

Body, Gender, and Identity on the Threshold of Abolition

*A Tale Doubly Told by Benedicta Maria da Ilha,
a Free Woman, and Ovídia, a Slave*

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In the 1880s, a woman known by two names – a “25-year-old *fula*, missing her front teeth” – zigzagged between the coffee regions of the Paraíba Valley and the capital of the Brazilian Empire.¹ Always itinerant, always seeking the freedom to come and go as she pleased, the free Benedicta Maria da Ilha (who was also the enslaved Ovídia) rambled from place to place, hiring out her domestic services and forging bonds with multiple protectors, who would later willingly defend her when she was “unjustly” imprisoned as a fugitive slave. In a peripatetic life that always circled back to the capital city of Rio de Janeiro, Benedicta/Ovídia experienced multiple flights, misadventures, and hairpin shifts in fortune. When she was finally captured and imprisoned at a slave trader’s house in a São Paulo coffee town, she presented authorities with a plausible story about her identity as a free, unencumbered young woman who earned her living as a domestic servant in Rio de Janeiro.²

An extensive judicial complaint detailed Benedicta/Ovídia’s many comings and goings. In it, our protagonist presented a narrative – her own narrative – of an identity built around constant displacement. Yet

* Translated by Brodwyn Fischer.

¹ The court records analyzed in this paper contain many references to the color of Afro-descendant people. In general terms, the words *fula*, *cabro/a*, and *parda/a* alluded to mixed-race people – the first word referred to people with darker skin and the other terms referred to lighter-skinned ones. The words *negro/a* and *preto/a* roughly translate to “Black,” but the latter also indicated enslavement. Therefore, it was often complemented with other references to color (i.e., *preta fula*).

² Cartório de Terras e Anexos de Taubaté (CTAT). 1880. Processo Crime (Denúncia). A Justiça vs. Capitão Fernando Pinheiro da Silva Moraes e Hermínio José Cardoso.

meticulous subsequent investigations – which privileged the voices of her master, judicial authorities, and medical-legal experts – toppled this constructed identity, concluding that she was indeed Ovídia, a woman enslaved to Captain Fernando Pinheiro, a well-established resident of the Imperial capital.

Even thus unmasked, however, the free woman Beneticta opens an important window, through which we can apprehend the ways in which women on the borders of slavery and freedom constructed their identities during Brazil's age of abolition.

This chapter unravels during the final years of slavery in the 1880s, a time marked by the widespread dislocation of people at various stages of liberation – slaves, fugitives, and the newly free – many of whom abandoned Brazil's plantations en masse, seeking new social and geographic spaces in which to recommence their lives. Yet these processes of physical displacement were highly gendered. Men and women coming out of slavery clearly faced different social challenges. Among women, the path to autonomy had to be continuously negotiated within the private realm of domestic labor and explicit personal dependency.³

This chapter builds upon a vast historiography. Over the last few decades, a continuous stream of new research has enriched our understanding of slavery's rapid transformation during the abolition period, especially after the Free Womb Law of 1871 (which, among other things, legitimized slaves' rights to claim freedom in Imperial courts of law). Through careful analysis of freedom suits, criminal records, and other legal documents, this historiography has brought into sharp focus slaves' own agency in acquiring various forms of freedom, ultimately showing how enslaved peoples' legal actions helped to delegitimize slavery itself. Drawing upon this perspective, this chapter seeks to recuperate the social practices, ways of life, and world visions that resided below the surface of the testimonials offered in Benedicta/Ovídia's case.

These reconstructed life narratives – Benedicta's and also Ovídia's – reveal social identities established and divided in the complex borderlands between slavery and freedom. In comparing this young woman's possible lives – as Benedicta and as Ovídia – the commonalities are striking. In cities such as Rio, enslaved and free Afro-descendant women were submitted to the same kinds of labor and social norms. The same commission houses often consigned their services, and even lack of pay did not

³ Among other important works in Brazilian historiography, see S. Chalhoub, *Visões da liberdade*; H. Mattos, *Das cores*; K. Grinberg, *Liberata*.

differentiate them: as “Benedicta” repeatedly noted, even free women often worked without set salaries. Yet the *Benedictas* and *Ovídias* of the period diverged in one fundamental respect. Free women enjoyed the privilege of unimpeded displacement, which allowed them to zealously defend more autonomous familiar and affective spaces. Enslaved women, by contrast, felt the full weight of their owners’ control in their daily comings and goings. Thus, in the carefully constructed narrative of *Benedicta*’s life as a free woman, she constantly swapped jobs and occupations, always in defense of her autonomy; indeed, constant movement appears to have been the defining mark of a life lived in freedom. Her owner, Captain Pinheiro, reinforced the strategic importance of unimpeded displacement from the opposite perspective, seeking to establish his ownership and authority by affirming his careful control over *Ovídia*’s daily life, even when she was working as a wet nurse or a servant-for-hire.

BENEDICTA’S STORY: A FREE WOMAN FALLS VICTIM
TO A “HORRENDOUS CRIME”

On April 15, 1880, *Benedicta Maria da Ilha* sent an anguished plea to her former employer and protector, *Bráulio Muniz Dias da Cruz*. *Muniz* was police delegate in the *Paraíba* Valley city of *São José dos Campos* and had previously held the same post in the nearby city of *Cachoeira*, where he had employed *Benedicta* as a servant for a few months in 1879.⁴ The letter – likely penned by a sympathetic passer-by, as *Benedicta* was illiterate – was a desperate plea born of desperate circumstances. *Benedicta*, whom *Muniz* knew as a free woman, had been taken captive in a slave convoy under the command of *Hermínio José Cardoso*. The convoy had left *Rio de Janeiro* in mid-1880 and was now slowly snaking through the *Paraíba* Valley, displaying its human wares for sale. After a formal salutation, the letter read:

I hope this letter finds your Excellency in perfect health – that is my greatest wish.

On this occasion, I humbly ask to draw upon your help as I did before, when I was imprisoned as a suspected fugitive slave in *Cachoeira*, today, the same thing has happened, I beg you for your precious protection, as

⁴ A police “delegado,” in the Brazilian context, was roughly equivalent to the chief of a police district; the delegado was responsible for the day-to-day operation of his local police force, for accepting and investigating criminal complaints, and for interactions with higher state and Imperial authorities.

I find myself detained in a house in the city of Taubaté waiting to be sold at 95 Rozário Street.

I ask all the Saints that you might free me from this unjust oppression.

Please come, or send my freedom papers so that I can free myself from the hands of these men.

Benedicta Daia [sic]

Taubaté, April 15, 1880⁵

Other letters, always penned and mailed by unknown parties dismayed by the young woman's unjust imprisonment, had already reached Delegate Muniz from Rio de Janeiro, Barra Mansa, and Cachoeira. Muniz had not hesitated in taking action: upon learning of Benedicta's captivity, he wrote directly to the Imperial chief of police and to the police delegates of all the other relevant cities. Muniz demanded immediate investigation and forceful measures against "reducing a free person to bondage, *one of the most horrendous of crimes.*"⁶ Upon receipt of the last letter, Muniz went further, travelling to the city of Taubaté determined to do whatever necessary to "*free this unhappy woman from the claws of these vultures.*"⁷

Delegate Muniz's energetic measures added to a chorus of complaints about the illegal enslavement. In her initial deposition, Benedicta testified that her troubles had begun in Rio de Janeiro, when she agreed one day to accompany a clerk to the home of Capitão Fernando Pinheiro da Silva Moraes. Moraes ran a business commissioning the services of slaves and free workers, and Benedicta hoped to claim back wages that he owed her.⁸ Instead, she found herself in a terrible predicament. As soon as she entered Pinheiro's home, he asked: "*What is your real name?*"⁹ She responded: "Benedicta Maria Albina da Ilha." The Captain did not seem to like her answer, declaring that

this was a very old name and she should change it to Ovídia, because that was one of his daughters' name. When she answered that she would not change her name, Fernandes Pinheiro beat her with a *palmatória* [paddle] until her hands were

⁵ CTAT: PC. D., 1880, p. 9. Daia is a colloquial contraction of "da Ilha," written as it would be by someone with rudimentary literacy.

⁶ That is what public authorities declared several times during the investigation. On the crime in question (illegal enslavement of free people), see "Article 179: Reduzir à escravidão a pessoa livre que se achar em posse da Liberdade," in Carlos Antonio Cordeiro, ed., *Código criminal*, p. 130.

⁷ CTAT: PC. D., 1880. The expressions in italics were taken from Bráulio Muniz Dias da Cruz's deposition, pp. 72v.–81.

⁸ As will be explained, Benedicta told another witness that the clerk had promised to bring her to meet a sister who lived in another city.

⁹ Emphasis from the original.

swollen and told her that if she did not change her name, he would send her to his mother's coffee *fazenda* [plantation] in Valença.¹⁰

Benedicta was then imprisoned and sent to the slave convoy, which traveled by train to various cities in the Paraíba Valley, displaying its "merchandise" to buyers in private homes. In Taubaté, she had been impounded with other slaves in Manoel Silveira Maciel's house, where she awaited a buyer disposed to spend one *conto* and 200\$000 réis on a young housemaid, expert in laundry and ironing, whose race or color was alternately described as *crioula*, *parda*, *cabra*, and *fula*.¹¹

Benedicta's captors made every imaginable threat and kept her under strict vigilance. All the same, as the many letters to Delegate Muniz attested, she always managed to find strangers willing to help. Even Sabino, a slave-for-hire whom Cardoso had contracted to discipline the slaves in his convoy, ended up allowing her certain liberties, which she used to spread word about her predicament wherever she went. Sabino's hard-hitting deposition suggested that he himself had been convinced by Benedicta's arguments. Identifying himself as thirty-six-year-old unmarried cook, born in the state of Sergipe, Sabino described his first encounter with Benedicta:

He was on Imperatriz Street and saw the girl you see here, held by the collar of her dress by a young man and accompanied by Fernandes Pinheiro. When they arrived at a kiosk at São Joaquim Square, Pinheiro called a nearby slave and told him to help take the girl to Cardoso's house.

Sabino testified that the "girl" always told him that "*she was free and was named Benedicta . . . allegations she repeated throughout the journey from Rio de Janeiro to this city.*" In one of the cities where the convoy stopped, Benedicta had encountered some old acquaintances, who found it odd to see her among slaves for sale. It was from them that Benedicta learned Delegate Muniz's whereabouts.¹²

After the initial complaint, Benedicta was transferred to judicial custody and the official inquiry began. All of the witnesses corroborated Benedicta's statements. Delegate Muniz, Benedicta's protector, provided

¹⁰ CTAT: PC. D., 1880. Questioning of Benedicta da Ilha, pp. 5 and 5v. The *palmatória* was a perforated paddle often used to punish slaves.

¹¹ Chalhoub examines several criminal records referring to slaves who, offered for sale in Rio de Janeiro, rebelled and developed resistance strategies. Through these strategies, they sought to prevent their sale to far-away plantations or unknown masters and thus acted as important social agents in the slave trade. S. Chalhoub, *Visões da liberdade*, pp. 29–94.

¹² CTAT: PC. D., 1880, "Deposition of Sabino," pp. 49v.–52v.

especially interesting and influential testimony. Muniz stated that he had first met Benedicta when he was suddenly called to Cachoeira's train station in October or November of 1879. There, he encountered a young woman who had been detained by the local station chief because she had disembarked in Cachoeira (in São Paulo province), even though she held a ticket to Boa Vista (in the Rio de Janeiro district of Resende). For most travelers, this might have been understood as a simple distracted mistake. But Benedicta's appearance rendered her error highly suspicious, and the station chief immediately surmised that she was a slave on the run.

By the 1880s, railroads had considerably expanded the prospects of enslaved runaways: trains themselves facilitated quick escape, and train stations were important spaces to collect information and establish valuable contacts. Vigilance of people who "looked suspicious" intensified accordingly: at times, *capitães do mato* (bounty hunters) lurked in train stations and other public places, on the lookout for those whose manner, color, or social vulnerability might indicate they were fugitives.¹³ Benedicta did have at least some money – she had purchased a ticket – and she was respectably dressed in a black dress and shoes (a mark of freedom in much of nineteenth-century Brazil). Nonetheless, her *parda* skin colour and missing front teeth attracted attention, forcing Benedicta to constantly prove her freedom. Because of her liminal physical appearance, Benedicta was forced to fill in the gaps in her social identity with whatever elements she could attain: a passport, freedom papers, personal references, and personal protection from well-established free families or individuals.¹⁴

Confronted by the station chief's suspicion in Cachoeira, Delegate Muniz interrogated Benedicta and conducted a thorough investigation in her native region. He concluded that she was free. Still, the relationship he established with her was highly asymmetrical. He came to employ her as a maid but described his payment to her – 9\$000 réis that Benedicta herself referred to as salary – as "charitable aid." He also refused to

¹³ For an extended debate on the limits separating slavery and freedom in 1880s Rio de Janeiro, see S. Chalhoub, *Visões da liberdade*. On the issues of "passing" and changing racial classifications in other slave societies such as the United States, see M. Hodes, *The Sea Captain's Wife*; M. Hodes, ed., *Sex, Love, and Race*; L. Kent, *Woman of Color*; J. Rothman, *Notorious in the Neighborhood*. See also a riveting article by Rebecca Scott, which discusses the limits between slavery and freedom from the viewpoint of the law and explores the agency of an immigrant woman whose indefinite legal status was intertwined with both constant displacement and politics: R. Scott, "She . . . Refuses To Deliver."

¹⁴ At that time, Brazilian slave society, and the Paraíba Valley in particular, included a diverse population that included free and enslaved people as well as large contingents of manumitted people.

entrust Benedicta with the documents that supposedly proved her identity as a free woman, giving her only a passport, a document that slaves – but not free people – were required to carry when moving about in public. With seemingly the best of intentions, aimed at shielding a vulnerable person who could easily become the target of all kinds of swindles and abuses, Muniz nonetheless offered Benedicta protection rather than autonomy. As a poor, single woman, lacking family ties and circulating in unfamiliar environments, Benedicta needed to avail herself of personal protection and favors, especially those of men who could offer her safety as she moved about through public space. All women – free, freed, or enslaved – had to tread the path to autonomy with particular care.

For enslaved women – young or not so young – the decade of abolition offered new possibilities, just as it did for other captives. Yet women and their children were a minority among fugitive slaves, rural migrants, and *quilombolas* (maroons). Even in flight, women’s space for maneuver was mostly molded in the private sphere of domestic service, which was always understood not as work but rather as an exchange of favors and loving care.¹⁵ For free and enslaved women alike, the paths to autonomy were delimited by restrictive gender norms, which mostly limited poor women’s subsistence strategies to the domestic sphere.

Not that Benedicta was indifferent to her juridical status; her entire police complaint illustrates the force, daring, bravery, and cold-bloodedness with which she confronted authorities, slave traffickers, her supposed owner, and all manner of witnesses. In every deposition, she insisted that her real name was Benedicta Maria Albina da Ilha – single, twenty-five years old, born in the city of São José do Príncipe to Albina da Ilha and her legitimate husband Manoel da Ilha (or Manoel Bagre), a fisherman. Her parents were “still alive, and like her aunt, they were never enslaved.”¹⁶ She made a living as a domestic servant-for-hire.

These same depositions allow us to retrace Benedicta’s life trajectory. She began life on a farmstead called Macundum, in São José do Príncipe, where her family lived and worked as *agregados* (dependents). The owner of the *sítio* (plantation) was Benedicta’s godfather, and she was raised in

¹⁵ O. Cunha, “Criadas para servir,” pp. 377–418. The most thorough study on domestic service in Brazil between the last decades of slavery and the post-abolition moment is S. Graham, *House and Street*. An interesting discussion on the topic of wet nurses and nannies in the US antebellum and postbellum South, focusing on the fact that these work relations were deemed strictly affective instead of professional and monetized, is found in K. Wallace-Sanders, *Mammy*.

¹⁶ CTAT: PC. D. 1880, pp. 91v. and 92.

her godmother's house. Finally, at twelve – that is, in 1867 – she had gone to Rio de Janeiro, where she began to support herself as a servant-for-hire. Her life from that point forward was precarious and insecure, as she zigzagged from one workplace to another. After arriving in Rio, she hired herself out to D. Elisa, wife of Bento Maria da Cruz; from there, she passed through six homes, schools, and commission houses before employing herself in 1876 at the home of Fernando Pinheiro, on the Rua do Príncipe dos Cajueiros.¹⁷ Pinheiro, however, abused his authority, renting her out to various other families under the pretense that she was enslaved. Benedicta testified that she always left such placements – as a free person she would never permit herself to be treated as a slave – but Pinheiro never paid her a salary, alleging that he was saving money for her in a special account. Finally, she and Pinheiro had a falling out; when she decided to leave, he allegedly told her that “the door was open.”

In those circumstances, Benedicta claimed to have left Pinheiro's house, spending the night in the São Cristóvão railway station on her way to a “party” near the Boa Vista railway station. Confused, she instead left the train at Cachoeira, where Delegate Muniz had interrogated her and taken her in. There she remained for two months, waiting for her freedom papers. With only a passport and a bit of money, Benedicta then returned to Rio, where she hired herself out to Fuão Manuel's commissioning agency, at Rua da Conceição 42. The agency rented her services to a judicial official, but she soon returned.

In repeatedly seeking out commissioning agencies that rented out the services of slaves and poor workers, Benedicta reiterated the choices of many other poor women, free and enslaved, who often resorted to such firms – intermediaries in the labor markets for wet nurses and other domestic employees – in the 1870s and 1880s. Increasing attempts to control “rented” domestic servants – and especially wet nurses – theoretically assured the moral and hygienic fitness of the wet nurses and maids who would infiltrate their clients' day-to-day family lives.¹⁸

In the name of sanitary regulation, Rio's domestic workers increasingly endured bodily examinations, discriminatory medical-racial classification, and close tracking of their physical movements and employment

¹⁷ CTAT: PC. D. 1880, pp. 144, 144v., and 145. Benedicta's depositions reveal the existence of two lists of jobs in which she engaged. Missing pages in her first deposition, however, prevent us from comparing the two documents, and Benedicta's deposition itself is not detailed in terms of the dates of her employment arrangements.

¹⁸ On slaves for rent, see M. Karasch, *Slave Life*, pp. 87–88; L. Soares, *O “povo de Cam,”* pp. 123–145; M. Ribeiro Carneiro, “Procura-se,” pp. 177–215.

arrangements. By contrast, domestic workers created their own social worlds in Rio's streets, tenements, *zungus* (cheap rooming-houses), *casas de fortuna* (centers of fortune telling and other mystical practices), and other oblique spaces. Selling *quitandas* (homemade delicacies), renting out rooms, sharing secrets and religious rites, earning money, experiencing love and flight, raising children or entrusting them to others of their own choosing – these were the key elements of the lives that free, freed, and enslaved women engaged in against the backlight of the whitened, sanitized city imagined by urban authorities and systemized in medical-sanitary discourse. The world of the streets – Carioca Square, Rocio, the Campo de Santana, and so many other spaces inhabited by slaves and other marginalized people in the 1880s – allowed washerwomen, wet nurses, and other impoverished women such as Benedicta Maria da Ilha/Ovídia to survive in the slave city's hostile environment.¹⁹

Benedicta sometimes chose to work as a laundress, enjoying relative freedom of movement among the city's public fountains and laundry basins; other witnesses would later assert that she also labored occasionally as a wet nurse, an occupation associated with slavery and restricted movement. Regardless, she seems to have developed strategies to preserve some degree of personal autonomy; thus we can understand her constant flights, displacements, and ongoing written and personal recourse to acquaintances, relatives, lovers, and friends.

Yet, as it turned out, Benedicta's strategies could not prolong her freedom indefinitely. After returning to Rio in 1879, Benedicta had her fateful reencounter with Fernando Pinheiro. He then sent a clerk to fetch her, either on the promise of back pay or on the ruse that Benedicta's sister had arrived in Rio and was staying with one of their aunts in Rocio Pequeno 111. But when she arrived at the Largo de Carioca, in central Rio, Pinheiro – aided by his slave Olavo – grabbed her by the collar. And thus began the saga that gave rise to Delegate Muniz's indignant inquiry. In her testimony – given in Pinheiro and Cardoso's presence, with cold-blooded decisiveness – Benedita denied that she had ever had a child or worked as a wet nurse as the captain had declared in his testimony and

¹⁹ On urban slavery in Rio de Janeiro, see M. Karasch, *Slave Life*, and L. Soares, O "povo de Cam." On the lives of free and enslaved maids and wet nurses outside the employer's house, see S. Graham, *Proteção e obediência*, pp. 73–106. On the sociability of the popular classes in the urban context, see J. Farias et al., *Ciudades negras*, especially the chapter entitled "Nas quitandas, moradias e zungus: fazendo gênero," pp. 83–102; R. Moura, *Tia Ciata*; E. Silva, *Dom Obá*; S. Chalhoub, *Visões da liberdade*, especially chapter 3.

insisted that “she knew Pinheiro as her *amo* [master] but never as her owner, and he only decided to present himself as such a short time ago.”²⁰

Living by favor in strange lands and strangers’ homes, hiring herself out as a domestic servant, jumping constantly from one job to another, lacking a secure hearth or salary, and in constant fear of enslavement, Benedicta’s existence might seem provisional and insecure, scarcely distinguishable from urban slavery. Yet even this small degree of provisional freedom was enough for Benedicta to risk everything, incessantly confronting the powerful men who sought to block her path.

There was one last person, however, whom she had yet to confront: Ovídia, a slave woman.

THE SAME STORY IN THE MASTER’S WORDS:
“OVÍDIA, A SLAVE I WISH TO SELL, ADROIT BUT PRONE
TO RUNNING AWAY”

Accused of criminally enslaving a free person, Captain Fernando Pinheiro da Silva Morais was forced to respond to public authorities in the city of Taubaté under penalty of conviction under the terms of Article 179 of the Imperial Criminal Code.²¹ In his deposition, Pinheiro stated that in January 1878 he had purchased a seventeen-year-old slave named Ovídia, a native of São João do Príncipe, from Francisco Picão. As proof, Pinheiro attached a copy of the purchase deed, which in fact attested the purchase of a “17-year-old *crioula*, single and apt for domestic work” for one *conto de réis*.²² Accordingly, Ovídia/Benedicta was probably twenty-one years old when the case unfolded.

In repeated depositions, Captain Pinheiro stated that, between January 1878 and August 1879, Ovídia had behaved extremely well and was always rented to third parties. After a certain point thereafter, however, she became insubordinate and began to run away incessantly, and Pinheiro decided to sell her away from Rio. What could have suddenly transformed an “adroit,” well-behaved young slave into an inveterate runaway, who lied and spurned discipline to the point where her master wished to banish her from the city?

Ovídia’s alleged master himself provided a possible explanation. Pinheiro affirmed that for a time Ovídia had been rented out as a wet

²⁰ CTAT: PC. D. 1880, pp. 39, 44.

²¹ The quotation in the subheading is drawn from CTAT: PC. D. 1880, p. 56v.

²² CTAT: PC. D. 1880. Escritura de Compra de Ovídia, pp. 58, 58v.

nurse to a certain “Lucas” and that she had also breastfed one of Pinheiro’s own children until white marks on her neck raised suspicions about her health.²³ From then on, Ovídia no longer worked as a wet nurse. Pinheiro said nothing – not a word – about the child that Ovídia must have given birth to; the baby is literally absent from the record. Where might she or he be? Had they been forcibly separated at birth? Was the child stillborn? Had the newborn been given away or placed in the Santa Casa de Misericórdia so that Ovídia could work as a wet nurse? The Free Womb Law (1871) would not have permitted the child to be sold as a slave, although there are indications that mothers and *ingênuos* (children born free to slave mothers) were sometimes sold together, on the promise of the services the child might provide as a ward before attaining maturity and full freedom.²⁴

As Maria Lúcia Mott and Miriam Moreira Leite have suggested, a history of abandoned enslaved children was the necessary corollary of the demand for wet nursing, which created an impressive rental market for postpartum enslaved women in Brazil until baby bottles came into widespread use in the second half of the nineteenth century.²⁵ The “baby wheels” of Catholic orphanages frequently received the children who might have been forcibly removed from enslaved wet nurses, whose masters believed that the babies would impede the women’s ability to nurse other children.²⁶ Ironically, those same orphanages themselves employed enslaved women, who – with or without their own babies – had to breastfeed far more abandoned children than their undernourished bodies could sustain.²⁷ The high mortality rates that decimated such children throughout the nineteenth century would seem to confirm this interpretation.²⁸ Ovídia and her child may have been part of that history.

²³ CTAT: PC. D. 1880. Interrogation of Fernando Pinheiro de Moraes, p. 54.

²⁴ The designation *ingênuos* applied to the children of enslaved women born after the approval of the Free Womb Law in September 27, 1871. Considering the slave market in the province of São Paulo in the 1880s, José Flávio Motta argues that the sale price of enslaved women was higher if they were sold along with their children. When evaluated separately, these women’s sale prices were lower. Ione Celeste de Sousa demonstrates the existence of a monetized labour market involving the *ingênuos* in the province of Bahia even after abolition. J. Motta, “Derradeiras transações,” p. 159; I. de Sousa, “Para os educar.”

²⁵ M. L. Mott, “Ser mãe,” pp. 21–26; M. Leite, *Livros de viagem*, especially the chapter entitled “O óbvio e o contraditório na roda dos expostos,” pp. 143–160.

²⁶ M. Leite, *Livros de viagem*, p. 145. ²⁷ M. Ribeiro Carneiro, “Procura-se,” pp. 26–52.

²⁸ M. Leite, *Livros de viagem*, pp. 154–156.

Over the course of the nineteenth century, nascent hygienic discourses increasingly vilified wet nurses as dangerous vectors of contagious disease as well as morally corrupted practitioners of ignorant and barbarous habits. This justified the piecemeal prohibition of wet nursing, which could have occurred in Ovídia's case when Pinheiro began to worry about her health.²⁹

If Ovídia was no longer allowed to nurse a white child, could she still have breastfed her own baby? How had the young mother reacted when she was separated from her child? Who was the father? Did the birth or separation explain her constant flights? Did the child live in Rio, and was that why Ovídia always returned there?

The records' opacity in relation to Ovídia's child stands out. Witnesses say nothing, and the authorities display a visible indifference to the motives or consequences of the separation. Not a word indicates the child's fate or even directly acknowledges his or her existence. We only know that Ovídia is a mother because of two indirect clues. First, Pinheiro mentioned that Ovídia served as a wet nurse, though he did not link her change in behavior to the birth of a baby or her separation from the child. Secondly, Benedicta herself denied that she had ever had children, which led Pinheiro to affirm the contrary. This contradiction eventually became a crucial point of evidence in the investigation: to resolve it, two medical specialists submitted Benedicta/Ovídia to a gynecological exam, the results of which confirmed her legal identity. By certifying that the young woman had given birth, the legal-medical procedure put to rest her existence as Benedicta Maria Albina da Ilha.³⁰

Despite its unhappy end, Benedicta's biography embodies the ambivalence of her age. In the eyes of her contemporaries – as in ours – the enslaved Ovídia assumed Benedicta's voice to tell a plausible story about

²⁹ There were countless theses produced at medical schools in the provinces of Bahia and Rio de Janeiro dedicated to issues involving breastfeeding and wet nurses – always extolling the former and depreciating the latter. These theses mirrored the rise of medical and scientific knowledge and its experts, men who led campaigns against “retrograde practices” nurtured among Brazilian urban families, such as the adoption of wet nurses, traditional habits of childcare, and the use of uncertified midwives. Nonetheless, one woman had also expressed concerns involving the health of potential wet nurses early on: Mme. Durocher, a famous midwife. From 1834 forward, she carried out clinical examinations on women who applied to work as wet nurses. In 1849, she published a book on the topic and submitted the first project advocating the sanitary inspection of wet nurses to Rio de Janeiro's Municipal Council. Her story reminds us to avoid hasty conclusions about masculine monopolies over medical knowledge and concerns about female health. M. L. Mott, “Parto, parteiras,” p. 199.

³⁰ CTAT: PC. D., 1880, Record of Examination of the Offended Party, pp. 146v.–148.

the border between slavery and freedom. In an era infused with the bitter waning conflicts of slavery and shaped by the webs of dependency and exclusion that enveloped women emerging from captivity, Benedita's credibility swayed on the fine line that separated slavery and freedom.

HALF-SISTERS: BENEDICTA AND OVÍDIA MEET
ON THE THRESHOLD OF ABOLITION

Benedicta – variously described as *parda*, *cabra*, *fula*, *crioula*, or *negra* – was so sure in her statements, and witnesses were so decisive in describing their time with her as she lamented her fate on the slave convoy or recounted her story through the bars of her prison cell, that it is difficult for a reader to emerge unconvinced. Yet the investigation undertaken in her native São João do Príncipe unveiled another reality.

As their inquiries deepened, the authorities found another Benedicta – Benedicta do Espírito Santo, a twenty-six-year-old laundress and seamstress born in Mato-Dentro (a small hamlet on the outskirts of São João do Príncipe) to a man named Manoel Moreno, or Manoel da Ilha, and his wife Albina. This new Benedicta affirmed in a certified letter that her godparents were the same as those whom the other Benedicta had named as her own. She also claimed to know Ovídia: the two had lived together under the roof of José Antonio de Medeiros and his common-law wife, the Benedictas' godmother Maria Benedicta de Sampaio. When Medeiros died, the godmother – Maria Benedicta – inherited the house, but Ovídia was given to their daughter Júlia, an heir to the estate. Júlia married a man named João Baptista Picão, who then moved to Rio and sold Ovídia.

Maria Benedicta, along with the godparents and various plantation owners and residents who still lived in the Vila of São João do Príncipe, provided testimony that finally clarified the mystery of Benedicta's double identities. There was a young woman named Benedicta. But she has never left the Vila.³¹

Was Benedicta Maria Albina da Ilha's story thus just a sham? A fake identity taken on by Ovídia in order to pass as free? How had Ovídia and Benedicta developed a relationship so close that Ovídia could convincingly take Benedicta's identity as her own?

Jailed in Taubaté, Benedicta regaled her jailers and passers-by with her story: intent on resolving the intricate mystery, Tabuaté's judge convoked

³¹ CTAT: PC. D. 1880, pp. 111, 111v.

the jailers as witnesses. One, Ignacio Marcos do Amaral Sobrinho, placed the final piece in the puzzle. He testified that he and Tabuaté's subdelegate happened to be near the jail's barred window one day as a man named Eduardo Rosa conversed with Benedicta/Ovídia. When asked, Rosa stated:

He had known Benedicta do Espírito Santo ever since she was tiny, and they were always together. ... He had first re-encountered the other young woman [Benedicta/Ovídia] in a convoy belonging to a certain Maciel and asked why she was there. Later, a man named Braulio (along with another named Antonio Floriano) asked Benedicta/Ovídia if she was free or enslaved, to which she replied that she was Maria Benedicta's slave, later passed on to her daughter, whose name he could not remember, who had married João Picão, and sold Benedicta to Pinheiro [... and] that he heard her [Benedicta/Ovídia] say that she was the illegitimate daughter of Manoel da Ilha and Feliciano, who was now enslaved to Possidônio Carapina, who lived across from the railway station in Pindamonhangaba.³²

Yet in a later conversation through the same jail window, Benedicta/Ovídia offered a different version of the facts; asked the same question, she now responded that she was free, and the child of free parents, and that she had only said she was Ovídia before because she was forced to do so by her false owner.

Benedicta had been born in the region with the greatest concentration of slaves in the Rio de Janeiro portion of the Paraíba Valley: the family Souza Breves alone held an unbelievable 6,000 people. Yet Benedicta/Ovídia emerged in a context of small-scale slave ownership.³³ In that social environment, both Benedicta and Ovídia likely moved in a world where enslaved, freed, and free people intermingled without constraint.

Benedicta and Ovídia shared a father – the poor fisherman Manoel da Ilha, Manoel Moreno or Bagre, or simply Manoel – and to a certain extent a common destiny. They grew up together as dependents in their godparents' house, where their shelter entailed service and favors. Despite their father's poverty, Benedicta do Espírito Santo enjoyed certain advantages: she received her godmother's name and protection, and she could remain in the hamlet where she was born, maintaining the social ties – and the social subordination – she had known since childhood. Ovídia, daughter

³² CTAT: PC. D. 1880, fls. 105, 105v., 106, 106v., 107.

³³ Ricardo Salles elaborated a chart that categorizes levels of wealth among families in an area contiguous to that where Ovídia was born. According to him, slave ownership and high manumission rates prevailed in the area. R. Salles, *E o vale*, pp. 156 and 292, as well as Chapter 3 of this volume.

of the enslaved Feliciano, also bore the burden of growing up in a non-natal household, but it was magnified by the mark of precariousness. When her master died and his heir married, she endured sale and subjection as a slave-for-hire with no certain home, circulating hither and thither, entirely dependent on the needs of others.

Amidst this life of constant displacement, Ovídia conceived a child, whom she could not keep. In her comings and goings, Ovídia tried constantly to find her people. In Boa Vista she sought her mother, who lived nearby; in Rio de Janeiro she said she needed to find her aunt, her niece, or her sister. Above all, despite the risks, Ovídia insisted in going back to the Imperial capital. Even after Muniz granted her a passport, she did not seek out a new path and consolidate her escape as Benedicta Maria Albina da Ilha. Instead she returned to Rio and the risk of re-enslavement. This suggests that, for Ovídia, freedom did not translate into the abstract liberty to come and go as she pleased but rather the chance to maintain and sustain her family and emotional ties. Where were Ovídia's partner and child? It was perhaps to them that she always wished to return.

BENEDICTA AND OVÍDIA: SISTERS IN FREEDOM?

The court records that trace Benedicta/Ovídia's trajectory narrate the final years of slavery in Rio and the Paraíba Valley from the perspective of a young, vulnerable woman. In reading them, a historian is forced to grapple with the many complex scenarios that rendered abolition in the Brazilian Southeast an extremely ambivalent, nebulous, and even disorienting social process. For Benedicta/Ovídia, the decade of abolition did not clarify the frontiers of slavery and freedom; on the contrary, it effaced them, placing the question of freedom on an entirely different plane. The lives of free or freed women tested the limits of an imprecise liberty, which were molded and stretched according to each individual's capacity to mobilize favor and protection. Racialized practices of state sanitary control countervailed, armed with new discourses and policies designed to recreate subservience among the free women who sought to emerge from slavery.

Benedicta do Espírito Santo and Ovídia were sisters, but their fates diverged under slavery – so much so that Benedicta do Espírito Santo, perhaps in defense of her own free status, never once mentioned the intimate ties that bound the two women. But in abolition's wake, their lots would again converge. Women emerging from slavery or its borderlands would negotiate their freedom in the private worlds of kitchens,

wash bins, and backyards, where women – married and single alike – carried out the endless tasks of domestic labor: nursing and caring for babies and small children, cooking, telling stories, singing lullabies, always far from their own sons and daughters. Lodged anywhere they would fit – in cramped, unhealthy alcoves, pantries, or improvised shacks – the *Benedictas* and *Ovídias* of Brazil’s “post-abolition” period remained almost invisible, both to their contemporaries and to modern historians.

BODY AS IDENTITY: MARKS, FEATURES, DISEASES

From beginning to end, the court records of *Benedicta/Ovídia*’s arrest sought to establish her true identity. The first question was one of property: who owned her? Could *Benedicta/Ovídia* dispose of her own body, moving and acting freely as an individual? Was her body another person’s property? Or was *Benedicta/Ovídia*’s bodily agency limited, allowing her to act reflexively while constricting her ability to live as a full social being? The underlying juridical question takes us to the heart of discussions of slavery and its ambiguities. Enslaved people’s duality – as human beings and as property – always generated formally irresolvable juridical-philosophical questions, leaving unsettled the extent to which enslaved people could exercise will, agency, and consent. Such issues were especially problematic in criminal cases involving slaves.³⁴ Brazil’s Imperial Criminal Code, from its inception, crystallized this ambivalence. In defining slaves as potential criminals, capable of free will, the law defined them as “persons.” Yet, as legal property, slaves were by definition entirely subject to the wills of others. This flagrant contradiction was constitutive of modern slavery, though it rarely impeded the social relations that upheld Brazilian slavocracy.³⁵

The Free Womb Law of 1871, which granted enslaved people the right to possess savings and negotiate their freedom, fractured slavery’s foundations. Throughout the 1880s, challenges to slavery’s legitimacy intensified, training a spotlight on the contradictions of rigid juridical definitions. This, combined with a sharp increase in slave flight and freedpersons’ displacement, evacuated slavery’s normative underpinnings, leaving only a strict and minimalist legal mandate.³⁶ Thus, in Taubaté, police and

³⁴ W. Johnson, “On Agency,” pp. 113–124.

³⁵ For an excellent discussion on this topic, see S. Hartman, *Scenes of Subjection*, particularly the chapter “Seduction and the Ruses of Power,” pp. 79–114.

³⁶ On abolition and the attitudes of police and legal authorities toward enslaved people’s insubordination and revolts, see M. H. Machado, *O plano e o pânico*, chapters 1 and 5,

judiciary authorities recognized their obligation to protect any property rights that might have pertained to Benedicta/Ovídia's alleged master, but they also did everything in their power to steer the case in the opposite direction.

Because she was a woman as well as a slave, Benedicta/Ovídia faced distinct social and juridical impediments in her quest to possess and control her own body. As a woman, she shared with her free and freed sisters countless dangers and social restrictions: sexual violence, unwanted pregnancy, the dangers of childbirth, and constant vigilance and constriction. As a slave, however, she bore a burden that distinguished her from the wider circle of women: her race and legal condition rendered her and her body a locus of and justification for sexual transgression.

The nineteenth century imposed a set of norms that controlled – or tried to control – women's social and physical autonomy in order to concentrate and control family property. From the 1860s forward, lawyers and jurists began to formulate their reasoning about sexual crimes in new ways, substituting older notions of patriarchal honor (in which women's virtue was a family possession) with visions centered on women's individual integrity. The belief that women's bodies constituted social capital subject to collective control nonetheless persisted, especially in new medical and hygienist discourses that idealized wifely or motherly domesticity and virtue.³⁷

Enslaved women, however, faced a different reality. To start with, the dominant moral codes did not extend to slaves. Reproduction was generally considered desirable (depending of course on economic circumstances, the type of slavery, and the owner's profile). Enslaved women's sexuality did not transgress virginity taboos; it did not result in socially recognized paternal responsibilities; and it did not impact inheritance. From the slaveowners' perspective, enslaved offspring reproduced the workforce and could generate significant profit, even after the Free Womb Law. For masters like Benedicta/Ovídia's, who lucratively leased

and "Teremos grandes desastres." On police authorities' attitudes toward abolitionism, see A. Rosemberg, *De chumbo*, pp. 414–431.

³⁷ S. Graham, *House and Street*, pp. 90–91. The bibliography on hygienist discourses that regarded domesticity as women's greatest virtue is extensive. It is mostly based on primary sources from the second half of the nineteenth century: doctoral theses produced within Rio de Janeiro's and Bahia's medical schools – particularly those dealing with marriage, breastfeeding, and childrearing – and the Imperial Annals of Medicine.

their slaves as wet nurses in Brazil's nineteenth-century cities, full-term pregnancies were a *sine qua non*.³⁸

If enslaved women sometimes enjoyed more sexual liberty than free women, that liberty was infused with the constant danger of violence – and especially sexual violence. Rapes committed by masters were not considered crimes, because the right of property prevailed over all considerations, regardless of the victim's age, civil status, or physical condition.

This same logic, by which a master's right to own and use an enslaved body superseded a slave's right to bodily integrity, applied in cases of prostitution. From the 1870s forward, thanks to a campaign carried out by Rio Judge and Police Delegate José Miguel de Tavares, the practice of slave prostitution was widely recognized as abhorrent. But Rio had no laws or regulations prohibiting prostitution, and no legal impediment prevented owners from sexually exploiting their slaves through prostitution.³⁹ While humanitarian reform campaigns like Dr. Tavares' – which sought to punish the men and women involved in slave sex trafficking by manumitting the prostituted slaves – had significant social impact, they did not result in jurisprudence that limited seigneurial power over enslaved bodies.

Once more, courts found themselves confronted with a nearly unresolvable contradiction. Consolidated jurisprudence sanctioned property rights over enslaved bodies and their sexuality. But those principles clashed both with laws that protected women from sexual attack and with dominant understandings of honor and morality.⁴⁰ To intensify the contradiction, new racial ideas involving Afro-descendant irrationality and impulsivity had begun to slip into debates about slavery's weakening hold. Such ideas were evoked fluidly by lettered observers and manifest in rapidly shifting social norms and practices.⁴¹ Yet in the midst of this flux,

³⁸ On the wet nurse rental market in the second half of the nineteenth century, see, among others, M. Ribeiro Carneiro, "Procura-se," pp. 177–215. An interesting study on health-care provided to enslaved men and women in the nineteenth century is A. Porto, "O sistema," pp. 1019–1027. For an excellent analysis of pronatalist policies, gynecological treatment, and pediatric care of enslaved women and their children in the North American context, see M. Schwartz, *Birth of a Slave*.

³⁹ S. Graham, "Slavery's Impasse," pp. 669–694.

⁴⁰ On the theory of seduction discussed in this paper, see S. Hartman, *Scenes of Subjection*, pp. 86–87. In a chapter of another book, Joshua Rothman presents a thorough study on sexual relations between white masters and enslaved women within slaveholding families in the United States (J. Rothman, *Notorious in the Neighborhood*, chapter 4, "The Strongest Passion").

⁴¹ On different concepts of race and their social uses, see M. Hodes, "The Mercurial Nature," pp. 84–118; B. Fields, "Ideology and Race in American History."

observers unanimously held that women – and especially Black and enslaved women – had to be controlled. Thus during the 1880s, when Benedicta/Ovídia confronted jurists, slave dealers, her master, and his witnesses in the courts of law, the freedom she struggled for would still have afforded her only limited bodily autonomy.

The dilemma of Benedicta's legal status – whether she should be classified as free or enslaved – was compounded by the ambiguities of a society that had not yet developed classificatory tools capable of defining juridical personhood more generally. In the 1880s, when slavery still reigned and masses of freed and conditionally liberated people abounded, official social classifications and notarial records could be treacherously fluid and dependent on older forms of social recognition.⁴²

Traditional societies did, of course, take a strong interest in controlling their populations. If the notorious case of Martin Guerre awakens us to the incredible feats of an ingenious imposter who successfully impersonated a rich agriculturalist in both business dealings and the matrimonial bed, we must also recall that his deception was entirely undone after three or four months, due largely to a careful investigation of his identity.⁴³ Still, governments seem to have taken special care in supervising and scrutinizing the mobility of women, whose cold and fluid makeup – according to fashionable Galenic theories – predisposed them to deceit.⁴⁴

In Brazil, private and public strategies of control coexisted through the end of slavery. Faced with the challenge of accurately identifying Benedicta/Ovídia, judicial authorities resorted to divergent identificatory repertoires, blending traditional procedures – which depended on scars, birthmarks, and physical appearance – with modern techniques such as the medical-legal exam.

Just as sanitariat discourses regarding childbirth, childcare, and breast-feeding eventually became the only legitimate source of “rational” healthcare practice, so medical-legal examinations allowed male doctors to appropriate areas of expertise previously dominated by women. Medical-legal examinations, which replaced those traditionally performed by midwives (both medically trained and popular), were highly invasive and permeated by masculine worldviews and scientific

⁴² For Brazil, see S. Chalhoub, *A força da escravidão* and “Precariedade estrutural”; K. Grinberg, “Reescravização, direitos e justiça” and “Senhores sem escravos.” For comparative context, see V. Groebner, “Describing the Person.”

⁴³ N. Davis, *The Return of Martin Guerre*.

⁴⁴ V. Groebner, “Describing the Person,” p. 19.

racism.⁴⁵ By usurping private procedures that women already experienced as shameful, men who carried out gynecological exams and described their findings in impenetrable technical terms demonstrated how medical-judicial practices helped define racialized forms of eugenic knowledge that would shape sanitary discourse at the turn of the twentieth century.

Benedicta/Ovídia's legal-medical examination aimed to determine if she had ever been pregnant and if she had carried a pregnancy to term – which is to say it was yet another attempt to establish her true identity. In the judicial records, amidst the juridical queries and cryptic technical vocabulary, one can discern warnings about the unruly sexual life of a young woman with no name, no family, no master, and no certain home, whose very skin was an emblem of social inferiority.

During the vaginal examinations carried out manually and with a speculum, we observed that the cervix was scarred and dilated, in a semilunar shape, easily accommodating the tip of an index finger. The patient also suffers from a chronic uterine catarrh, with excretions through the cervix. The front lower portion of the abdominal wall (womb) also presents weals characteristic of a woman who has brought a pregnancy to term.⁴⁶

Seen through the eyes of judicial authorities, Benedicta/Ovídia's judicial record depicted a body that reneged both work and proper identification. For an Afro-descendant woman, whose social status oscillated between slavery and social degradation, even fragmentary evidence was sufficient to point toward such a conclusion: sexuality outside of marriage, a pregnancy that failed to produce a family, the marks of diseases transmitted through breastfeeding, a constant, rootless mobility. In laying claim to her own body and its story, Benedicta/Ovídia denied outsiders that interpretive power, even if many dimensions of her life remain obscure.

⁴⁵ On medical-legal examinations carried out by midwives, see M. L. Mott, "Parto, parteiras," pp. 180–181. An interesting analysis of the relations between sanitarianism, the struggle against syphilis, and prostitution is in M. Engel, *Meretrizes e doutores*, pp. 115–116.

⁴⁶ CTAT: PC. D., processo crime (denúncia), 1880, pp. 147v.–148; and M. Abreu and S. Caulfield, "50 anos," pp. 15–52.