THE CATHOLIC CHURCH AND THE FREE WOMB LAW IN RECIFE, PE, BRAZIL: AN ANALYSIS OF ITS SOCIAL DEVELOPMENT, 1870-1878.

by

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A thesis submitted to the faculty of
The University of North Carolina at Charlotte
in partial fulfillment of the requirements
for the degree of Master of
Latin American Studies

Charlotte

2016

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ABSTRACT

MARIA PAULA ANDRADE DINIZ DE ARAUJO. The Catholic Church and the free womb law in Recife, PE, Brazil: an analysis of its social development, 1870-1878. (Under the direction of DR. OSCAR DE LA TORRE CUEVA)

This research examines the role of the Catholic Church in the Brazilian Northeastern city of Recife with the advent of the Free Womb Law, in 1871. It delves into the complex dynamics of the Church and the children the law affected. That way, this research observes, on one hand, the support the Church offered to the Brazilian State, and on the other hand, its instances of resistance towards the changes the law intended to promote. In sum, this work expands current historiographical arguments that places the Church as a civil servant of the Brazilian Empire during the nineteenth century, as well as its relationship with childhood. It provides evidence of its difficulties to collaborate with the social changes the law was provoking by analyzing the attitudes of the brotherhood of the Holy House of Mercy of Recife, from 1870 to 1878.

ACKNOWLEDGMENTS

I would like to thank my advisor Dr. Oscar de la Torre Cueva for all the support he gave me in this project. I also would like to thank my committee members Dr. Erika Edwards and Dr. Eddy Souffrant for accepting my request to participate of my committee and help me improve this research with their experienced and relevant opinions. I cannot forget to thank Dr. Jurgen Buchenau for all the support during these two years, and for the creation of the Pharr-Buchenau Grant which was paramount for my travel to Brazil. Without that financial help I would not be able to collect the data that allowed me to work on my research.

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CHAPTER ONE: RECIFE IN THE 19TH CENTURY

In the first half of the 19th century, Recife was not that different from other urban centers of the Brazilian Empire: slavery was present in every aspect of its daily routines. Just like in Rio de Janeiro and Salvador, *escravos de ganho* and street vendors eked out a living in the streets of this Northeastern city in the most varied ways one could imagine. In the wealthy houses of its urban elite, wet nurses, cooks, maids, coachmen, and messengers represented the slave system that sustained the city's economy.[1] The city was also appealing to the ones who aimed for liberty, especially for those who had developed some skills and could pass for free.[2]

Catholicism, the official faith of the Empire, was a fundamental part of urban

Figure 1: Panoramic view of Recife in 1855 by Frederick Hagedorn. Source: http://enhancedwiki.altervista.org/pt.php?title=Ficheiro:Frederick_Hagedorn_-_Panorama_do_recife_-_1855.jpg

life as well. It shaped life in the city as the main vehicle for collective organization, and was present in the everyday life of Recifeans, both public and private. All civic and popular celebrations included Catholic elements, as the great number of brotherhoods

[1] Marcus Carvalho, *Liberdade: Rotinas e Rupturas do Escravismo no Recife, 1822-1850* (Recife: Ed. Universitária da UFPE, 1998),177.
[2] Clarissa Nunes Maia, S*ambas, Batuques, Vozerias e Farsas Públicas: o Controle Social sobre os Escravos em Pernambuco no Séc. XIX (1850-1888)*, (São Paulo: Annablume, 2008), 19.

attests. Their processions had plots which made use of dramatic scenery, an inheritance from colonial missions that recurred to visual interpretations of Biblical stories to educate the indigenous people. It was common for the brotherhoods to request the presence of the Army or the National Guard during their processions, as a way to maintain the pomp of the ceremony. Popular participation was present even in more sacred celebrations. As part of the tradition of the Ash Wednesday procession, lay people dressed as saints and angels and carrying symbolic objects such as crosses and hoes, attempted to materialize abstract interpretations of Catholic beliefs. Judgment day, divine justice, heaven and hell, purity, obedience, confession, and many other elements were personified in their acting. Moreover, the Ash Wednesday procession consisted of a group of lay people playing cornets and dressed in the popular costume of *papa-angu,* a carnival folkloric manifestation where men cover their faces with masks. They also held a whip with which they hit the ground to make a loud noise, and threw the seeds of a small round fruit called *pitomba* on the population. This playful environment exemplifies the vigorous profane and lay-centered religiosity found in Recife during the 19th century.[3]

The ways in which these two key institutions intersected and shaped the lives of urban slaves and freedmen constitutes the backbone of this chapter. As I will show, Catholic institutions represented a key mechanism to deprive the slaves from African religious beliefs when they arrived to Brazil, although paradoxically such institutions also preserved some spaces for Africans to preserve, practice, and celebrate their ethnic and cultural manifestations in the form of black brotherhoods. Thus I will provide the

[3] Ney de Souza, "Catolicismo, Sociedade e Teologia no Brasil Império," In *Atualidade Teológica* 46 (Rio de Janeiro, 2013), 127-144; Raimundo Arrais, "Matriz, Freguesia, Procissões: O Sagrado e o Profano nos Delineamentos do Espaço Público no Recife do Século XIX", In Projeto História 24 (São Paulo, 2002), 167-188.

necessary background for the understanding of the Catholic Church's role in the city with the advent of the Free Womb Law on September 28, 1871.

Recife: A Port City

The first years of the Brazilian Empire, which began in 1822 and ended in 1889, were troubled times at both the national and local level. A series of rebellions reflected the regionalism that divided the new independent country, which responded with a bloody repression to maintain the national unity.[4] It was also a period of economic difficulties, and Pernambuco was not exempt from those challenges. During the early 19th century, the province of Pernambuco ranked third in economic size in Brazil, exporting mostly sugar and cotton to England and Portugal.[5] It retained the third position in economic importance up to the 1840s, when Brazil started exporting more heavily to the USA as well. However, by the 1850s the Northeastern region began to experience the decay of the old sugar-producing sector, given the competition Cuba posed in the international sugar markets, as well as the arrival of beet sugar from the U.S. That caused a substantial drop in the price of Pernambuco's main export, sugar, and rendered the province unable to compete internationally by the 1880s. [6] In 1855, Pernambuco held about 145,000 captives, in a national population of 693,450. In 1872 that number had dropped to 89,028, due to the end of the African slave trade to the country, and to the interregional trade of slaves to the Southeast provinces of Brazil.[7] Whereas Minas Gerais, Rio de Janeiro, and São Paulo accounted for only 35 percent of the slave population in 1818, by 1872 that number increased to 58 percent. By the end of slavery in 1888, those three provinces accounted for 65 percent of the slave

[4] Marcus Carvalho, *Liberdade*, 5.
[5] Ibid., 10.
[6] Clarissa Nunes Maia, S*ambas, Batuques, Vozerias e Farsas Públicas*, 23,24.
[7] Ibid,27.

population of the Empire, due to the expansion of the coffee sector.[8]

Recife, as Marcus Carvalho emphasizes, has strong ties to the water of the rivers that cross it and to the ocean bathing its shores. The reef on the coast of Recife offers its name to the city, as *arrecife* means reef in Portuguese. It also constitutes its port, as large vessels could not get into its berth. For this reason, in order to reach the town, one needed to get into small *jangadas,* rafts made of six or eight logs, with seats big enough to accommodate two passengers each. Fascinating some travelers, and scaring others, they were manned by crews of between three and eight black men dressed only with a loin cloth. When foreign ships anchored by the reef, *the jangadas* would surround them to pay a visit to sell fresh tropical fruit and vegetables, such as mangoes and pineapple. The price the enslaved companies *of jangadores* charged for paddling travelers over to the city and disembarking them there was, according to the German

Figure 2: "The *Jangada* and the Entrance to Pernambuco,"source: *Brazil and The Brazilians* by Rev. Jmes C. Fletcher and Rev. D. P. Kidde,Boston: Little Brown, and Company, 1879,. p. 513

Oscar Canstatt, who visited the city in 1871, "not at all modest, being enough in

[8] Herbert S. Klein, and Francisco Vidal Luna, *Slavery in Brazil* (New York: Cambridge University Press, 2010), 76.

Germany to pay for a voyage from Frankfurt to Cassel."[9]

During 1871, Recife had thirty-seven Catholic Churches, two convents and one Anglican Church.[10] Inns and hotels could not be found in the 1820s, and foreigners needed to stay with hosts and acquaintances.[11] However, as late as 1871, the few hotels created in the city had a poor structure, not satisfying the standards of European travelers.[12] The infrastructure of Recife was also problematic. In general, the visitors noticed that its streets were dirty, with trash found everywhere, but the breeze coming from the sea cleaned the smells it exhilarated.[13] Some of its streets, in the early 1820s, were paved with blueish pebbles, and its houses had three to four floors in general.[14] The slaves generally lived on the first floor, and the owner's extended family in the second.[15] By 1866, the city had received some improvements as many of the streets were paved, and there was a sewage system in construction. Water-works, better bridges and extensive quays were under construction on the margins of its rivers as well.[16] Its main defense relied on two forts, the *Forte do Brum* and *Forte do Buraco*, which in any case were out of order.[17]

Because of the hot and humid weather of the city, the ladies of higher social ranks spent their days at home with their slaves, going out to visit acquaintances usually

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[9] Marcus Carvalho, *Liberdade*, 21; Oscar Canstatt, *Brasil: Terra e Gente (1871)* (Brasília: Senado Federal, 2002),259, http://www2.senado.leg.br/bdsf/bitstream/handle/id/1066/632256.pdf?sequence=4; Rev. James C. Fletcher and Rev. D. P. Kidder, *Brazil and The Brazilians* (Boston: Little Brown and CO,1879), 513. https://archive.org/stream/brazilbrazilians00kidd#page/n5/mode/2up; Maria Graham, *Diário de uma Viagem ao Brasil e de uma Estada Nesse País Durante Parte dos Anos de 1821, 1822 e 1823* (São Paulo: Companhia Editora Nacional, 1956),107, http://www.brasiliana.com.br/obras/diario-de-uma-viagem-ao-brasil-e-de-uma-estada-nesse-pais-durante-parte-dos-anos-de-1821-1822-e-1823; Oscar Canstatt, *Brasil: Terra e Gente (1871*), 260.

[10] Ibid.

[11] Ibid., 4.

[12] Canstatt, *Brasil: Terra e Gente (1871)*, 261.

[13] Mansfield, 21.

[14] Graham, *Diário de uma Viagem ao Brasil*, 112.

[15] Ibid.

[16] William Scully, *Brazil: Its Provinces and the Chief Cities: the Manners and Customs of the People, Agricultural, Commercial and other Statistics taken from the Latest Official Documents*, (London: Murray and CO, 1886), 203; Kidder, 515.

[17] Koster, *Travels in Brazill*, 9.

at night.[18] This represented the patriarchal system of nineteenth-century Brazil, where women of honor should stay indoors. They attended mass at the churches before day-light and did not go out except in sedan chairs carried by slaves. However, the levels of education of those from the higher classes were disappointing, as American traveler Charles Blachford Mansfield noticed when he visited the city in 1852. He became quite surprised with the lack of knowledge of the population in regards to its own land and natural products. The businessmen of the county dressed like Europeans, and used to gather in front of cafés to talk. The city's stores had a good amount of English and European goods.[19]

The city was constituted of three districts or parishes, named Recife, Santo Antônio, and Boa Vista, connected by two bridges. The Capibaribe River separated the parish of Santo Antônio from that of Boa Vista, the most modern and lively one. Its large streets were paved, and they had pretty houses where the wealthy of the city lived. Outside of its main streets the houses were however small. It hosted richer traders, mostly Portuguese, and the parish's gardens surrounded the convents, churches and the bishop's palace, giving an elegant aspect to the area. Paradoxically, the Capibaribe was also a key area for the enslaved, as slave women and the canoe men often traded along its shores. The river was populated by large numbers of enslaved canoe men who went up and down its waters, bargaining the oranges and other fruits and cakes that the black slave women sold in its shores. Also known as *canoeiros*, those men, when slaves, refused to be objectified, and made use of the freedom their profession gave them to try to reach a life as free people. When deciding to disappear from their masters, *canoeiros* used to change their names to make it difficult for the authorities to find them.[20]

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[18] Charles Blachford Mansfield, *Ensaio Crítico sobre a Viagem ao Brasil em 1852*, 21.
[19] Koster, *Travels in Brazil*, 7,8;Tollenare, *Notas Dominicaes*, 25.
[20] Koster, *Travels in Brazil*, 6,9,13; Tollenare, *Notas Dominicaes*, 38; Graham, Diário de *Uma Viagem ao Brasil*, 109. Marcus Carvalho, *Liberdade*, 37.

The parish of Santo Antônio, connected to the parish of Recife through a bridge, had wider streets than the ones in the latter. Its streets contained warehouses that sold jewelry and foods. Near them, one could see the city jail, and it had many churches and convents as well, such as the Franciscan, the Carmelite and the Penha ones. By 1871, this parish was considered the most important one since in it were placed the sugar and cotton markets, where thousands of blacks worked daily. It was a district devoted to commerce, where there were the custom house, workshops and merchants.[21]

The parish of Recife was the busiest of all of them, being also the worst in cleansing and buildings. Its streets were narrow and seemed to have little or no patrolling, which made nigh walks a little dangerous. That was also the part of the city where the slave market was located. It hosted three churches, two of which were separate for whites and blacks. The cotton market, the government palace, warehouses and the printing press developed in the city were also located in the Recife parish and it was the one where the majority of the slaves of the city lived in.[22]

Slavery and Freedom in the Streets

Slavery[23]

If God permits the world
To live in oppression,
If he consents with this crime,
That is called slavery,
In order to create free men,
To pull them away from the abyss,
There is a patriotism
That is bigger than religion.
If he does not care about the slave
Who complains on his feet
Which covers the face of his angels
With embarrassment,
It is when on their ineffable delirium,

[21] Tollenare, *Notas Dominicaes*, 27; Koster, *Travels in Brazil*, 7; Canstatt, *Brasil: Terra e Gente (1871)*,260; Scully, *Brazil: Its Provinces and the Chief Cities*, 202.
[22] Koster, Travels in Brazil, 6-8; Tollenare, Notas Dominicaes, 24-28,Graham, 116, Charles Blachford Mansfield, *Ensaio Crítico sobre a Viagem ao Brasil em 1852*, 21; Graham, *Uma Viagem ao Brasil*, 109, 116.
[23] Translation of Tobias Barreto's "A Escravidão", http://www.escritas.org/pt/t/12686/a-escravidao.

and practice of charity,
that the youth from now on
will correct God's mistakes!

In this poem, Pernambucan writer and jurist Tobias Barreto describes the frustrations and anxieties of a generation of Brazilians who began to question their society's values as the nineteenth century advanced. Living in Recife, Barreto certainly had daily experiences with that regime of oppression and dehumanization. As the country had its first census realized only in 1872, the number of inhabitants in the city of Recife was estimated in about 70,000 during the 1850s, and slaves represented on average a third of that population.[24]

According to the French traveler Louis-François Tollenare, who arrived in the city in 1816 and left in July 1817, African slaves were brought to the port of Recife from the coast of West Central Africa and from Mozambique in vessels that weighed from two to four hundred tons.[25] In the mid-eighteenth century Rio de Janeiro had become dominant in the arrival of African slaves in Brazil. By the 1840s, as the economy of Pernambuco began to shrink, the arrival of slaves to Rio de Janeiro reached an even larger proportion of the total, or four-fifth of all slaves arriving into Brazil.[26] Chained in the bosom of the slave ships, the enslaved often sang and clapped their hands when arriving at the port of Recife, according to a number of travel accounts.[27] That could be possibly a celebration to the end of the journey, but it is unlikely that the clapping and singing represented a demonstration of joy. Because the travelers had little information in regards to the cultural contexts of those slaves, their interpretation of the moment was certainly biased, and those expressions could reflect the exact opposite of

[24] "Censo de 1872 é Disponibilizado ao Público," Portal Brasil, http://www.brasil.gov.br/governo/2013/01/censo-de-1872-e-disponibilizado-ao-publico; Charles Mansfield, *Ensaio Crítico sobre a Viagem ao Brasil em 1852,* 14.
[25] Tollenare, *Notas Dominicaes,* 138.
[26] Herbet S. Klein and Luna, *Slavery in Brazil*, 152.
[27] Tollenare, *Notas Dominicaes*, 138.

what the witnesses believed. [28] A part of Mozambican cultural expressions in Mozambique singing and clapping not only communicated joy and satisfaction, but also sorrow and mourning, and the Africans utilized it as an element of resistance against Portuguese domination.[29]

Just like any traveler, slaves had to disembark in the city through *jangadas*. In theory, they were supposed to be taken to Santo Amaro, an area of the district of Santo Antônio that was airy and distant from the town. There they should stay in quarantine, receive medical treatment and be checked in case they had diseases. But just like most other regulations about the urban space, these were routinely disobeyed. Most of the Africans were around eighteen and twenty-five years of age, but enslaved boys and girls were also present.[30] For those who were not used to the reality of a slave society, the

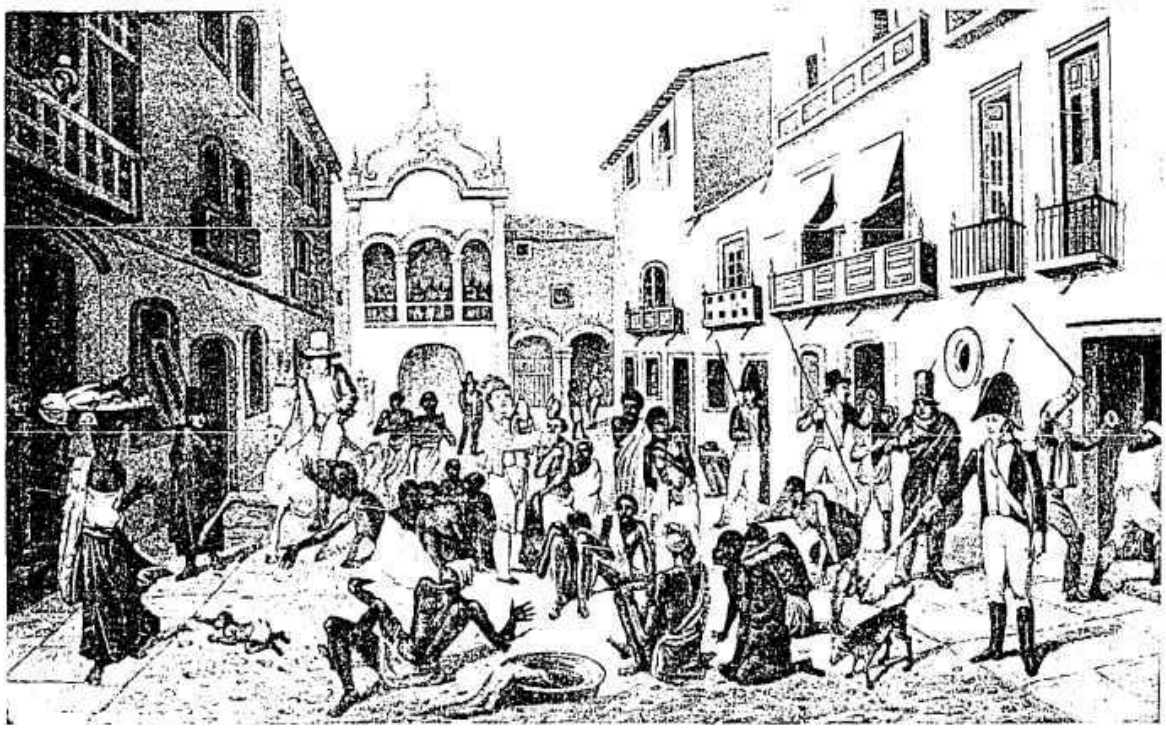

Figure 3: "View from the Mauricio de Nassau Gate, with the slave market", by Edward Finden. Published by Longman & Cia.on April 5, 1824. In *Diário de uma Viagem ao Brasil e de uma Estada Nesse País Durante Parte dos Anos 1821, 1822 e 1823* by Maria Graham. *Source:www.brasiliana.com.br/obras/diario-de-uma-viagem-ao-brasil-e-de-uma-estada-nesse-pais-durante-parte-dos-anos-de-1821-1822-e-1823/preambulo/19/*

[28] George O. Ndege, *Culture and Customs of Mozambique*, (London: Greenwood Press, 2007), 111.
[29] Ibidem, 111,113.
[30] Tollenare, *Notas Dominicaes*, 138,139; Koster, *Travels in Brazil*, 415.

image of a slave market could be at the very least shocking and disturbing. The Africans, now reduced to a subhuman condition, were taken to the parish of Recife, where the market was located, and stayed on its streets to be sold.[31]

British traveler Maria Graham, who wrote a famous travel account narrating her visit to Recife in 1821,vividly described her sentiment when seeing it for the first time:

> We had hardly gone fifty paces into Recife, when we were absolutely sickened by the first sight of a slave-market. It was the first time either the boys or I had been in a slave-country; and however strong and poignant the feelings may be at home, when imagination pictures slavery, they are nothing compared to the staggering sight of a slave-market.[32]

The spectacle not only impressed her. Black Africans of all ages occupied the warehouses chewing the sugar cane that passer-byes threw to them, reflecting the crude reality of that society in which both elements- sugar cane and African captives- represented the history of the region by transcending the limits of Pernambucan cane plantations. Many of them had serious skin diseases, covered in pustules. Black women had their bodies exposed, and some of them were still breastfeeding, often with only pieces of cloth worn as petticoat. The men had a small piece of cloth tied around their waist, drawn between their legs and fastened behind. Slave children played amongst themselves. Lining on the streets of Recife, sitting or lying upon pathways by the hundreds, they were sorted in gender and in groups of adults and children. Their food consisted of beef jerky, manioc flour, beans and plantains occasionally; on the streets their food was cooked in enormous cauldrons. At night they were taken to one or more warehouses, while a driver stood nearby counting them as they passed. They were

[31]Ibidem, 139.
[32] Maria Graham, *Journal of a Voyage to Brazil and Residence There During Part of the Years 1821, 1822, 1823* (Project Gutenberg: 2007),55. http://www.classicly.com/download-journal-of-a-voyage-to-brazil-pdf.

locked in, only to come out again on the following morning, as robbery of slaves was common in the city. In order to shower, the African captives were taken to the sea.[33]

When possible purchasers arrived in the market, they made the slaves stand up, checked their pulse, touched their body, checked their tongue, eyes, and muscles, and made sure that they were healthy by having them cough, hop and violently shake their arms. Forced to weeks-long of immobility, many looked desensitized about their reality. For this reason, some *negros de nação* usually tried to talk to them, and sometimes even slave owners put acculturated slaves to talk to the newly arrivals. [34] The slave market of Recife was indeed a desolated scenario.

The streets of Recife had an intense traffic of commercial goods transported by blacks or *mulatos* carrying heavy volumes.[35] The streets had a constant presence of household servants, but the ones who stood out were the *escravos de ganho* or hire-out slaves. Much to the surprise of foreign travelers one quickly perceived their presence among them, bondspeople who regularly earned money from the labor services they practiced for their owners. They worked as joiners, shoemakers, canoe men, porters, washerwomen, good-sellers as well as in the port and in workshops. They went up and down the city's streets singing songs, and the black women walked selling tissues and other types of fabric materials in baskets over their heads. *Escravos de ganho* usually had Sundays and religious Holidays as their own, which placed them even more in a position of advantage when compared to household servants. However, the clothing and food the latter obtained was generally of better quality than the former. They thus constituted both enslaved men and women that transformed Recife's urban spaces into their environment of possibilities and development of social relations. Their voices in

[33] Tollenare, *Notas Dominicaes*, 25, 26, 139; Koster, *Travels in Brazil*, 416.
[34] Ibid, 140; Koster, *Travels in Brazil*, 416.
[35] Oscar Canstatt, *Brasil: Terra e Gente (1871)*, 262.

a variety of tones announced the products they were selling, and the streets offered them some autonomy from their owners. Slaves were also common throughout the urban streets of urban Latin America. In Colonial New Spain, for example, urban slaves were also frequently seen on the streets, carrying people and goods. They were, just like in Brazil, indispensable to life in the city. Hire-out slaves abounded there as well.[36]

São Paulo represented a contrasting case. The capital of the homonymous province did not experience slavery in the same magnitude as the regions of the Paulista West. Unlike Recife, São Paulo city had some importance as a slave market just for the first two decades of the 19th century. Yet it quickly went through a drainage of slave labor due to its proximity to the *cafeeiro* or coffee plantation center. Thus, São Paulo, reflected a very different reality from that of Recife.[37]

The canoers driving the *jangadas* were regulated by the municipal government, as their role was essential for a healthy commercial flow of goods and services in the city. Because of its importance, slaveowners manumitted their enslaved *canoeiros*, and a number of free individuals sought to become one as well. They were so numerous in the city that they had their own chapel. Still, because of the freedom they had to navigate away from their masters, slave canoe men were violently repressed and constantly watched. Moreover, their skills made them valuable economically, which also helped on the societal vigilance they received.[38] Those men had strong similarities with slave pilots in the New World. The lack of boundaries the seas offered, in the case of the

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[36] Koster, *Travels in Brazil*, 423; Tollenare, *Notas Dominicaes*, 25, 142; Maciel Henrique Silva, "Na Casa, na Rua e no Rio: a Paisagem do Recife Oitocentista pelas Vendeiras, Domésticas e Lavadeiras", In *Mneme Revista de Humanidades* 7, no. 15 (2005):1-30 https://www.cerescaico.ufrn.br/mneme/pdf/mneme15/146.pdf; Herman L. Bennett, *Africans in Colonial Mexico: Absolutism, Christianity, and Afro-Creole Consciousness, 1570-1640* (Bloomington: Indiana University Press, 2003), 4.

[37] Maria Helena P.T. Machado, "Sendo Cativo nas Ruas: a Eacravidão Urbana na Cidade de São Paulo," In História da Cidade de São Paulo (São Paulo: Paz e Terra, 2004), http://historia.fflch.usp.br/sites/historia.fflch.usp.br/files/SPEscrav.pdf, 4.

[38] Lêpe Correia, *Canoeiros e Curandeiros*, 75; Marcus Carvalho, *Liberdade*, 37.

latter, and the rivers of Recife, for the former, were appealing to them insofar as they constituted a path to gain freedom or, at the very least, autonomy. As sources such as plantation records, travel accounts, and ship logs show, most of the ship pilots in the Americas were enslaved by early-nineteenth century.[39] Similar to canoers in Recife, slave pilots in the Americas enjoyed a mobility and certain anonymity not found as easy in other occupations.[40] However, because of their higher mobility between different countries, slave pilots in the New World experienced freedom and semi-independent lives in ways that canoers in Recife did not. Still, in both cases water broadened the horizons in their lives.

Even though carpenters, joiners and construction workers bought slaves and taught them their professions, black male slaves struggled to achieve a minimum of financial stability. They often saved money to manumit the women they had relationships with during the 19th century Recife. They did it in order to free their offspring as well, as the Portuguese law followed the Roman one called *partus sequitur ventrem*, in which the child followed the social condition of the mother.[41] Those women also worked as sellers of goods such as sweetmeat and cakes, or as wet nurses, cooks or housekeepers. They were in their majority creoles, and according to Tollenare, also very elegant. The best types of labor to earn more were those at the city port, where slaves not only payed their masters, but were also able to feed themselves and save some money, which could serve to purchase their manumission. Yet that was not an easy task. By using data from the 1870s, Herbert S. Klein and Francisco Vidal Luna in *Slavery in Brazil* observed that an average of 6 percent of slaves were freed yearly. That

[39] Kevin Dawson, "The Cultural Geography of Enslaved Ship Pilots," In *The Black Urban Atlantic in the Age of Slave Trade*, (Philadelphia: Pennsylvania University Press, 2013), 2,3, https://muse-jhu-edu.librarylink.uncc.edu/books/9780812208139.
[40] Ibid.
[41] Ibidem, 142.

means that only 16 percent of all 10- year-old slave children during that time would be freed by the age of 40, and only 26 percent of those children who survived to 60 would be manumitted as well. With the abolition of slavery taking place in 1888 it is likely that most of those young captives were freed by then and thus did not have to live until the age of 40 to gain their freedom. Yet Klein and Luna's statistical work demonstrated how hard it was for a slave to save enough money for their own manumission.

The fact that urban slaves in Recife were considered more trouble makers and poorly behaved than slaves from the countryside indicate their capacity of using the opportunities they had to challenge or confront the system. Still, Recife did not face any slave revolt, especially when compared to Salvador, another port city in the Northeast that during the early 19th century experienced the dissatisfaction of Hausa Muslim slaves. Creole blacks and mulattos were seen as superior to African slaves. Seen as quicker learners, creoles were naturally in a position of "superiority" in terms of understanding the culture they were part of. Those comparisons just reinforce the intellectual limitations encountered in that slave society. Because they were perceived as superior to African slaves, when creoles were freed they received a much better treatment than Africans in the same situation. Like many other colonies, Recife also had the complex reality of free blacks who owned slaves. They shook the racial structure as they imposed their superiority on the whites of the city, especially those who belonged to the small but yet existent rich group of blacks. The fact that they treated their slaves the same way they were treated before being freed intrigued the ones unfamiliar with that regime.[42]

[42] Koster, *Travels in Brazil*, 424; Tollenare, *Notas Dominicaes*, 142, 146; Mansfield, *Ensaio Crítico sobre a Viagem ao Brasil em 1852* ,14.

In 1872 Brazil released the first census ever made during the Empire, which was also the first official collection of data about the population of the country.[43] The census showed that the slaves corresponded to 15.24% of the total population in its territory.[44] In the three parishes which composed the urban milieu of Recife - Boa Vista, Santo Antônio and São Pedro Gonçalves, later known as Recife - the slaves constituted 12.9% of the city population. There were 39,861 free individuals, and 5,925 slaves. The parish of Recife was the one with the least amount of them, containing only 962 slaves. It was also the parish with the one with less amount of free people, totalizing 8,028. The parish of Santíssimo Sacramento da Boa Vista had 17,969 free people and 2,917 slaves, whereas Santo Antônio had 13,864 free people and 2,046 slaves.

The census also provided the level of education of the population, revealing that in Recife almost half of the free people were illiterate. They represented 47.3% of the population of those three parishes together. Moreover, free children with ages between six and fifteen, or in schooling age, were mostly absent from formal education.[45] As noticed on the following table, the number of free children in school age who were not attending school represented 29.7% of the total of 12,352 children in those three parishes. Overall, Recife's free children were overwhelmingly illiterate.

As the slaves did not have access to formal education, the number of them who were able to read and write was very low: only seventeen in Santo Antônio (the parish had over 2,000 slaves registered) and nineteen in Boa Vista (it had almost 3,000 slaves). What about slave children? Since minors were those below twenty-one in Brazil in 1872, I considered slave children as the minors from the age of one to twenty. By adding

[43] "Censo de 1872 é Disponibilizado ao Público," Portal Brasil, http://www.brasil.gov.br/governo/2013/01/censo-de-1872-e-disponibilizado-ao-publico
[44] "Panorama Introdutório," IBGE, http://memoria.ibge.gov.br/sinteses-historicas/historicos-dos-censos/panorama-introdutorio.html.

the registrations of the three parishes, the slave children totalized 2,044 from the amount of 5,914 of slaves. The parish of Boa Vista held the biggest number of registrations, with 802 children, followed by Santo Antônio with 770, and Recife with 472. The only parish that registered children who were below twelve months old was Boa Vista: sixteen children in total. Religiously, all the slaves were registered as Catholic.[46]

Table 1: Number of free people and slaves who are literate and/or have access to formal education in the parishes of Recife, Boa Vista and Santo Antônio in 1872
Source: Census 1872 Pernambuco, p. 7-13. https:archive.org/details/recenseamento1872pe

	Literate	Going to school	Total population
Free people between 6 and 15	--------	3,318	9,433
Free people	18,860	----------	39,861
Slaves	36	----------	5,925

In an urban society with these characteristics, interpersonal relations and public spaces represented the main arenas for the discussion of laws and collective matters. As Brazil entered the 1870s, public debates on emancipation and the Free Womb Law would take place in public squares, ports, taverns, and, of course, in churches. If the government was to succeed in promulgating laws that gradually put slavery to an end, as increasingly became the goal of Brazilian political elites during the 1870s and 1880s, priests would have to actively work with the population, reading the law during mass, and discussing with the parishioners the benefits it was supposed to promote in a long term situation. The question we now turn to is to what extent and in what ways this institution was present in the lives of ordinary Recifeans.

The Catholic Church in Early Nineteenth-Century Recife

[46] "Recenseamento Geral do Império de 1872. Pernambuco," Internet Archive, https:archive.org/details/recenseamento1872pe

During the early colonial period, most missionary Orders in Brazil adopted the role of border patrols, often forcing them to relegate missional activities to a second place. Secular clergymen were also employed as government officials, making them care more for the advancement of their own careers than for catechization or the promotion of the Catholic faith. Whereas in Santo Domingo, Lima and Mexico City archbishoprics were founded in 1546, in Brazil that only happened in 1676. Moreover, even though the Portuguese Crown received revenue from Rome to implement parishes in colonial Brazil, it was quite stingy to do so. The vast territory also hampered contact with other towns and settlements, and with the lack of the printing press those clergymen often had low levels of education. It was also common for priests to not be able to properly celebrate Catholic rites.[47] That lack of strong ties to European Catholicism certainly influenced the way that religion was lived and juxtaposed to other beliefs in Brazil.

The Catholic Church was present in the lives of the Recifean community in the 19th century. The Franciscan Order was present in the city, and Recife also had a convent of Italian Capuchins. There were also Carmelites and Benedictines, who were not from the mendicant orders and instead owned *engenhos* or sugar plantations with large slave crews. Yet it was not easy to find women as religious servants, probably because there was still no convent for women in Recife.[48] That attests to the lack of greater structural development of the Catholic Church in the Brazilian society. However, according to Sérgio Chanon, there was a growth in the number of brotherhoods and other laymen groups during the 18th century in Rio de Janeiro, Pernambuco, Minas Gerais, Bahia and São Paulo. This helped increase the participation

[47] Jurgen Prien, *Christianity in Latin America*, 150-153.
[48] Tollenare,*Notas Dominicaes*, 32, 121,122.

of laypeople in Mass and other Catholic activities, at a time when these cities were experiencing high rates of urban growth.[49]

It was common for bystanders on the streets to bend their knees every time the Blessed Sacrament was passing. [50] The Blessed Sacrament means the symbolism of Jesus Christ's body through the Eucharist bread named hostia. As a popular demonstration of faith, priests walked on the streets of Recife carrying an object known as monstrance which carried the hostia.[51] It is still a common practice in Catholic societies. If it happened to have soldiers on guard in that moment, two of them were usually designated to accompany the priest.[52] That could be however translated as a cultural habit originated from social obligations. Chanon, on his study about the common people of Rio de Janeiro and their relationship with Catholicism, observed similar behaviors. He noticed that the participation of many parishioners in Mass did not correspond to religious fervor, but to what was expected from them in terms of social norms.[53] That analysis can be transferred to Recife and their inhabitants' relationship with Catholicism.

Even though the Church demonstrated great influence on the socialization of the Recifean citizens, the reputation of its priests was not the greatest. As it was mentioned before, Catholicism received profane features in Brazil, and in Recife that was also true. Most of the priests payed no attention to chastity, having women and children.[54] Culturally, knowledge and the exploration of science and literature were

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[49] Sérgio Chanon, *Os Convidados para a Ceia do Senhor: As Missas e a Vivência Leiga do Catolicismo na Cidade do rio de Janeiro e Arredores (1750-1820)* (São Paulo: Editoria da Universidade de São Paulo, 2008), 25.
[50] Tollenare, *Notas Dominicaes,* 32.
[51] "O Ostensório e a Adoração de Jesus Cristo," Santuário Basílica do Divino Pai Eterno, http://www.paieterno.com.br/site/2014/09/17/o-ostensorio-e-a-adoracao-de-jesus-cristo/
[52] Tollenare, *Notas Dominicaes,* 33.
[53] Chanon, *Os Convidados para a Ceia do Senhor,* 264.
[54] Ibidem, 122.

believed to maintain the cleric away from passions and negative habits.[55] However, education was problematic in Brazil during that time even among the cleric as it was previously mentioned. For the Recifean society the lack of education among clergymen contributed to the rise of their sinful behaviors.[56] Interestingly it did not cause any scandal among the population of the city, which implies that it was already a customary practice.[57] Yet chastity vows were not only disrespected in Recife, but also the issue of sexuality became a serious topic when the Paulista priest Diego Antônio Feijó decided to fight against celibacy in Church during the 1820s. His ideas influenced the Bahian deputy Antonio Ferreira França to propose a law against celibacy in 1827. Those debates reinforce the idea that Catholicism in Brazil gained specific contours that were indeed detached from European Catholic precepts.[58]

Regardless of the living choices of priests in the city, religiosity was an important reality in the lives of common people. Naturally, the religious festivities were also included. The churches of Poço da Panela, a village during that time and currently a neighborhood of the city, had important celebrations, where the elite of Recife participated, such as the celebrations of Nossa Senhora do Monte. At the door of the city's churches sanctified ribbons were sold, stolen or disputed among laughter and drinking, and brawls were commonplace. Nine evenings of hymn-singing and music to honor the Virgin and a raucous display of fireworks preceded the festival.[59] As a witness to that celebration, the English traveler Henry Koster saw the participation of elite women playing instruments, and of their slaves executing the vocals with them.[60]

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[55] Graham, 121.
[56] Ibidem.
[57] Tollenare, *Notas Dominicaes*, 122.
[58] Dilermando Ramos Vieira, *O Processo de Reforma e Reorganização da Igreja no Brasil (1844-1926*) (São Paulo: Editora Santuário, 2007), 66.
[59] Koster, *Travels in Brazil*, 17.
[60] Ibid.

In the period preceding Lent, the festival of Santo Amaro took place in the district of Santo Antônio. People from lower classes filled the streets to celebrate the festivity by tying ribbons on their wrists or ankles, and keeping them there until it wore out and dropped off.The upper class returned to that area of the town during the Holy Thursday. While those religious celebrations offered more opportunities for the participation of blacks and mulattoes in the city of Olinda, the traveler Charles Waterton alerted for the momentum of cultural and religious excitement that momentarily broke social hierarchies. He says that during Lent "every house, every room, every shed, become eligible places for those whom nothing but extreme necessity could have forced them to live there a few weeks ago."[61]

Portuguese citizens often segregated themselves from Brazilians when it came to attend Mass. Their services were not held in a strict environment, as mundane music was splayed, the churches were decorated with flowers, and their processions resembled a party, with the population following it as a spectacle. On occasion of a special festivity, military regiments played marches and fanfares, while fireworks were set off to honor the saint of the solemnity. Even though travel accounts do not mention black people as active as free people in the Churches' celebrations, they still participated through dancing and on theatrical representations. Moreover, they were prominent members and participants in the Brotherhood of Our Lady of Rosary and in many others, which will be discussed later in this chapter.[62]

The Easter celebrations turned the routines of Recife upside down. On Holy Thursday, the churches were decorated and had candles lightning them. The whole town participated of the event, and even the white females who never left their houses,

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[61] Ibid., Tollenare, *Notas Dominicaes*, 132, Charles Waterton, *Wanderings in South America* (London: J.M Dent & Sons Ltd, 1925), 77.
[62] Charles Waterton, *Wanderings in South America* (London: J.M Dent & Sons Ltd, 1925) 77, 133 ; Tollenare, *Notas Dominicaes*, 132, 137; Koster, *Travels in Brazil*, 17.

paraded the streets on foot, just like the poorer ones.[63] Wax tapers were all over the churches, producing a glaze that was even stronger with the use of mirrors fixed behind them. The organization of mass was divided in gender, regardless of one's color. The females sat closer to the rails being accommodated first, with no distinction of seats, and the males stood along the side of the church or near the entrance. On Good Friday, everything changed, from the dark clothes of the women to the decoration of the churches. The city lived the Easter, reinterpreting that religious moment accordingly. There was a dramatic organization for the beginning of mass. A very large curtain separated the principal chapel from the rest of the church. As mass began, a theatrical scenario took place after some long exordium, with the curtain dropping to expose a full-sized wooden image of Jesus. The community participated and many young people dressed as angels, and also as John and Magdalene. When the image of Jesus was finally brought down and placed on a white sheet, the sermon was brought to an end. On Saturday morning, the black slaves came to the streets announcing out loud the fowls they were selling for the families who impatiently awaited the striking of clocks that indicated the abstinence of Lent was over. The population was also present in mass during Easter Sunday, holding their wax tapers during the ceremony. These celebrations brought people closer to Catholicism, as religious celebration spread throughout the city.

The Catholic Church was indeed active in the Recifean society. In general, mass focused mostly on the Catholic dogma, the miracles of the saints and the hatred of the heretics. [64] Nonetheless, it is hard to say to what extent the population could understand those messages. To begin with, Mass was celebrated in Latin. Considered a cultured

[63] Koster, *Travels in Brazil*, 17,18.
[64] Ibidem.

language, Latin was certainly not part of the reality of the Brazilian lower class groups, which constituted the vast majority of the country's population. It is believed that 60 per cent of the Brazilian population was illiterate in the early 19th century.[65] Moreover, the ritual of mass was too complex in itself, making it even more challenging to understand what was discussed. The population in general did not have enough theological knowledge, and Mass simply did not make religious dogmas and ideas any more accessible for the populace to understand what their own religion was.[66] If the native free people struggled to understand mass and Catholicism itself, one cannot suggest that this was accessible for the slaves, coming from different African countries with their own cultural backgrounds and thus speaking other languages.

The Slaves' Religious Life

Just like in the other parts of the country, the slaves that arrived in the port of Recife were baptized in lots. They were either baptized before embarking or when they arrived in the city, not receiving any further Catholic instruction.[67] During the early 19th century, before Brazil's independence, the slaves brought from Angola carried the royal brand on their chests, indicating that the conversion to Catholicism had already taken place. Thus, they had a first encounter with Catholicism where the role of the institution was clear: de-culturating the incoming captives so that they adapted smoothly to their new role as working hands.

Slave masters were not very concerned with the Catechization of their captives. According to James H. Sweet, the Catholic clergy had serious issues with the lack of interest of masters on the "spiritual well being" of the slaves.[68] For that reason, newly

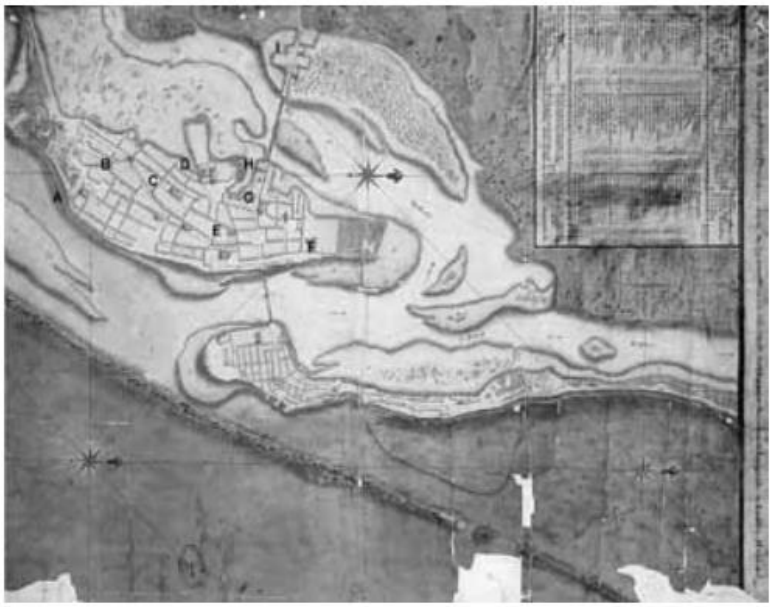
[65] Chanon, *Os Convidados para a Ceia do Senhor*, 261.
[66] Ibid., 260.
[67] Tollenare, *Notas Dominicaes*, 140.
[68] James H. Sweet, *Culture, Kinship and Religion in the African-Portuguese World, 1441-1770* (Chapel Hill: The University of North Carolina Press, 2003), 200.

arrival captives had serious limitations to the understanding of the Catholic dogma, considering their lack of understanding of the language along with their different approaches to religiosity.

Those challenges were not, however, a definite obstacle. Gradually, they developed strategies to use the Catholic institution to their own advantage. When slaves decided to get married in church, they needed to get the approval of their master, and it was not uncommon for the slaves to marry free people.[69] If a child was born from an enslaved womb prior to the promulgation of the law 2040 of September 28, 1871, he or she was in principle a slave – although the enslaved mother made every effort to find an alternative. Many free men, according to Koster, payed for the manumission of their children.The price of a slave child in the city was about 20$000 *réis*, a relatively cheap amount that most free men were able to gather. The master then had to free the child at the baptismal font. Moreover, many slave women when pregnant resorted to finding people of consideration to become godparents of their captive children, hoping that those would become too sensitive as to allow their god-children to live in captivity.[70] The enslaved, in sum, tried to take advantage of any opportunity for coming closer to freedom whenever they entered in contact with the Catholic Church. And this happened often, as we have seen in our succinct discussion of slavery and urban Catholicism in Recife.

[69] Koster, *Travels in Brazil*, 409, 412.
[70] Ibid.

The city also held the famous Brotherhood of Our Lady of the Rosary of the Black Men. The devotion to Our Lady of Rosary started in Portugal during the 15th and 16th centuries, and involved a number of legends depicting the saint as a sympathizer of black people. With the growth of devotion to that saint in Brazil among blacks, the brotherhood expanded in the colony. In Recife, free or black slaves were also devoted to her, and utilized religious and profane precepts to celebrate their faith.[71] The



A- São José do Ribamar Church.
B- N.Sra. do Terço C.
C- S. Pedro dos Clerigos C.
D- S. Teresa da Ordem Terceira do Carmo C.
E- Our Lady of Rosary of Blacks Church
F- Third Order of S. Francisco
G- Mother Church of Santo Antônio's Sacrament
H- Our Lady of Conceição of the Military C.
I- Mother Church of the Sacrament of Boa Vista C.

Source: "Artistas e Artífices a Serviço das Irmandades Religiosas do Recife nos Séculos XVIII e XIX" by Maria Berthilde Moura Filha. http://docplayer.com.br/3363054-Artistas-e-artifices-a-servico-das-irmandades-religiosas-do-recife-nos-seculos-xviii-e-xix.html, p.6.

Figure 4: "Implementation of the Churches distributed on the 'Planning for the Village of S. Antonio do Recife sited in 8 degrees.'" C. 1771. Source: "Artistas e Artífices a Serviço das Irmandades Religiosas do Recife nos Séculos XVIII e XIX" by Maria Berthilde Moura Filha. http://docplayer.com.br/3363054-Artistas-e-artifices-a-servico-das-irmandades-religiosas-do-recife-nos-seculos-xviii-e-xix.html, p.6.

brotherhood spread all over the towns of Minas Gerais by the 1720s. As in the case of

[71] Cristina Pereira de Souza, "Sincretismo da Irmandade do Rosário de Nossa Senhora dos Pretos em Recife no Período Colonial Século XVII", In *Mneme- Revista de Humanidades, UFRN*, vol. 9, published in September 2008, http://www.cerescaico.ufrn.br/mneme/anais, 3.

all brotherhoods, the Rosary tried to display its social influence through the construction of a large and sumptuous church. Currently located in the Largo do Rosário Street, in the Santo Antonio neighborhood, the brotherhood's holy house took many years to build, and was financed almost exclusively with contributions from its members, both slave and free.

Similar to other experiences of black brotherhoods, the members of Our Lady of Rosary of Black Men in Recife syncretized their African cultures and rituals with the Catholic celebrations. They played drums during the processions of the brotherhood and made offers to their *orixás* and to their *bantu* divinities disguised as Saints. Throughout its existence the coronation of the king for the social group Hierarchy of the Congo King- subordinate to the brotherhood of Our Lady of Rosary of Black Men- was a very important occasion. However, as the number of brotherhoods increased during the 19th century the ordinances regulating them changed, and a larger number of them were allowed to elect a king. By 1870, both Africans and native blacks from Brazil received equal treatment in its functionalities and positions inside the brotherhoods.[72]

The governors of each black nation commanded their specific ethnic groups and type of labor they represented. In Recife, there were the *bantu*, *angola*, *cassange* and *cabunda* nations. They were subordinate to the social group Hierarchy of the Congo King. However, those divisions through ethnicity did not maintain nations from working with each other. Despite some divergences in leadership, slaves from different nations redefined their ethnic identities to find strategies of survival and mutual support.[73] That support was found within the brotherhoods. The one of the Our Lady of

[72] Ibid; Herbert S. Klein and Luna, *Slavery in Brazil*, 54; Marcelo MacCord, "Identidades Étnicas, Irmandade do Rosário e Rei do Congo: Sociabilidades Cotidianas Recifenses- Século XIX," In *Campos- Revista de Antropologia Social,* vol.4, Published in 2003, http://biblioteca.versila.com/51462462, 4,5.
[73] Marcelo MacCord, "Identidades Étnicas, Irmandade do Rosário e Rei do Congo: Sociabilidades Cotidianas Recifenses-Século XIX," 4-11.

Rosary of Black Men occupied an important role not only in Recife but in the whole Empire. Their prime activity involved burials and festivities, and served as institutions that helped acculturate the newcomers of Africa.[74]

The creation of brotherhoods was a common characteristic both in Spanish America and in Brazil. As early as the 16th century, Africans in Havana were able to form religious and mutual aid societies. Just like in Recife in the 17th century, those brotherhoods tended to stress a shared ancestry among those Africans. The Congos, for example, were part of both Havana's lay brotherhoods, and participated in Recife's Our Lady of Rosary of Black Men as well. However, in Recife the Congo nation lost its place to the Angolan one after the former maintained alliances with the Dutch during the Dutch invasion of Recife from 1630 to 1654. Differently from the ones in Recife, in Mexico City Afro-Mexicans tended to organize brotherhoods that asserted their creole identity, rarely connecting to their origins in Africa. Brotherhoods of African descent could be found throughout the Spanish Empire, and certainly contributed to the *mestizaje* of Catholicism in its colonies, as well as to that religion's *mestiçagem* or amalgamation in Brazil.[75]

Conclusion

Slavery was traditionally an omnipresent institution in the streets of Recife. The slaves represented a vital force in the economy and functioning of the city, since they were the ones responsible for the transportation of goods and people and the selling of products in the city's port and on its streets. As any other slave port, Recife had a slave market that shaped its urban geography and reminded local and visitors of how this

[74] Herbert S. Klein and Francisco Vidal Luna, *Slavery in Brazil*, 246-248.
[75] Matt Childs, "Re-creating African Ethnic Identities in Cuba," In *The Black Urban Atlantic in the Age of Slave Trade* (Philadelphia: Pennsylvania University Press, 2013),3; Marcelo MacCord, "Identidades Étnicas, Irmandade do Rosário e Rei do Congo: Sociabilidades Cotidianas Recifenses- Século XIX," 4; Nicole von Germeten, "Black Brotherhoods in Mexico City," In *The Black Urban Atlantic in the Age of Slave Trade,* 2.

institution shaped social and racial hierarchies in the city – and in the country as well. They were also a common presence in the household of elite Recifean families as wetnurses, servants, body guards and messengers.

The captives in this city were also full time participants in Recife's religious life. They reinterpreted Catholicism to their own beliefs, participated of brotherhoods that enabled social ties and connections to their ethnic identities, and sought every possibility through the Church to find better living conditions for themselves and their families. Be it by using the brotherhoods to save money for manumission, by using the baptismal pile as a milestone toward freedom, or by recreating African culture in the halls of the brotherhoods, no Brazilian slave ever failed to tie his or her vital trajectory to the institutions, the regulations, and the system of beliefs of Brazilian Catholicism.

However, by 1872, when Brazil conducted its first census, Recife was transitioning toward a society of free individuals. It had 91,051 inhabitants, considering the districts of Recife, Santo Antônio, Boa Vista and other areas such as Capunga, Afogados, Poço da Panela and Várzea.[76] Of them, 81,944 were free people, and 9,107 were enslaved.[77] The end of the African slave trade in 1855 led to further transformations that culminated with the approval of the Free Womb Law sixteen years later. Prior to this period, the Catholic hierarchy of Recife seemed little concerned with the routes slavery could take in its society, maintaining its traditions and brotherhoods, participating and contributing to the festivities of both lower and higher-rank social groups. However, as abolition started to cast its shadow upon slavery, the Recifean Catholic Church followed the national Church's decision to support the legal changes brought with the advent of the Free Womb Law in 1871. Yet in practice, that support

[76] " Recenseamento do Brazil em 1872: Pernambuco," Internet Archive, https://archive.org/details/recenseamento1872pe.
[77] Ibidem.

revealed some resistance to the changes that society was facing. This subject will be explored in the next chapter. In any case, it was clear that, in a mostly illiterate society, Catholic institutions would shepherd the process of emancipation, thus shaping the freed people's prospects to walk along the paths of freedom.

CHAPTER TWO: THE CATHOLIC CHURCH AND THE FREE WOMB LAW IN RECIFE, 1870-1878

On October 14, 1871, the newspaper *Jornal do Recife* announced the promulgation of Law 2040 from September 28, 1871, later known as the Free Womb Law. The most powerful member of the Catholic Church in Brazil, Bishop Pedro Maria de Lacerda, wrote an opinion editorial where he exposed the support of the Church to the promulgation of the Law. In Maria's words, "September 28, 1871 will be forever memorable in the history of Brazil, a wonderful day for the moral order." Bishop Maria explicitly stated how positive this change was for the Empire by appealing to the readers' emotional thinking:

> Thank God again, from now on the ones who are born in this blessed Land of the Holy Cross will be born free. The first cry of the newborns will not be made in captivity. That will not be the cry of a slave, but the begging of a poor creature for the charity of their benefactors (…)[78]

The "Land of the Holy Cross", Brazil's original name, was apparently moving forward with its history by removing that horrific system from its reality. Eager to embrace a new future, the Catholic Church seemed happy with the new law, according to the Bishop.

In practice, however, Catholic institutions and clergymen undermined the support found in Bishop Maria's letter. On April 26, 1872 a slave master tried to register a manumitted child at the school of the Holy House of Mercy. While Manoel was not affected by the law, as the source implies he was old enough to study, he was in a

[78] Pedro Maria de Lacerda, "Carta Pastoral," Jornal do Recife, Edition 235, October 14, 1871, http://memoria.bn.br/DocReader/DocReader.aspx?bib=705110&PagFis=7142.

situation of vulnerability, so his master attempted to register him at the School of Orphans for boys believing in the benevolence of that Christian institution. For his disappointment, that request was denied because he was a "forro" or freed slave. According to the document, not only should he not be admitted as a student due to his condition, but all other *forro* children should be prevented from registering there as well. "If such a favor is conceived, the regulation will not only be infringed, but it will also encourage that habit."[79]

Manoel represents a very telling example of the distance between discourse and practice in the way Catholic institutions participated in the transition from freedom to slavery. If freeing the slave womb was so positive as Bishop Maria indicated, why then did the Holy House of Mercy consider that Manoel's previous slave condition was an impediment to receive charity services? He was a victim of the same system, and he was also part of the future of Brazil – precisely the kind of individual that Bishop Maria seemed to be concerned with in his article. However, the Holy House of Mercy refused to accept the child.[80] In what follows, I will argue that the Catholic Church participated of that process in two ways. In the first place, it supported the law and the Empire, by enforcing the regulations passed during the process of gradual abolition. She educated the population about it, worked with the Brazilian State to create records of the children, and enforced the law in its parishes. However, on the other hand it also resisted the transformation of former slaves into citizens, by refusing to provide charity services to the children affected by the Free Womb Law. In so doing, it contributed to the maintenance of social and racial hierarchies in Brazil in the transition from bondage to freedom.

[79] D. Manoel de Figueiroa, April 19, 1872, Arquivo Santa Casa de Misericórdia, box S.C. 11, folder 2, Jordão Emerenciano State Archive of Pernambuco.
[80] Ibid.

The historiography on childhood has been expanded greatly since the publication of Philippe Ariè's *Centuries of Childhood: A Social History of Family Life.* It has analyzed the evolution on notions of childhood and how its social interpretations ultimately affected the lives of children throughout the centuries. Many scholars have mentioned the importance of the Catholic Church on the topic, and its consequent influence on political decisions towards children's rights and on social concepts of family. However, the direct relationship between Church and childhood is still understudied.[81] For this reason, my work builds on the current historiography of childhood through the study of the Catholic Church with the advent of the Free Womb Law in Recife.

Philippe Ariès demonstrates the influence of religion in the shaping of concepts of childhood in the Western Hemisphere. He argues that after the seventeenth century, the Catholic Church shaped it with characteristics of innocence and purity that were accepted throughout the eighteenth and nineteenth centuries. The legal denomination of children which the Brazilian Free Womb Law affected was *ingênuo*, and Airès' reflections reinforce its concept. Since ingênuo means naïve, characterizing those minors as such attested for their innocence. Ariès also argues that the changes in those conceptualizations eventually altered the meaning of modern family, which switched from being an institution that provided a name and an estate, to one that assumed moral

[81]Isabel dos Guimarães Sá, "Children in Portugal and the Empire (1500-1800),"In *Raising an Empire:Children in Early Modern Iberia and Colonial Latin America* (Albuquerque: University of New Mexico Press, 2007), 17-40; Herbert S. Klein and Francisco Vidal Luna, *Slavery in Brazil* (New York: Cambridge University Press, 2010), 214-244;Sylvana Maria Brandão de Vasconcelos, *Ventre Livre Mãe escrava: A Reforma Social de 1871 em Pernambuco* (Recife: Editora Universitária da UFPE, 1996)19-26, 84-92; Laura de Mello e Souza, "O Senado da Câmara e as Crianças Expostas," In *História da Criança no Brasil*, edited by Mary del Priore (São Paulo: Editora Contexto, 1991), 29-37; Mary Karasch, *Slave Life in Rio de Janeiro, 1808-1850* (Princeton: Princeton University Press, 1987), 55-57, Mariza de Carvalho Soares, *People of Faith:Slavery and African Catholics in Eighteenth Century Rio de Janeiro* (Durham: Duke University Press, 2011), Project Muse, 1-16, 67-74; Kátia de Queirós Mattoso, "O Filho da Escrava," In *História da Criança no Brasil*, edited by Mary del Priore (São Paulo: Editora Contexto, 1991), 76-93.

and spiritual responsibilities.[82] His analysis provides a better comprehension of the experiences children had in Latin America. Moreover, scholars such as Bianca Premo and Ann S. Blum expand Ariès' study and observe that the concept of family in Colonial Latin America changed from a nuclear responsibility of child rearing to a societal one.[83]

Premo and Blum examine the phenomenon of child circulation and social reproduction that characterized child rearing by different social actors from the eighteenth to the nineteenth century in Latin America. One phenomena includes the Catholic Church which reinforced patriarchal concepts, social norms, and influenced on the children's development as citizens. Premo analyzes the active participation of nuns in Colonial Lima who raised little ones from 1750 to 1850. Similarly, my study shows that religious members, such as nuns and reverends, were also responsible for poor children in Recife's institution Holy House of Mercy in the last decades of the 19th century. According to Blum, Mexico City's *Casa de Expósitos* functioned mostly as place for abandoned children by the 1870s. Like in Recife's foundling house, the *Casa de Expósitos* restructured politics of class and reinforced Catholicism in baptisms and Catholic naming of foundling children.[84]

Scholars who focus on childhood in Brazil have overlooked its relationship with Catholicism. For instance, Elizabeth Kuznesof develops an informative study about slave children in that country. She explores the Catholic and slave babies' relationship through godparenthood which offered those children the ability to be connected to

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[82] Philippe Ariès *Centuries of Childhood: a Societal History of Family Life,* translated by Robert Baldick (New York: Alfred A. Knopf, 1962), 103-135, 412.
[83] Bianca Premo, *Children of the Father King: Youth, Authority and Legal Minority in Colonial Lima* (Chapel Hill: The University of North Carolina Press, 2005), 5; Ann S. Blum, "Public Welfare and Child Circulation in Mexico City, 1877 to 1925", In *Journal of Family History* 3 (1998): 2, http://jfh.sagepub.com.librarylink.uncc.edu/content/23/3/240.full.pdf+html.
[84]Premo, *Children of the Father King*, 76, 84-99; Blum, "Public Welfare and Child Circulation, Mexico City, 1877 to 1825," 6.

people of their own kin. That does not suffice to the comprehension of how the Church dealt with children in that country. Camillia Cowling and Kátia de Queirós Mattoso add important reflections to the studies on slave children with the advent of the Free Womb Law. Nonetheless, their researches lack greater investigation of the Church's participation in that process.[85] My work differs from theirs in many points. Even though our time frame overlaps, Mattoso examines the politics of the Free Womb Law in the national level, and Cowling analyzes court cases and women's agency and motherhood in Rio de Janeiro and Havana. My research focuses on the port city of Recife, in the Northeastern region of Brazil and analyzes the direct involvement of ecclesiastical members with *ingênuo* and freed children from 1870 to 1878.

As the studies on childhood involve a series of similar social actors within Latin America, the sources scholars utilize to develop their work are frequently from similar institutions. Premo in *Children of the Father King: Youth, Authority and Legal Minority in Colonial Lima*, Cowling in *Conceiving Freedom: Women of Color, Gender and the Abolition of Slavery in Havana and Rio de Janeiro*, and Mattoso in "O Filho da Escrava" delve into legal sources to comprehend the politics of childhood. Premo makes use of witness interviews, short petitions and ecclesiastical sources focusing on legal petitions in order to develop a study in legal history in colonial Lima. I utilize ecclesiastical sources in a different perspective, observing birth and death records, and letters from priests from Recife in regards to the children that the free Womb Law

[85] Elizabeth Anne Kuznesof, "Slavery and Childhood in Brazil (1550-1888)," In *Raising an Empire: Children in Early Modern Iberia and Colonial Latin America*, edited by Ondina E. González and Bianca Premo (Albuquerque: University of New Mexico Press, 2007),198; Camillia Cowling, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Rio de Janeiro and Havana* (Chapel Hill: The University of North Carolina Press, 2013) 1-20, 55,56,73,102-104; Kátia de Queirós Mattoso, "O Filho da Escrava," 76-93.

affected. That way I seek to find the Church's discourses about childhood and its practice when experiencing direct contact with *ingênuos.*

Even though Cowling and Mattoso also utilize the Brazilian Free Womb Law in their studies, they rely on sources that ultimately alter the direction they take when compared to my research. Cowling makes use of legal claims of enslaved and freed people from secular and religious institutions, court cases, claims to abolitionist societies, abolitionist newspapers and a series of other sources which direct her research to the importance of women in process of contestation of freedom in Rio de Janeiro. Mattoso develops her study utilizing slave inventories to understand the fragility of enslaved family and the difficulties enslaved children faced in that type of society. In contrast, I utilize the Free Womb Law as a manner to comprehend the role of the Catholic Church in the Recifean society and its relationship with children affected by slavery.

Since practices of abandonment are a constant topic within the historiography of childhood, the utilization of sources from pious institutions who received those children are also common. For instance, Blum in "Public Welfare and Child Circulation, Mexico City, 1877 to 1925" examine the role of the *Casa de Expósitos* in Mexico City through admission, baptism and pension accounts, focusing on the changes in the conceptualization of family based on honor. The sources from the Holy House of Mercy of Recife that I utilize intend to analyze the direct relationship of that institution with *ingênuos* and freed children, and the conditions of living they were offered, seeking to understand the complex dynamics among those social actors.

Finally, the subject of abandonment lead scholars to analyze the role of race within the historiography of childhood. Yet, some differences can be noticed when observing Spanish America and Brazil. Cowling and Mattoso, for instance,

acknowledge the presence of children of color associated with slavery in the country. Moreover, the former also stresses that women of color in Brazil were active participants in practices of miscegenation and manumission. My sources also demonstrate a clear increase in the number of *parda* children in Recife after 1871, which reinforces Cowling's observations. During 1750 and 1850, Premo also perceives that color, social class and gender hierarchies shaped colonial Lima society. In contrast, by the 1870s in Mexico City, Blum argues that the removal of racial categorizations after the independence in 1821, as well as its blurring with social class caused a fading in definitions of race of children during the 1870s onward. That is a point of great difference between Mexico City and Recife during that same historical period, since racial categorizations were still present in the latter city's birth and death records of *ingênuos*.

As Bianca Premo suggests, the studies of childhood are still in its infancy in some places of Latin America. The sources that I utilize, including travelogues and newspapers, offer greater understanding of how the Catholic Church dealt with *ingênuo* children with the promulgation of the Free Womb Law in 1871 in Recife. That way, this study intends to fill in a gap in the historiography of childhood during a pivotal moment in the history of Brazil.

The Free Womb Law

"Being born Free is now a Law in Brazil!

It is always acceptable for clarity
To pound slavery!
From now on Freedom
Shows a people made of citizens!
…
It was the mistake of the past
Which fell into the darkness!
It was the disgraced shackle

That the slave shredded! [86]

On September 28, 1871 the Brazilian Empire promulgated Law 2040, later known as the Free Womb or Rio Branco Law. The historiography on this subject has long considered it a measure to delay the process of abolition in Brazil. In the Brazilian scenario the politicians of the Empire espoused nineteenth-century liberalism, but could not implement it since those politicians themselves owned plantations and slaves. However, international pressures to end the slave trade in Brazil, and later on slavery itself, led emperor Dom Pedro II to intervene actively to increase public debate on the issue, and to accelerate the process. In 1867, for example, D. Pedro II received a letter from an abolitionist society in France asking him to support the development of the law liberating the children of slave women.[87]

Unfortunately, the poem's celebration of the slaves overcoming captivity did not reflect the reality found in the law. That poem was published on *Jornal do Recife*'s issue 237, from October 17, 1871. It was timidly placed on the bottom of the second page, sharing space with advertisements of general products, rental of slaves and requests for wet-nurses or slave servants.[88] The physical placing of this poem in that newspaper reflected the conflicts and contradictions of that society, in which freedom and captivity shared the same social spaces. It also reflected the law itself, with the limitations and contradictions it imposed for the liberty of the children it affected. In this historical period of indecisions and uncertainties, even the terminology regarding those children involved debates. Should they be called *ingênuos* or *libertos*? The

[86] Poem "Já é Lei no Brazil Nascer-se Livre!", Jornal do Recife, October 17, 1871, edition 237, http://memoria.bn.br/DocReader/DocReader.aspx?bib=705110&PagFis=7151.
[87] Gizlene Neder, "As Políticas Educacionais para a Infância e Juventude Pobres no Brasil na Passagem à Modernidade," In *Revista Ibero-Americana de Educación*, vol. 54,(October 25, 2010),3 http://rieoei.org/deloslectores/3402Neder.pdf.
[88] Poem "Já é Lei no Brazil Nascer-se Livre!", Jornal do Recife, October 17, 1871, edition 237, http://memoria.bn.br/DocReader/DocReader.aspx?bib=705110&PagFis=7151.

former term assured the irreversibility of the slavery process, whereas the latter held the condition of ex-slave, since *liberto* means freed person. Ultimately, ingênuo became the official term, as the process of emancipation was seen as unstoppable once the Free Womb Law was passed.[89]

The Law itself contained a number of contradictions. The first article reads: "The children of slave women who are born in the Empire from the date of this law onward, will be considered free."[90] The following paragraphs expose the reluctance to change from those who benefitted from the maintenance of the slave system, as well as the results of their political pressure to slow the process of emancipation. Paragraph one explains the children had to stay under the responsibility of the owner of his or her mother, who had to care for them until the age of eight. The definition of that age was probably because it was commonly considered during that time that children abandoned childhood at the age of seven. For the Catholic Church the age of reasoning, awareness and responsibility was also seven. By the time the child reached eight the slave owner had two choices: he could either receive 600$000 réis from the State, which from that point on was legally responsible for the child, or make use of the services of the child up to the age of twenty-one. The slave owner had 30 days after the child's eighth birthday to officially declare his choice. If he did not communicate his decision to the

[89] Gizlene Neder, "As Políticas Educacionais para a Infância e Juventude Pobres no Brasil na Passagem à Modernidade,"4.
[90] "Lei No. 2.040, de 28 de Setembro de 1871," Presidência da República, http://www.planalto.gov.br/ccivil_03/leis/LIM/LIM2040.htm.; Kátia de Queirós Mattoso, "O Filho da Escrava," In *História da Criança no Brasil,* edited by Mary del Priore (São Paulo: Editora Contexto, 1991), 80.

State in the period established, the State could assume the slave master had decided to keep the child until he or she was twenty one "to utilize his or her services." It is clear within that first paragraph that the children were still bonded to the slave master, even though they were officially free!

Moreover, as the slave master was responsible for that child until he or she reached adulthood, he was then transformed into a tutor. The system of tutelage was at first applied among the elites of the country. If a child became a paternal orphan, his or her father could assign someone by testament to manage the minor's belongings. But with the advent of the Law 2.040, it popularized. In theory, tutors were responsible for

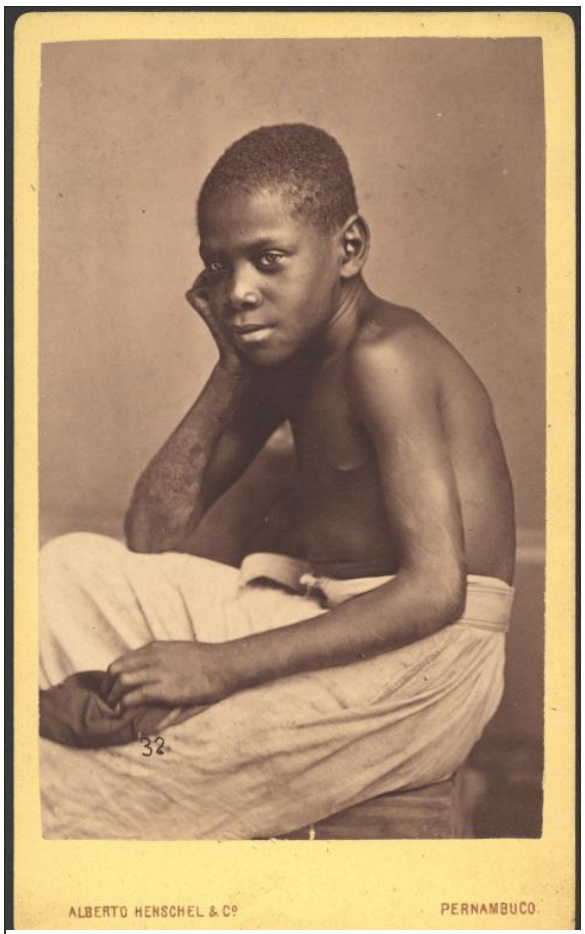

Figure 5: "Portrait: Black", by Alberto Henschel, circa 1869. In *Brasiliana Fotográfica*, Source: http://brasilianafotografica.bn.br/brasiliana/handle/bras/4484

the well-being and education of their tutored. In practice, many of those *ingênuos* were exploited and even physically mistreated. [91]

The law also reflected the interests of the elites behind those decisions. As Vasconcelos explains, it accommodated the claims of plantation owners from the Southeast provinces, at the same time it intended to keep up with the slaves' aspirations, providing a "gradual, consensual and peaceful" transition from slavery to freedom.[92] Control and order were part of the rhetoric of the Brazilian elites. Nonetheless, that rhetoric was not only limited to that country. Jeffrey Mosher argues that Latin America in general conserved the idea of state-making through the creation and maintenance of institutions which ensured order. In that sense, politics were not about government policies but most fundamentally concerned with patronage and the reinforcement of steady stability. [93]

The Free Womb Law also permitted the manumission of the *ingênuos* through the payment of a *pecúlio*, their work's salary. It also made clear that the slave master could lose his right to "look after" the child if it was found out the minor was being mistreated. In case the State was responsible for the child, he or she could be taken to authorized state agencies which could make free use of those children's services up to the age of twenty-one. Orphan judges were responsible for the inspection of the agencies' duties, which included: taking care of those children, creating a *pecúlio* for them, and finding them a profession after the stipulated period. It also freed the slaves

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[91] Arethuza Helena Zero, "Ingênuos, Libertos, Órfãos e a Lei do Ventre Livre,"2003, 1,2, http://www.abphe.org.br/arquivos/2003_arethuza_helena_zero_ingenuos-libertos-orfaos-e-a-lei-do-ventre-livre.pdf.

[92] Sylvana Maria Brandão de Vasconcelos, *Ventre Livre Mãe Escrava: a Reforma Social de 1871 em Pernambuco* (Recife: Editora Universitária da UFPE, 1996)81,82.

[93] Jeffrey C. Mosher, *Political Struggle, Ideology and State Building: Pernambuco and the Construction of Brazil, 1817-1850* (Lincoln: University of Nebraska Press, 2008), 4-6; Ilana Peliciari Rocha, " 'Escravos de Nação': O Público e o Privado na Escravidão Brasileira (1760-1876)," *5º Encontro Escravidão e Liberdade no Brasil Meridional* 1, (2011): 1-21, https://www.escravidaoeliberdade.com.br/site/images/Textos5/rocha%20ilana%20pelicari.pdf.

who belonged to the Crown - and were public slaves- known as *nação* slaves, the ones who were abandoned due to disabilities, and those who were part of vague inheritance. However, as expected, the State still maintained some control over them by stressing that it would closely supervise them for five years after manumission to make sure they were not wandering without a job. The freed slaves were forcefully required to work in public sector "if they live as vagrants."[94]

Along with the creation of an Emancipation Fund, the Law also required the registration of all the slaves in the Empire. The slaveowners who failed to register their slaves during the stipulated period could lose them, as the law would consider them freed. There was a payment for each slave registered, and the money collected was used for that fund. Owners who failed to register the *ingênuos* under their responsibility had to pay a fine that could range from 100$ to 200$ réis per neglected child. The Catholic Church would play an important role in this process. Priests became responsible for the registration of the birth and death of those children in special books, and if they failed to do so, they could be fined in 100$000 réis. If the law was to succeed, it was by counting on the help of the church, of its personnel, of its parish registries, and of the multiple charity institutions it ran.

"Under a Shower of Flowers": Catholic Leaders and the Free Womb Law

> *"Grace be given to the Divine Providence; the horizons of a well understood liberty were broadened in our dear nation Brazil"*
> *Bishop Pedro Maria, 1871*

On October 14, 1871 the Recifean newspaper *Jornal do Recife* published the letter of Bishop Pedro Maria, from the diocese of S. Sebastião in Rio de Janeiro about the posture of the Church in regards to the recently promulgated law 2040 of September

[94] "Lei N. 2.040, de 28 de Setembro de 1871," Presidência da República, http://www.planalto.gov.br/ccivil_03/leis/LIM/LIM2040.htm.

28, 1871.[95] The bishop addressed it directly and indirectly to all of those involved in the economy of slavery in the country, and tried to show the Church's unconditional adhesion to the Free Womb Law. He explained the disagreements among the representatives on whether to promulgate it or not, and how. Even when referring to those who did not vote for the law to pass, the Bishop was very careful not to offend them. He mentioned that those who supported it received the applause of the Brazilian people "under a shower of flowers".[96] Those against it had good intentions towards the Brazilian nation as well, explained the Bishop. The situation had no winners or losers, Maria went on, it just created tensions that he tried to downplay and romanticize. Clearly, he tried hard not to alienate the elites.

Maria also put the Free Womb Law as the consequence of the Benedictine Order's decision to emancipate its slaves a few years before, which "gave the first example of this type of Catholic charity." The Catholic Church was a progressive institution that participated of important political decisions in the nation: "so eloquent was that first example that it was imitated by our legislators and became a compulsive law for all of twenty provinces in the Empire." His words can also be interpreted as a way to publicly demonstrate the close relationship that the state and the Catholic Church had in Brazil.

Historian Robson Costa examines that situation and reveals important information about the Benedictines by showing how the interest behind the Order's manumission of their slaves was actually economic. On January 15, 1831 the Benedictines from the monasteries of Pernambuco and Paraíba had decided to free their captives. That happened not due to humanitarian feelings, but because of the

[95] Pedro Maria de Lacerda, "Carta Pastoral," Jornal do Recife, Edition 235, October 14, 1871, http://memoria.bn.br/DocReader/DocReader.aspx?bib=705110&PagFis=7142.
[96] Ibid.

intervention that Regular Orders began to suffer in their patrimony. Predicting the ruining of their farms, the Benedictines decided to manumit their slaves. Costa also affirms that the Benedictines were one of the most proslavery orders in Brazil, and that there were many scandals revealing that the Order had enslaved free people.[97] It was definitely not a positive example, but the scandals about that Order started to be revealed in the end of 1871, and the Church maintained its posture to defend it.

The letter also presented the Catholic Church as charitable entity for the poor and the miserable, concerned with providing better living conditions to the destitute ones. Bishop Maria discussed the importance of the Church and of all of her official members to defend the sad and petty sons of the "old Eve". Jesus was constantly mentioned as an example of devotion and obedience. Moreover, he made sure to say that Law 2040 was one that did not offend God or the Church's beliefs, making sure that the population accepted it. As mentioned previously, the Catholic Church had a very important role in the transmission, enforcement and maintenance of the law in Brazil. Bishop Maria's words clearly demonstrated the institution was ready to work towards those objectives.

However, the Church also shared the position of the elites in regards to the meaning of slavery. This is a very important point in the Bishop's words, as his attitude towards the captives intended to promote obedience and gratitude. The slaves should, according to him, be happy for this new law because it affected their children and could consequently affect their lives as well: "I also address this message to you, my children still in captivity. Be happy because this is your celebration. This is the celebration of your children and your families." Captivity was not interpreted as a dehumanizing

[97] Robson Costa, ""O Segredo de São Bento: Controvérsias sobre Lei, Direito e Justiça e a Posse de Escravos pelos Beneditinos, 1831-1872," In *História da Escravidão em Pernambuco*, edited by Flávio José Gomes Cabral and Robson Costa (Recife: Editora Universitária, 2012), 295.

process in any moment of the letter, and celebrating its end was necessary as it involved the noble hearts of the nation who decided to promulgate it: “This wonderful situation in front of our eyes was developed on the legitimate will of the venerable and dignified gentlemen of the Brazilian nation.” The catholic hierarchy clearly and ostensibly stood by the elites.

“If up until now, for fear or obedience you owed your masters love and respect”, Maria told the slaves, “from now on you owe them doubled obedience and doubled love, because the fear must be replaced with gratitude (…)” Freedom was an act of charity according to the Bishop, not a right. The slaves had to see on their masters the benefactors of their children, and should defend them and everything they owned. Certainly, the posture of the Church in regards to the horrific process of slavery was unsurprisingly connected to the experiences she had had in that country for centuries before. He also acknowledged the difficulty Brazil as a whole could face with this new moment in its history: “If all of us rejoice in this day of mercy, it is however important to say that Brazil is shaking because it will undergo a deep and radical transformation. New and unknown horizons are opening up. A yet not lived future lies ahead of us (…).” The Bishop interestingly contrasted the Brazilian order and peaceful manners of dealing with the issue with the violence of the war in the United States, corroborating the myth of the docility and sweetness of Brazilians: “Due to the insurmountable goodness, soft temperament and pacific character of the Brazilians, we all expect that every transformation so far, continues and progresses. We also hope that all the fears are only a reflection of a momentary strangeness (…).” That myth would be reinforced

decades later by Gilberto Freyre, with the idea that slavery in Brazil was smoother and less violent than in other nations.[98]

The Church also had to work with the slave masters, who believed the law was going to negatively affect them. His message for the free people who had slaves was the one of improvement in finances, defending that free labor was more productive than slave labor. Moreover, Maria attempted to convince the masters that those free men and women, who would share the same language and habits as the rest of Brazilians, had hearts and were capable of loving. "Those children would be eternally grateful for their mothers' masters, and when they grew up they were going to cover the slave owners' hands with tears of gratitude and kisses." The romanticized view of the slaves' sentiments for the masters showed the conservative side in which the Catholic Church placed herself. As noticed in the Bishop's words, there was a constant attempt to maintain order among the slaves, and to convince the masters that those changes were going to benefit them. Furthermore, it was important to place the masters as the main actors in that process, the figures who took all decisions, suppressing slave individuals from the making of that historical moment.

As Michel Rolph-Trouillot argues, the silences on the creation of historical facts are directly related to the interplay of power.[99] In this case, Bishop Maria, by silencing the participation of the slaves in the deployment of the Free Womb law attempted to minimize their historical importance. But their agency could not be silenced, even though the attempts were many. From the marroon communities' leaders Zumbi in Brazil and Yanga in New Spain, to the Muslim slaves who revolutionized Salvador in the 19th century, African captives did not sit still and accept their

[98] Bishop Pedro Maria de Lacerda, "Carta Pastoral," In *Jornal do Recife*, Edition 235, October 14, 1871, http://memoria.bn.br/DocReader/DocReader.aspx?bib=705110&PagFis=7142&Pesq=.
[99] Michel Rolph-Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), 26, 27.

condition.[100] In Recife, even though there were no revolts among its slaves, they utilized their agency to ally to free poor people of the city in robbery and other illicit activities. They also developed a maroon community near the urban milieu called quilombo do Catucá which existed until 1830 and provoked issues in the Recifean "social order".[101] It is also important to stress the participation of slave women in the process of emancipation, especially because they were as affected as the children they bore during that period. In the late eighteenth century Havana, Rio de Janeiro, and seventeenth century Lima, slave or black freed women challenged the patriarchal system, demanding rights for their children. They pushed for legal transformation with their petitions, and in late nineteenth-century Rio de Janeiro they shaped the program of the organized abolitionists. In Colonial Lima, almost a century before, slave women went to court advocating for the well-being of their children as well, faced slave masters, demanded fulfillments of promises of freedom, and eventually won a number of lawsuits to retain control over their children. In Havana and Rio de Janeiro, black women contested the ideas of freedom and the dubious identities that society imposed on their children.[102]

Lastly, Bishop Maria directed his message to the priests, requesting their support to the law by obeying, preaching, and enforcing it. Bishop Maria reinforced the idea of control over the slaves by begging the priests to teach them obedience and

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[100] Jane G. Landers, "Cimarrón and Citizen: African Ethnicity, Corporate Identity, and the Evolution of Free Black Towns in the Spanish Circum-Caribbean,"In *Slaves, Subjects and Subversives: Blacks in Colonial Latin America*, edited by Jane G. Landers and Barry Robinson (New Mexico: University of New Mexico Press, 2006), 111; Herbert S. Klein and Francisco Vidal Luna, *Slavery in Brazil*, 196.
[101]Clarrisa Nunes Maia, *Sambas, Batuques, Vozerias e Farsas Públicas: o Controle Social sobre os Escravos em Pernambuco no Século XIX (1850-1888)*, 19-21.
[102] Bianca Premo, *Children of the Father King: Youth, Authority and Legal Minority in Colonial Lima* (Chapel Hill: The University of North Carolina Press, 2005), 2-9; Camilia 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), 2-9; 97-122. https://muse-jhu-edu.librarylink.uncc.edu/books/9781469611808/9781469611808-6.pdf

resignation. He also pointed out to the great responsibility that the priests had on their hands with the registration of those children in special books, and reminded that if they failed on doing it they could be fined in 100$000 réis. The priests were also reminded to pay close attention to the date of birth of these children so that they did not lose access to that "benefit". Ironically, he mentioned that the 19th century was the one of Liberty, Equality and Fraternity.

As the Catholic Church compromised to support the State in that new endeavor, it was expected that in Recife she was going to behave similarly. That long and informational letter was published in the city as an example of the Church's new approach to the future. The journalists who introduced it, praised the attitude of the Church on supporting the changes of the "existing immorality" of the time.[103] Nonetheless, praise came with a touch of irony to the Church's previous passivity towards the issue of slavery: "It makes us happy that the day has come on which the persuasive voice of the Gospel has entered the house of our Catholic fathers."

Other Catholic leaders showed an equal adhesion and support toward the Free Womb Law. Their actions show how priests spread the news on the law in a society that was overwhelmingly illiterate. On October 18, 1871, Reverend Moretti, Provider of the Christian charity institution named Holy House of Mercy or *Santa Casa de Misericórdia*, replied to a confidential report that the President of the Province of Pernambuco, Manoel do Nascimento Machado Portella, sent to all the parishes in the province. Sent on October 9th of that year, the report included a copy of Law 2040, and requested its immediate exposure for thirty days during Mass. The letters from priests of other cities and villages in Pernambuco stressed the need for priests to mention it

[103] "Política: Emancipação dos Escravos," Jornal do Recife, Edition 235, October 14, 1871, http://memoria.bn.br/DocReader/DocReader.aspx?bib=705110&PagFis=7142.

daily to the population of all races and juridical statuses. The law required that priests registered the *ingênuos* in special books, and the report also ordered them to do so even if the new books were not available yet. After that, the parish priests had to transfer those registration books to the provincial governments. By the end of his reply, Reverend Moretti exposed his support to the president of the province and to the new steps that the nation was taking towards liberty. Just like Bishop Maria, Reverend Moretti interpreted the passing of the Law as essentially a merciful move of the Imperial legislators: "I celebrate this step our legislators took (….) and that in the heart of His sons, thank goodness, truly religious peace still shines, one which is all against slavery (…)"[104]

Similar ideas appeared in the letter the vicar Romão dos Santos, from the parish of Boa Vista, sent to the president of the province. On November 13, almost two months after the promulgation of the law, he offered some feedback from his parish in regards to its application. Vicar dos Santos explained that he had been trying everything to make the law known to his parishioners, and to make them aware of "the benefits that are expected to be collected from its complete execution."[105] He told the president of the province that, in general, the law had been well received by them. "Full of humanitarian sentiment," the inhabitants of that parish "received it [the Law] with a joy that can be proved by the fact that from ten children who were baptized before the promulgation of the law, and were consequently slaves, five of them were freed at the baptismal sink by their masters. An eleventh child who was born on the day of the promulgation on September 28 had two gentlemen of good social position as his

[104] Reverend Moretti, October 18, 1871, Repertório Escravidão, A.E., Boxes A.E. 1, 4, 5,15, 16, 17, Jordão Emerenciano State Archive of Pernambuco.
[105] Romão dos Santos, November, 13, 1871, Repertório Escravidão, A.E., Boxes A.E. 1, 4, 5,15, 16, 17, Jordão Emerenciano State Archive of Pernambuco.

godparents." He finalized the letter saying that, most likely, he would find no obstacle to execute the law.

It is clear that the empire relied extensively on the Church for the execution of the law 2040. Moreover, the priests held the great responsibility of educating the people, spreading word about the law, and convincing them of the positive consequences it was going to have. They were also required, as the letters from other cities in Pernambuco showed, to report on how the population received the Free Womb Law. In Olinda, Panelas, Itamaracá, Vitória and Granito, the priests reported that the parishioners were, in general, receiving the news well, and they believed that there would be no problem to deploy the law. However, in the parish of Ipojuca vicar Galindo Firmo da Silveira explained that he was experiencing some problems. On November 17, 1871 he reported that the slave masters in that area had decided to no longer baptize the children born from slaves, believing that it was that the procedure which made them free. He also exposed how one of his parishioners named José Francisco Macedo expelled his slave from his house when she gave birth to a free child. Other masters said they were going to baptize the children, but, in their own words, "they will not be responsible for further expenses, or for raising them, as they do not have full control over them (...)." Vicar Silveira requested help from the authorities to enforce the law in that city. The Free Womb Law was more likely to be better received in the urban area of Recife, where abolitionist ideas began to flourish.[106]

The Free Womb Law, even though the Church and the State were attempting to promote it positively, was considered by many a timid step towards the emancipation of slaves.[107] It also created a side effect of abandonment of children in Recife, and in

[106] Ibid.
[107] Lana Lage da Gama, Renato Pinto Venâncio, "O abandono de Crianças Negras no Rio de Janeiro," In *História da Criança no Brasil,* ed Mary del Priore (São Paulo: Contexto, 1991), 65.

other cities of the Brazilian Empire. In Rio de Janeiro, there was an increase in the number of foundling children as well. From 1864 to 1881, those numbers almost doubled: from 130 to 260 parda children per year, and from 30 to 90 black ones per year.[108]

"If such a favor is granted … it will also encourage that habit": Recife's Holy House of Mercy

The Holy Houses of Mercy originated in Europe during the 12th and 13th centuries. They were a result of brotherhoods and corporations with religious motivation. They also protected the interests of certain groups, practiced charity and were devoted to Our Lady of Mercy. During the 15th century, Queen Leonor from Portugal developed interest on the support to the destitute. After her brother became

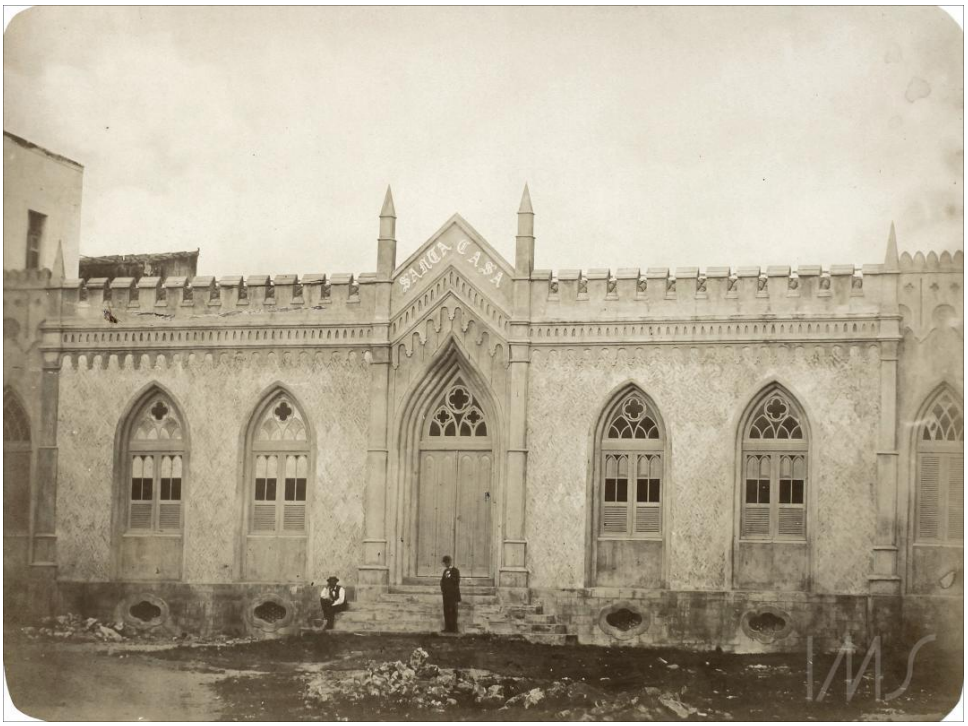

Figure 6: "View of the Holy House of Recife", by Moritz Lamberg, circa 1880. In *Brasiliana Fotográfica.* Source: http://brasilianafotografica.bn.br/brasiliana/handle/bras/2653.

King, it was created in Portugal its first Holy House of Mercy which eventually became

the model to the following ones.[109] The creation of the Holy Houses of Mercy in Brazil involved the need of the Portuguese Crown to establish its possession of the land religiously and politically. Furthermore, they were responsible for the maintenance of the Portuguese Empire identity in its different colonies. Even though the Holy Houses of Mercy had a Catholic base, they were a secular institution, and could be defined as a lay organization with Christian principles. [110]

The Holy House of Mercy of Recife- in Portuguese Santa Casa de Misericórdia do Recife- was (and still is) a pious institution inaugurated on July 29, 1860. Its creation originated from the Provincial Law 450, from July 12, 1858, and it was meant to substitute the former Holy House of Mercy from Olinda.[111]It was also considered a brotherhood in which "the unhappy and abandoned ones receive aid which, in this city intend to alleviate their suffering."[112] Nonetheless, the brotherhood defended its posture of going beyond the Divine Cult, offering its "Christian charity", and yet not being affiliated to the Catholic Church. In a document sent to the president of the province, a clerk from the Holy House affirmed that the organization "is above all, a civil association of good will, rather than a religious brotherhood." Moreover, he argued that it could not suffer religious intervention, but instead, all the decisions were made through the civil authorities: "It is the Presidency of the Province through their actions and decisions, as well as the Provincial Legislative Assembly that intervene on the businesses of the Holy House." Yet, it is undeniable that the Holy House of Mercy had a Catholic influence, with its churches and chapels, promotion of religious festivities, as well the a number of employees made of nuns and reverends. In addition to that, also

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[109] Angela Cristina Salgado,*Santa Casa de Misericórdia da Bahia e sua Prática Educativa, 1862-1934* (Feira de Santana: UEFS, 2012), 77,78.
[110] Ibid. 76,79.
[111] Manoel Antônio Carneiro da Cunha, January 28, 1875, S.C. file 15; "Memorial," Pedro de Souza, S.C. file 16.
[112]Ibid.

in 1874 there was a discussion in regards to changing its administrative organization. The clerk who wrote the document about that case informed that "as long as the Holy House of Mercy is, even though in name, a brotherhood, this decision must be approved by the ecclesiastical power as well."[113]

A Council made of nineteen individuals was responsible for the management of the pious institution. Its members were people of high social prestige in the city, and vanity was present among them. Belonging to it was an honor, and conveyed great social respect. In Salvador, for instance, if one wished to become a member of the brotherhood, he was subjected to a rigid probe, and the results were expected with great anxiety and expectation. Since the next reflections will involve a few of its employees it is important to understand their responsibilities. The ones who are present more often in my sources are the Provider and the majordomo. The Provider was the director. He represented the highest position in the brotherhood and was responsible for making decisions regarding the politics of the Holy House, about payment transactions, petitions and reports. He was also in charge of monthly visits to the hospitals of the institution, and in the case of Salvador, to the prison of that city. In Recife, the sources did not mention the Provider was in charge of visiting the city prison. The majordomo was in charge of administrative duties. [114]

The schools under the responsibility of the Holy House of Recife received children in a situation of poverty. There were two separate schools: one for boys, located in Recife, and another one for girls, located in Olinda. Those who decided to register the children had to provide documents that proved the child was legitimate, that is, conceived in marriage. They also needed to prove the child was a double orphan-

[113] Manoel Antônio Carneiro da Cunha, January 28, 1875, S.C. file 15.
[114] Angela Cristina Salgado, *Santa Casa de Misericórdia da Bahia e sua Prática Educativa* (Feira de Santana: UEFS, 2012),84-87.

which means that both parents had died- or a paternal one. The sources did not mention explicitly that a child whose father had passed away was eligible to become a student at the schools. However, every mother who claimed and proved through a death certificate that she was a widow and through other documents that she was very poor was able to register her children. When the child had a father who was alive, even if he was missing, the petition to register his child was usually denied. That reflects the paternalistic structure of that society in which the man was supposed to provide for his family, which certainly caused problems to mothers leading their households alone. When there was no room for more students their names were often placed on a waitlist called "the board". Both schools also had age requirements. The girls were supposed to be between seven and twelve, if they were children of civil servants, or nine to twelve if not. The boys should be between seven and nine. Both schools considered civil servants' children, and the children of "Fatherland Volunteers" who fought at the Paraguayan War, as priorities.[115]

The requirements to register a child made it impossible for the few slave masters who decided to try to enroll *ingênuos* in those schools. Still, after the Free Womb Law some free people took a step forward, and attempted to register the freed children there. On April 19, 1872, a man named Don Manoel de Siqueira Cavalcanti attempted to enroll the slave Manoel, whom he had manumitted, at the School of Orphans. As in all the documents from the House of Mercy, this one contained the opinion of the monthly majordomo, who reminded the Provider of the institution's regulations. It was common for the majordomos from the sources analyzed to express their opinions in regards to the propositions of parents, guardians and other adults who

[115] Santa Casa de Misericórdia, boxes S.C. 11, S.C. 12, S.C. 13, S.C. 14, S.C. 15, S.C. 16, Jordão Emerenciano State Archive of Pernambuco.

intended to register minors in the Schools of Orphans. In this case, majordomo Manoel de Figueiroa seemed, to say the least, reluctant to Cavalcanti's request:[116]

> As the regulations from the School of Orphans state, the school can admit the destitute orphans from the province. For this reason, the request of Mr. Don Manoel de Siqueiros [sic] Cavalcanti, in which he asks for the admission of a slave of his, natural child of a slave woman of his, that he has just manumitted, cannot be approved. If such a favor is granted, the regulation will not only be infringed, but it will also encourage that habit. That is what I can inform.

While Manoel was orphaned from his father, the majordomo's position showed clear prejudice against the child. Moreover, it intended to warn the Provider of the risks of taking manumitted children to the School of Orphans, to prevent, in his word a "vício", an addiction or customary habit that is often negative. He thus feared that other slave masters followed the example, and tried to do the same with the children of their slave women.

His fears were probably increased a few days later when, on April 27, 1872, Delfina Maria Innocência de Athayde sent a petition with a similar request. Once again, the majordomo Figueiroa seemed unlikely to accept such situation. His response to the council in regards to Ms. Athayde's petition was the following one: "Informing about the petition of Delfina Maria Innocência de Athayde, I am honored to say that the minor Ildefonso cannot be admitted in the School of Orphans: first of all, because he was a slave and second of all, because he is a natural child, circumstances which directly offend the articles 14 part two, and 36 from the regulations."[117] No school for *liberto* orphans.

Figueiroa's reaction towards the slave Ildefonso led to a response from the Council of the House of Mercy. On June 27, 1872, the Council replied to the majordomo's strict positions against freed children. The letter, which was sent to the

[116] D. Manoel de Figueiroa, April 19, 1872, Arquivo Santa Casa de Misericórdia, box S.C. 11, folder 2, Jordão Emerenciano State Archive of Pernambuco.
[117] D. Manoel de Figueiroa, April 27, 1872, Arquivo Santa Casa de Misericórdia, box S.C. 13, Jordão Emerenciano State Archive of Pernambuco.

President of the Province, who was always the one who made the final decisions, intended to undermine the arguments of the majordomo. The document said: "The monthly majordomo in that institution informs us against the provision of services (to that minor) because he is a natural child, and was a slave. The session understands that this strictness in regards to the conditions of admission of a destitute minor in a pious institution has no basis on the regulation of the School of Orphans." The document moved on explaining the meaning of the word "free" found on the regulations of that place: "Article 36, which deals with the admission of minors in that school, employs the expression –free- which legally is generic and comprehends freed and *ingênuos.*" The document continued with a series of arguments in regards to the fact that the school was made to receive orphans and destitute children, no matter which circumstance as long as they were free. The Council finished it affirming they were in favor of the admission of that child, and expected the President of the Province to make the best decision.[118] Unfortunately I did not have access to the provincial president's resolution of the case.

The Council of the Holy House of Mercy seemed to be very supportive of the acceptance of *ingênuos* and freed children in the mentioned schools. However, actions speak louder than words. On June 18, 1875, three years after the cases previously discussed, Anacleto José de Mattos attempted to register the freed child Ephigenia at the School of Orphans for girls. Our already known majordomo Manoel de Figueiroa once again replied to the response with the same rhetoric he used before:

> I inform the included petition of Anacleto José de Mattos who requests the admission at the School of Orphans (for girls) of Ephigenia, parda, daughter of a slave woman, and freed by the [abolitionist] society July Tenth. I have to say

[118] To. Vieira, June 27, 1872, Arquivo Santa Casa de Misericórdia, box S.C. 11, folder 2, Jordão Emerenciano State Archive of Pernambuco.

> that she cannot be admitted because of her condition, and due to the dispositions of the regulations in the article 1st.

As it is clear, the regulations of the schools of Orphans did not suffer alterations to make the reception of freed children easier. Figueiroa, despite the opinion of the Council which, in theory, had more power than the majordomo, maintained his posture to deny the access of children who came from slavery. Most likely, then, the changes the Council had defended in the previous cases were never applied: the majordomo could continue to refuse the acceptance of *ingênuos,* despite the council's appeal to the provincial president.

Mr. Mattos then tried to take Ephigenia to the Foundling House in October, 1875. His request was once again denied. This time, because of her age: "the regulations of the Foundling House do not allow in any article what Anacleto José de Mattos wants (….) The foundling children received at that institution are always of a young age, and not eight years old like Ephigenia…" Differently from the School of Orphans, in this case, it was the Council of the Holy House who decided whether the girl would be accepted to the Foundling House or not. The sources do not mention the results of that case.

The Holy House's written records always praised the organization and tidiness of the female students, as well as of their school. Its director, Sister Chauveroche, was seen as a model to be followed, despite the structural issues of the school which faced some construction and repairs from 1870 to 1878. The students produced embroideries, learned how to read and write and had music lessons. Some of them could stay there until the age of twenty-one, to either become a kindergarten teacher, or to work for the brotherhood. This school did not go through as many changes as the School of Orphans for boys. On May 16, 1871, the bookkeeper Manoel Barbosa de Araújo wrote about the poor conditions of learning among the students from that institution. He mentioned that

the students were not learning how to read and write appropriately.[119] Another issue was that the boys were only allowed to stay until fourteen years old. After that, their families were supposed to take them. If they did not have any family, they were sent to the Arsenal of Marine or the Arsenal of War. That happened more often with children who had come from the Foundling House or with boys who had issues with behavior. Because of the limitations in learning and teaching, on June 6, 1872, a provincial law allowed the creation of a school that would substitute the School of Orphans for boys: Colônia Izabel. [120]

Because the construction of Colônia Izabel started in 1872, it was still under construction in 1875. An agricultural, industrial and artistic institute, it promised to offer the poor children of the city a "better future than the one they expected from the extinct school (…) There, they will have moral education, literary and professional instruction (…) There, the education will be provided until the age of twenty-one (...)." On October 15 of that same year the President of the Province determined that Colônia Izabel was going to accept "as students the male children of slave women, whose education will be maintained through the State, as soon as the masters of their mothers give up (…) on the services of the minors (...)." The Holy House of Mercy was no longer responsible for the education of the poor minors in the city of Recife. In a national effort to create workers out of them, the state was assuming the commitment to invest on the education of *ingênuos* and free children.

The development of Colônia Izabel sought to promote the inclusion of *ingênuos* and in general poor free children into the Imperial society. However, it is important to stress that the process of inclusion actually meant to educate them while maintaining

[119] Manoel Barbosa de Araújo, May 16, 1871, Jordão Emerenciano State Archive, box S.C.12.
[120] Antônio Maria de Faria Neves, July, 1, 1874, Jordão Emerenciano State Archive, box S.C. 14.

the hierarchical structures governing the country. In Salvador, according to Heloísa Maria Teixeira, the president of the Bahian Province said that the creation of Colônia Izabel in that city aimed "to help on the transition of slave labor into the free one. It will provide well educated, instructed and moralized national employees, who will be accustomed to methodic and perseverant work." This agenda totally overlapped with Recife's Colônia Izabel. [121] Meanwhile, the children who were not in school age to go to Colônia Izabel were taken somewhere else. They were sent to the foundling house, or *casa dos expostos*.

The Foundling House

Before 1775, the foundling children of colonial Brazil were under the responsibility of the municipal chambers. However, they did not seem to be very concerned with the situation of the former. Abandoned on the streets of the urban centers, the little ones often succumbed to the weather or to animals that attacked them. Nonetheless, the public scandals derived of such inaction, and the fact that the children often died without the sacrament of baptism, prompted the colonial administration to react. For this reason, in 1775 the minister Sebastião José de Carvalho e Melo regulated this situation by holding the Holy Houses of Mercy and the judges of orphans responsible for the foundling children. A process of implementation of foundling wheels in those institutions and in the houses of honored families then began. The foundling wheel was a cylindrical device divided in two parts. One of them was directed to the outside of the foundling house, and the other to the inner side. An employee known as *ama rodeira* was responsible for watching it day and night. As soon as a child was placed, she had to promptly inform the manager of the wheel. In Recife, the first

[121] Antônio Maria de Faria Neves, July, 1, 1874, Jordão Emerenciano State Archive, box S.C. 14.; Maria Heloísa Teixeira, "A Criança no Processo de Transição do Sistema de Trabalho- Brasil, Segunda Metade do Século XIX," 8.

institution to receive foundling children was inaugurated in 1789, in Salvador in 1726 and in Rio de Janeiro in 1738. [122]

In 1869 the Foundling House of Recife was facing difficulties to accommodate the children left at the wheel. Located at the Rua da Roda (Wheel Street), the Foundling House of Recife was also ascribed to the House of Mercy, and financed by state funds and private donations alike.[123] The "patrimony of charity", as the Holy House of Mercy referred to its charitable institutions, owned seventy-eight buildings, as well as a stock farm in the parish of Flores, two ranches, a terrain in Ipojuca where the sugar cane plantation named Benfica was located, forty-three lots (terrenos) in Recife, twenty-three in Olinda, fifty-eight lots of houses and twenty-four lots of ranches.[124] The big amount of land and buildings were nonetheless insufficient to afford the expenses of the hospitals and the foundling house due to the great number of poor people who utilized their services. In addition to that, with the promulgation of the Free Womb Law the situation became more challenging for that pious institution.

Seven sisters, a helper, a chaplain from the Church of Our Lady of Paradise worked at the Foundling Fouse, in addition to a teacher of music, an external regent, a servant, and seventy-seven wet and dry nurses were employees of that pious institution in 1872. In general, the position and number of employees remained almost the same throughout the years, with some changes in the number of nurses. The children under their responsibility could be found under two circumstances: either living at the foundling house or with a wet or dry nurse. In general, the House maintained only girls, and the boys were taken to the nurses. It was common to have girls with nurses as well

[122] Lana Lage Gama, 66,67; Alcileide Cabral do Nascimento, *A Sorte dos Enjeitados: o Combate ao Infanticídio e a Institucionalização da Assistência às Crianças Abandonadas do Recife (*São Paulo: Annablume, 2008), 50. Lara Melo e Souza, 31,32.
[123] Dr. Silvio Targino Villas-Boas, June 5, 1872, Jordão Emerenciano State Archive, box S.C. 13; B. De Livramento, January 7, 1873, box S.C. 14.
[124] Ibid.

if the number of children at the House was too high, which usually represented a little over ninety.

The girls who lived at the foundling house had to work to provide for their own needs in clothing: "the students work with sewing, embroidery, flowers, church ornaments, and with their profit they have always supplied their needs for shoes and fabric." Some boys became apprentices and went to live with masters to learn their labors. It was also common for some girls to live there until they were twenty-one, and they were not rarely hired to work at the house. Less common was the reclaim of children by mothers or fathers who usually said the child had been placed at the wheel by mistake or without the consent of the family.[125]

The children placed at the wheel who were younger than three years of age were under the responsibility of the external wet nurses or dry nurses. However, the sources also mentioned older children living with them. Ideally, at the age of three those children were sent back to the Foundling House where they were educated.[126] The house provided classes of music, literacy and sewing. Since the number of young children who were left at the wheel was high, most of them were taken to live with wet or dry nurses. Those women were free and were from different races: *parda* or brown-skinned, *preta* or *crioula,* which stand for black, and white.[127] Every three months they earned a financial support to raise those children, a higher one if they were wet nurses, and breastfed the *ingênuos*. A vital part of the Foundling House, it would be very difficult for the Holy House of Mercy to maintain the institution functioning without them. In general, the documents praised them, affirming their good care with those

[125] "Relatório Apresentado à Junta Administrativa da Santa Casa de Misericórdia do Recife," Barão do Livramento, July 1, 1872, Jordão Emerenciano State Archive,box S.C.13.
[126] Angela Cristina Salgado, *Santa Casa de Misericórdia da Bahia e sua Prática Educativa*, 104.
[127] Ibid.; Antônio Maria de Faria Neves, July 1, 1874, Jordão Emerenciano State Archive, box S.C. 14; "No. 804," April, 22, 1874, Jordão Emerenciano State Archive, box S.C. 14.

foundling individuals. From 1870 to 1878 there was only one case of mistreatment against a child, which led to the minor's removal from the cares of an unspecified nurse and her placement with "another nurse who is well behaved and caring." There was no mention of punishment against the nurse. [128]

The Free Womb Law did have an important impact on the number of children abandoned at the wheel. In January 1872, the Foundling House was in need of substantial repairs and expansion. The building was too small for the amount of children who, after the promulgation of Law 2040, were brought to the House: "In the old and small building in which the foundling house is located, there is a lack of accommodation to receive the ones who come in greater numbers every day. It [the facility] is even becoming unhealthy due to the crowding of the place." The Council sent a letter to the president of the Province of Pernambuco complaining about the lack of funds to begin the necessary renovations and expansion of the house: "We (the council) wish we could add those rooms; it is nonetheless impossible due to the lack of sources of our funds. Still, it is necessary to take actions, since after the promulgation of the law about the servile element the number of foundling children is noticeably increasing."

An 1874 report from the House detailing the children living with the wet nurses also demonstrated the increase of black and parda children who were left at the wheel. As the table below shows, there is a substantial increase after 1871:

Table 2: Children living with external nurses in 1874. Divided by year of placement at the foundling wheel and race in Recife[129]

Year	White	Black	Creole	Parda	S.Br.co	Total
1867	-	1	-	3	-	4
1868	-	-	-	4	-	4

[128] "No. 804," April, 22, 1874, Jordão Emerenciano State Archive ,box S.C. 14.
[129] "Relação das Amas Externas na Casa dos Expostos no 5 de Setembro de 1874," Jordão Emerenciano State Archive, box S.C. 14.

1869	1	-	1	4	2	7
1870	2	-	1	2	-	5
1871	2	2	1	8	2	15
1872	-	5	-	1	3	9
1873	1	2	-	10	1	14
1874 (from Feb to Aug.	3	1	1	13	3	21

Most times the sources do not explain how children and nurses were matched on the basis of race. Still, a report from August 1874 informed of the children who had been living with wet and dry nurses since October 1866. The list contained a total of seventy-six nurses: thirty-seven of them pardas, twenty-five black, nine creoles, and three white. Ten of the seventy-nine children who lived with them were black. From those, eight lived with black nurses, and two of them with *parda* ones. Ironically, there were more *parda* nurses than from any other race, which did not justify the concentration of 80% of those children under the responsibility of 32% of black nurses in 1874. It is clear, therefore, that the administration of the Foundling House maintained the segregation of black children with black nurses, and children of lighter color with nurses of similar skin tone.

Table 3: Wet-nurses from the Holy House of Mercy in 1874 classified by race[130]

Race	Total
Pardas	37
Blacks	25
Creoles	9
White	3

[130] Ibid.

Race shaped decision-making in the Foundling House, which reproduced the racial hierarchies of slavery.

Staying away from their mothers, enslaved or free, was not the only challenge those children faced. The high rates of mortality showed that many of those who were placed at the wheel arrived sick at that institution. For instance, in 1872, from sixty-seven children who were taken to the foundling house, forty-two died. The high rate of mortality was an unfortunate and yet common condition not only in the Foundling House of Recife, but also in other cities of the country. For instance, the port city of Salvador in Bahia, which held the first Holy House of Mercy of Brazil, also faced similar problems. According to the census of 1872, Recife had 3,964 black women and Salvador 37,467, both free and enslaved. Angela Santana mentions that the high number of black women in that city influenced on the amount of sick and moribund parda and black children left at the foundling wheel in Salvador. That happened due to their mothers' precarious living conditions.[131] In Recife, even though the amount of black women was largely inferior to that of Salvador, the mortality rates among foundling children were still impressive. The numbers from 1871 to 1877 showed the seriousness of the situation. It was common to find reports of smallpox spreading all over the city in different years, for example. But simpler and curable diseases also affected their health, and malnourishment was common**.**

The population of Recife had, in general, bad public health indicators. The precarious conditions of hygiene in the city contributed to an environment where epidemics dominated. In 1860, the city experienced an epidemics of cholera that killed 3,300 people. It returned in 1871 and 1873, elevating the mortality rates to between 37

[131] Angela Santana, *Santa Casa de Misericórdia da Bahia e suas Práticas Educativas 1862- 1934* (Feira de Santana: UEFS, 2012), 106,107.

and 41 per thousand inhabitants. In the end of the decade, between 1878 and 1879, smallpox appeared, killing 2,500 people in the first year and 2,500 in the second. It was also common for the population to suffer diarrhea and the flu. Those in poverty were not only subject to these contaminations, but also suffered from chronic avitaminosis.[132] These health problems explain why the mortality rate among foundling children was so high. The table below shows the mortality of children living in the House:

Table 4: Number of foundling children under the responsibility of the foundling house of Recife; mortality numbers, 1870- January, 1878[133]

Years	Children living at the F.H.	Children living with external nurses	Children who passed away at the F.H.	Children placed at the wheel	Children who passed away (from the ones placed at the wheel)
1870-1872	84	78	6	121	102
1873	93	77	5	90	70
1874-1875	102	86	3	86	58
Jan 1878	160	-	-	-	-

That situation had to be a concern for the managing operators of the Holy House of Mercy. In the 1872 report, the subject was mentioned to the Council of the brotherhood. The letter explained that the situation needed attention and offered some possibilities that could justify the high numbers of mortality among foundling children placed in the wheel: "I believe that it is because the foundling children (arrive) already sick, some moribund and others dead."[134] Six years later the argument remained similar, and the number of children who died after being left at the Foundling House also remained high.

[132] Clarrisa Nunes Maia, 40.
[133] Jordão Emerenciano State Archive, "No. 303" January 15, 1872, box S.C. 13; Antônio Maria de Fria Neves, July 1, 1874, box S.C. 14; Manoel Antônio Carneiro da Cunha, January 28, 1875, box S.C. 15; Antônio Maria de Faria Neves, July 1, 1876, box S.C. 15; "Santa Casa de Misericórdia do Recife," January 31, 1877, BOX S.C. 15; Francisco de Assis Oliveira Maciel, January 31, 1878, S.C. 16.
[134] Barão do Livramento, July 1, 1872, S.C. 13; Francisco de Assis Oliveira Maciel, January 31, 1878, Jordão Emerenciano State Archive , box S.C. 16.

Wet and dry nurses were seen as the solution to control and eventually decrease the high level of mortality. Given the structural improvements the Foundling House received between 1876 and 1878, it was believed that the mortality rate would drop if internal wet nurses were hired to take care of them. In the report of 1877, the subject was mentioned:

> it is convenient to have a few nurses in the institution to provide the first care to the children from the moment they are sent to the wheel, until they are given to the ones who will breastfeed them (…) It will be convenient to do so as soon as it is possible to begin the construction of the next area, which is parallel to the one previously made.[135]

In the biennial report of 1878, after all the constructions the Foundling House went through, the subject was discussed once again: "Since the building has now many accommodations, it is urgent that we maintain three or four internal wet nurses, who can provide the first care to those children until they are sent to the external nurses…" The analysis of the reports showed a lack of concern with those children. Hiring three or four wet nurses could not assure the health of those children could be recovered. Moreover, according to the list of nurses of 1874, wet or dry, most of them took care of one child at a time. Some were responsible for two at the most. The average number of children who arrived at the foundling house from 1870 to 1878 was of sixty-seven, which means that each nurse would have to take care of about sixteen children. That would certainly place an enormous physical and emotional burden on those women. The reliance on these poor free workers exhibits the lack of investment on health programs that could effectively save the lives of the *ingênuos*. The fact that the Free Womb Law did not mention any development of a health system to attend those children is another evidence of the unpreparedness of the Empire to socially include those new citizens.

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[135] Ibid.

Other Challenges

As if all the difficulties those children had to face were not enough, the financial situation in which the Holy House of Mercy found itself, made their reality even harder. In 1872, the Council of the brotherhood requested financial support from the President of the Province to begin the reforms at the foundling house: "As the Council cannot do anything by itself, due to the scarcity of its resources in the coffer, it has decided to appeal to Your Honor (…)" However, the Foundling House was not the only institution that required great repairs. It is important to remember that the House of Mercy of Recife was also responsible for hospitals, schools for orphans, and asylums for the homeless. By the end of 1872, the need for reforms in churches, buildings from the patrimony of charity, in the Hospital Pedro II, and in the Hospital of Lepers made the Council of the Foundling House very dependent on the financial support of the Provincial Government. Unfortunately they were not many, since the letters the Council sent to the President of that province were constantly addressing the need for more money in order for the House of Mercy to maintain its functionality. In 1873, the brotherhood received some donations from the Minister of War João José Junqueira, which helped with the reforms at the Foundling House. Nonetheless, the Municipal Chamber, which was supposed to give financial support to institutions that cared for abandoned children, was not doing its part:

> According to the law of October 1, 1828, article 70, the Municipal Chambers are supposed to aid institutions that receive foundling children. This was true until not long ago. Currently, it is fair that the Assembly for the Municipal Budget approve an amount for the City Chamber to reconstruct the house that educate the miserable ones, which would suffice its legal responsibilities.[136]

In the report of 1873, the Council addressed the lack of bedding, beds and mattresses for the children at the Foundling House of Recife. It also made clear the lack

[136] B. do Livramento, January 7, 1873, Jordão Emerenciano State Archive, box S.C. 14.

of support from the Municipal Chamber of that city by claiming that the compliance with the law "has fallen into oblivion, despite the Council's complaints."[137] In 1874, the Holy House of Mercy faced a budget deficit for the first time in the period from 1870 to 1878. Two years later that deficit increased to over 40:000$000 réis "not including a loan of 5:000$000 from the sewage company."[138] Moreover, due to economic issues the levels of poverty in the city increased, and the number of rented buildings from the patrimony of charity dropped. The Holy House of Mercy was also dealing with overpopulated institutions.[139] It could support the medical and basic needs a total of 525 individuals. [140] However, in July 1876, the brotherhood tried to "find strength in its own weakness" as the number of individuals under its responsibility grew to 1,094, which also forced the institution to hire more employees, increasing the expenses in a weak economy.[141] By then, some of the buildings the brotherhood owned were closed due to the lack of tenants, and the existing tenants were often defaulting in their rent payment.[142] Donations also decreased. During the 1873-1874 biennial they corresponded to 30:023$466 réis, whereas between 1875 and 1876 they received only 9:313$958 réis in donations.[143] The situation seemed very complicated.

Nature aggravated it. In November 1877, the Council of the Holy House of Mercy from Recife reminded the President of the Province of Pernambuco, Francisco de Assis Oliveira, of the four lotteries of 120 *contos de réis* the institution received.

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[137] Manoel Antônio Carneiro da Cunha, January 28, 1875, Jordão Emerenciano State Archive, box S.C. 15.
[138] "Santa Casa de Misericórdia do Recife," January 31, 1877, Jordão Emerenciano State Archive, box S.C.15.
[139] Jordão Emerenciano State Archive, Antônio Maria Faria Neves, July 1, 1876, box S.C. 15; Francisco de Assis Maciel, May 24, 1878, S.C.16.
[140] Ibid.
[141] Antônio Maria Faria Neves, July 1, 1876, Jordão Emerenciano State Archive, box S.C. 15.
[142] Francisco de Assis Oliveira, November, 24, 1877, Jordão Emerenciano State Archive , box S.C. 16.
[143] Jordão Emerenciano State Archive, Antônio Maria Faria Neves, July 1, 1874, box S.C. 14; "Balanço de Receita e Despeza dos Estabelecimentos Pios no Exercício de 1875 a 1876," box S.C. 15.

That money was an urgent necessity given all the expenses already mentioned, and a new one created as a consequence of the drought that dominated the countryside of the Northeast. In this report, the Council urged for help:

> Fighting against a deficit of about 55 *contos*, the Holy House sees its debt growing every day, not only because of the increase in the number of people in our institutions. That includes those escaping the drought that devastates the backlands of the province, who come to this city (…)

The poor free citizens who crowded the streets of the province also brought with them their children. Weak, sick and malnourished, parents and children sought survival in Recife, going to already overpopulated hospitals where infections began to proliferate. During that time, one of the measures to contain the deficit was to refuse the registration of more children at the schools of orphan girls. That decision helped in the maintenance of the costs of that place, but it did not prevent desperate parents to try to send their daughters to somewhere safer than the streets of Recife.[144] Many were thus abandoned in front of the Foundling House in 1877:

> Effectively we did not receive any minor since that time, and consequently the fear of debts has disappeared. However, the measure did not produce the desired intentions, because by the time the doors of that institution were closed and no deficit reappeared, the same cannot be said about the Foundling House. In its garden, many girls up to 10 or 12 have been frequently abandoned, and for other ones the Council requested their sheltering [at the foundling house]. That happened due to the helplessness situation in which they were found, increasing the number of people in this house from 90 to 127.[145]

Because of the social crisis in which the Province found itself, the references to *ingênuos* disappeared from the sources. The concern with the increase of the debts and food price, and the decrease in profits from the Holy House of Mercy's building rentals in a stagnant economy amplified the amount of problems. That removed the attention of the authorities in the sources from the *ingênuos* and other children. On May 3, 1878,

[144] Council of the Holy House of Mercy, May 7, 1877, Jordão Emerenciano State Archive, box S.C. 16
[145] Ibid.

the Holy House of Mercy feared that the institution would no longer be able to work with the poor and sick ones of Recife:

> If the government does not offer some support to the Holy House, it will have to stop the services it provides to the afflicted humanity. It is already lacking resources, since there are 630 individuals in the hospital, which is not an ordinary number. A third of those are fugitives from this and other provinces, who this govern must assist supporting the institutions that treat them. [146]

A few days later, on the 24, the Holy House updated the number of people in its institutions: 1,586.[147] That was three times its capacity, which could handle a total of 525 among foundling children, patients at the hospital Pedro 2 and beggars. The Holy House of Mercy did not close its doors, but the situation of the *ingênuos* in the city of Recife certainly became more difficult. An economic crisis, together with a social one, did not leave much room for the maintenance of the debates in regards to slavery and the *ingênuos*. In fact, up to 1879 there was some effort to develop policies of inclusion of those children, even though as it was mentioned early, the agenda still included the maintenance of the social hierarchies in the transition from slavery to free labor. Since that was the year those children turned eight, there were expectations to see how many children would be under the state's responsibility. As a reminder, according to the Free Womb Law, the slave masters, by the time *ingênuos* turned eight, had to decide if they were going to receive the 600$000 réis from the government and lose their rights over the children, or if they were going to utilize their services until the *ingênuos* turned twenty-one. Since the vast majority of the masters decided to keep the custody of those children, the State disregarded great investments on the public educational system. According to the Ministry of Agriculture's 1885 report, from the 403,827 children

[146] Council of the Holy House of Mercy, May 3, 1878, Jordão Emerenciano State Archive, box S.C. 16.
[147] Council of the Holy House of Mercy, May 24, 1878, Jordão Emerenciano State Archive, box S.C. 16

registered as *ingênuos*, only 113 were handed to the State.[148] That is a sad statistic, proving that the country's slaveowners were not willing to let slavery go.

Conclusion

Catholic leaders in Pernambuco received the Free Womb Law with an apparent joy and faith in the future of the country, and out their institution to the service of the Empire. Bishop Maria and Reverend Moretti explicitly supported the new law, and stressed their commitment to follow the legislation in what concerned the role of the Church on registering the children and educating the population. They also exposed their social alliances with the Brazilian elites, praising the politicians involved in the promulgation, regardless if they were in favor or against it.

However, the urban charity institutions associated to the Holy House of Mercy carried out a series of practices that, far from raising the *ingênuos* as equal Brazilian citizens, discriminated against them on the basis of their status as ex-slaves, which carried important social and racial stigmas. The House refused to receive freed children in its schools, attitudes that came from individuals who worked there. In theory, the Council of the Holy House seemed eager to promote the inclusion of *ingênuos* and freed children. In practice, however, it did not promote or alter its regulations to allow the minors into its charitable schools. In the Foundling House, racial and socio-economic ideas and attitudes inherited from the time of slavery continued to shape the destiny of the *ingênuos.* Assignment by race was a clear practice, with black nurses being responsible for black children, and nurses of lighter skin tone being in charge of children with similar complexion. Resistance to receive former slaves in their schools

[148] Heloísa Maria Teixeira, "A Criança no Processo de Transição do Sistema de Trabalho," 11,12. http://www.abep.nepo.unicamp.br/encontro2006/docspdf/ABEP2006_347.pdf.

stressed the Holy House of Mercy's difficulties in dealing with new social dynamics the Free Womb Law intended to create.

In the end, these institutions acted in ways that had negative consequences for the *ingênuos*: destitution, homelessness, and, often, misery – obstacles most often impossible to overcome during the rest of their lifetimes in late-nineteenth-century Recife. Moreover, just at the time the Free Womb Law was deployed, the limits and the clearly insufficient capacity of the Holy House's institutions to alleviate urban poverty in Recife became clearer than ever. As a drought struck the Northeast in 1877, thousands of refugees from the interior arrived in the city, aggravating the already precarious charitable system that was responsible for raising and educating the *ingênuos.* The arrival of free poor people from the backlands of the Northeast region, along with the stagnant economy that dominated that area turned the attention of the authorities away from the issue of mortality among foundling children to the increase in vagrant, sick and homeless people in the city.

In sum, the Catholic Church played an important role in shaping the process of gradual abolition that took place in Brazil during the 1870s and 1880s. Its participation was paramount on the enforcement of the Free Womb Law, especially on what concerned its social responsibility when the state did not provide the necessary educational and health apparatus that could support the future citizens of the country. In Recife, however, the deeply ingrained institution of slavery resulted on the shortcomings found in the politics of social support to the *ingênuos,* even within the Church. It was unable to promote actions to fight the legacies of bondage: extreme urban poverty, racial hierarchies, and a persisting and never-ending social inequality.

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