too disgusting to describe.”³⁰ More than only dying of diseases, the Africans of the *Rio da Prata* were perishing of starvation. British doctors examined the Africans after the Brazilian government landed them and directed them to the barracks of Armação. The medical recommendation was to serve a “good morning meal, a midday meal of broth made of about a quarter of a pound of meat for each person and the usual evening meal in larger quantity than heretofore is absolutely necessary to preserve them alive.”³¹ In order to meet these requirements, the British Consul Hesketh declared that he had sent additional supplies of jerk beef, beans, and manioc meal to feed them. After three months, the British government had spent two hundred and eighty-eight pounds, four shillings and four pence half penny, the equivalent of today’s 25,000 pounds or 33,000 dollars.³²

Although the British authorities in Brazil defended the urgency of landing, in order to feed and assist the Africans on board of the *Rio da Prata*, they also saw the danger in doing it. In a letter to the captain of the British vessel *Spartiate*, Fox declared that he was aware of the “great

³⁰ Hesketh to Palmerston. 01/23/1835, FO 84/ 180.

³¹ Hammond to Hesketh. 01/13/1835, FO 84/ 180.

³² Hesketh to the Duke of Wellington. 03/12/1835, FO 84/ 180.

risk that would be incurred of the negroes being stolen away from any place in which they could be deposited.”³³ In fact, almost 200 Africans of the *Rio da Prata* had been taken away on the night of January 7, 1835.³⁴ Different sources describe the conditions of the kidnapping. Only 7 British men guarded the barracks of Armação when a group of between 30 and 40 men, surrendered them and “moved [the Africans] off in canoes, and a part led away into the country by land.” After their disappearance, the Brazilian government lost track of their lives, but the British authorities had “little doubt that the stolen negroes [had] been carried into the interior of the country, and [were] placed far beyond the reach of any authority.”³⁵ The stolen Africans integrated the Brazilian slave system and their lives were lost in the archive of illegality and deliberated forgetfulness.

The history of the transoceanic voyage, intersection at sea, and condemnation of the *Rio da Prata* set up the scenario for the investigation of its human cargo. However, many of the details of these Africans’ lives while held aboard the *Rio da Prata* is likely unknowable. The total of the population aboard of the vessel varied between 450 and 600, even in the same source. The sentence issued by the Mixed Commission, for example, started accounting for 520 Africans to then report 600 of them.³⁶ The report that Hesketh presented Palmerston, on the other hand, accounted for 93 men, 38 women, 261 boys, and 111 girls, number that differs from other documents.³⁷ The fluctuation of these numbers demonstrates first the focus of authorities on the crime of slave trade rather than on how many Africans lives were being transported, and second, their inability to keeping record of this great number of people. This difficulty contributed to the

³³ Fox to Hammond, 01/12/1835, FO 84/179.

³⁴ *Jornal do Commercio*, 01/15/1835. http://memoria.bn.br/DocReader/364568_02/6135.

³⁵ Fox to the Duke of Wellington, 02/11/1835. FO 85

³⁶ *Jornal do Commercio*, 04/21/1835. http://memoria.bn.br/DocReader/364568_02/6460

³⁷ Hesketh to Palmerston, 01/23/1835, FO 84/180

disappearance of Africans, a common problem that Brazilian and British authorities had to face upon the arrival of ships on the Coast.³⁸

The history of the brigantine *Rio da Prata* is part of a greater history of slavery in Brazil during the period of the suppression of the slave trade. Information about the vessel, details about the trip, and the discussion about the subterfuges to the continuation of the slave trade are registered in correspondences, judicial sentences, and reports. This story is in the official records written by white men who had little to say about the actual experience of slavery, of the Middle Passage, of struggles for freedom. Liberated Africans of the *Rio da Prata*, on the other hand, can help scholars to understand these experiences. Liberated African women of the *Rio da Prata* narrated their wills, their losses, and most important their desire to be truly free. Their petitions, among other documents, shed light on experiences of work, formation of community, and the challenges of motherhood. Looking at particular lives, like Guiomar's case, reveals both individual stories and shared experiences. Their stories demonstrate the coexistence of slavery and freedom.

³⁸ According to Daryle Williams, kidnappings of Africans waiting for trials happened frequently since 1834. "The Broken Paths of Freedom" Spatial History Project, Stanford University
<https://web.stanford.edu/group/spatialhistory/cgi-bin/site/page.php?id=129>

Chapter One

“Are They not Free?” Debates over Liberated African Women

“Então eles não são livres?” Deputy Casimiro Sena Madureira presented this question in the section of Brazilian Parliament in June 2, 1862. Following this rhetorical question, deputy Madureira condemned the recurring enslavement of liberated Africans in Brazil, criticized the circumstances of the decree 1303, and denounced the fact that liberated Africans were directed to the House of Correction when petitioning for their emancipation letter. The House of Correction, a prison in Rio de Janeiro, in principle intended to hold convicted criminals, was also the destination of liberated Africans since their arrival in Brazil. In Madureira’s view, however, the House of Correction was not the place for free people, category that included liberated Africans. In the same declaration, he proposed that the Minister of Justice proclaimed liberated Africans “truly free,” action that should happen regardless of whom their employers were and without petition processes.³⁹ Madureira’s statement in the Parliament section brought the topic that was in the order of the day in the 1860s.

The debate over liberated Africans was on the agenda of Brazilian and British politicians in the 1860s. This chapter considers the work of Agostinho Marques Perdigão Malheiro, Aureliano Cândido Tavares Bastos, and William Dougal Christie, authors who not only witnessed the process of final emancipation of liberated Africans but also historicized it. In other words, this chapter looks to these authors as both part of the historiography on the topic and as primary sources. The goal of this investigation is to understand the specificities of how these authors addressed the question to liberated African women. Even though gender was not the

³⁹ Anais do Parlamento Brasileiro, 1862, 06/02/1862, 13.

focus of these authors, nor were they concerned about reporting particularities of female struggles for freedom, women appear in specific points of the work of these authors and reveal conditions of labor, questions of motherhood, and resistance, as well as issues caused by diplomatic problems and by the debates over slavery. In this sense, this chapter contributes to the understanding of the political debates that these authors were bringing, but also how they collaborated to the historiography about liberated Africans in Brazil.

Christie, Tavares Bastos, and Perdigão Malheiro: Historicizing the Liberated African Issue

The British minister William Dougal Christie quoted Madureira's speech in his book *Notes on Brazilian Questions*, published in 1865. He brought Madureira's question "Are they not free?" to make the point that liberated Africans, already emancipated when rescued from the slave traffic, should get their full freedom.⁴⁰ His *Notes*, however, was not only dedicated to discussing the question of the liberated Africans. His book was a broad memoir of his mission in Brazil in which he addressed topics such as slavery, slave trade, and liberated Africans by commenting on Brazilian and British newspaper excerpts and debating declarations and correspondence between British and Brazilian authorities. His book served as an account of what became known as "the Christie Question," a diplomatic crisis between England and Brazil.

⁴⁰ William Dougal Christie (1816-1874) was a British minister who worked in countries of South America such as Argentina and Paraguay. In his passage in Brazil (1859-1863), he was known for his "intemperate nature" and the breaking of the diplomatic relationship between Brazil and England, also called the "Christie Question." Even though this diplomatic break had its start with the murder of the crew of a British ship in Rio Grande do Sul in 1862, the issue of liberated Africans and slaves emerged as the main question. Christie questioned the authority of the Brazilian government and raised the issue of the extension of the 1831 Law to all the Africans arrived in Brazil after its enactment. This generated great fear in pro-slavery Brazilians and even in those who defended a gradual emancipation of slavery. After his staying in Brazil, Christie retired. Maeve Ryan, "British Antislavery Diplomacy and Liberated African Rights as an International Issue," in *Liberated Africans and the Abolition of the Slave Trade, 1807-1896*, ed. Richard Anderson and Henry B Lovejoy. (Rochester, NY: University of Rochester Press, 2020), 215-237.

During his time in Brazil, Christie witnessed the pillage of the *Prince of Wales* - British vessel that had wrecked in Rio Grande do Sul – and the imprisonment of British officials from the ship *Forte* in Rio de Janeiro. These episodes were the starting point of the diplomatic break between Brazil and England, which resulted in the closure of the port of Rio de Janeiro in the first days of 1863. Issues related to the slave trade, however, had been affecting the relationship between Brazil and England and were the main reason for the diplomatic crisis. Although the connection between Brazil and England had never been suspended before, the continuation of the slave trade, even if illegal, was a point of contention to diplomatic relationship. For instance, the Brazilian government faced the Aberdeen Act – as a threat to its supremacy. This act, enacted in 1845 granted the right to the British authorities to arrest Brazilian vessels that were suspect of illegal slave traffic.⁴¹ In addition, the issue of the liberated Africans was a major point of disagreement in the 1860s. For example, Christie complained about the difficulty of the British government in obtaining information about the liberated Africans and denounced the delay of the Brazilian government in providing the final freedom for this group. Christie defended that the decree 1303 of 1853, which allowed only liberated Africans who worked for private households to request their emancipation, should be extended to all liberated Africans.

His book, however, has contradictions. Even though he explicitly endorsed the idea that all liberated Africans should have had access to their full freedom, in the specific chapters about this issue, Christie was concerned only with liberated Africans emancipated by the Anglo-Brazilian Mixed Commission, active from 1830 to 1845. In these parts of his book, Christie avoided the issue of those Africans imported between 1845 and 1856, when the last ships

⁴¹ Richard Graham, “Os Fundamentos da Ruptura de Relações Diplomáticas entre o Brasil e a Grã-Bretanha em 1863: ‘a Questão Christie.’” *Revista de História* 24, no. 49 (1962): 117.

illegally transporting slaves were caught.⁴² Christie's view of freedom was limited to those Africans emancipated over the British efforts to ban the slave trade.

Even though the British constant presence over issues of the Brazilian slave trade was always a cause of discomfort, Christie's ideas on Brazilian slavery concerned Brazilian authorities. In chapters dedicated to the debate on the Brazilian slavery, Christie contended that "every slave introduced into the Brazilian empire after March, 1830, when the importation of slaves became unlawful under the stipulations of the Convention of 1826, and by the law of Brazil, [was] illegally a slave and legally free."⁴³ The emancipation for all the Africans who arrived in Brazil after 1830, as well as for the children of these Africans, defended by Christie, would cause an irreversible damage in the institution of slavery in Brazil and was the main issue behind the diplomatic crisis. Although Christie openly campaigned for this idea in the 1860s, British diplomats had been on it since at least the 1850s. For instance, they kept record of ads selling and hiring of slaves when their age indicated that they had been a victim of the illegal slave trade. In cooperation with the Ministry of Foreign Affairs, they demanded investigation of the Brazilian police, responsible for the surveillance of possible crimes of illegal enslavement.⁴⁴ Brazilian authorities also feared the intervention of the British because of its direct contact with the black population. Liberated Africans, for example, looked for British authorities to report mistreatments, poor condition of health, and to complain about their right to freedom.⁴⁵ Because

⁴² About the last ship arrived in Brazil Yuko Miki, "In the Trail of the Ship: Narrating the Archives of Illegal Slavery." *Social Text* 138 (2019): 87–106.

⁴³ William Dougal Christie, *Notes on Brazilian Questions*, (London and Cambridge: Macmillan and Co., 1865), 81.

⁴⁴ According to Sidney Chalhoub, when the police responded to these notes, they frequently found ways to interpret that there was no proof that the Africans investigated had arrived after 1830. One argument was that it was a common practice that slave owners decreased the age of the slaves they were selling in the newspapers advertised to call the attention of buyers, These Africans, were in fact, according to the police, much older than publicized, therefore could have arrived before 1830. Sidney Chalhoub, *A Força da Escravidão: Ilegalidade e Costume no Brasil Oitocentista*. (São Paulo: Companhia das Letras, 2012), 195-99.

⁴⁵ Daryle Williams, "A Necessária Distinção entre Liberdade e Emancipação:" Noções Africana, Inglesa e Brasileira do que é ser Emancipado," in *Intuições Nefandas: o Fim da Escravidão e Servidão no Brasil, nos Estados Unidos*

of these interactions, when the Christie Question happened, many Africans had already had contact with the idea of emancipation for those arrived after 1830. This was particularly important to liberated Africans who saw the British as allies to support them in their request for emancipation.

Neither by Perdigão Malheiro nor Tavares Bastos endorsed Christie's ideas of emancipation. Aureliano Cândido Tavares Bastos was a Brazilian lawyer and a member of the Liberal Party who, even though very critical of the Imperial government, was, above all, a defender of the law.⁴⁶ *Cartas do Solitário*, firstly published in form of letters in the newspaper *Correio Mercantil*, and re-published in 1863 in format of a book, was a demonstration of his familiarity with laws and acts related to the slave trade. More specifically, he historicized and explained the Brazilian legislature related to liberated Africans, analyzing acts and decrees since the 1810s until the 1850s. Instead of widening the idea of freedom to all Africans arrived in Brazil after 1831, - as Christie did - Tavares Bastos focused in defending the emancipation of liberated Africans after fourteen years of work.

His defense of final freedom for liberated Africans who worked for more than fourteen years starts, however, demonstrating the illegality of tis probatory system. While for Christie, the bilateral treaty between England and Brazil, enacted in 1826, was determinant for the discussion of the slave trade and the Africans illegally imported, Tavares Bastos put the law on 1831 on spot. Firstly, Tavares Bastos emphasized the inability of the Brazilian government in enforcing

e na Russia, ed. Ivana Lima, Keila Grinberg, and Daniel Reis (Rio de Janeiro: Fundação Casa Rui Barbosa, 2018), 151-170.

⁴⁶ Aureliano Cândido Tavares Bastos (1839-1875) was a Brazilian lawyer, journalist and politician affiliated with the Liberal Party. Published books in which he defended the end of slavery and the political decentralization of the estate. These ideas gave him the label of an extremist liberal. He was part of the Instituto de Advogados do Brasil (henceforth IAB) in the same period of Perdigão Malheiro. Through the analysis of the Laws related to the prohibition of slave trade, Tavares Bastos criticized the Brazilian government concerning the question of liberated Africans and criticized concessionaires who hold liberated Africans for more than 14 years. Walquiria Rêgo, "Tavares Bastos: Um Liberalismo Descompassado," *Revista USP*, no. 17 (1993): 74-85.

it. Second, he highlighted two of its clauses to better explain the illegality of the work of liberated Africans: the first one was the obligation of the Brazilian government to free the Africans caught being transported illegally; and the second one was the establishment of their reexportation. For the author, the failure of exporting liberated Africans back to Africa was the crucial reason why the Brazilian government was unable to fully emancipate them, incorporating them in the Brazilian workforce. The numbers of liberated Africans grew constantly soon after the approval of the 1831 law. In five years, the Anglo-Brazilian Mixed Commission had judged 14 cases of ships suspected of illegal slave trade, from which 10 were condemned. The Brazilian government had to simultaneously deal with the kidnappings of liberated Africans, the increased expenses with basic needs to keep this population alive, as well as the overpopulation of the House of Correction and other shelters.⁴⁷ The instructions of 1834 and 1835 that allowed the concession of their services was not only a solution for the problem of what to do with the newly emancipated Africans, and a reaction against the crimes against them, but it was also convenient for the government that profited from their labor and avoided further expenses with them. However, the decision of incorporating the labor of liberated Africans, even under the label of apprenticeship, was illegal for Tavares Bastos. The consequences of the instructions of 1834 and 1835 were the delay in conceding full emancipation for liberated Africans and the negligence of the clause of reexportation.⁴⁸

For Tavares Bastos, the failure in exporting liberated Africans back to Africa was key to understand the unsuccess of the 1831 Law and the problem of liberated Africans in Brazil. Looking from the perspective of the 1860s, Tavares Bastos considered the decision of the

⁴⁷ Sidney Chalhoub, *A Força da Escravidão: Ilegalidade e Costume no Brasil Oitocentista*. (São Paulo: Companhia das Letras, 2012), 54.

⁴⁸ Tavares Bastos, *Cartas do Solitário*, (Rio de Janeiro: Typ da Actualidade, 1963), 91.

Brazilian government in keeping the labor of liberated Africans instead of reexporting them a demonstration of selfishness, a disregard for their own law, and a way to encourage the maintenance of the slave trade.⁴⁹ Tavares Bastos, by the time of the publication of his letters in the newspaper, had witnessed the problems caused by, in his view, the Brazilian bad administration of the liberated Africans. Moreover, he also had seen the transformation in the Brazilian slavery, the slave revolts spreading throughout Brazil, and the diplomatic crisis.⁵⁰ Moreover, the continuation of the use of African work force was a barrier to the development of free labor, item in the agenda of the Liberal Party, with which he was affiliated.⁵¹

His second argument for the defense of the final emancipation for those Africans who had fulfilled their probatory period was based on the clause 179 of the Criminal Code of 1830 that considered a crime to reduce a free person to slavery. The consequence of maintaining liberated Africans in Brazil was, for Tavares Bastos, the distribution of their services “to private guardians, who transform them in captives.”⁵² Although both Christie and Perdigão Malheiro were concerned about the conditions of labor of liberated Africans, which they consider similar to slavery, only Tavares Bastos addressed these conditions in terms of the Criminal Code of 1830. Thus, Tavares Bastos contributes to the historiography concerned about the re-enslavement in Brazil. Authors like Sidney Chalhoub, Keila Grinberg, and Judy Freitas have largely studied the fragility of the freedom that black people experienced in the nineteenth-century Brazil. They analyzed cases of freed slaves who had their manumission revoked, stories of kidnaps and selling of free people into slavery, examples of imprisonment of free people by

⁴⁹ Tavares Bastos, *Cartas do Solitário*, 90.

⁵⁰ João José Reis “Quilombos e Revoltas Escravas no Brasil.” *Revista Usp*, no. 28 (1996): 15–39.

⁵¹ Bruno Gonçalves Rosi. “The Americanism of Aureliano Cândido Tavares Bastos,” *Almanak*, no 19, (2018); Jeffrey D Needell, *The Party of Order: The Conservatives, the State, and Slavery in the Brazilian Monarchy, 1831-1871*, (Stanford, Calif.: Stanford University Press, 2006).

⁵² Tavares Bastos, *Cartas do Solitário*, 94.

the police under the suspicion of being fugitive slaves, and cases of enslavement of free children of enslaved or free parents.⁵³ Particularly Chalhoub lines up with Tavares Bastos in the argument that the State had a major role in the re-enslavement, or in the enslavement of free people, when it puts the burden of proving their freedom on the shoulders of black people, who needed to defend themselves of accusations of being fugitives, or had to prove their identity in order to escape from prison or sale.⁵⁴

The reexportation of liberated Africans, therefore, would have been the only way that the Brazilian government could have respected the 1831 Law. For Tavares Bastos, without the reexportation “the law was torn apart, and the double crime against honor and the future of the country was permitted.”⁵⁵ On the other hand, the law of 1850 brought some hope.⁵⁶ Tavares Bastos stated that this law was successful against the slave trade, contrarily to the one enacted in 1831. However, he made it clear that the 1850 law “would be [also] vain, an insincere promise, if the Africans who served the state for a certain period would not be freed.”⁵⁷ Tavares Bastos stresses the importance of not only obeying the decree 1303, of 1853, that provided the opportunity to liberated Africans serving private households for more than fourteen years to request for their full freedom, but also to expand this decree to all liberated Africans and to withdraw the requirement of petition.

⁵³ Keila Grinberg, “Reescravização, Direitos e Justiça no Brasil do Século XIX,” in ed. Lara H. Silva; Joseli Mendonça, *Direitos e Justiças no Brasil. Ensaio de História Social*. (Campinas: Editora da Unicamp, 2006), 101-28; Judy Bieber Freitas, “Slavery and Social Life: Attempts to Reduce Free People to Slavery in the Sertão Mineiro, Brazil, 1850-1871,” *Journal of Latin American Studies* 26, no. 3 (1994): 597-619; Sidney Chalhoub, “Precariedade Estrutural: o Problema da Liberdade no Brasil Escravista (Século XIX),” *História Social*, no 19 (2010): 33-62.

⁵⁴ Sidney Chalhoub, *A Força da Escravidão: Ilegalidade e Costume no Brasil Oitocentista*. (São Paulo: Companhia das Letras, 2012).

⁵⁵ Tavares Bastos, *Cartas do Solitário*, 91. Original in Portuguese: “rasgou-se a lei, e sansionou-se um duplo crime contra a honra e contra o futuro do paiz.”

⁵⁶ Tavares Bastos, *Cartas do Solitário*, 114.

⁵⁷ Tavares Bastos, *Cartas do Solitário*, 97.

Both Christie and Tavares Bastos considered the petition system a barrier. Christie, for example, listed twenty different steps through which the liberated Africans should go in order to petition for their second emancipation to then have, in some cases, their request denied.⁵⁸ In accordance with Palmerston's opinion, Christie declared that without emancipation for the entire group, the British failed the liberated Africans. Tavares Bastos, instead of addressing the emancipation as a closed issue, claimed for changes in the law. In other words, Tavares Bastos requested the revision of the decree 1303, for example, urging the government to emancipate all the liberated Africans without the requirement of petition and. Another aspect that needed review was the establishment of the place of residency of fully emancipated Africans. During the 1850s many of them were sent to places in the frontiers to work in the Navy Arsenals, in Amazonas, or Military Colony, in Paraná for example.⁵⁹ Tavares Bastos criticized this attitude and classified it as abusive and demanded that Brazilian government worked together with the liberated Africans to match both the requirements of "public safety" and the "desire of the African" in order to choose their place to live.

Even though Tavares Bastos used a very critical tone to examine the problem of liberated Africans in his *Cartas do Solitário*, he made clear that he was not attacking the institution of slavery. In fact, the question of ending slavery was not an issue easily debated in 1860s and the abolitionist movement in Brazil started only in the 1870s. Tavares Bastos explicitly warned the readers that those letters were not "a campaign against the acquired rights, neither against property, nor against the public order."⁶⁰ Tavares Bastos was a moderated politician and kept his analysis over the question of the liberated Africans restricted to its legal aspects. In one of the

⁵⁸ Christie, *Notes*, 4-5.

⁵⁹ Beatriz Mamigonian, "To be a Liberated African in Brazil: Labor and Citizenship in the Nineteenth Century" (Ph.D. dissertation, University of Waterloo, 2002).

⁶⁰ Tavares Bastos, *Cartas do Solitário*, 95.

letters, he stated that he “hoped to have had discussed the question of the liberated Africans in convenient limits” and that he “made an effort to put this question in a neutral and calm terrain.”⁶¹ At this point he approximated his writings to Perdigão Malheiro.

Similar to and in conversation with Tavares Bastos, Perdigão Malheiro also scrutinized the Brazilian laws and acts concerning slavery and repression of the slave trade and examined the circumstances of the liberated Africans in this legal context. Also, in convergence with Tavares Bastos, Perdigão Malheiro defended the right to property, and public safety. Perdigão Malheiro, however, is the least aggressive of the three authors. He built the sections on liberated Africans on the third volume of his book *A Escravidão no Brasil* – published in 1867 – in format of a narrative, instead of the format denunciatory used by Tavares Bastos and Christie. *A Escravidão no Brasil* is, among the three books examined in this chapter, the work that mostly resembles a history monography. The author utilized primary sources – such as laws and treaties, as well as political discourses – and bibliography to support his arguments. In fact, he was clear in his intentions of being part of the historiography on the theme when he named the book “Slavery in Brazil: Social-Historical-Legal Essay,” choosing his subtitle according to the approach that he offered in the book. Joaquim Nabuco, in this regard, acknowledged the importance of this book that influenced not only political decisions but also scholars of Brazilian history.⁶² Recent and early historiography on liberated Africans have resorted to the work of Perdigão Malheiro as a primary source and a consultation book.

The history that Perdigão Malheiro was writing had precise goals. The conciliatory tone marked the his objective of keeping the political safety and economic tranquility, his priorities as jurisconsult and president and of the Brazilian Institute of Advocacy (IAB), organ closely

⁶¹ Tavares Bastos, *Cartas do Solitário*, 107.

⁶² Pena, *Pajens da Casa Imperial*, 266.

connected with the Imperial government.⁶³ The three volumes of his book, *A Escravidão no Brasil*, were published in 1866 and 1867, by the order of Dom Pedro II, as an answer to the diplomatic crisis with England. After the closure of the *Questão Christie* and the emancipation of all liberated Africans, Malheiro explained in his book all the efforts that the Brazilian government did to keep the national peace, the diplomatic friendship with England, and the safety for liberated Africans. Even criticizing the enslavement of liberated Africans, Perdigão Malheiro removed the responsibility of this situation from the government and transferred it to concessionaires. He also avoided mentioning the limited number of emancipation letters that the Brazilian government filed before 1864, when all liberated Africans were freed. Moreover, he was the most critical of the British pressure over the Brazilian politics. Malheiro found in the British the scapegoat to explain the weak points of the Brazilian endeavor to repress the slave trade.⁶⁴

The chapters of *A Escravidão no Brasil* that focused on the liberated African question center the analysis on the 1850 Law. In addition to a detailed exam of the goals of this law, Perdigão Malheiro listed its benefits, not only in the combat of the slave trade but also in the Brazilian economy. In response to a concern about the lack of force for the agricultural sector with the extinction of the slave trade, Malheiro provided extensive data on the increase on the

⁶³ Pena, *Pajens da Casa Imperial*.

⁶⁴ Agostinho Marques Perdigão Malheiro (1824 – 1881) was a Brazilian juriconsult and politician connected with the Conservative Party. He was the president of the IAB from 1861 to 1866. He defended a gradual emancipation of the enslaved people in Brazil, which should start with the liberation of the sons and daughters of enslaved women, action which would lead Brazil into a mild transition to free labor economy. In 1863, amid the turbulent diplomatic break between Brazil and England, Malheiro made a speech as president of the IAB defending the gradual emancipation. This speech, even though it became known by its abolitionist tone, served to pacify the Brazilian politics and to retake international relations. Perdigão Malheiro held the position of curator of the liberated Africans and in his book *A Escravidão no Brasil* – work that he did to answer the demand of the Emperor – he offered a sense of closure to the liberated African question. In this book, he also detailed his ideas of gradual emancipation. Eduardo Spiller Pena, *Pajens da Casa Imperial: Juriconsultos, Escravidão e a Lei de 1871*, (Campinas: Editora da UNICAMP, 2001).

production of coffee, sugar, cotton, mate, and cocoa.⁶⁵ The Law of 1831, on the other hand, was far from the center of his discussion. Malheiro referred to this law only once in the chapters that considered the liberated Africans, and even then, to move forward to the debate of the Instructions of 1834 and 1835. These were, in his view, a thoughtful and altruistic step that the Brazilian government took to the protection and education of the liberated Africans. It was not the government's fault, however, if private concessionaires were greedy and treated liberated Africans as slaves. According to Malheiro, the government provided all the conditions to the success of the apprenticeship programs, which included the creation of the position of *Curador*, "who would defend and take care of the liberated Africans," and the incorporation of this group under the custody of the Judge of Orphans, "who would, administratively, take care of them as quasi-minors."⁶⁶

Although Perdigão Malheiro accused concessionaires of treating liberated Africans like slaves, his view on the status of their freedom was that they were comparable to minors. This is also the view of Beatriz Mamigonian, at least when she refers to first laws that regulated the work of liberated Africans. For this author, the labor of liberated Africans approximated with the indentured servants and tutored workers such as indigenous people and children. This meant that the guardians of this type of workers did not possess their bodies even though they could use their labor for a limited period of time. It also meant that children of liberated Africans would inherit their status of free people but not the necessity of probatory labor. Mamigonian also

⁶⁵ Agostinho Marques de Perdigão Malheiro, *A Escravidão no Brasil: Ensaio Histórico-Jurídico-Social* (Rio de Janeiro: Typographia Nacional, 1867), 60-2.

⁶⁶ Perdigão Malheiro, *A Escravidão no Brasil*, 64.

compares the work of liberated Africans to quasi-minor because, as indigenous people and children, these Africans were also under the custody of the Judge of Orphans.⁶⁷

Perdigão Malheiro, Tavares Bastos, and Christie debated over the question of freedom for liberated Africans. Taking different approaches, they took into consideration the law, the economy, the diplomatic relationships, the actions of the British and Brazilian governments to theorized about the question of in Brazil. While some issues were intentionally debated, others appeared in the periphery of their works. Even though the issue of liberated African women is one of these secondary themes, the brief mentions to it reveal the centrality of these women to the Brazilian developments of slavery.

Henriqueta and the Liberated African Women

The case of liberated African woman Henriqueta, published in *Jornal do Commercio*, was also mentioned in *Notes on Brazilian Questions*. It was for Christie the perfect example to illustrate his critics to the Brazilian government. The anonymous author of the newspaper article “used the press to defend the rights of a miserable woman” who “sick and helpless, waited the decision of her petition to be emancipated.”⁶⁸ Christie referred to Henriqueta’s story in the last page of the part that he analyzed the liberated Africans. In the footnote where the story appears the only comment that Christie makes is that the case “illustrated both past abuses and present difficulties [that liberated Africans suffered].”⁶⁹ After accusations of “abusing his authority” and enforcing a “monstrous doctrine,” that Christie received in the newspaper *Daily News* from a

⁶⁷ Beatriz G. Mamigonian, *Africanos Livres: A Abolição do Tráfico de Escravos no Brasil*. (São Paulo: Companhia das Letras, 2017), 130.

⁶⁸ *Jornal do Commercio*, 07/12/1864. http://memoria.bn.br/docreader/364568_05/7212.

⁶⁹ Christie, *Notes*, 50.

British man who signed as “the friend of both countries,” he constructed his narrative showing, first, that he was obeying orders of his superiors and simultaneously trying to keep friendly diplomatic relationships, and, second, that the Brazilian government had disrespected the treaties and agreements with England. In his defense against the accusations made by the “friend of both countries,” he intertwined his own words with copies of correspondence exchanged among British authorities, Brazilian politicians, and himself. The selection of the correspondence and the chronological appearance of the letter in the book demonstrates that Christie worked hard in his defense and chose the exact arguments that we would apply. These letters scrutinized the precarious conditions of life of the liberated Africans in Brazil, their difficulties in getting their final emancipation, and the negligence of the Brazilian government about them. Christie made sure to show these letters in their entirety and did not spare pages when he needed to show that he was not alone in the issue of the liberated Africans. Perhaps because Christie had already gone over the problem of the Brazilian delay in providing emancipation letters, Christie limited to publish part of Henriqueta’s story with no to extra explanations.

Although the question of liberated Africans was explored by Tavares Bastos, Perdigão Malheiro, and Christie, specificities of liberated African women was not central in any of the works explored in this chapter. References to women, however, appear scattered throughout the three books. The report of individual stories is rare in all them, but by connecting Henriqueta’s case with the analysis provided by the authors, it is possible to examine liberated African women’s labor, maternity, and resistance in dialogue with their experiences of freedom.

One way of experiencing of freedom that liberated Africans most waited for, the obtention full emancipation, could be a complex and slow process. It was late 1863 or early 1864 when Henriqueta requested her emancipation letter, occasion in which she had to leave her

concessionaire's house to be incorporated in the population of the House of Correction. By the time of the publication of her story, she was waiting there for six months. The article leads to the understanding that her petition was approved by the Minister of Justice who had already prepared her letter of emancipation. The only step missing in order to Henriqueta enjoy her full liberty was to get her letter from the Chief of Police, who for some unknown reason, refused to give it to her. Christie approached the debate over the process of petition by mentioning Palmerston's speech in the House of Commons in 1861, occasion that the Prime Minister declared that "all the efforts we have made to obtain justice for these *emancipados*⁷⁰ have failed." Africans who petitioned for their full freedom had to wait for a process that encompassed at least twenty steps, according to Christie. Tavares Bastos contended that Africans waiting for their emancipation letter had two destinies, "death or despair," and continued explaining that "from the requirement to the Emperor to the information that they have to get from the head of the households where they served, or to the police declaration, the path was long, difficult, and expensive."⁷¹ Even when the Africans had the means to afford all these steps and got all the documents needed, it was possible that the letter of emancipation remained "buried in the great ocean of our departments," similarly to what happened to Heriqueta.⁷²

Christie debated not only the delay of the Brazilian government in handing emancipation letter, but also the limited number of letters that they filed. Although the number increased in 1864, which Christie attributed to the British pressure, the Brazilian government endeavored the minimal distribution of emancipation as possible. According to Limpo de Abreo, cited by

⁷⁰ This is another word to refer to liberated Africans. As a noun, this word was used often by Christie and British authorities. Tavares Bastos and Perdigão Malheiro frequently referred to this group as "*Africanos livres*," using sometimes "*emancipados*" as an adjective.

⁷¹ Tavares Bastos, *Cartas*, 95.

⁷² Christie, *Notes*, 5-6.

Christie, *emancipados* would continue to have the petition as a requirement, and the government would liberate them as gradually as possible, so the public order would not be jeopardized.⁷³ Brazilian politicians feared not only a collective uprising, but also liberated African individuals, who would work as “*sedutores*,” spreading the word about liberty and the ways to get it. Combined with gradual releases of emancipation letter, the other way to avoid the “*sedutores*” would be, after the emancipation, to remove them to a new place, where they did not have a community of support nor geographical knowledge.⁷⁴

In the newspaper article, however, there is no information the in Henriqueta’s letter was due to accusations of “*sedução*.” In fact, the author of the article claimed to know Henriqueta, and attested that she was a “*criatura inofensiva – harmless creature*.” However, it is clear that Henriqueta had connections. In addition to the figure of the Curator, who was supposed to defend the liberated Africans against abuses and frauds, Henriqueta had a white person willing to write in her favor in a newspaper. Africans like Henriqueta had their own community of other liberated Africans – including their shipmates, – slaves, and free blacks, in conjunction with partners in the British and Brazilian politics. In special, liberated Africans looked for British authorities to look for help during the emancipation process. Christie, for example, mentioned the case of the African Claudio, who looked for help in the British consulate in order to apply for a passport.⁷⁵ Moreover, the British consul Robert Hesketh who was able to gather information about more than 800 liberated Africans without any help from the Brazilian government. From 1849 to 1851, Hesketh sent notes to liberated Africans through their colleagues, inviting them to appear in the British consulate. The fact that Hesketh was able to spread the word among the

⁷³ Christie, *Notes*, 40.

⁷⁴ Mamigonian, *Africanos Livres*, 346-352.

⁷⁵ Christie, *Notes*, 42.

group of liberated Africans shows that they had a community and that they recognized their particular legal status. Additionally, a large number of these Africans were willing to share their information and, specially, their complaints with the British Consul. Even though female and male liberated Africans were part of this community, women had an important role in the dissemination of information amongst the black community. They circulated in the city and made alliances.

The domestic service for private concessionaire is related to the mobility of liberated African women had. The distribution of liberated Africans was marked by gender differences. The Instruction of 1835 provided the State with the priority to select those to work in public institutions, preferring those “demonstrated love in their work.” In practice, the government chose the youngest and strongest African men to labor in public institutions, such as the House of Correction, and the Iron Foundry of Ipanema. The remaining population, which meant a great number of women, was directed to concession to private households. According to Beatriz Mamigonian, 5% of the women and 25% of the men rescued from the illegal traffic between 1834 and 1838 worked for public institutions. The absolute number of women working for the government is even smaller, considering that liberated African women in this period composed only one third of the population. In the 1850, the Brazilian government prohibited the distribution of liberated Africans to private concessionaires, which changed the demographics. However, the remaining women continued to constitute a significant number in the work of private households. Henriqueta was one of them, a wet-nurse that still in the 1860s was “always busy breastfeeding the children.”⁷⁶ Women like Henriqueta performed the broad task of domestic service, which included cooking, sewing, wet nursing, and laundering.⁷⁷ Although none of the

⁷⁶ Jornal do Commercio, 07/12/1864. http://memoria.bn.br/docreader/364568_05/7212.

⁷⁷ Mamigonian, “To be a Liberated African.”

authors examined gender differences in the division of labor of liberated Africans, they provided some information about their work. Tavares Bastos, for instance, stated that liberated Africans “crowded the markets, bought and sell food, vegetables, and items of the everyday consumption.”⁷⁸ Even though he did not specify the gender of these peddlers, African women controlled the food-market in Rio de Janeiro.⁷⁹ The domestic service, even though based inside the house, included tasks that required them to circulate. They did laundry in public fountains, carried containers of water, and sold food on the streets. The fact that they worked both in public and private spaces provided them with information coming from inside and outside the houses, and a certain level of freedom to make them circulate.

In contrast, an elevated number of liberated African men – and also some women – who worked for public institutions had a limited mobility. In this regard, Christie mentioned in his book a communication from an anonymous Brazilian who asked: “Does not all the world know that the lot of the Africans delivered to public departments is much worse, even in this capital, than that of those confided to private individuals?”⁸⁰ Not only the Africans working for public institutions had their petitions denied when requesting their emancipation, but also they had a strict routine of labor that allowed them less free time and less mobility. In addition, liberated Africans in public institutions complained that they had basic rights denied. Those in the House of Correction had a restricted mobility and no access to garden plots. The rigid routine of labor in the House of Correction was not an exception. In other public institutions, liberated Africans needed permission to go out and rarely circulated freely in the cities.⁸¹

⁷⁸ Tavares Bastos, *Cartas*, 98.

⁷⁹ Patricia Acerbi, “Slave Legacies, Ambivalent Modernity: Street Commerce and the Transition to Free Labor in Rio De Janeiro, 1850-1925.” (Ph.D. Dissertation, University of Maryland, 2010).

⁸⁰ Christie, *Notes*, 26.

⁸¹ Martine Jean, “Liberated Africans, Slaves, and Convict Labor in the Construction of Rio De Janeiro's Casa De Correção: Atlantic Labor Regimes and Confinement in Brazil's Port City.” *International Review of Social History* 64, no. S27 (2019): 175.

Perdigão Malheiro, however, disagreed with Christie about the brutality of public concessionaires. For Malheiro, liberated Africans in general, when distributed for private households suffered more punishments, received a larger workload than slaves, slept in improper places, and were more susceptible to diseases. Liberated African mothers had to endure, in addition, to have “their sons and daughters abandoned in the foundling wheel, so their concessionaires could hire [them] as wet-nurses.”⁸² Even though the article in *Jornal do Commercio* does not mention Henriqueta’s offspring, it is possible that she had several children, for she was “always busy breastfeeding the children.” It is uncertain if she was able to keep them during the time that she worked for her concessionaire, or while waiting for emancipation letter in the House of Correction.

Motherhood for liberated Africans was marked by the fragility of control over their children, by the precarious conditions for living together, as well as by the reality of separation. Children, hired out per month, worked for families that lived far from their mothers. Many of them disappeared, victims of kidnaps to then be sold as slaves. Even though Christie denounced these problems with the children of the liberated African women, arguing that the Brazilian government had no control over these births, Perdigão Malheiro insisted that the problem rested with the concessionaires. Using his authority of having been a curator himself, he wrote about the abuses and crimes that concessionaires committed against those Africans.⁸³ In addition to severe punishments, and the lack of food and education, Perdigão Malheiro listed the use of liberated African women as wet-nurses as part of the misconducts.⁸⁴ Malheiro declared that the Brazilian government, on the other hand, made efforts to control the abuses of private guardians.

⁸² Perdigão Malheiro, *A Escravidão no Brasil*, 64.

⁸³ Perdigão Malheiro, *A Escravidão no Brasil*, 66.

⁸⁴ Perdigão Malheiro, *A Escravidão no Brasil*, 65.

When describing the instructions of 1834 and 1835, Perdigão Malheiro contended that Brazilian legislators, aware of possible abuses, designated appropriate guardians that should be capable of educating, clothing and feeding them to serve as concessionaires. Moreover, he stated that the Instructions of 1834 and 1835 determined the services of a curator, a person in charge of defending and protecting them. If the “destiny of this miserable people was in fact similar or worse than of slaves,” it was not the law or the Brazilian government that should be blamed, but those who did not follow it.⁸⁵

Perdigão Malheiro described the Brazilian government as supportive of the family of liberated Africans, and as promoters of reunions between mother and children, especially after the decree of 1864 that emancipated all liberated Africans.⁸⁶ Although Perdigão Malheiro was concerned in giving an answer to the diplomatic crisis and in putting end the issue of liberated Africans behind, he did not keep the discussion of motherhood restricted to this group. The *Questão Christie* and the British pressure over the Brazilian government throughout the 1860s caused the reconsideration over the institution of slavery and urged the necessity of its reform. Perdigão Malheiro, in conformity with the Emperor’s view on the topic, presented the plan of action for this reform, which was based in a gradual emancipation through the action of the free womb.⁸⁷ The intervention of the State in the question of liberated African motherhood, making efforts to reunite families, was for Malheiro the first steps for the project of a *partus sequitur ventrem* law and for gradual emancipation that would preserve the monarchical power and would avoid violent transitions as the one happening in the United States. Individual cases of liberated

⁸⁵ Perdigão Malheiro, *A Escravidão no Brasil*, 64.

⁸⁶ Perdigão Malheiro, *A Escravidão no Brasil*, 67.

⁸⁷ Perdigão Malheiro, *A Escravidão no Brasil*, 238.

African mothers do not appear in *A Escravidão no Brasil*, but Perdigão Malheiro brought the issue of motherhood as extremely important for the future of the country.

The case of Henriqueta brings back the question that Casimiro Madureria proposed about the freedom of liberated Africans. Was she not free? Although a liberated African, she was kept in prison waiting for emancipation. These authors set a series of debates over the law, the actions of the Brazilian and British governments, and the conditions of life and work of liberated Africans. These debates influenced generations of scholars who based their analysis in arguments of these authors. While in the 1860s, these authors used as sources mainly the set of laws, political declarations, correspondence, and newspapers, contemporary scholars have been employing more sources related to the lives of liberated Africans. Some examples are: the petitions filed in the 1850s and 1860s used by Mamigonian, the nominal lists and death registers of the Africans of the ship *Mary E. Smith* employed by Yuko Miki, the quantitative data used by Daniel Domingues Silva for a transnational study of liberated Africans, and the British registers about individual stories of liberated Africans in Brazil collected by Daryle Williams.⁸⁸ This new focus on the history of the liberated Africans, rather than to the liberated African issue, brings a new perspective on the struggles of the liberated Africans. Contemporary researchers, however, found basic questions already raised by Christie, Perdigão Malheiro, and Tavares Bastos.

The individual cases that Christie brought, for instance, launched the concern on personal experiences and opened to the question on how the liberated Africans faced their status, their freedom, their work in Brazil. Considering these experiences is also necessary to a gender

⁸⁸ Mamigonian, *Africanos Livres*; Yuko Miki, “In the Trail of the Ship.” *Social Text* 37, no. 1 (2019): 87–105; Daniel Domingues da Silva, David Eltis, Philip Misevich, and Olatunji Ojo. “The Diaspora of Africans Liberated from Slave Ships in the Nineteenth Century.” *The Journal of African History* 55, no. 3 (2014): 347–69; Williams, “A Necessária Distinção”

approach on the research of liberated African women. The gender approach is one of the avenues to the development of researches centered on the experiences of liberated Africans. The focus that Tavares Bastos brought on the Brazilian legislative system is essential to think about women related with the law and were affected by it. It is also important to analyze how the formulation of laws can change the division of labor and the access to the judiciary system, according to gender differences. The debate on motherhood, presented by Perdigão Malheiro, opens the debate for the scholarship to think about issues of womanhood, family, citizenship, and the meaning of freedom for the liberated African children.

Chapter Two

“*Se Fará Justiça:*” Liberated African Women, Domestic Service, and the Judiciary System in Rio de Janeiro

This chapter will analyze the case of the vessel *Rio da Prata* in a quantitative approach. In face of the data that shows that liberated African women from the *Rio da Prata* had proportionally more petitions for full freedom than men, and more, that women requested their emancipation mostly in the earlier stage, this chapter argues that labor contributed for this scenario in a fundamental way. First, women from the *Rio da Prata* worked mostly in domestic service, which provided them with information of the discussions about politics, abolitionism, and the legal possibilities of accessing the Brazilian legal system to become free. Second, the domestic service required that many chores to be performed outside the domain of the house, factor that gave these women mobility and contact with an external community. This community worked not only as a support group, but also to repository of information, including strategies of resistance. Lastly, the *Rio da Prata* contained a significant number of men working for public institutions, which restricted their right to write petitions to demand their final emancipation. Their emancipation came later, when in 1864, all liberated Africans got their full freedom.

This chapter dialogues with a literature about slavery and gender to understand how the differences in the context of labor affected liberated African women’s access to justice. More specifically, it follows Beatriz Mamigonian’s argument that even though liberated African had a legal status that was different from slavery, they “frequently adopted codes of resistance and negotiation used by slaves.”⁸⁹ In the first part, this chapter dissects the demographics of the *Rio*

⁸⁹ Beatriz G Mamigonian, *Africanos Livres: a Abolição do Tráfico de Escravos no Brasil*. (São Paulo, SP: Companhia das Letras, 2017), 156.

da Prata. It looks at liberated African women through a comparison of elements such as the total population, death rate, gender, number, and time frame of the petitions to have a better grasp on how these women faced and used the Brazilian legal system. In the second part, this chapter explores the relation between gender, labor, and the access to the legal system. The last part analyzes individual cases of women that composed the population of the *Rio da Prata* to understand individual and collective strategies in their search for freedom.

Demographics of the Vessel Rio da Prata

On June 22, 1855, the liberated African woman named Michaela Congo, # 179, appeared for an interview with Antonio Rodrigues da Cunha, a police deputy of Rio de Janeiro. According to José Pedro Febre, who documented the conversation, when Cunha asked her “how she was called, where she was from, how old she was, her marital status, her occupation, and her address,” she answered that her name was Michaela, original from Congo. She was thirty-six years old, unmarried, and resident at *Rua da Alfândega*. She also declared that “she worked in the domestic services.”⁹⁰ Michaela’s interview was part of her process for requesting her second emancipation letter. Back in 1835, Michaela had been assigned to serve Rita Cândido de Moraes Castro. Twenty years later she sought out Brazilian judicial and police authorities to secure her autonomy from Castro’s guardianship, and presumably, to live on her own as a domestic servant, her stated occupation.

From the group of African rescued aboard the *Rio da Prata*, 49 second emancipation requests have been identified in the Brazilian archives, 19 from liberated African women and 30

⁹⁰ Michaela. Police Interview. 06/20/1855. ANRJ. Ministério da Justiça, 6D-39. Original in Portuguese: “Perguntada como se chamava, donde era natural, sua idade, estado, ocupação e residência? Respondeu chamar-se Michaela, de nação Congo, de trinta e seis anos d’idade, solteira, serviço doméstico e morar a rua da Alfândega.”

from liberated African men. Considering this data, female petitions represented 39% of the total of solicitations identified to date. The minority pointed by the absolute number of petitions can be misleading, though. Crucially, looking at the 222 Africans of the *Rio da Prata* who were rescued from the ship and were not kidnapped, the ratio of men and women was 3 to 1. As it is possible to see below, in Table 1, this information reveals that if compared to the total of women on the ship - the blue column in the left - petitions made from liberated Africans women represented 35% - the orange column in the left - while compared to the male population – blue column in the right -, petitions made from liberated African men represented only 19% - orange column in the right.⁹¹

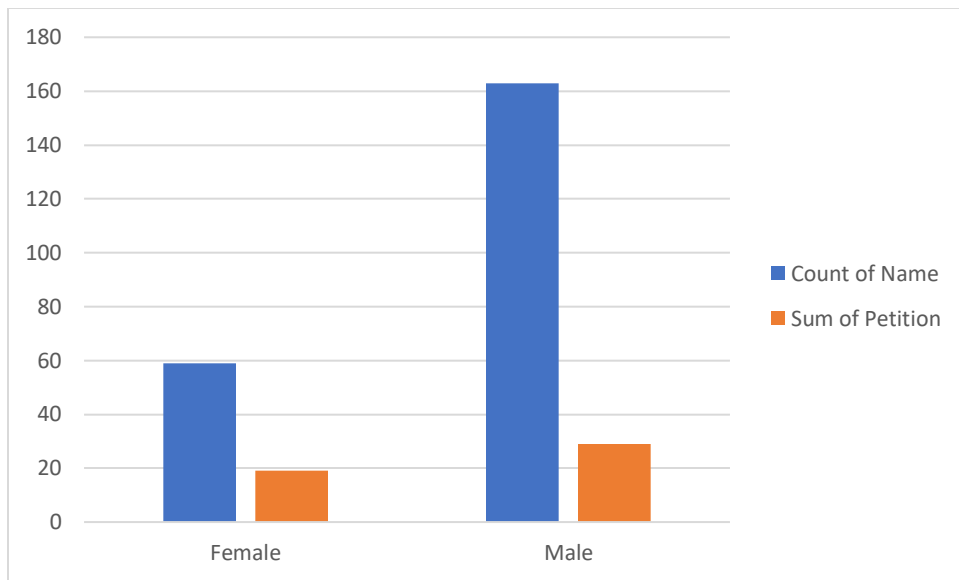


Table 1. Number of petitions in relation with the female and male population. This table shows that even if the total of petitions filed by men was greater than those filed by women, the number of petitions filed by women is more significant if considered proportionally to the total number of women.

⁹¹ These numbers were obtained by cross-referencing the nominal list made at the moment of arrival with the petitions available. Carregamento do Brigue Rio da Prata. ANRJ-AM Série Justiça IJ6-471

If the numbers already show that proportionally more women filed petitions than men examining the population of the *Rio da Prata* in 1835, they are conclusive when considering the population of the vessel in 1864. Mortality changed radically the demographics of the *Rio da Prata* during the 30 years that separated the arrival of the ship from the enactment of the decree 3310 that emancipated all the liberated Africans in Brazil. Death started in the voyage from West Central African to Brazil and continued to reap “the lives of those moved from the sea to land, from land to holding cell.”⁹² When the British vessel *Raleigh* capture the Brig *Rio da Prata* in November 28, 1834, the group of liberated Africans remained in barracks in Jurujuba waiting for trial. The documents from the period between the arrival of the vessel and the condemnation that happened in February 6, 1835, bring little information about its human cargo. The newspaper *O Jornal do Commercio*, however, reported that on January 6, 1835, a group of men attacked the British officers that guarded barracks, where the Africans were located, and kidnapped almost 200 of the them.⁹³ There is no information about deaths and the destiny of the stolen Africans, although the investigations on kidnappings of black people show that they would have been sold into slavery.⁹⁴ For those who remained, death was a constant presence. On Table 2, it is possible to see how liberated African population decreased between 1835 and 1864, with focus on the gender differences.

⁹² Yuko Miki, “In the Trail of the Ship.” *Social Text* 37, no. 1 (2019): 89.

⁹³ *Jornal do Commercio*, 01/15/1835. http://memoria.bn.br/docreader/364568_02/6135

⁹⁴ For the discussion on kidnaps, see: Sidney Chalhoub, *A Força da Escravidão: Ilegalidade e Costume No Brasil Oitocentista*. (São Paulo: Companhia das Letras, 2012). Richard Bell, *Stolen: Five Free Boys Kidnapped into Slavery and their Astonishing Odyssey Home*. (New York: 37 INK, an imprint of Simon & Schuster, 2019).

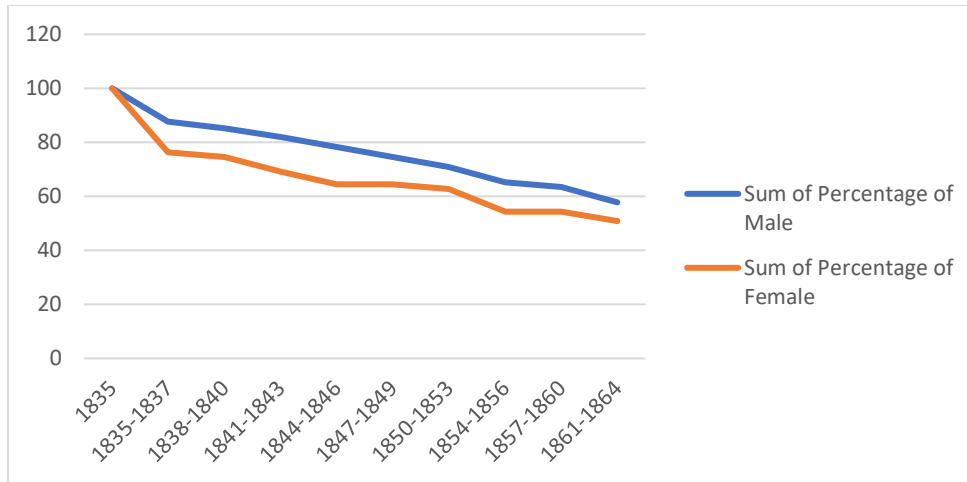


Table 2. Liberated African population decrease from 1835 to 1864. In 1864, the male population was equivalent of 55% and the female population was equivalent of 51% of the number that appeared in the register in 1835.

In the end of thirty years, the male population decreased 45% and the female population 49%.⁹⁵ The years between 1835 and 1837 were crucial to the decline of the community of liberated Africans of the *Rio da Prata*, specially to the female population that lost more than 23% of its total. In her article about the Mary E. Smith, the last ship of being captured illegally transporting Africans to Brazil, the historian Yuko Miki brought up the discussion of the proximity that those liberated Africans had with death before and after leaving the ship. If the trip from Africa to Brazil killed Africans with cholera, starvation, and scurvy, the life after disembarking was also threatened by the precarious conditions in which these Africans arrived, accentuated by the lack of treatment and poor conditions that they faced in land. In the case of the *Rio da Prata*, the vulnerable circumstances achieved women drastically in the first three

⁹⁵ Beatriz Mamigonian, *To be a Liberated African in Brazil: Labour and citizenship in the nineteenth century*. (Ph.D. dissertation, University of Waterloo, 2002).

years after landing. Moreover, the fact that the female population was entirely composed by children must have influenced the death rate.⁹⁶

Guilhermina Songo, # 216, was the first women to die soon after the matriculation was made. She passed away in March 16, 1835, in the Santa Casa de Misericordia Hospital. So short was her life in Brazil that she had not had time to be designated to a concessionaire. Even though the cause of death is unknown, the case of Guilhermina fits in Miki's description. Different factors, other than the poor conditions of hygiene and bad nutrition during the trip to Brazil, and the contact with infectious diseases in the New World, contributed to the high mortality of newcomer Africans. Justina Congo, # 160, for example, did not die in the first years, but her concessionaire Roberto da Silva dos Santos Pereira declared that "right after arriving in [his] house, she got sick because of a self-managed abortion. [He] was forced to take care of her because of [his] sense of humanity and my duty under the law."⁹⁷ Justina's pregnancy and abortion calls the attention not only because the violence and sexual abuse that these women suffered, but also because of the risk of death that they faced. Other concessionaires may not have been so "humane" and "attentive to the law" as Pereira and they might have neglected the illness that those liberated Africans under their protection might had been suffering. Moreover, harsh punishments and poor working conditions had always been a cause of death of Africans during slavery in Brazil. The progression of deaths can be followed in the table below. It shows, in absolute numbers, the deceased from the *Rio da Prata* from 1835 to 1864, divided by gender.

⁹⁶ In the register of the population of the vessel *Rio da Prata*, made in 1835, all the female population was indicated as *raparigas*, term that designates female children until 15 years.

⁹⁷ Roberto da Silva dos Santos Pereira. Declaration. 04/27/1861. ANRJ. Ministério da Justiça. 6J-123. Original in Portuguese: "logo que veio para a minha casa, foi doente por um aborto que teve, por ela promovido; sendo eu logo obrigado a tratá-la já por humanidade e já por dever."

It is important to notice that, although men had died more in absolute numbers, as a percentage, women died as a larger rate than men.

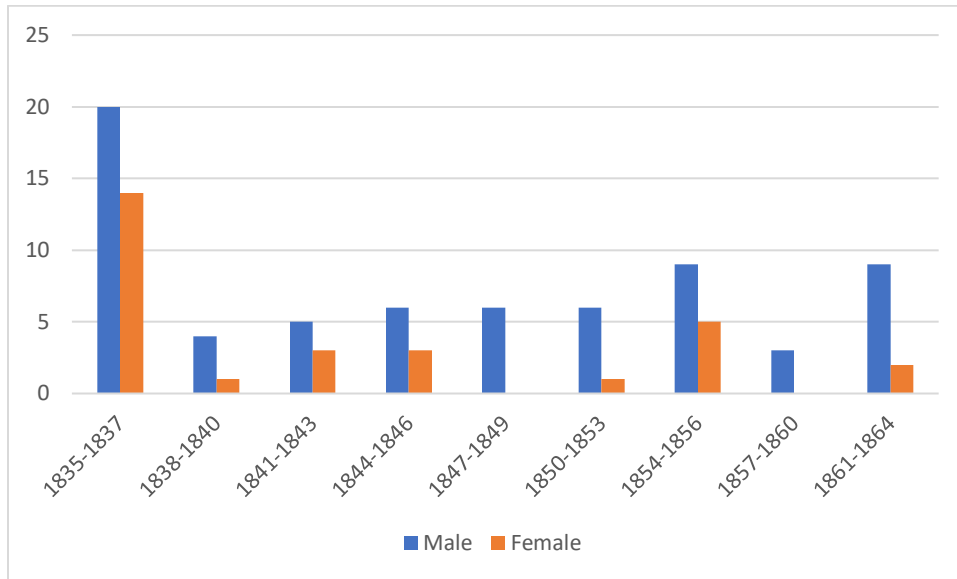


Table 3. Deceased from the *Rio da Prata* in absolute numbers from 1835 to 1864.

In the beginning of 1854, there were 37 living women and 115 living men. Reconsidering the number of petitions in proportion to this new data, a majority of 51% of women contacted the Brazilian legal system while only 26% of men petitioned.⁹⁸ Connected with the data relative to gender differences of labor, this information serves to corroborate the argument that domestic service was one of the key reasons that helped women to access the Brazilian legal system. In addition, most of women made their petition right after the approval of the decree 1303, of 1853. According to table 4, 89% of women requested their emancipation letter in the first four years while petitions made by men summed 46% in the same period. Moreover, from the 19 women

⁹⁸ These data take into consideration all living women, including those who had fled and those whose last registry information is unknown. They also include the 27 men who worked on the Iron Foundry São João de Ipanema, who would rarely have been able to petition for their freedom.

who petitioned for their full freedom, 12 were emancipated before 1864 (63%), while from the 30 men who petitioned, only 17 obtained their liberty (56%).

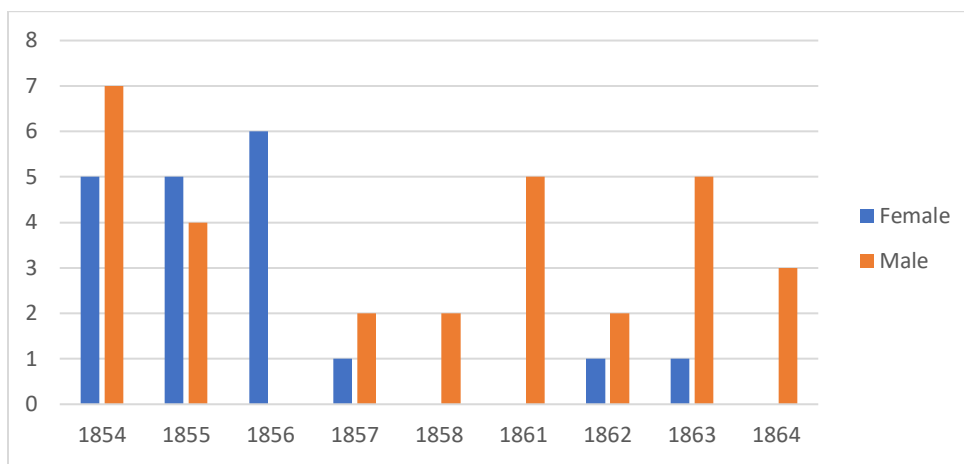


Table 4. Number of petitions of the 30 men and 19 women from 1853 to 1864, totaling 49 petitions.

Finally, data relative to work found in documents of liberated Africans from the *Rio da Prata* reinforce the sexual division of labor as a valid argument to explain the large percentage of women petitioning for their freedom. From the nineteen petitions made by women, there is information concerning the occupation of fourteen of them. Thirteen of them indicated domestic service as their main occupation.⁹⁹ Men, on the other hand, occupied different positions. When visiting the British Consul, Robert Hesketh, liberated African men from the *Rio da Prata* pointed their occupations as gardeners, blacksmiths, masons among others. It is crucial for this analysis the information that 27 of those 115 men who were alive in 1854, that is 23%, worked in the Iron Foundry Ipanema, which restricted their right of petitioning for their “full liberty.” The decree 1303 was limited to those Africans working for private concessionaires, and toilers of public institutions were not contemplated in the act.

⁹⁹ Petitions of emancipation letter, interviews in the police office, and FO 131/7 Hesketh's Return September 30, 1851.

The Africans working on the Iron Foundry Ipanema, however, had their own way to resist. Other than filing petitions for their emancipation letter, they rebelled and escaped individually or in groups of liberated Africans and slaves. The establishment received liberated Africans since 1834. In 1848, for instance, 240 liberated Africans worked in the Foundry in contrast to 166 slaves. This shows the relevance of the Africans from the *Rio da Prata* for the running of the factory. They worked as blacksmiths, careers, carpenter and masons in the manufacturing of small objects such as nails and ammunition and large machines like cane sugar mills.¹⁰⁰ The increasing demand for liberated African hands was not a specificity of the Iron Foundry. It was a trend to direct them to work in public endeavors, rather than in private households. Following the pace of growth of the public works grew and multiplied, the Brazilian government provided them with an increasing number of liberated Africans. To keep the flux of work, the government barred their access to the requirement of emancipation.¹⁰¹

In this context, liberated African men and women drew apart regarding labor and justice. While men were increasingly preferred in public services, which limited their access to their own legal status of liberated Africans, women were almost pushed toward the domestic service in private households. Within these conditions, liberated African women navigated the legal system, mobilizing themselves individually or collectively, to demand their final emancipation.

Gender, Labor, and Experiences of Freedom

Gendered division of liberated African labor is a significant factor to explain how they sought for second emancipation as well as to justify the discrepancy on the number of petitions

¹⁰⁰ Jaime Rodrigues, "Ferro, Trabalho e Conflito: Os Africanos Livres na Fábrica de Ipanema." *História Social*, no. 4-5, (1997/1998), 29-42.

¹⁰¹ Mamigonian, *Africanos Livres*.

made by men and women from the *Rio da Prata*. Similar to slaves and freed blacks in urban settings, liberated African women often took on domestic service, which granted them more access to information, justice, and resources to afford the emancipation process. Specially in Rio de Janeiro, the demand for servants was a constant. In one single day, the newspaper *Jornal do Comércio* had more than ten advertisements selling, hiring, and looking for black women – including enslaved, free, and liberated African women – to perform domestic tasks.¹⁰²

According to Sandra Lauderdale Graham, domestic service allowed black women to have the knowledge of the internal routine of a private house - by definition a labor that belonged to the private sphere – at the same time that these women had an extensive network and knowledge of external happenings, features that associated this occupation with the public sphere.¹⁰³ Domestic service included ironing, cooking, taking care of the children, sewing, among other activities that women performed inside the houses. Domestic servants, however, did many tasks outside their employers' homes, such as laundry in public fountains or rivers, selling goods on the streets, and purchasing foodstuff in local markets. These activities provided them with social tools to create or keep networks and to exchange information on how to access the Brazilian legal system.

The British consul Robert Hesketh¹⁰⁴ registered that the liberated African woman Generosa Angola, # 181, worked as a cook. Her guardian Valeriano José Pinto hired her to João Francez at 12\$ per month¹⁰⁵ to work “from the arrival of the cow milk in early morning until the supper at nine or ten o'clock in the evening that ended the daily round of meals.”¹⁰⁶ Domestic

¹⁰² *Jornal do Commercio*, 05/17/1851. http://memoria.bn.br/DocReader/364568_04/2142.

¹⁰³ Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro*. (Cambridge, Cambridge University Press, 1988).

¹⁰⁴ Robert Hesketh was a British consul who lived in Rio de Janeiro in the end of 1840s and beginning of 1850s. He registered information about the conditions of liberated Africans in Brazil. Many of them voluntarily sought him to tell their experience as liberated Africans, which included information about their occupation, family condition, residency among other data.

¹⁰⁵ Hesketh's Return 09/30/1851, FO 131/7.

¹⁰⁶ Graham, *House and Street*.

servants as Generosa became indispensable to their concessionaires, both for earning money to pay the *jornales*¹⁰⁷ for their guardians and for accomplishing tasks inside and outside the houses.¹⁰⁸ Generosa submitted her petition for full freedom on July 24, 1855, after twenty years of labor.

According to Lauderdale Graham, a cook like Generosa “alternated between periods of hectic preparations and slacker times when she might tackle the other tasks.”¹⁰⁹ Because domestic servants should perform a number of tasks, this service was considered a nonspecialized work, although it required knowledge and training. Graham, for example, described the skills needed to the preparation of a chicken: “with a small, precise cut in the neck vein, a cook killed and quickly bled a chicken, singed and plucked its feathers, then dressed it for cooking.”¹¹⁰ Cooking had a larger connotation that involved many times taking care of the livestock until the final preparation that could be done on open-heart stoves, where the temperature was controlled only by experience.¹¹¹ The classification of jobs in specialized and nonspecialized passes also through the gender bias.

The chores of a cook could also include the management of the stock. *Jornal do Comércio* on January 22, 1855, advertised a black woman to work as a *dispenseira*.¹¹² This position, described by Bernard Moitt as *économe*,¹¹³ could be very time-consuming. The responsibilities were not limited to buy supplies. This job required the knowledge of all functions

¹⁰⁷ When the African was hired, this was the money he or she had to give to their master every day or every week, depending on how they accorded it.

¹⁰⁸ Kátia M. de Queirós. Mattoso, *To Be a Slave in Brazil, 1550-1888*. (New Brunswick: Rutgers University Press. 1986), 96.

¹⁰⁹ Graham, *House and Street*.

¹¹⁰ Graham, *House and Street*, 47.

¹¹¹ Varnell Badgett, “Someone's in the Kitchen with Dinah.” *Studies in Popular Culture* 26 no.1 (2003): 39.

¹¹² http://memoria.bn.br/DocReader/docreader.aspx?bib=364568_04&pasta=ano%20185&pesq=boa%20dispenseira

¹¹³ Bernard Moitt, *Women and Slavery in the French Antilles, 1635-1848*. (Bloomington: Indiana University Press. 2001).

of the house, for instance cooking, cleaning, fixing, and gardening, in order to buy the right supplies. Also, it required a strong connection the local businesses. If an important family would throw a big party, the *dispenseira* should articulate with the sellers a larger purchase than the usual. If the family would receive some guest, the *dispenseira* should recalculate the meals and prepare the special tableware. Moreover, African women were required to perform more than one task, differently from African men.¹¹⁴ The woman who took care of the purchases, many times had to cook, clean, do laundry, and watch the kids. According to Graham, these chores allowed black women to circulate in diverse spaces, both public and private ones.

Other authors had also explored the fluidity of movement of black women, especially those living in the cities. Marisa Fuentes, for instance, described a situation in which, during one night, a slave boy dressed himself like a slave woman in order to have access to the house of the slave owner he desired to kill.¹¹⁵ This situation demonstrates that black women frequently circulated by public spaces of the city, including at night, and entered private spaces without being suspicious. In the episode described by Fuentes, the private space is related to the place occupied by white people. The houses of white wealthy families had structures that stablished the separation of what was restricted and what was common. A family that lived in a two-story house, for example, would dedicate the ground floor for public affairs, while the second floor would accommodate the family in intimate moments. Lauderdale described a mansion in Rio de Janeiro, where just wealthy families could afford living. She stated that in these mansions, the kitchen would be attached to the main house for convenience and supervision, being the space of

¹¹⁴ *Jornal do Commercio*, 05/03/1854. http://memoria.bn.br/DocReader/364568_04/6842. In this edition there were the following ads: “Aluga-se uma preta que lava, engomma, coze e cozinha e faz todo o serviço da casa” and “Precisa-se de um preto que seja bom cozinheiro”.

¹¹⁵ Marisa Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive*. (Philadelphia: University of Pennsylvania Press, Inc. 2016), 71

transition between public and private, for the next spot would be a patio or the servants room, considered part of public places.¹¹⁶ Poor families, on the other hand, particularly poor black families, lived in small houses with barely no divisions. Flophouses, slums, quilombos were characterized by the lack of privacy and the extension of the family to beyond the kin bonds.¹¹⁷

If some black communities could cross different families, especially in urban spaces, in rural spaces one black family was commonly spread in different communities. Nikki Taylor pointed out to the difficulties of being a mother at the same time of being a domestic slave when she examined the case of Margaret Garner.¹¹⁸ The Garners lived in different plantations. While the husband, Simon, and his parents worked for James Marshall, the wife, Margaret, and the four kids lived in the Gaines's farm. If on one hand, black mothers who were able to keep their children close to them were fortunate, on the other hand, the conditions for motherhood were far from ideal. The excess of work, the multi-tasks and the responsibility over the white children led the black women to have their kids separated from them for long periods. The liberated African Romana Congo, #187, had a son named Francisco. While her child worked as in a hired-out regime to a lady named Maria, Romana worked for Antonio Ribeiro dos Campos and accumulated the functions of cook and washerwoman.¹¹⁹

It is possible, however, that the work of washerwoman facilitated some encounters between Romana and Francisco. If the child worked as a carrier, a message boy, a water

¹¹⁶ Graham, *House and Street*, 15-6.

¹¹⁷ Juliana Barreto Farias described the house number 114, on Sacramento Street, place where the black couple Emilia Soared do Patrocínio and Joaquim Manoel Pereira lived for more than third years: it is impossible to know if it was "house with more than one bedroom or a tenement, but in this place different black men and women lived together, sometimes in different periods sometimes at the same time, and shared bonds of friendship and solidarity." Juliana Barreto Farias, "De Escrava a Dona: A Trajetória da Africana Mina Emilia Soares do Patrocínio no Rio de Janeiro do Século XIX." *Locus: Revista de História* 18, no 2 (2013): 22.

¹¹⁸ Nikki Marie Taylor, *Driven Toward Madness: The Fugitive Slave Margaret Garner and Tragedy on the Ohio*. (Athens: Ohio University Press. 2016), 40.

¹¹⁹ Hesketh's Return 09/30/1851, FO 131/7.

collector, or had any other outdoor occupation, he might have been able to see his mother in one of the public fountains used to wash clothes. Mary Karash informed that some of these places supported more than 200 women at the same time, who beat the clothes against the walls or rocks and stretch them in the floor to dry them out¹²⁰. While waiting for the clothes to dry and be ready to be folded and taken home to be ironed, Romana could have used the time to play with her kid, to talk to other washerwomen about her activities, to hear an enslaved woman complaining about her owners, or to overhear a plan for escape. These women got, along with the relative autonomy resultant of the outdoor and unsupervised work, a net of solidarity capable of organize acts of resistance.¹²¹ Washerwoman connected house and street, the intimacy and the explicit.

“Se Fará Justiça:” Liberated African Women and the Judiciary System

Dionizia Congo, # 196, served her guardian Francisco Antonio de Azevedo Magalhães since 1835, the year that liberated Africans from the *Rio da Prata* were distributed to concessionaires, until at least 1854, year of her petition for emancipation. Magalhães “always hired her for twenty thousand *reis* per month to work as wet nurse. The petitioner [Dionizia] is well behaved and tempered. She is tired of suffering vexations of every kind.”¹²² Through her petition, Dionizia was standing against daily harassments and “oppression that has remained for nineteen years [in which she gave] the majority of the profits to her guardian.”¹²³ Liberated

¹²⁰ Mattoso, *To Be a Slave in Brazil*, 288.

¹²¹ Tera Hunter, *To 'joy My Freedom: Southern Black Women's Lives and Labors After the Civil War*. (Cambridge, Mass.: Harvard University Press, 1997).

¹²² Dionizia. Petition. 05/27/1854. ANRJ, Ministério da Justiça, 6D-99. Original in Portuguese: “sempre a trouxe alugada por vinte mil reis por mês como ama de leite, sendo a supplicante bem conduzida e morigerada, estando cansada de sofres vexações de toda espécie.”

¹²³ Dionizia. Petition. 05/27/1854. ANRJ, Ministério da Justiça, 6D-99. Original in Portuguese: “livrarsse da oppressão que tem permanecido a dezenove annos e dado a maioria dos lucros a seu arrematante.”

Africans, like Dionizia, used the judiciary system as one strategy to stop these vexations and mistreatments, to resist bondage, get their definitive emancipation.¹²⁴

Even though she succeeded in her emancipation process, Dionizia's complaint is essential to understand the condition under which liberated Africans lived in Brazil. For more than 50 years historians have been discussing about the status of liberated Africans. In 1973, Robert Conrad argued that these Africans were "neither slaves nor free." Through his article, Conrad pointed some circumstances in which being a liberated African was even worse than being a slave, for while slave owners had interests in protecting the value of their property, guardians had less responsibility over liberated Africans, considering them as "cheap slaves."¹²⁵ The dubious status of liberated Africans approximated them with the slave population. To a certain extent, Mamigonian agrees with Conrad. In fact, she asserts that conditions of labor of liberated Africans and enslaved people were similar. She, however, disagrees with Conrad that these Africans could be approximated of enslaved people so closely, especially after the decree 1303. Liberated Africans had in fact a common identity, that featured them as the group of people who could petition for their freedom.¹²⁶ Mamigonian's point is fundamental for this research, since the community element is essential to understand how women were able to access the Brazilian legal system and request their final emancipation

Keila Grinberg states that even though enslaved people took a significative number of cases to the courts, it was not easy for black people to access justice. It was possible to use the legal system only to accelerate a private agreement between slave and owner, as Liberata did in

¹²⁴ To read more on liberated African resistance, Beatriz Gallotti Mamigonian, "Do que preto mina é capaz: etnia e resistência entre africanos livres." *Afro-Ásia* 24 (2000).

¹²⁵ Robert Conrad, "Neither Slave nor Free: The Emancipados of Brazil, 1818-1868." *The Hispanic American Historical Review* 53, no. 1 (1973): 50-70.

¹²⁶ Mamigonian, *Africanos Livres*.

her suit for freedom, but most of the slaves carried their cases as legal suits until the end. In order to start a legal case, slaves should have a white person to be their representative. This person would be able to request the help of the curator and be an ally against reprisal or punishments. Grinberg asserts that not every black person was able to take this first step and normally it was the urban black population, more independent than those people living in plantations, that was more successful in this requirement.¹²⁷ For liberated Africans, even though the request of emancipation was different in many ways, the accessing the legal system was similarly difficult.

The population of liberated African that petitioned emancipation resided mostly in urban centers, as well as the majority of enslaved people who appealed to justice to obtain their liberty. Living in Rio de Janeiro, in particular, brought some advantages to these women, firstly, because it was a city with many resources, including the convenience of having a local court, secondly the presence of curators willing to accept representing black people, and finally the possibility of working by wages which allowed liberated Africans to afford the access to the legal system. Requesting the final emancipation letter was a long process that included preparing a petition, gathering support documents to prove the identity of the liberate Africans, in which vessel they arrived in Brazil, for how long they worked, who were their guardians, and finally a statement that they had learned how to be part of the society, in other words that they had regular behavior. It was a complex process and it took some time after the sanction of the Decree 1303 to liberated Africans to figure out how to organize all the requirements.

If the access to the legal system might have been difficult to both enslaved people and liberated Africans, the latter had their right granted to seize the opportunity for emancipation.

The aforementioned demographics of liberated Africans from the *Rio da Prata* show that

¹²⁷ Keila Grinberg, *Liberata, a lei da Ambigüidade: as Ações de Liberdade da Corte de Apelação do Rio De Janeiro no Século XIX*. (Rio de Janeiro, RJ: Relume Dumará, 1994), 69-70.

women, especially those who worked as domestic servants, made more petitions. Additionally, they were well succeeded, for most of their petitions were approved. This chapter claims that there is a connection between the work performed mostly by women and access to the legal system. Domestic service allowed women to have a net of contact that spread the information about the necessity of petitions, the steps of the process, and the possibility of final emancipation.

Mamigonian highlights the interaction among liberated Africans, enslaved people, free blacks, and whites.¹²⁸ These relationships were part of the daily lives of cooks, laundry woman, water carriers, and *dispenseiras*. Clemencia Angola, #214, for instance, appeared in the police interview to verify her identity. When “asked how she was called, where she was from, how old she was, her marital status, her occupation and her address,” she answered that her name was Clemencia, original from Benguela. She was thirty years old and unmarried. She lived at 3, Rua dos Ciganos, at Doctor Domingos de Azevedo Coutinho Duque-Estrada’s house, who was her guardian. She also declared that she worked in the domestic services. When asked a question about the authorship of her petition, she replied that even though she was the author of the petition, she was helped by João da Rocha Mazarem Filho.¹²⁹ Clemencia had support of a white man, what is indicated by his name that counts with first name, family name. Also, the suffix Filho shows that this man had a known father, an indicative of probable wealth. In the *Almanak Administrativo, Mercantil e Industrial da Corte Provincia do Rio de Janeiro*,¹³⁰ João da Rocha

¹²⁸ Mamigonian, *Liberated Africans*, 198.

¹²⁹ Clemencia. Police Interview. 08/25/1856. ANRJ. Caixa 782 Pacote 2. Original in Portuguese: “Perguntada como se chamava, donde era natural, sua idade, estado, ocupação e residência? Respondeu chamar-se Clemencia, de nação Benguella, de trinta d’idade, solteira, serviço doméstico e morar a rua dos Siganos numero tres, casa de seu concecionario Doutor Domingos de Azevedo Coutinho Duque-Estrada; Perguntado se fora ella quem andara fazer a petição para sua emancipação? Respondeu que sim e que fora feita por João da Rocha Mararem Filho”

¹³⁰ Eduardo Laemmerk, *Almanak Administrativo, Mercantil e Industrial da Corte Provincia do Rio de Janeiro, para o anno de 1854*. https://archive.org/details/bub_gb_DN0WAOAAMAAJ_2

was listed as *inspetor de quarterão*, in the second district of Sacramento. This position was occupied by literate people who would be in charge of the surveillance of a determined space. Rocha appeared in another document in Clemencia's process. It was him who required that "the registrar of liberated Africans the information about the time when Duque-Estrada acquired the services of Clemencia."¹³¹

Based only on these documents, it is impossible to know the precise details about the relationship between João da Rocha and Clemencia. Maybe João da Rocha visited Duque-Estrada, and Clemencia served dinner to them. Another possibility is that, as *inspetor do quarterão*, João da Rocha accompanied the outdoors activities of Clemencia. It is also possible, that Clemencia looked for João da Rocha to complain about mistreatments or punishments practiced by his guardian, and the inspector decided to intervene. For the information available, it is likely that João da Rocha participate in Clemencia's process of emancipation as an active part.

Justina Congo also had external help. Different from Clemencia however, Justina had never said any names. It was her guardian, Roberto da Silva dos Santos Pereira, who stated: "I am sure that it was not her idea alone to request her emancipation, but she must be under the influence of someone else. She did not request her emancipation; actually, she requested her own disgrace." Even though the director of the house of correction affirmed that she had a regular behavior, Pereira barred her process of emancipation, declaring: "since she was entrusted to

¹³¹ João da Rocha Mazarem. Solicitation. 07/02/1856. ANRJ. Caixa 782 Pacote 2. Original in Portuguese: "Diz João da Rocha Mazarem que necessita que (...) o escrivão dos Africanos Livres, revendo os livros de matrícula dos Africanos cujo serviços estão assalariados lhe passe por certidão a epocha em que forão confiados ao Doutor Domingos de Azevedo Coutinho Duque Estrada o serviço da Africana livre Clemencia."

work for me, Justina did not have the worse behavior. However, it is not good either. She never takes into consideration my verbal warnings and she is very disrespectful.”¹³²

Pereira was a very influential man. According to Hesketh, he was the guardian of twelve liberated African from the *Rio da Prata*. His words influenced the decision of denying her emancipation. Although the judge of orphans had already approved her emancipation, writing “se fará justiça” – “justice will be done” – in her petition, the decision was revoked especially after the suspicion that Justina was being helped by someone became a fact. Pereira discovered that she “escaped, and she is being kept hidden by her protectors.”¹³³

Justina worked as a washerwoman for more than twenty years. It is very likely that she had a network of intimate allies and casual acquaintances. Her second petition demonstrates that she and the community that supported her were aware of the arguments used in successful petitions. She built a set of arguments: she alleged being old and sick, claimed that her guardian did not justified his disapproval of her emancipation, she denounced mistreatments, and she underscored her good behavior. Another example that Justina knew other liberated Africans doing their petitions is that “she does not understand why she was not answered, since so many Africans have been approved.”¹³⁴ As a washerwoman, it is also reasonable that she had great knowledge of the streets of Rio de Janeiro to make easier to her to be hidden.

¹³² Roberto da Silva dos Santos Pereira. Declaration 04/27/1861. ANRJ. Ministério da Justiça, 6J-123. Original in Portuguese: “tenho a dizer que, desde que se me confiarão os seus serviços até agora, sua conduta não tem sido péssima: mas não boa; Nunca atendeo as advertências que eu lhe fiz, por outros motivos iguais; he bastante respondona e certamente induzida por alguém, requireo, não a sua emancipação mas o princípio de sua desgraça”

¹³³ Roberto da Silva dos Santos Pereira. Declaration 04/27/1861. ANRJ. Ministério da Justiça, 6J-123. Original in Portuguese: “Segundo me disseram os da casa (talvez seus protetores repentinos) se acha fugida; o que não acredito, mas sim escondida.”

¹³⁴ Justina. Petition. 04/08/1861. ANRJ. Ministério da Justiça, 6J-123. Original in Portuguese: “Exc^{mo} Senhor, a supp^e ignora porque foi desattendia havendo outros Africanos sendo favorecidos.”

Many other liberated African women used rival geography to resist.¹³⁵ Escaping was a reality, not only for slaves but also for liberated Africans. In this sense, women from the *Rio da Prata* had also their names in newspapers advertisements when they fled, similar to those of runaway slaves. It is known that two of them, Eufemia and Romana, came back to their guardians, but the information if they were caught or returned by their own will is not available. Anna and Sebastiana, the other two, were never found. Some of the ads informed the circumstances in which these women run away. One of them had a tray full of treats, the other one was selling vegetables, the last one had one ceramic plate and one can of water with her when disappeared, meaning that all of them were in public spaces when they disappeared. There is no certainty, however, that these women really escaped, because the strong possibility that some of these women had been kidnaped. Nonetheless, the circumstance in which they were in a public space, unsupervised, and having support from other people favors the hypothesis of the escape.

Many were the causes for the escape. Mistreatments and an abusive load of work were the most common of them. Perdigão Malheiro noticed the abuse of power regarding the guardians and states that “in general, they [the guardians] had in mind only the advantages of having the fruit of their [liberated Africans] work in exchange for an insignificant retribution that so many times they escaped of paying. They want to live from the African’s sweat similar to what they do with slaves. Even the best people are subject to greed and power abuse.”¹³⁶ Some guardians went to the judicial system to get rid of the liberated Africans when these were

¹³⁵ Stephanie M. H. Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South*. Gender and American Culture. (Chapel Hill: University of North Carolina Press, 2004).

¹³⁶ Agostinho Marques Perdigão Malheiro, *A Escravidão no Brasil*, vol 2. (Rio de Janeiro: Typographia Nacional, 1867), 65-6. Original in Portuguese: “No geral só tinhão em mira as vantagens leoninas a colher dos seus serviços, por tão miseravel retribuição, que todavia deixavão de pagar! querião viver do suor do Africano a semelhança do escravo. As melhores disposições erão illudidas pelo espirito de ganancia, sempre fertil e propenso ao abuso.”

considered unable to participate in the society as free people accusing them of lack of moral sense, of being alcoholic or promiscuous. Some authors, however, analyzed drunkenness and other behaviors that masters and concessionaires frowned upon as acts of resistance.¹³⁷ For liberated Africans of the *Rio da Prata*, the access to the legal system took twenty years to start being an option. Before that, they looked for alternative ways of resisting.

Liberated Africans that chose to use the legal system had to use all their resources to fight against their servitude. Their pleas frequently took the form of hyperbolic requests. Michaella, for instance, was “prostrated to the emperor’s feet and implored for the gift of emancipation.”¹³⁸ Eufrazia uses the same characteristic “humbly, begging her emancipation to the Emperor, who works benevolently in favor of the oppressed humanity.”¹³⁹ These women fought against bondage with many weapons and the legal system was one of them. Justice, however, was used through a net of contacts and solidarity.

Sharon Romeo wrote about black women who used the judiciary system in Saint Louis during the Civil War period: “women” – in this case, she was referring to enslaved women – “insisted that abuses and inequalities perpetuated by the institution of slavery were not just a domestic or state concern.”¹⁴⁰ Liberated African women in Brazil also made the legal system to work in their favor with their petitions, documents, and interviews. Historically, these women were important, for they used a very complex resource, the legislative system, that was

¹³⁷ Stephanie M. H. Camp, *Closer to Freedom*.

¹³⁸ Michaella. Petition. 05/05/1855. ANRJ, Ministério da Justiça, 6D-49. Original in Portuguese: “A Africana livre Micaela vem lançar-se aos pés de V. M. Imperial implorando a graça de sua emancipação”

¹³⁹ Eufrazia. Petition. 02/23/1854. ANRJ, Ministério da Justiça, 6D-99. Original in Portuguese: “vem umildemente implorar de V M I que exercitando tão alta benevolência concedida em o dito decreto em prol da humanidade oprimida, se digne fazer lhe a graça mandar que seja sua emancipação confirmada.”

¹⁴⁰ Sharon Romeo, *Gender and the Jubilee: Black Freedom and the Reconstruction of Citizenship in Civil War Missouri*. (Athens: University of Georgia Press, 2016), 2.

dominated by white, wealthy men. Moreover, they are black women who got their freedom and that is enough to be historically remarkable. Historiographically, these women are also important because they illuminate the studies of black people in Brazil. Through their petition, historians have a better grasp on the daily lives of domestic servants, and on servitude and freedom. Moreover, social scientists have more material to understand strategies of struggle of black people searching for liberty and citizenship.

Chapter Three

Resistance and Precariousness of Freedom among Liberated African Women

Andreza Angola, # 169, requested her emancipation letter nine months after the enactment of the Decree 1303 of December 28, 1853. This decree declared that liberated Africans who served more than 14 years to private concessionaires dating from the 1831 Law could solicit their freedom through the legal system. Her petition, dated from October 14, 1854, had a straightforward narrative: “Andreza declares that, by the attached document, she proves that she has worked for nineteen years, as a liberated African, entrusted to Caetano Pimentel do Vabo, and appealing to the Decree 1303 that announces that her services should last 14 years, she comes obsequious at the foot of the Throne of Your Imperial Majesty to place her supplication that Your Imperial Majesty send her emancipation letter.”¹⁴¹ This petition resulted in the consent of full emancipation from Joaquim José Sequeira, the judge of orphans, who wrote on it with his typical words of approval “se fará justiça” – “justice will be done” – in November 17, 1854. Her case also includes the police interrogation in which she indicates her own will in soliciting her emancipation and a letter from her guardian, the already mentioned Pimentel do Vabo, attesting to her good behavior and willingness to work. By looking at these documents, it is possible to see that Andreza was on the path to get her freedom after many years of labor. However, a document from December 11, 1854, in which she once again requested her liberty,

¹⁴¹ Andreza. Petition. 10/14/1854. ANRJ. Ministério da Justiça, 6D-99. Original in Portuguese: “Diz Andreza, que pelo documento junto mostra ter servido 19 annos, como Africana livre, confiada a Caetano Pimentel do Vabo, e mostrando o Decreto Imperial, que o praso de seus serviços, seja de 14 annos, vem submissa, junto aos pés do Trono de V.M.I. depositar esta sua supplica, para que V.M.I. se digne mandar que lhe seja dada a sua carta de emancipação pelo que
P.a V.M.I.
Haja por Effeitos de suprema bondade afirmo deferir”

implies that although she had gone through all the steps to get her emancipation letter, her freedom was uncertain.

That same year, in addition to Andreza, four other liberated African women from the ship *Rio da Prata* requested their emancipation. All types of difficulties came with inexperience in dealing with the new law. Andreza and the other petitioners had to discover the answers for questions such as: What documents should they gather? Where did they need to go to file them? How much would the process cost? Who should write the petitions for them since most of them were illiterate? Once they got the answers, they faced other concerns about how the scribe should formulate the petitions, whether the concessionaires would write a favorable declaration, or what the chance of success was, and how to proceed in case that their pleas were rejected. Andreza's second request shows some of these concerns as well as the uncertainties related to her freedom. This document, elaborated with more complex arguments, says that along with the fact of having already served the amount of time necessary to qualify for emancipation, Andreza suffered from tuberculosis and hoped that her emancipation would give her "the consolation of not dying in captivity."¹⁴² The emphasis on the long wait for her emancipation papers and the additional information about her poor health as arguments to make her seem more entitled to get her definitive liberation reveal the anxiety that Andreza was experiencing. Being free was not only desired; it was urgent.

The hurry in getting her emancipation letter, caused, according to her words, by the fear of death – especially the fear of dying in bondage – expresses the fragility of Andreza's experience of freedom. This chapter aims to examine the requests for the definitive emancipation of the women from the ship *Rio da Prata* in the light of the concept of the *precariousness of*

¹⁴² Andreza. Petition. 10/14/1854. ANRJ. Ministério da Justiça, 6D-99. Original in Portuguese: "a consolação de que não morrerá no captivo."

freedom developed by the historian Sidney Chalhoub. This concept is used here to understand how the volatility of freedom of liberated African women helped them to shape their daily life and experiences of resistance. In *A Força da Escravidão*, Chalhoub argues that slavery in nineteenth-century Brazil was a key factor to the condition of a precarious freedom in the free and freed black population.¹⁴³ He scrutinizes a series of police records of the *Casa de Detenção da Corte* describing black men and women arrested under the suspicion of being enslaved. These prisoners had to prove that they were free, and, in the case of failure, they could be sold as slaves in a public auction or forced to join the army or the marines. Through the analysis of these documents, Chalhoub states that public policies gave strength to slavery - even during the years of heightened abolitionist pressure - which limited experiences of freedom of the black population. In this sense, the danger of being sold into slavery – or resold in the case of freed blacks – went together with the constriction of other experiences of freedom. If the greater probability of black people being arrested or sold into slavery was a large part of his argument to demonstrate the precariousness of freedom in *A Força da Escravidão*, in an earlier article, Chalhoub claims that this precariousness of freedom was structural. It affected the black population at different levels, for example, by denying access to education, and limiting political and civil rights. More specifically on the context of liberated Africans, Chalhoub conveys the idea that the 1831 Law – that forbade the international slave traffic and liberated Africans brought to Brazil illegally – boosted illegal slavery, strengthened alliances among slave owners and the Brazilian authorities that overlooked crimes of illegal enslavement, and “impacted the daily experience of freedom for people of African descent in general, since it caused insecurity

¹⁴³ Sidney Chalhoub, *A Força da Escravidão: Ilegalidade e Costume no Brasil Oitocentista*. (São Paulo: Companhia das Letras, 2012).

and rendered freedom precarious.”¹⁴⁴ In dialog with the concept of precariousness of freedom, the historian Beatriz Mamigonian points out how Chalhoub restricts the use of this notion to a legal precariousness and puts aside important themes such as the poor conditions of labor and resistance.¹⁴⁵ Particularly, Mamigonian asserts the importance of bringing complexity to Chalhoub’s argument, considering together the fact that not all the authorities were in favor of the crime of illegal enslavement, and that “the origin of the victim, the social position of the accused, the access to the authorities, the existence of a net of support, and the diplomatic and politic circumstances influenced the opening and success rate of the suits”¹⁴⁶ Contributing to this dialog, I change the focus of Chalhoub’s precariousness of freedom and consider a new dimension for this concept. While Chalhoub focuses on how the law and politics restricted legal practices of freedom and therefore are the agent of the precariousness of freedom over these women, I argue that these women were, firstly, aware of their limited freedom and, secondly, used the precariousness of their freedom as an argument in their petitions and a means to get emancipated. In this sense, I add more nuances to Mamigonian’s view on how liberated Africans were able to resist. For this, I examine the circumstances of tension between the experience of freedom and its precariousness in a biographical approach to hear the voices of women in their struggle to resist.

Along with Andreza’s story, in this chapter, I analyze in depth four other stories from women from the *Rio da Prata*. Bonifacia Angola, # 176, and Eufrazia Angola, # 195, bring their problems to get emancipated caused by bureaucratic problems with their identity. Dionizia

¹⁴⁴ Sidney Chalhoub, "The Precariousness of Freedom in a Slave Society (Brazil in the Nineteenth Century)," *International Review of Social History* 56, no. 3 (2011), 424.

¹⁴⁵ Beatriz Mamigonian, "A Liberdade no Brasil Oitocentista," *Afro-Ásia*, no. 48 (2013): 395-405.

¹⁴⁶ Beatriz G Mamigonian, *Africanos Livres: A Abolição do Tráfico de Escravos no Brasil*. (São Paulo, SP: Companhia das Letras, 2017), 419.

Angola's story – #196 – leads the reflection on wet-nurses and their experience of freedom. Lastly, Narciza Cassange's case – # 197 – is examined to discuss issues of motherhood and gender. More than just showing cases of women whose freedom was circumscribed, in this chapter I show how precariousness of freedom helped to shape their strategies of resistance. Andreza's case, in this sense, is a demonstration of this tension between the strength of slavery, which constantly denied her the complete experience of liberty, and the resistance that molded her fight against the slave system.

In the documents from the mid 1860s, it is unclear if Andreza was successful in her petition. In the 1865 list, elaborated by the Brazilian government, the information about her final destination is missing, which could lead us to the belief that Sequeira – the judge of orphans – had changed his mind and overruled her request, or that her petition was not approved in the Ministry of Justice.¹⁴⁷ The list of 1864, for example, elaborated by Reginaldo Muniz Freire by the request of the British official Lennon Hunt, divided liberated Africans into the categories of “existents,” “emancipated,” and “deceased.” As we can see in the image below, Andreza is located in the column of “existents” rather than in the column of “emancipated,” implying that she had not received her second emancipation.

s

Existentes	
Nome	Nação
Antônio	Calunga
Augusto	Calunga
Dionísio	Angola
Monoteo	Angola
Luciano	"
Leandro	"
Polimário	"
Marcos	"
Milano	"
Yunta	"
Anna	"
Andrina	Angola

Image 3. Detail of the nominal list of 1864 where Andreza - the last name of this image - appears as part of the existents liberated Africans¹⁴⁸

¹⁴⁸ ANRJ-ZU Juizo Municipal 1ª Vara do Rio de Janeiro Maço 646 N° 5473 ff. 7-9 "Reginaldo Muniz Freire," March 1864, "Brigue Rio da Prata."

However, Andreza appears as emancipated in the document dated from December 22, 1854, which lists all the Africans whose petitions were approved that year.

N.º	Nome do Africano	Nome do Concessionario
1.	Apriçio..... Miombo.....	Dom Joaquin Castano da Silva.
2.	Anselma..... Barundo.....	Dom Luis Carlos da Fonseca.
3.	Andreza..... Kebôla.....	Castano Simentel do Vaso.

Image 4. Detail of the list of emancipated in 1854. Andreza – the last name in this image – appears as one of them.¹⁴⁹

This list comes accompanied with a letter from José Thomas Nabuco de Araujo, at that time Minister of Justice, addressed to Sequeira, that reads: “Your Majesty, the Emperor, grants freedom for the liberated Africans whose names are listed in the attached document. Your Honor should send the emancipation letters to the police station.”¹⁵⁰ Looking at these lists together opens up to questions about Andreza’s destiny. Did she receive her emancipation letter? If she did not, what happened to her letter? If she was indeed emancipated why do the later lists have different information? More importantly, if there is a mistake in the lists of the 1860s, how could it have affected her freedom? Even though the documents available for Andreza’s case make it

¹⁴⁹ List of emancipated. 12/22/1854. ANRJ. Ministério da Justiça, 5B-283.

¹⁵⁰ List of emancipated. 12/22/1854. ANRJ. Ministério da Justiça, 5B-283. In Portuguese: “s. M. o Imperador, attendendo aos que representaram os Africanos livres constants na relação inclusa. Devendo V. Ex.a remeter as ditas cartas a repatição de policia.”

impossible to be sure about her fate, her story opens up a discussion on how inconsistencies in legal documents reveal the precariousness of freedom.

The nominal lists of the 1860s were product of the political tension of the time. With the decree of 1864 all liberated Africans were definitively emancipated. This was the result of Brazilian and British pressure, as well as the uncomfortable diplomatic relationship between Brazil and England.¹⁵¹ After 1864, the Brazilian government urged the closing of the case of liberated Africans by accounting for their lives and their destinies. The different lists had contrasting information, though. The 1864 list counted with 8673 names while the 1865 inventory got to 10719 and remained incomplete. Moreover, the 1865 list contains columns with information about nationality, concessionaires, and final destination – with many data uncompleted.¹⁵² Even though these documents bring valuable information about the liberated Africans all over Brazil, the lack of conclusive information about some of them points to the failure of the Brazilian government to keep track of them.

The case of Bonifacia, one of Andreza's shipmates, is one these cases. When Bonifacia arrived in Brazil, she received the name Maria. In 1835, José Joaquim Ferreira became her concessionaire¹⁵³ until 1852, after which she started working in the Gunpowder Factory in Rio de Janeiro. During these years, she preserved the name Maria, at least in official documents. By the time she was entrusted to Isabel Maria Mignon, her last concessionaire, she no longer answered to the name Maria, but to Bonifacia. This information is not available in the body of her petition, made in July 22, 1863, but in the comments in margins of the document, what

¹⁵¹ Richard Graham, "Os Fundamentos da Ruptura de Relações Diplomáticas entre o Brasil e a Grã-Bretanha em 1863: 'a Questão Christie.'" *Revista de História* 24, no. 49 (1962): 117–138; Richard Graham, "Os Fundamentos da Ruptura de Relações Diplomáticas entre o Brasil e a Grã-Bretanha em 1863: 'a Questão Christie' (Ii)." *Revista de História* 24, no. 50 (1962): 379–402.

¹⁵² Mamigonian, *Africanos Livres*, 383-4.

¹⁵³ The decree enacted in 1835 regulated the concession of liberated Africans to private hirer. Their legal guardians were called concessionaires.

shows that this information was not provided by the petitioner, but by the authorities evaluating the case. Their notes on the margins of the petitions can trace the path that the documents followed. It shows, for example, when the Minister of Justice required more information about the petitioners; or the Judge of orphans approved or rejected their request. In Bonifacia's plea, Sequeira made two extensive comments expressing his concern about the identity of the petitioner. In the first comment, dated August 1863, he informs that Isabel Maria Mignon, Bonifacia's concessionaire, had had another liberated African, a man named Francisco, who died prior to 1852. In this year, Mignon received Bonifacia as a replacement. He also informs that since then, Mignon had been trying unsuccessfully to register the exchange because of the difficulty in identifying Bonifacia among the group of liberated Africans. In a following comment, issued in December 1863, Sequeira states that Maria, the liberated African guarded by José Joaquim Ferreira, was not the same person as the one petitioning for freedom. Bonifacia had her hands tied. At that point, Sequeira had determined that Bonifacia would not enjoy her freedom by the inability of proving her identity.

Identity checking was a mandatory process in all cases of liberated Africans requesting emancipation. The way to verify whether the petitioners were truly liberated Africans was to trace the connection between them and the ships that got caught transporting them illegally. While the 1831 Law declared that the Africans arrived after its approval would be emancipated, Brazilian conservative authorities interpreted it restrictively; only those who got caught at the sea or at the entrance of the country would be considered liberated Africans, denying this status to those whose traders were more successfully in sneaking their importation and sale. Despite the pressure of liberals and the British campaign that tried to impose the interpretation that all Africans imported illegally had the right to be considered a liberated African and enjoy the right

of emancipation, the 1853 Decree was attached to the conservative interpretation of the Feijó Law, which limited emancipation to fewer people. Freedom, in this context, belonged to a selected group and would not be a threat for the institution of slavery. Moreover, identity check would prevent slaves from using someone's else identity in order to get free.¹⁵⁴ The protocol of the identity checking would start with the director of the *Secretaria do Estado dos Negócios da Justiça* requesting verification of the registers of *matrícula* of the liberated Africans and the concession of their services to the guardians. A typical declaration proving their identities would provide name, number, and nation of the liberated African, date in which their services started and the name of the concessionaire, and lastly the amount of years that the petitioner had worked.

Authorities were unable to provide this information about Bonifacia until 1864, when José Bernardo Figueiredo, curator of liberated Africans, declared in a letter to Josino do Nascimento Silva, director of the *Secretaria do Estado dos Negócios da Justiça*, the following: “I should say to Your Honor that I once again checked against the *Livro de Matrícula* of liberated Africans maintained by the Ministry and I have acknowledged that there has been a mistake in the information given by the judge [of orphans],” referring specifically to Sequeira's comment in the margin of Bonifacia's document. In other words, Figueiredo asserts that despite the exchange of names, Bonifacia was in fact the liberated African who got to Brazil on board of the *Rio da Prata* and that Sequeira was wrong in affirming that Bonifacia and Maria were different people. Bonifacia might have received her letter through her petition or yet through the decree 3310 of 1864 that emancipated all liberated Africans. Her fate, however, remains

¹⁵⁴ This is the case of Barbara Falero, Cuban slave who impersonate one of the Africans brought in the ship *Dos Hermanos* to Havana in 1795. María de los Ángeles Meriño Fuentes and Aisnara Perera Díaz, *Del Tráfico a la Libertad: El Caso de los Africanos de la Fragata Dos Hermanos en Cuba (1795-1837)* (Santiago de Cuba: Editorial Oriente, 2014).

uncertain. The nominal lists of 1860s fail once more in providing accurate information about the final destination of Bonifacia.

Even though this caused innumerable problems to Bonifacia, especially in her emancipation process, it is possible to interpret the change of name as an act of resistance. Shortly after landing, liberated Africans that got to Brazil participated in a ceremony of emancipation. In this ceremony, they received new names that along with their number of *matricula*, and their body features and marks served as the basis for the books of records of this population.¹⁵⁵ Through the act of providing new names, Brazilian authorities not only kept a record of them but blurred their pagan past and old identities by renaming them with Portuguese Christian names. It is possible that Bonifacia did not identify herself with the name Maria and picked a new identity for her. If this is true, the act of changing names demonstrates that Bonifacia had some control over herself – if not over her body, at least over her identity. Additionally, it was common for West Africans like Bonifacia to acquire several names during their lives, based on important events they had experienced.¹⁵⁶ Thus, Bonifacia resisted the invalidation of her culture and erasure of her identity by both choosing a new name and keeping the tradition of having a distinct name for a new phase of her life.

Bonifacia was not the only liberated African from the *Rio da Prata* who altered her name. Eufrasia's petition informs that her concessionaire called her Francisca. In contrast to Bonifacia however, Eufrasia did not employ the name Francisca as her signature. She demonstrates this in the phrase "*A rogo de Eufrasia.*" Always found in the end of the petitions, the phrase "*A rogo de*" followed by the name of the claimant means that the scribe wrote the document on behalf of

¹⁵⁵ Beatriz Mamigonian, "Conflicts over the Meanings of Freedom," in *Paths to Freedom: Manumission in the Atlantic World*. (Columbia: University of South Carolina Press, 2009), 240.

¹⁵⁶ Daniel B. Domingues da Silva, "The Kimbundu Diaspora to Brazil: Records from the Slave Ship *Brilhante*, 1838," *African Diaspora* 8, no. 2 (2015): 213.

that specific African, due to her or his illiteracy. In other words, this phrase was in the place of her signature, and Eufrasia chose to sign with her first Brazilian name instead of Francisca. In other words, Eufrasia was the name with which she identified herself in the legal context, probably keeping Francisca for the domestic domain where she had no choice but to answer to the name which her concessionaire designated to her.

It is difficult to imagine, however, that liberated Africans did not keep their original names among themselves. Daniel Domingues da Silva, for example, analyzing the ethnic composition of the Africans transported in the ship *Brilhante*, identified that most of them belonged to the same linguistic family.¹⁵⁷ Even though, this did not necessarily promote the interaction among them, as Jennifer Nelson investigated in the same case of the ship *Brilhante*, having a group of people from the same linguistic family would have favored the maintenance of the language and facilitated adaptation in the new place.¹⁵⁸ Moreover, Mamigonian asserts that there is no reason to believe that liberated African abandoned their old names.¹⁵⁹ The Africans from the *Rio da Prata* got to Brazil four years earlier than the ones on board of the *Brilhante*. Departing from the same region, the presence of Africans from the same region as the ones from the *Brilhante* leads to think that they kept their African names as well. African names were not merely erased and must have been used among themselves in their daily lives.

The documents available did not keep register of how Eufrasia was called before 1834. It is possible to know, however, that she decided to maintain the name that she carried with her since her first days in Brazil instead of changing it to Francisca. The ceremony of emancipation

¹⁵⁷ Daniel B. Domingues da Silva, "The Kimbundu Diaspora to Brazil: Records from the Slave Ship *Brilhante*, 1838," *African Diaspora* 8, no. 2 (2015): 200-219.

¹⁵⁸ Jennifer Nelson, "Apprentices of Freedom: Atlantic Histories of the Africanos Livres in Mid-Nineteenth Century Rio De Janeiro." *Itinerario* 39, no. 2 (2015): 349-69.

¹⁵⁹ Mamigonian, *Africanos Livres*, 45.

of the newly arrived Africans, although having other purposes than just to emancipate them, was the occasion on which they were declared officially free after the uncertain times amidst their kidnapping in Africa and the voyage on board the *Rio da Prata*. It is expected that some of the liberated Africans got attached to the names that they received that day. Moreover, Eufrasia was the name that provided her with the status of freedom. Thus, using the first name that she got in Brazil was a legal strategy to demand her final emancipation. Another possible reason for Eufrasia to keep her first Brazilian name is that her later name, Francisca, was probably associated with the world of labor and exploitation. Her life since she started her apprenticeship program was marked by instability. Unlike many liberated Africans who kept the same concessionaire for the entire time as apprentices, Eufrasia changed guardians three times. Francisco Caetano Martins, her first concessionaire, was the one who gave Eufrasia the nickname Francisca. At his house, she served a little more than one year, and was redirected to Maria Luiza da Conceição in August 1836. After that, Eufrasia stayed for a period at the House of Correction when she finally was directed to Feliciano Firmo Monteiro, who was her concessionaire for more than 18 years. Monteiro, however, kept Eufrasia hired out to Martins – her first guardian – and his family. During her whole apprenticeship program, Eufrasia worked as a domestic servant. In a discussion about the work of liberated Africans, Mamigonian states that even though they had the judicial status of free people, they had few choices concerning labor. According to this author, the tasks performed by liberated Africans were much closer to the ones that slaves performed than to the ones that normally free or freed blacks used to work on. Crucially, she asserts that because of these similarities to slaves, liberated Africans believed that their freedom of work would come only when they finished their apprenticeship period, remaining as a temporary slave. In Eufrasia's petition, it is possible to see that she approximated

her work to slave labor, rather than to free people's labor. She stated that she had worked "arduously, with no free Sundays, day that the Christian religion gives even to slaves to rest."¹⁶⁰ It seems reasonable that Eufrazia did not embody the name given by the family that treated her worse than a slave.

Liberated Africans had a dubious status both for themselves and their concessionaires. Robert Conrad describes the complex situation of this sect of the black population which, simultaneously, was legally free and worked under the same conditions of slaves.¹⁶¹ Conrad's idea that liberated Africans were neither slaves nor free was further developed by other researchers. In her investigation of the vessel *Brilhante*, Nelson corroborates with the idea that the conditions of labor amongst liberated Africans were similar to what slaves faced.¹⁶² On the government's end, Chalhoub argues that authorities did not do much to clarify the status of the liberated Africans. Moreover, Brazilian authorities associated the newcomers with slaves as a protective measure to avoid rebellions from the illegally imported Africans who in fact became slaves. Mamigonian, on the Africans' end, states that even though the liberated Africans were aware of their different status, it was difficult to know to what extent this difference existed or was respected by Brazilian authorities. Analyzing petitions for emancipation, Mamigonian lists cases of liberated Africans who did not distinguish their condition from slavery, showing, for example, that they offered to pay the amount of their value in exchange of their letter of emancipation or that they stated should get freedom from captivity.¹⁶³

¹⁶⁰ Eufrazia. Petition. 02/23/1854. ANRJ, Ministério da Justiça, 6D-99. In Portuguese: "mais rigoroso e assiduo serviço sem reserva do proprio Domingo, dia esse que pela religião Christã deve ser dado mesmo ao proprio escravo."

¹⁶¹ Robert Conrad, "Neither Slave nor Free: The Emancipados of Brazil, 1818-1868." *The Hispanic American Historical Review* 53, no. 1 (1973): 50–70.

¹⁶² Nelson, Jennifer. "Apprentices of Freedom: Atlantic Histories of the Africanos Livres in Mid-Nineteenth Century Rio De Janeiro." *Itinerario* 39, no. 2 (2015): 349–69.

¹⁶³ Beatriz Mamigonian. "Conflicts Over the Meanings of Freedom," 242.

The ambiguity of the status of liberated Africans also appeared in newspaper advertisements that looked for fugitive liberated Africans. The readers of these newspapers, the white elite of large cities like Rio de Janeiro, saw in advertisements the similarities between them and enslaved people. One advertisement on *Diário do Rio de Janeiro* says: “The liberated African Bazilia escaped or was seduced.” After giving information about her concessionaire, the ad described some physical characteristics “regular height, oval face, large mouth, and gross lips” to finally offer a reward to the person who seized and brought Bazilia to the correct address.¹⁶⁴ This ad demonstrates that liberated Africans had similarities with enslaved people not only in the conditions of labor but also with the control of their bodies and mobility. Bazilia, even though free, did not have the right to come and go, nor to leave her concessionaire. Another revealing feature of this advertisement is the use of the notion that a liberated African could be seduced. This means that liberated Africans, as much as slaves, could have someone who helped them to escape, or oftentimes, that they could be kidnapped and sold into slavery.¹⁶⁵ Legally, however, the crime of seducing a slave was different from seducing a liberated African. Slave stealing would be a crime against property and selling a liberated African into slavery would be a crime against individual liberty, more specifically, it would be “reducing a free person to slavery.”¹⁶⁶

The similarities between slaves and liberated Africans included punishments and mistreatments. The newspaper *Diario do Rio de Janeiro* brings a case of an unnamed liberated

¹⁶⁴ In Portuguese: “fugio ou foi seduzida (...) a Africana livre de nome Brazilia (...) de estatura regular, rosto oval, boca grande e beiços grossos.” *Diário do Rio de Janeiro*, 08/14/1843.

http://memoria.bn.br/docreader/094170_01/26702

¹⁶⁵ Once more, Chalhoub has investigated this phenomenon. In the chapter “O que os escravos sabiam,” he uses cases of slaves and free Africans who were *seduzidos* to discuss a net of communication among slaves, liberated, and free Africans. Sidney Chalhoub, *A Força da Escravidão*.

¹⁶⁶ Brazilian Criminal Code of 1830. Articles 257 and 179.

African who went to the police in search of help. She claimed that the heirs of her concessionaire (supposedly deceased) hired her out illegally. Although part of her complaint was about her long due years of apprenticeship, the grievance that led her to the police was the harsh punishments applied of her by the person who hired her.¹⁶⁷ Even though the possibility of contacting the police to denounce mistreatments implies that this African had a different status from a slave, it also reveals that punishments of liberated Africans were just as common as those given to enslaved people.

Eufrazia from the *Rio da Prata* showed one aspect of the precariousness of her freedom when she declared that she was being treated similarly or worse than a slave. As mentioned, she highlighted in her petition the years that she had already worked as an apprentice, without even the Sundays to rest, reason why she deserved to be freed. However, Eufrazia did not limit her argumentation to this. She appealed to the abilities acquired during the years of servitude as a strong reason for her emancipation. She declared that she would have been able to provide for herself with her skills in doing laundry and that she would have no problem in “getting someone to testify about her good behavior.”¹⁶⁸ In other words, she stated that she was qualified to live in the Rio de Janeiro without the possibility of becoming a criminal or a beggar. It is common that these two arguments - the one in which the liberated African woman compares the years spent as an apprentice to slavery and the one that she acquired enough skills in this period - appear together in the petitions. Dionizia, for instance, claimed to be well behaved and polite, essential qualifications to a liberated African woman who desires to be heard in her request for liberty.

¹⁶⁷ In Portuguese: “Africana livre, que achando-se ao serviço de terceiro, por cessão ilegalmente feita pelos herdeiros de uma Sra. a quem havia sido confiada, e tendo concluído o prazo por que estavam confiados seus serviços, se apresenta a autoridade policial em consequência dos maos tratos recebidos por parte do individuo em cujo poder se achava. *Diario do Rio de Janeiro*, 04/16/1851. http://memoria.bn.br/DocReader/094170_01/35790

¹⁶⁸ Eufrazia. Petition. 02/23/1854. ANRJ, Ministério da Justiça, 6D-99. In Portuguese: “não duvidando dar um fiador a sua conducta se V. M. I. assim o jugar mister.”

Similar to Eufrazia, she showed how close to slavery her work was, complaining about all kinds of humiliation and oppression that she suffered while serving her guardian Francisco Antonio de Azevedo Magalhães. Dionizia, however, centered the main argument of her petition on the monetary value of her service. She declared that her “services were extremely important to her concessionaire, who always hired her out as wet nurse, service that generated 20 *milreis* per month to Magalhães.”¹⁶⁹ With this statement, Dionizia argued that she was useful to her concessionaire, and that she could be as useful to society when fully free. Dionizia demonstrated awareness of how her limited freedom helped the economic progress of her concessionaire and used it as argument for her emancipation.

Dionizia seems to have understood perfectly well that her labor as a wet-nurse was one source of her guardian’s richness. Francisco Antonio de Azevedo Magalhães was a businessman in Rio de Janeiro. His name appears many times in the local newspapers that registered his travels abroad. In these business trips, he bought goods to sell in auctions at his house at Marrecas street, in the heart of Rio de Janeiro. His name also appeared in the newspapers in the section “slaves in the *calabouço*,” used to report slaves who had been arrested.¹⁷⁰ The newspaper informs Magalhães that his slave, Jorge Cabinda, waited for his master to rescue him. Magalhães held, along with his slave (or slaves), two liberated African men, Hemenegildo and Acacio, and Dionizia, all three from the ship *Rio da Prata*. As mentioned above, Magalhães hired Dionizia’s services as a wet-nurse, a practice largely used in Rio de Janeiro. One example of how widespread the use of wet-nurses was can be seen through the advertisements selling and hiring them. The *Jornal do Commercio*, for example, brought more than six thousand ads from 1850 to

¹⁶⁹ Dionizia. Petition. 05/27/1854. ANRJ, Ministério da Justiça, 6D-99. In Portuguese: “tendo prestado serviços os mais importantes ao mesmo Magalhães que sempre a trouxe alugada por vinte mil reis por mez como ama de leite.”

¹⁷⁰ *Diário do Rio de Janeiro*. December 9, 1854. http://memoria.bn.br/DocReader/094170_01/40714

1859 of slave owners and concessionaires selling, hiring or looking for wet nurses, which indicates that this was not only a common source of income but also a highly required activity among the readers.¹⁷¹

Recent historians highlighted the brutality of the work of a wet-nurse. Marcus Wood stated that when an African women worked as a wet-nurse “the blood of fertile black women, turned into milk, built up the bodies of the white infants who had been propagated by the slave power.”¹⁷² The historian Okesi Otovo argues that the black population largely suffered because of poverty and diseases especially black mothers and their children. Brazilian *mães-pretas*, meaning those who worked breastfeeding white infants during the period of slavery, transformed into *mães desamparadas* – in need of help – in the post-emancipation period and continued to be affected by scarcity and poor conditions of health.¹⁷³ Camilia Cowling brings to discussion a research that deals with the sentiment of grievance, trauma, and bereavement caused by mothering in bondage.¹⁷⁴ Slave-owners forced wet-nurses throughout the Americas to leave their own babies, probably newborns, in benefice of white children. These relations were “characterized by paternalism and violence, which enveloped the emotional and the relations of power surrounding it in a tangle of simultaneously economic and sentimental motivations.”¹⁷⁵ In Dionizia’s case, she chose to verbalize the economic part, and to silence the sentimental traumas

¹⁷¹ Research on Hemeroteca Digital do Brazil.

http://memoria.bn.br/DocReader/docreader.aspx?bib=364568_04&pasta=ano%20185&pesq=ama%20de%20leite

¹⁷² Marcus Wood, *Black Milk: Imagining Slavery in the Visual Cultures of Brazil and America*. (Oxford: Oxford University Press, 2013), 2.

¹⁷³ Okesi Otovo. *Progressive Mothers, Better Babies: Race, Public Health, and the State in Brazil, 1850-1945*. (Austin: University of Texas Press, 2016).

¹⁷⁴ Camillia Cowling, Maria Helena Pereira Toledo Machado, Diana Paton, and Emily West. "Mothering Slaves: Comparative Perspectives on Motherhood, Childlessness, and the Care of Children in Atlantic Slave Societies." *Slavery & Abolition* 38, no. 2 (2017): 225.

¹⁷⁵ Maria Helena Pereira Toledo Machado, "Between Two Beneditos: Enslaved Wet-Nurses Amid Slavery’s Decline in Southeast Brazil." *Slavery & Abolition* 38, no. 2 (2017): 322.

and sentiments. For her, the economic power of her body was evident and appears as central part of her argument. Her pregnancies and her offspring, on the other hand, were never mentioned.



Image 5. Black nurse with white kid on her back. Her arms were free to make possible for her to take care of the kid and perform other domestic tasks.¹⁷⁶

¹⁷⁶ “Ama negra carregando criança nas costas.” [S.l.: s.n.], 188-. Available at: http://objdigital.bn.br/objdigital2/acervo_digital/div_iconografia/icon1577126/icon1577126.jpg.

Dionizia saw her guardian negotiating furniture, silverware, and her milk. If working as a wet-nurse was one of the most common occupations with which black women engaged, it was also “a distinct aspect of enslaved women’s commodification.”¹⁷⁷ Masters and concessionaires found an abundant source of money in hiring wet-nurses, activity that for masters required almost no expenses and did not need anything else except women that were pregnant or have had been pregnant in a recent past. It is possible to find, for example, newspapers’ ads describing wet-nurses to rent or sell, who had had their children within less than a month, therefore still in their puerperal period. For these women, the only qualifications required were to be healthy and clean and to have good milk.¹⁷⁸ In this context of exploitation of black women’s body, Dionizia, had her freedom limited by the commercialization of her motherhood, condition that enabled her to be a wet-nurse. Even though women in general in the nineteenth-century Brazil had few opportunities to control their bodies, the work of a wet-nurse controlled the female black body and forced it to breed and nurse for someone other than their own offspring. The authors that wrote about liberated Africans in Brazil in the 1860s, for instance, rarely talked about specificities of gender, but when they mentioned women was to connect them with motherhood and the capacity of wet-nursing.¹⁷⁹ In order to navigate through Dionizia’s fragile experience of freedom, first it is useful to reflect about some questions. How many children did Dionizia have? How many of them survived? How many of them were the result of consensual sex? Was she in a stable relationship? How many kids did she breast-feed? Was she able to breast-feed her own children while doing it for her guardian? More broadly, what does the figure of a *mãe preta* like

¹⁷⁷ Emily West and R. J Knight. "Mothers' Milk: Slavery, Wet-Nursing, and Black and White Women in the Antebellum South." *Journal of Southern History* 83, no. 1 (2017): 37.

¹⁷⁸ *Jornal do Commercio*, 01/19/1850.

http://memoria.bn.br/DocReader/364568_04/67?pesq=ama%20de%20leite

¹⁷⁹ Perdigão Malheiro, Agostinho Marques Perdigão. *A Escravidão No Brasil: Ensaio Histórico-Jurídico-Social - Vol. 3*. (Rio de Janeiro: Typographia Nacional, 1867).

Dionizia reveal about gender and race in the Brazilian society of the nineteenth century? How does the case of Dionizia show racial relations influencing in motherhood? Additionally, how do these relations determine who was a mother, and more, who was a good mother? These questions are part of the inquiry of Dionizia's life and experience with motherhood in a context where the sources only allow us to state that Dionizia was a liberated African mother because of her labor as a wet nurse. The silence of the sources, including her decision of not speaking about her children, deserves attention. Trying to understand Dionizia's motherhood requires some speculation and sources that go beyond her petitions.

Following the name Dionizia in the newspapers, it is possible to trace a story. This is not the story of the liberated African Dionizia, Congo, #196, from the cargo of the vessel *Rio da Prata*. Very likely, this is not the story of a single woman, but a collective of Dionizias that had a little piece of their lives recorded in a newspaper. For the sake of the analysis, however, I will treat these women with the same name as one because this story can reveal, on the one hand, experiences of freedom and its precariousness, and on the other, can help us to think about the relationship of Dionizia from the *Rio da Prata* with motherhood in a slave society.

Chronologically, the first part of this story appears in *Correio Mercantil*, in an advertisement looking for the liberated African Dionizia who disappeared on October 7, 1849.¹⁸⁰ The ad describes her body features, her marks, and the faded striped dress that she took with her, and also offers a reward to whomever recovers her, but it does not mention whether Dionizia was kidnapped or if she escaped. In the year of the flight, Dionizia had already worked for 14 years. Reasons for her escape could be many. Hard punishments, hopelessness in being freed for institutional means, exhaustion from the work as a wet-nurse could be some of them. It is also

¹⁸⁰ *Correio Mercantil*, 10/09/1849. <http://memoria.bn.br/DocReader/217280/2578?pesq=dionisia>

possible that one of the Dionizia's children had just been born, and she had the urge to see him or her.¹⁸¹ Another possibility was the necessity of escaping from the extreme control over her mobility and her behavior that led her to become an absentee, to use the words of Stephanie Camp.¹⁸² If this woman who disappeared was the same Dionizia from the *Rio da Prata*, it means that she was indeed recovered, since she worked for five more years before requesting her emancipation.

The next piece that appeared in the newspaper is a short reference to Dionizia's marriage in the parish of Engenho-Velho, in Rio de Janeiro, in July 1856.¹⁸³ This extract is particularly interesting, for Dionizia's name, followed by her status of "Africana livre," is the only reference to a black person among the list of couples. Additionally, her husband, José Guedes was supposedly white, since no other adjectives are attached to his name.¹⁸⁴ Considering that Dionizia got her emancipation in 1854, which is likely since her documents do not show any possible problem detected by the authorities, this gave her two years to officialize her union. The historian Mary Karash mentions that many slaves, for example, waited until they got manumitted to officiate their marriage that were sometimes the result of long relationships. The reason for the wait could be varied, including the fear of separation between couples.¹⁸⁵ After almost twenty years serving families with her milk and care, Dionizia might have looked for some family stability. José Guedes, mentioned as her husband in the newspapers could be her partner for long years or someone that she met after obtaining her freedom. He could be the father of Dionizia's

¹⁸¹ History of slavery brings many cases of mother who transgress rules to see their kids for a short period even risking being punished. Frederick Douglass's mother, for instance, used to walk many miles a day to spend the night with him. Frederick Douglass, *Narrative of the Life of Frederick Douglass, an American Slave*. (Boston: Bedford/St. Martin's, Mcmillan Learning, 2017).

¹⁸² Stephanie M. H Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South*. (Chapel Hill: University of North Carolina Press, 2004).

¹⁸³ *Correio Mercantil*, 08/04/1856. <http://memoria.bn.br/DocReader/217280/12196?pesq=dionisia>

¹⁸⁴ This Dionizia was, in fact, a liberated African from the ship *Especulador*, which arrived in Brazil in 1836.

¹⁸⁵ Mary C Karasch, *Slave Life in Rio de Janeiro, 1808-1850*. (Princeton: Princeton University Press, 1987), 365.

many children or his paternity could relate only to children after their marriage. Although she does not allude to her offspring during her time as an apprentice, and after emancipated this information would be even harder to obtain, there is a reference to the sixteen-month old boy “Isidoro, son of the African Dionizia,” in the obituary of May 30, 1863 of *Correio Mercantil*.¹⁸⁶ Once more, it is difficult to affirm that Isidoro was really the child of Dionizia Congo, from the *Rio da Prata*. It brings though the discussion of the mortality of black children and the experiences of black motherhood in Brazil, that was almost inseparable from the white families. Despite the incompleteness of this story, it brings a perspective over the lives of black mothers in Rio de Janeiro and sheds light on the experience of Dionizia from the *Rio da Prata*.

Dionizia’s silence concerning her family and her children could have different reasons. Considering that Dionizia filed her request for emancipation in the beginning of 1854 – only some months after the enactment of the decree 1303 – her silence could be due to the fact that it was not clear yet what type of information would be important in the petitions. In this case, she did not refer to her children because the relevant information was that she had already fulfilled her probatory period. It is conceivable, however, that Dionizia was more deliberate in her silence. Christine Hünefeldt, analyzing the reality of slave families in Peru, discusses the challenges of motherhood in an urban space.¹⁸⁷ It was not rare having cases of women that went to labor far from their masters in order to give their children away to avoid their slave fate. In this regard, there is no information if Dionizia kept her offspring. Moreover, high mortality rates among slave children was a reality, and it could have affected one or more of Dionizia’s kids. Also, Dionizia and her descendants would have an uncertain future, even with her emancipation letter

¹⁸⁶ *Correio Mercantil*. 05/30/1863. <http://memoria.bn.br/DocReader/217280/21947?pesq=dionisia>

¹⁸⁷ Christine Hünefeldt, *Paying the Price of Freedom: Family and Labor among Lima's Slaves, 1800-1854*. (Berkeley: University of California Press, 1994).

in hands and she might have preferred not to mention that when fully free she would have to provide not only for herself but also for a large family. Even if the reason for her silence might be unknown, reflecting on Dionizia's life and family are an effort to understand the challenges of motherhood for a liberated African.

While Dionizia's motherhood was implicit in her petition, Narciza's motherhood is explicit. Narciza mentions her daughters in her pleas and use them as an argument to her emancipation. Narcisa is the liberated African from the *Rio da Prata* with the longest case. Between 1852 and 1857, Narcisa filed five petitions. In the third one, dated from 1855, Narciza says: "Last year she [Narciza] petitioned for her emancipation and this February she was removed from Colonna's house and directed to the house of correction, where she is for more than six months. The supplicant has two underaged daughters who need her mother's support, and for this reason the supplicant asks Your Imperial Majesty to do justice."¹⁸⁸ Narciza served Pedro Maria Romão Colonna since March 1835, when the Brazilian government distributed liberated Africans from the brigantine *Rio da Prata*. The decree 1303 established that liberated Africans who had already accomplished the time of their apprenticeship could be removed to the House of Correction in order to wait for the decision of their requests for liberty. The historian Carlos Eduardo Moreira de Araujo explored the dynamic of labor in the House of Correction. In a brief reference to the liberated African women present in this institution, he mentions that when they were not doing laundry or cooking, tasks that allowed them to have connections with other people, they were kept locked to avoid contact with prisoners and liberated African men who

¹⁸⁸ Narciza. Petition. 07/24/1855. ANRJ, Ministério da Justiça, 6D-49. In Portuguese: "tendo a supp.e servido duplicado tempo que a Lei prescreve requerio o anno passado a Governo de V. M. I. a sua carta de emancipação e em fevereiro deste anno foi removida da casa do dito Collona p.a a Casa de Correção onde se acha a seis meses: a supp.e tem duas filhas menores e que carecem do apoio de sua mai, a vista do que com Justiça alega a supp.da. P.a V. M. I. se digne mandar o que for de Justiça."

also lived in the house.¹⁸⁹ Under this policy, Narciza faced scarce opportunities to take care of her daughters. During the six months that she waited for the legal report on her case, she might have had limited or no contact with her underaged children.

To understand Narciza's focus on her offspring in her third attempt to emancipation, it is necessary to go back to her second petition. Narciza contacted the Brazilian legal system in October 1854, when she was still working at Colonna's house. As usual, when authorities received petitions from liberated Africans, they contacted the concessionaire – or the director of the House of Correction, if the liberated African was removed from the concessionaire's house – to request a written declaration that would testify about the time served by the petitioners and their behavior during these years. In his declaration, Colonna wrote: "I declare that I acquired the services of the African Narciza Cassange, and having finished her period of her services, according to the decree of December 28, 1853, she requested to be emancipated and to be removed [from my house] to the House of Correction where she will accept to do services related to that place. I declare, however, that no one should hire her voluntary services, for she has someone who seduces her, and she is not well-behaved, very insubordinate, and disrespectful. Moreover, she has two underaged children that, because of her incapacity of raising them, were taken to be raised by some tutor who will be responsible for feed, clothe, and educate them until they come to age."¹⁹⁰ Colonna's declaration reveals that not only Narciza's freedom was in danger, but her motherhood too.

¹⁸⁹ Carlos Eduardo Moreira Araujo, "Cárceres Imperiais: A Casa de Correção do Rio de Janeiro. Seus Detentos e o Sistema Prisional no Império, 1830-1861," PhD dissertation. Universidade Estadual de Campinas. 2009, 200.

¹⁹⁰ Pedro Maria Romão Colonna. Declaration. 12/18/1855. ANRJ, Ministério da Justiça, 6D-49. In Portuguese "Certifico que tendo arrematado os serviços d'Africana livre de Nação Cassange de nome Narciza e findando-se o tempo da arrematação requereu a dita Africana carta de emancipação na conformidade do Decreto de 28 de Dezembro de 1853 para ser recolhida a casa de correção afim de sujeitar-se aos trabalhos que lhe forem destinados; e por ella ter quem a sedusa, não ser de bom comportamento, ser muito insubordinada, e falta de respeito, não convem contractar os seus serviços voluntários, e em consequencia de ter dois filhos menores, e pela sua incapacidade de os reger, foi necessario requer ao Ex.mo Senr Juiz dos Orfãos que por seu despacho, nomeasse tutor

The ability to be a good servant and a good mother were interdependent in Colonna's declaration. He started his argument stating that no one should contract her voluntary services, meaning that no one should give her a position if eventually she got her freedom. In the following part of his declaration, Colonna makes a warning for possible employers to be aware of Narciza's bad behavior, irresponsibility, and her insubordinate personality. The definitive evidence for Narciza's unsuitability to be emancipated was her incompetence in raising her daughters which is proved by the necessity of conducting them to the cares of a tutor.

The fact that Narciza had someone to seduce her was a crucial evidence for Colonna's argument of Narciza's inability to be definitively emancipated. It was also an indication of the presence of a community. The word "seduce," as explored elsewhere in this chapter, means that she might had contact with other Africans in the context of Brazilian slavery. These other Africans were a threat for the explorers of black labor, commonly spreading the word about freedom, or helping slaves and liberated Africans to escape, or even participating slave stealing and sales of black people inside Brazil. In the context of Narciza's case, having someone who seduced her meant that she had a community. It is difficult to know more about this network that Narciza built over twenty years living in Brazil. Mamigonian contends the idea a "liberated African identity" was created with the particular legal status, which differentiated them from slaves and freed blacks.¹⁹¹ Nelson argues that liberated Africans an identity based on their shipmate bonds, creating a net of support.¹⁹² Fuentes and Diaz provided, in their study of the *emancipados*¹⁹³ from the vessel *Dos Hermanos*, examples of a group of people who was

para os ditos innocentes não ficarem ao desamparo, cujo tutor se obrigou de boa vontade a concorrer com tudo quanto fosse necessario para alimentos, vestuario, e educação dos sobreditos até maior idade."

¹⁹¹ Mamigonian, *Africanos Livres*, 329.

¹⁹² Nelson, "Apprentices of Freedom."

¹⁹³ Emancipado was the equivalent term for liberated African, used in Cuba.

“conscious of belonging to a community” and who “demonstrated the close networks of reciprocity forged through the experience of travelling on the same ship.”¹⁹⁴ They made efforts to keep families together, to support their shipmates, and more importantly to fight for freedom for themselves and their offspring. In Narciza’s case, this community could include other liberated Africans, Africans and Brazilian slaves and ex-slaves, and free people. Having a network of support might have given Narciza the opportunity of being aware of Brazilian laws. This community must have helped her to create a mindset of freedom that pushed her to contact the legal system five times. More specifically, this net could also have given her advice in how to proceed in face of her concessionaire’s declaration, especially because after Colonna’s declaration, her petition was denied.

Colonna’s declaration demanded an answer. Narciza, at this point, more experienced in the nuances of the Brazilian legal system, and savvy on the context of liberated Africans in Rio de Janeiro, changed her male scribe for a female one. Maria Amalia Goulart was not only the first woman to write petitions for Narciza, but the only woman to be part of the group of scribes that provided their services to the liberated Africans from the *Rio da Prata*. Having a woman as a scribe could have had many effects on Narciza’s case. Narciza had the longest case among the petitioners from the *Rio da Prata*. As mentioned before, she had five petitions over five years. Her second request, dated from 1854, was approved at first, as the note “se fará justiça” signed by Sequeira proves, to then be overruled after the Colonna’s declaration. Narciza might have considered giving up. In order to start her case again, she would have to gather money to pay once more to someone to write the petition for her. Moreover, she might have realized that facing Colonna would not be easy. He was a Portuguese man who arrived in Brazil in 1810, two years

¹⁹⁴ Aisnara Perera Díaz and María de los Ángeles Meriño Fuentes “The African Women of the Dos Hermanos Slave Ship in Cuba: Slaves First, Mothers Second.” *Women's History Review* 27, no. 6 (2018): 896.

later than the arrival of the Portuguese Court, to work in the Department of Navy and Overseas Dominions. The Portuguese treasure defrayed his and his family's transfer to the Brazilian lands. After moving from Minas Gerais to Rio de Janeiro, Colonna worked in the War Ministry, organ from which he was retired by the time of Narciza's petitions. He was also a knight from the *Ordem de Cristo* and had a close relationship with Eusébio de Queiroz, Minister of Justice and author of the 1851 law that definitively prohibited the international traffic of slaves to Brazil, which implies his influence over the scene of Brazilian slavery.¹⁹⁵ Narciza might have been hopeless after failing twice to get her freedom, especially because she was fighting against the men who took her kids away from her. Maria Amelia Goulart, also a mother of two kids,¹⁹⁶ might have given Narciza some confidence for petitioning again. Through the words of a woman who could more easily understand the situation that this African woman was facing, Narciza reentered in the battle for emancipation, now bringing her motherhood as the main argument.

Precariousness of freedom affected not only liberated Africans but also their children. Although the sons and daughters of Africans workers like Narciza were Brazilian citizens, they carried the ambiguity of their status like their parents. Some of these children did not remain with their parents. Masters and concessionaires directed them to live with a tutor until achieving adulthood or hired them out to work as domestic servants or as toilers in local factories. In his records made between 1849 and 1851, the British consul Robert Hesketh registered names, ages, characteristics of liberated Africans' children. By looking at these notes, it is possible to notice that it was the women who often mentioned their offspring rather than the men. This is also true

¹⁹⁵ Some information about Pedro Maria Romão Colonna can be found here: Alan K. Manchester, "The Growth of Bureaucracy in Brazil, 1808-1821" *Journal of Latin American Studies*, No. 1 (1972): 77-83; *Diario do Rio de Janeiro*, 03/04/1836. http://memoria.bn.br/DocReader/094170_01/18012; *Jornal do Commercio*, 03/151836, http://memoria.bn.br/DocReader/364568_02/7522.

¹⁹⁶ *Diario do Rio de Janeiro*, 07/03/1854. http://memoria.bn.br/docreader/094170_01/40335.

for the petitions. This information, although not surprising, brings the attention to a gendered experience of the precariousness of freedom.

As Camillia Cowling explains in her research on black mothers in the Brazilian and Cuban legal system, women accessed justice appealing commonly to family ties.¹⁹⁷ By analyzing cases of black mothers who contacted the legal system in those countries, the author demonstrates that these mothers frequently referred to the affective part of their relationship with their children in their pleas, even if this was not an argument that could be defended based on the law. Liberated African mothers also appealed for the affective arguments in their petitions, especially when talking about their children. Even though this was not an argument that was legally relevant, liberated African women appealed for the universality of motherhood. By analyzing the pattern of narratives in the petitions from the *Rio da Prata*, the legal arguments were always followed by further clarification, while the affective ones were taken as self-explanatory. One example of this is the frequent explanation that followed the mention of the decree 1303, to avoid a possible misunderstanding concerning to which legal argument liberated Africans were basing their requests. The affective argument, on the other hand, was often implicit. Narciza's petition brought the following phrase related to her children: "the supplicant has two underaged daughters who need her mother's support, and for this reason the supplicant asks that Your Imperial Majesty do justice."¹⁹⁸ There are no further details for this argument. In this sense, Narciza conveys the idea that motherhood could be easily understood.

¹⁹⁷ Camillia Cowling, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio De Janeiro*. (Chapel Hill: University of North Carolina Press, 2013).

¹⁹⁸ Narciza. Petition. 07/24/1855. ANRJ, Ministério da Justiça, 6D-49. In Portuguese: "a supp.e tem duas filhas menores e que carecem do apoio de sua mai, a vista do que com Justiça alega a supp.da. P.a V. M. I. se digne mandar o que for de Justiça."

Precariousness of freedom and motherhood are interconnected. Motherhood is where precariousness of freedom exacerbates, affecting not just liberated African women, but also circumscribing also the liberty of their offspring. Showing this precariousness in their petition, although did not have a legal validity, was a strategy to call the attention of judges and authorities. Through the mention of her children, Narciza showed to Brazilian authorities that her daughters – who were Brazilian citizens – were suffering because of their mother’s lack of freedom. In this sense, Narciza’s case adds the nuances of the liberated African conditions to Cowling’s analysis. While the cases that the author analyses are from mothers asking to recover children that were far from them, or to rescue them from slavery, liberated African mothers were petitioning for freedom for themselves and not for their children. In this sense, Narciza build her mothership as a narrative element that showed the limitations of her freedom and her daughter’s. It is possible to argue this because motherhood was not a constant feature in Narciza’s petitions. Exposing her condition of mother was a resource to defend her case vis-à-vis Collona’s declaration.

Collona’s declaration and Narciza’ petition reveal unbalanced relation of power not only because it shows his advantageous position of a powerful white men over her disfavored place but also because his freedom in the production of his declaration versus the limitations of her petition. Collona was literate and wrote his declaration without help of others. His declaration had no determined format. Petitions, on the other hand, were part of a set of legal documents that followed an established pattern. They carried generally the same type of information. Even the visual aspect of them, with all the text condensed to the right side of the sheet, demonstrated that there was a limited space for changes. Moreover, it is questionable whether the voices of the liberated Africans are present in these documents since they were written on their behalf.

Illiteracy, which forced them to find someone to write their demands, worked along with a judicial system that, through the format of the document, already limited their possibility of making demands on their own.

Records of police interviews were also standardized. Attending interviews in the police station of Rio de Janeiro was an additional step in the process of requesting for emancipation. In the station, liberated Africans provided the following information: their names, place of origin, age, marital status, place of residency, and occupation. They were also asked if their concessionaires had treated them well. Lastly, the police officer in charge also asked them if they were responsible for ordering the petitions. The answers to the police inquiries were also standard. For example, all the women stated that they were unmarried and domestic servants. All of them replied that they were responsible for the petitions. Moreover, all the women answered that they were well treated by their concessionaires in the police interviews. This is peculiar, because, as demonstrated in other parts of this chapter, many women had complained about their guardians in their petitions, either because of the harshness of the work, or because of the exceeding years that they had already worked. Police interrogatories however do not reveal these grievances. This set of documents could lead us to think that these women were truly silenced by the legal system. However, it is important to reflect on the conditions in which these questionings were carried out. These women who were already intimidated by the uncertainties of their cases, by the possibility of never getting emancipated, and by the necessity of fighting alone for their liberties, had to appear in the police station – a space known for transforming black people in prisoners – to give intimate information about their lives. They had to testify that they were who they claimed to be, liberated Africans pleading for their emancipation. Furthermore, a police station in the nineteenth-century Rio de Janeiro was a place marked by

masculine power, and, while answering to interrogatories was far from being a customary action for liberated African women, answering to a cohort of white policemen could be extremely frightening. It seems understandable that these women were not willing to expose their experiences in such a hostile environment. Police interrogatories, nonetheless, are valuable documents to analyze the spoken and unspoken words. These documents evidence how gendered relations of power affected the experiences of freedom of these liberated African women.

Moreover, men dominated the scene of the Brazilian legal system. Taking Narciza's case again, it is possible to see that the only female figure was her scribe, Maria Amalia Goulart who wrote two petitions. The other three scribes who worked with Narciza were men. There is little information on how liberated Africans contacted these scribes. It is also difficult to find data about their work, how much they charged to the petitioner, or how much they knew about the Brazilian law. It is known, however, that Narciza looked for the scribe João da Costa Franco to start her struggle for emancipation even before the enactment of the decree 1303. In her first petition, dated from April 1852, Narciza says that she was "entrusted to Mr. Pedro Maria Romão Colonna, having completed the years [of service required by the Law] and requests that Your Imperial Majesty gives her complete freedom. Because she cannot obtain it without your permission asks that You Imperial Majesty consent in deferring [her request]."¹⁹⁹ Interestingly, this petition does not differ radically from the others made after the approval of the decree 1303. One assumption that is possible to make is that Narciza based her request on the *Alvará com força de lei de 26 de janeiro de 1818*. This law prohibited the slave traffic from African ports

¹⁹⁹ Narciza. Petition. 04/03/1853, ANRJ, Ministério da Justiça, 6J-127. In Portuguese: "Diz Narciza, Africana que tendo sido confiado os seus serviços ao Senhor Pedro Maria Colona e tendo ja completado os annos da Lei (como prova pelo documento junto), desejando que Vossa Magestade Imperial lhe concedesse a sua plena Liberdade, e como não possa obte-la sem a permissão de Vossa Magestade Imperial, por isso: p.a V. M. I. se digne mandar deferir"

located north of the Equator and determined that Africans who were brought illegally to Brazil should work as liberated Africans for fourteen years. Narciza could have lived together with other Africans that also based their demands on this law. Additionally, Franco might have used this law as argument for other petitions. Narciza, however, was unsuccessful.

Continuing with her petitions, Narciza had to deal with a whole set of white men. Curators, police, judges, ministers were all men. Other petitions show that she employed different strategies to get the attention of the authorities who would decide her future. In this case, she appealed to the most powerful white men in Brazil, the Emperor Pedro II, to whom the petitions were addressed, even though he was not the one who read them. One of her requests says that Narciza trusts in the Emperor's "extreme kindness and true justice." It was not rare that liberated African appealed to the figure of the Emperor as the one whose rightful fairness would bring justice to their stories. For instance, in the final lines of her petition, the wet-nurse Dionizia supplicated to the Emperor Dom Pedro II that he "provided the grace written in the law that grants and protected her freedom."²⁰⁰ The Emperor was not just the head of the state; he was the state. When liberated Africans appealed to his name, they were trying to get the coherence from the man who was the embodiment of the Law. The concession of the letter of emancipation would be certainly a grace received from a superior and powerful figure, but it would also be an obligation since the decree 1303 was approved under his command. In those lines, Dionizia, although very respectful, had almost an exigent tone, stating that her freedom was already granted by the law. In other examples from the *Rio da Prata*, petitioners emphasized the discrepant relation of power between them and the Emperor. This is the case of Fabiana Congo,

²⁰⁰ Dionizia. Petition. 05/27/1854. ANRJ, Ministério da Justiça, 6D-99. Original in Portuguese, "P. a V. M. I. que se digne fazer a graça concedida por lei, pela qual reclama e respeitosamente implora a supplicante, victima da escravidão, sendo a sua liberdade garantida e protegida pelas leis"

#204 who merely “begs that the Emperor do the grace of approving her supplication”²⁰¹ or Michaela Congo, #179 who asked “to Your Imperial Highness the grace that she begs reverently.”²⁰² Justa Benguela, #159, however, used her unprivileged position to approach the figure of the Emperor in addition to the emphasis in the paternalistic characteristics with which he was depicted. Her petition says: “The miserable African Justa prostrates before the august throne of You Imperial Highness, who has served for more than twenty-one years (...), Imperial Lord, and trusting in your august and paternal heart hopes that justice will be done according to the Decree #1303 and expects to be emancipated.”²⁰³ The dependency of white men to intercede in favor of the liberated Africans shows one more aspect of their precariousness of freedom. These women negotiated their freedom and their future in a relation of power that was disproportionately affected by masculinity and whiteness. The figure of the Emperor represented the culmination of the maximum dependency and subjugation by the white power.

Taking into account the women considered in this chapter, it is possible to see that their resistance passed by their gendered experiences of labor and freedom. In this sense, freedom, even if precarious, set the basis to their pleas. Narciza, Dionizia, Eufrazia, Bonifacia, and Andreza demonstrated that the strategies used in the petitions included aspects of their womanhood such as violence, death, mistreatments, family separation, and motherhood.

²⁰¹ Fabiana. Petition. 06/09/1855, ANRJ, Ministério da Justiça, 6D-49. Original in Portuguese: “Implora a V. M. I. a graça de lhe deferir sua suplica.”

²⁰² Michaela. Petition. 05/05/1855. ANRJ, Ministério da Justiça, 6D-49. Original in Portuguese: “P.a V. M. Imperial a graça que reverentemente te implora.”

²⁰³ Justa. Petition. 10/08/1856. ANRJ, Ministério da Justiça, Caixa. 782 Pacote. 3. Original in Portuguese: “Ante o augusto Throno de V. M. I. se prostra a infeliz Justa, Africana livre que a mais de 21 annos se acha prestando serviços (...), Imperial Senhor a supp.e fiada no Augusto e Paternal Coração de Vossa Majestade Imperial espera que lhe seja outhorgada a justiça que ordena o Decreto n.o 1303 de Dezembro de 1853 pelo então decreto no caso de ser emancipada.”

Moreover, far from being isolated as Robert Conrad assumed in his article,²⁰⁴ these women were included in a community that gave them support and information, which help them to shape their arguments in their petitions.

²⁰⁴ Robert Conrad, "Neither Slave nor Free: The Emancipados of Brazil, 1818-1868." *The Hispanic American Historical Review* 53, no. 1 (1973): 50–70.

Conclusion

This thesis had the purpose of investigating the experiences of freedom of liberated African women. The examination of the liberated Africans from the *Rio da Prata* showed that the female shipmates were able to access justice and get final emancipation earlier and proportionally in larger number if compared with the male population. This was due to three characteristics that the female population had. First, because the Brazilian government preferred liberated African men rather than women to work in public institutions, liberated African women worked in its majority in private houses. Second, the work that they performed in the domestic service allowed them to have contact with information from both inside the house of their concessionaires and from their communities on the streets. Their concessionaires were in general connected to the Brazilian government and conversations inside the house might have given them the awareness of the political debate over the issue of liberated Africans. Their network out of the domain of the private house could have conferred them the sense of community and provided them with tools to access the Brazilian legal system and to file their petitions. This network was not composed only by liberated Africans, slaves, or free blacks. The British Consulate had also a role in the dissemination of information and in the creation of the “liberated African identity.”²⁰⁵ Third, the decree 1303 of 1853 restricted the access to petitions to liberated Africans working for private concessionaires, which limited liberated African men to get their final emancipation. This decree, on the other hand, gave a better chance to liberated African women to obtain final emancipation. These conditions helped to create a mindset for freedom in liberated African women, which gave them tools to resist in varied forms.

²⁰⁵ Beatriz Mamigonian, “To be a Liberated African in Brazil: Labor and Citizenship in the Nineteenth Century” (Ph.D. dissertation, University of Waterloo, 2002), 203.

The documentation available for the case of the *Rio da Prata* showed that women from this particular population fought for their freedom using different strategies. Newspaper ads looking for liberated Africans showed that they flew out of the dominium of their concessionaires. Their petitions revealed that they used the legal system in their favor and tried different narratives in order to justify or speed their second emancipation. They used legal arguments based on the decree 1303 of 1853 as well as pieces of their biographies to give support to their claim of liberty. In these biographical excerpts, women expressed the limitation of their freedom as liberated African women such as the separation between them and their children and the abuse of their bodies and used them as evidences that their status of liberated Africans was not being respected, and, more importantly, that only the emancipation letter would give them full access to freedom. The documents generated around the petitions, such as declarations from concessionaires and authorities from the Brazilian government demonstrated that they had a community outside their houses. Through this network, they found, among other things, support for their flights and information about other forms to get their definitive emancipation.

In comparison to literature that analyzed liberated African in Brazil, this study added the gender issue to investigate the specificities of liberated African women. While earlier researches based their arguments on the Brazilian legal context and the British correspondence, centering their study on the liberated African issue, more recent scholars have been adding more documents to their analysis. In the last ten years, historians have been investigating the documentation found in the vessels captured illegally transporting Africans to Brazil, the petitions filed after 1853, declarations of concessionaires, police records, and political debates in order to have a better grasp of the experience of liberated Africans in Brazil. Gender, however,

has not been the focus of these studies. In this context, this thesis contributed to understand the experiences and limitations of freedom of the women from the *Rio da Prata*. Although restricted to one vessel, this research revealed a microcosm of the conditions of the liberated African women. Moreover, this thesis also dialogued with researches that tracked specific ships seized because of the prohibition of the slave trade. While these studies shed light on varied topics, such as the illegal introduction slaves in Brazil and the subterfuges used by the slave trader, the formation of bonds among shipmates, and the archive created because of the abundant documentation on liberate Africans, gender is not a main concern in most of them. Thus, this thesis also added to the investigation of the ships that transported Africans after the 1831 Law focusing on the specificities of the female population.

Further research should broaden the scope of the argument of this thesis. The expansion of the documentation could reveal how these women, pioneers in the search for freedom, influenced the group of liberated Africans and the group of slaves. The addition of documentation on other cohorts of liberated Africans could demonstrate more connections and different interactions made by this group. Moreover, a broader set of documents might give more information about the specific communities, for example among nation mates. Additionally, an exploratory map of the city of Rio da Janeiro with data on the addresses of liberated Africans could be used to demonstrated possible relationships among nations and shipmates. The date of arrival could also be a factor of influence, as well as the connection among liberated Africans from different vessels in the same household. Concerning the relationship of liberated African women with other slaves, the investigation of public fountains where women did laundry and common spots occupied by street vendors is fundamental to get a grasp on female black mobility and communication in Rio de Janeiro.

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