

THE UNIVERSITY OF CHICAGO

THE LIBIDINOUS COMMERCE: RACE, SEXUALITY, AND SLAVERY IN  
RIO DE JANEIRO, 1850-1888

A DISSERTATION SUBMITTED TO  
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## LIST OF ABBREVIATIONS

AN: Arquivo Nacional, Rio de Janeiro

AGCRJ: Arquivo Geral da Cidade do Rio de Janeiro

BN: Biblioteca Nacional, Rio de Janeiro

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## DISSERTATION ABSTRACT

While the obligation to provide sexual labor was a defining feature of enslavement for women throughout the slaveholding societies of the Atlantic World, much of this labor was hidden and shrouded in silence. Drawing on a corpus of legal documents, police correspondence, medical dissertations, and printed journalistic sources, “The Libidinous Commerce: Race, Sexuality, and Slavery in Rio De Janeiro, 1850-1888,” examines both the seen and unseen intimate labor performed by enslaved women in Rio de Janeiro from 1850-1888. It details how brokers and traders colluded to traffic young enslaved women into the city of Rio to be marketed and sold for intimate, sexual labor; how slaveholders seized upon enslaved women’s non-biologically reproductive sexuality for personal pleasure and the creation of short-term profit; and how, in turn, enslaved women struggled against their bondage, employing the law as a tool of resistance.

This dissertation argues that in addition to motherhood and reproduction, the sexual economy of slavery was predicated upon non-biologically reproductive intimate labor that extended into the realm of the personal and private. In doing so, this work demonstrates how slaveholders—both male and female—leveraged and exploited enslaved women’s sexuality for profit and pleasure not as an incidental function of slavery but as a central, lucrative part of the system.

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Writing a dissertation can be an isolating, lonely endeavor particularly when done in the middle of a global pandemic. However, writing the acknowledgments is a joyful reminder of all the support, encouragement, and love I have received over the years.

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I could not have asked for a better, more patient, or steady guide along this journey than Brodie Fischer. When Brodie accepted me as an advisee, I had a lot of catching up to do in terms of mastering a new historiography, methodology, and language. It was a daunting challenge; but over the years, Brodie has never flagged in her support and encouragement, pushing me when I needed it and offering words of reassurance when I was sure I would never find my way out of the weeds. Her own dedication to the subject matter and love for Brazil's rich, vibrant culture has been inspiring and carried me throughout this project. I can only hope to emulate her as a scholar, a teacher, and as a mentor for my own students some day. Despite a lackluster map quiz and a less than inspiring term paper, Dain agreed to join my committee and has never failed to share his expansive knowledge of Brazil, always offering up colorful historical tidbits, details, and sources that I would never have discovered on my own. This project is all the more better for his rich insights and keen perspectives. I, as a scholar and a teacher, am all the more better for Dain's guidance and all the hours he generously spent talking over books, music, and all things Brazil. I knew Keila's work before I actually got to meet her in person. In many ways, it was her work that inspired my own. It can be rare to meet those we greatly admire in print let alone have the privilege of working with; yet, I had the good fortune to serve as Keila's teaching assistant when she was here as a visiting professor. Keila kindly agreed to join my committee and has never failed to offer support and

encouragement, particularly when I was trying to navigate the mysteries of Rio's archives. During my time there, Keila welcomed me into her workshop group at UNIRIO where I met other graduate students working on the history of Brazil. I learned a lot from this dynamic cohort of scholars and am thankful to have been included. I am especially grateful for Keila's encouragement to follow the sources down a new path, one that we both agreed was more interesting and exciting than the one I had originally laid out in my proposal. I will forever be grateful that Brodie, Dain, and Keila agreed to take me under their wings and share their collective knowledge and passion.

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My last and deepest debt of gratitude is to my mother, Darlene. I cannot quantify the amount of love and patience she has given me so I hope it suffices to say that I would not be where I am or have accomplished half of what I have done if it were not for her. Her love and support have been unconditional and life-sustaining, so it is to her that I dedicate this dissertation.

## Introduction

In early 1871, Police Chief of the *Corte* Francisco Faria Lemos lamented the current state of prostitution in the city of Rio de Janeiro. “Public outcry,” he wrote, “has reached a crescendo against the immoral scandal of slaves prostituted either by their master’s orders or by their express consent, these owners thereby gaining exorbitant profit, they force these unfortunates to commit acts that are extremely offensive to the public morals.”<sup>1</sup> However, it was not the practice of prostitution itself or the sexual exploitation of enslaved women that so offended Faria Lemos (prostitution itself was actually legal in the city). Rather it was the visibility of the women whose masters were “exhibiting them at their windows semi-naked, where by words, gestures and almost by force, they incite passers-by to libidinous ends to satisfy the rampant greed of their owners.”<sup>2</sup> The practice of prostitution had, he noted, “with some concern for decency, tried to conceal itself” but had recently “reached a scandalous level” taking “pride in displaying its horrid features.”<sup>3</sup> Indeed, the practice of prostitutes soliciting customers from street-level windows was such a common scene that the term “na janela” or “at the window” became shorthand for a public woman who engaged in prostitution indoors as opposed to “street walkers,” or women who worked the open street, loitered on corners or in the local taverns. Both free and enslaved women engaged in this form of prostitution as it offered visibility but with

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<sup>1</sup> Francisco de Faria Lemos, “Relatório do Chefe de Policia da Corte,” in Francisco de Paula de Negreiros Sayão Lobato, *Relatório da Repartição dos Negócios da Justiça apresentado á Assemblêa Geral Legislativa*, Annexos (Rio de Janeiro, 1871), 21 cited in Luiz Carlos Soares, *Rameiras, Ilhoas, Polacas...A Prostituição no Rio de Janeiro do século XIX* (São Paulo: Editora Ática, 1992), 67.

<sup>2</sup> Ibid.

<sup>3</sup> Francisco de Faria Lemos, “Relatorio do Chefe de Policia da Corte,” in *Relatorio apresentado á Assemblêa Geral Legislativa na Terceira Sessão da Decima Quarta Legislatura pelo Ministro e Secretario de Estado dos Negocios de Justiça*, Francisco de Paula de Negreiros Sayão Lobato (Rio de Janeiro, 1871), 21-22 cited in Robert Conrad, *Children of God’s Fire: A Documentary History of Black Slavery in Brazil* (Princeton: Princeton University Press, 130-131).

greater protection from accusations of vagrancy.<sup>4</sup> Lauderdale Graham confirms that where women were concerned, vagabondage implied prostitution.<sup>5</sup> For enslaved women in particular, working “*na janela*” prevented them from arrest under the auspice of being runaways or breaking curfew, should they be caught out after hours.<sup>6</sup> Therefore, enslaved women could be found stationed at the window day in and day out soliciting their clients as they passed by the street below.

While Faria Lemos contemplated the most effective way to grapple with the growing outcry against prostitution, he fortuitously found an ally in a Municipal Judge named Miguel José Tavares. Tavares, simultaneously appointed as a judge for the Second Municipal Court and police commissioner of the second district of the city of Rio de Janeiro, was also concerned by

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<sup>4</sup> Throughout the nineteenth century, one of the issues that preoccupied local police was the practice of public begging and vagrancy. Vagrants disturbed the public peace and corrupted public morality. Authorities believed that vagrancy led to other issues like public drunkenness and petty crime. Throughout the nineteenth century, the police conducted sweeps to clean up the vagrant population and sought ways to regulate and legislate their behavior. The 1831 Penal Code criminalized begging effectively giving police the power to arrest anyone they deemed guilty of vagrancy. Enslaved persons who were picked up for vagrancy were taken directly to jail and held until their owner was notified and came to retrieve them. See Thomas Holloway, “Doing Favors for Street People: Official Responses to Beggars and Vagrants in Nineteenth-Century Rio de Janeiro,” in *Vagrancy and Homelessness in Global and Historical Perspective*, eds., A.L. Beier and Paul Ocobock (Athens: Ohio University Press, 2008): 162-183.

<sup>5</sup> Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (Cambridge: Cambridge University Press, 1988), 132. Lauderdale Graham notes that any woman suspected of provoking disorder or suspected of prostitution could be arrested under the broad umbrella of “vagrancy.”

<sup>6</sup> The first curfew was issued in 1825 making it a crime to be out on the streets after the curfew bell. The curfew, Amy Chazkel explains, discriminated amongst social classes and only applied to enslaved persons. Any enslaved person out after curfew without written permission from their owners, would be imprisoned for eight days with their owners being informed after the fact. Amy Chazkel, “Towards a History of the Rights in the City at Night: Making and Breaking the Nightly Curfew in Nineteenth-Century Rio de Janeiro,” *Comparative Studies in Society and History* 62:1 (2020): 106-134.

the frequency with which masters forced their bondswomen into prostitution. In a letter to Faria Lemos in 1871, Tavares described the practice in great detail:

The slave positioned at the window is not a woman but a machine that moves at her mistress's bidding, who makes her laugh at the passers-by by fear and threatens tears with a whip, since she is obliged to produce at the end of every day no less than ten thousand réis. Riddled with syphilis, she is not allowed to abstain from her vileness and must receive whoever appears, even when nature demands abstinence; by force of cold compresses they force the suspension of lochia and thus their mistresses are true encouragers of depravity, selling in exchange for a thousand réis the infection of syphilis and the health of their slaves, who, however robust they might be, cannot resist such excesses.<sup>7</sup>

Such offenses to "modesty and decency," he argued, must be eliminated.<sup>8</sup> To those ends, he informed Faria Lemos, he had a plan.

By the time Tavares wrote to Faria Lemos, he had already begun his crackdown on masters who placed their bondswomen "at the window for a price."<sup>9</sup> Tavares planned to unconditionally liberate each of these women and use the court system to do so. His first step was to enlist the help and knowledge of the local block inspectors to compile a list of all of the enslaved women in their neighborhoods who worked "at the window." Once these women were identified, they were encouraged to present themselves at court in order to initiate legal proceedings. Enslaved persons were not able to represent their own interests in court, so Tavares

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<sup>7</sup> Francisco de Faria Lemos, "Relatorio do Chefe de Policia da Corte," 21 cited in Soares, *Rameiras*, 67.

<sup>8</sup> Ibid. In her study of enslaved prostitution and the Brazilian law of 1871, Sandra Lauderdale Graham discusses Tavares and his campaign concluding that there is no evidence to suggest that Tavares was interested in the abolition of slavery. Instead, she shows, he appeared to be more interested in reasserting the moral authority of slaveholders and in reforming public morality. See Sandra Lauderdale Graham, "Slavery's Impasse: Slave Prostitutes, Small-Time Mistresses, and the Brazilian Law of 1871," *Comparative Studies in Society and History* 33:4 (October 1991): 686.

<sup>9</sup> Miguel José Tavares, Municipal Judge, 2<sup>a</sup> Vara, to Francisco de Faria Lemos, Chefe de Policia, Rio de Janeiro, 18 March 1871, in Chefe de Policia, "Relatorio," Ministério da Justiça, *Relatorio*, 1871, 21, cited in Graham, "Slavery's Impasse," 680.

set about securing legal counsel and representation for each of the enslaved women for the duration of the legal proceedings.

The forced prostitution of enslaved women was not a new practice; however, never before had such actions been initiated against owners who did so. Some thought that Tavares was overstepping his authority and in doing so openly threatened the property rights of slaveholders.<sup>10</sup> However others fully supported his mission as he not only gained the support of the Police Chief, but also that of prominent figures in the medical community such as José Pereira Rego, the president of the Board of Public Hygiene, who hoped that Tavares' campaign might have positive effects.<sup>11</sup> In an effort to generate public support, Tavares and Faria Lemos turned to a daily newspaper, the *Diario de Noticias*, to publish excerpts from an interview with Adelaide, a twenty-eight year old woman trafficked to the city of Rio de Janeiro, from Ceará, via the internal slave trade.

Only a small snippet of Adelaide's life appeared but readers learned that she was bought a little over two years prior by a man who delivered her to a woman in the city who put her to work "at the window." There she was to receive visitors for the next two years.<sup>12</sup> Every day, Adelaide explained, she was expected to remit at least 10 *mil-reis* to her mistress, more on holy days, when her owner demanded anywhere between twenty and forty *mil-reis*—a substantial sum

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<sup>10</sup> Several articles appeared in the local newspapers throughout the months of February and March 1871, criticizing Tavares for overreach. See *Jornal do Commercio* 19 February 1871; 21,22, 23 February 1871; 6 March 1871; 24 March 1871; 26 March 1871; *Diário do Rio de Janeiro* 27 February 1871. Cited in Graham, "Slavery's Impasse," 683f37.

<sup>11</sup> José Pereira Rego, "Relatorio do Presidente da Junta de Hygiene Publica," Anexo H., 7, in Brazil, Ministério da Justiça, *Relatório*, (1870) cited in *ibid*, 682.

<sup>12</sup> *Diario de Noticias* (RJ) 14 March 1871.

for a day's labor.<sup>13</sup> When she wasn't at the window or entertaining customers, Adelaide was expected to contribute to the housekeeping, cleaning, and other domestic chores.<sup>14</sup> Her life was one defined by sexual labor and the avarice of her loathsome mistress.

Supporters of the campaign paraded in the streets lauding Tavares and his efforts to punish such villainous, greedy masters.<sup>15</sup> By Tavares' own account, masters who were guilty of prostituting their bondswomen took heed and began manumitting their enslaved women of their own accord to avoid prosecution. At least 150 women were manumitted in this manner while another two hundred, he estimated, would be bringing legal charges against their owners. Add to that an additional 186 women that he claimed to have already granted freedom.<sup>16</sup> As both the police commissioner and judge, Tavares exercised a considerable degree of influence over the outcome of the initial freedom suits. Despite his early success in liberating nearly 336 women, after 1871, Tavares faded from public view and the campaign against enslaved prostitution collapsed. However, his crusade generated hundreds of legal cases and thousands of pages of court proceedings that cast a bright light on the sexual labor of enslaved women. And it is this heightened moment of the visibility of enslaved women's intimate labor produced by Tavares' campaign that inspired this current project.

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<sup>13</sup> Note on currency: In nineteenth century Brazil the main unit of currency was the *mil-réis*. One *mil-réis* was written as 1\$000. For context and comparison, in 1859-1860, the average monthly income derived from renting a female domestic, aged 15-40, brought 24 *mil-réis* per month. That Adelaide was required to remit nearly half that on a daily basis is quite remarkable. See Zephyr L. Frank, *Dutra's World: Wealth and Family in Nineteenth-Century Rio de Janeiro* (Albuquerque: University of New Mexico Press, 2004), 75.

<sup>14</sup> *Diario de Noticias* (RJ) 14 March 1871.

<sup>15</sup> Lauderdale Graham, "Slavery's Impasse," 682.

<sup>16</sup> Miguel José Tavares, Municipal Judge, 2<sup>a</sup> Vara, to Francisco de Faria Lemos, Chefe de Policia, Rio de Janeiro, 18 March 1871, in Chefe de Policia, "Relatorio," Ministerio da Justiça, *Relatorio*, 1871, 21, cited in *ibid*, 680.

This dissertation is a study of sex and intimate labor in nineteenth-century Rio de Janeiro—about how brokers and traders colluded to traffic young enslaved women like Adelaide to Rio to be marketed and sold for sexual and domestic labor; how slaveholders leveraged the institution to slavery to seize upon enslaved women’s sexuality for both personal pleasure and the creation of short-term profit; and how, in turn, the forced intimate labor of enslaved women shaped the broader sexual economy of the city while reinforcing ideas about, race, gender, and sexuality. It is a history of the seen and unseen intimate labor of Rio’s female slaves in the last decades of slavery. In doing so, this project brings together the robust Portuguese-language scholarship on slavery in Brazil with the work on gender, slavery, and sexuality produced by North Atlantic scholars to construct a history of the sexual economy of slavery in Rio de Janeiro that also speaks to broader practices and experiences of enslaved women throughout the Atlantic World. It does so by engaging scholarship on sexual intimacy and coerced non-biologically reproductive forms of intimate labor performed by enslaved women.

#### Recovering Histories of Sexuality and Intimate Labor Under Slavery

Sexuality, in all its myriad forms, was a central, contested site of struggle throughout all slaveholding societies in the Americas. However, until recently, mainstream studies of slavery have marginalized the importance of sexual practices, emotional intimacy, and intimate labor. One notable example that bears discussion is Gilberto Freyre’s *Casa-Grande e Senzala*, a socio-cultural history of Brazilian civilization published in 1933. While not explicitly a study of sexuality, in *Casa-Grande e Senzala*, Freyre, a descendent of a Pernambucan planter family, argued that Brazilian civilization rested on a foundation of patriarchal relationships forged through a combination of sexual and social intimacy between the Portuguese, Africans, and



Indigenous Brazilians in the sugar plantation economy.<sup>17</sup> African women and women of African descent played a central role in this history as caretakers, lovers, and manual laborers. But the sexual intercourse that Freyre characterizes as natural and generative was, in reality, violent domination cloaked in the language of seduction and consent. Moreover, Freyre's nearly poetic, fetishistic descriptions of the *mulata* woman and her alluring sensuality served to reinforce the trope of the African woman as hypersexual and naturally given to a free, uninhibited sexuality.<sup>18</sup> Freyre's portrayal of the genesis of Brazilian culture has received a good amount of deserved criticism; yet, his work is suggestive in its centering of enslaved women's intimate labor to the growth and maintenance of slaveholders' wealth.

Until recently, few historians treated the history of sexuality seriously and even fewer scholars of slavery examined the sexual practices of enslaved populations. This meant that

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<sup>17</sup> On Gilberto Freyre's biography and education see: Maria Lúcia Pallares-Burke, *Gilberto Freyre: Um Vitoriano dos trópicos* (São Paulo: UNESP, 2005); Enrique Rodríguez Larreta and Guillermo Giucci, *Gilberto Freyre, Uma Biografia Cultural: A Formação de Um Intelectual Brasileiro, 1900-1936*, trans. Josely Vianna Baptista (Rio de Janeiro: Civilização Brasileira, 2007); and Peter Burke and Maria Lucia Pallares-Burke, *Gilberto Freyre: Social Theory in the Tropics* (Oxfordshire, England: Peter Lang Ltd., 2008).

<sup>18</sup> The trope of the licentious mulatta has been thoroughly criticized and deconstructed by both gender scholars and historians. In particular, scholars have also endeavored to dispel the myths surrounding Chica da Silva, one of Brazil's most famous enslaved concubines. See Jennifer Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004); Kathleen Higgins, "Licentious Liberty" in a Brazilian Gold-Mining Region: *Slavery, Gender, and Social Control in Eighteenth-Century Sabará, Minas Gerais* (University Park: Pennsylvania State University Press, 1999); Ana Lucia Araujo, "Gender, Sex, and Power: Images of Enslaved Women's Bodies," in *Sex, Power, and Slavery*, eds. Gwyn Campbell and Elizabeth Elbourne (Athens: Ohio University Press, 2014): 469-499; Júnia Ferreira Furtado, *Chica da Silva: A Brazilian Slave of the Eighteenth Century* (Cambridge: Cambridge University Press, 2009); Kimberly Juanita Brown, "Black Rapture: Sally Hemmings, Chica da Silva, and the Slave Body of Sexual Supremacy," *Woman's Studies Quarterly* 35:1/2 (Spring-Summer 2007): 45-66; and Gyne Gessyka Pereira Santos and Sandra Regina Sales, "A Mulher Negra Brasileira, Miscigenação e o Estrupo Colonial: O mito da democracia racial e o reforço d estereótipos racistas e sexistas," *Caderno Espaço Feminino* 31:1 (Jan/June 2018): 40-62.

scholars interested in questions pertaining to the intimate lives of enslaved persons, reproduction, and non-reproductive intimate practices had to grapple with disparate bodies of literature in order to reconstruct this critical dimension of the lives of enslaved persons. Such an approach required interdisciplinary research methods that incorporated the work of literary scholars, scholars of race, gender, and history. However, that is starting to change.

Scholars of slavery in the Americas have long recognized the importance of enslaved women's wombs to the production and maintenance of slavery as well as to the creation of wealth for slaveholders and their descendants.<sup>19</sup> Much of the scholarship that explicitly deploys gender as a lens of analysis has been produced by U.S.-based scholars seeking to understand how gender shaped the experience of bondage for men and women. Through a focus on biological reproduction, their work underscores how the sexual labor and reproduction of enslaved women undergirded the American system of slavery by literally reproducing the enslaved workforce in addition to producing other commodities like cotton, sugar, and coffee. Indeed, throughout Latin America, the U.S., and Caribbean, all slaveholding societies adopted the law of *partus sequitur ventrum*, a principle that dictated the child inherited their status as free or enslaved through their mother. This systematic expropriation and commodification of enslaved women's wombs is what Adrienne Davis refers to as the "sexual economy of slavery," a system the exploited the most

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<sup>19</sup> Kathleen Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996); Jennifer Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Philadelphia Press, 2004); Daina Ramey Berry, *Swing the Sickle for the Harvest is Ripe: Gender and Slavery in Antebellum Georgia* (Urbana: University of Illinois Press, 2007); Berry, *The Price for Their Pound of Flesh: The Value of the Enslaved, From Womb to Grave, in the Building of a Nation* (Boston: Beacon, 2017); and Sasha Turner, *Contested Bodies: Pregnancy, Childrearing, and Slavery in Jamaica* (Philadelphia: University of Pennsylvania Press, 2017).

intimate aspects of a woman's life for power, pleasure, and profit.<sup>20</sup> Davis' conceptualization of slavery as a sexual economy is suggestive but centers primarily on biological reproduction opening up questions about how non-reproductive sexuality and intimacy fits into the equation.

By comparison, Brazilian historians have been less inclined to adopt gender as a primary lens of analysis of slavery. There exists, however, a robust literature on the creation of the family under slavery that touches upon several topics of interest to gender historians such as motherhood, expectations about gender roles within enslaved communities and households, and the retention of African patterns of family formation and culture.<sup>21</sup> Another area that has produced deep insight into questions of interest to gender historians is the study of manumission and freedom.<sup>22</sup> These studies reveal a tendency for females to be manumitted with greater

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<sup>20</sup> Adrienne Davis, "Don't Let Nobody Bother Yo' Principle," *The Sexual Economy of American Slavery*, in *Sister Circle: Black Women and Work*, Sharon Harley, ed. (New Brunswick: Rutgers University Press, 2002): 103-127.

<sup>21</sup> Maria Beatriz Nizza da Silva, *História da família no Brasil colonial* (Rio de Janeiro: Nova Fronteira, 1998); Sheila de Castro Farias, *A colônia em movimento: Fortuna e família no cotidiano colonial* (Rio de Janeiro: Nova Fronteira, 1998); Dain Borges, *The Family in Bahia, Brazil, 1870-1945* (Stanford: Stanford University Press, 1992); Robert Slenes, *Na senzala uma flor: As esperanças e as recordações na formação da família escrava* (Rio de Janeiro: Nova Fronteira, 1999); Hebe Maria Mattos de Castro, *Das cores do silêncio: os significados da liberdade no sudeste escravista, Brasil século XIX* (Rio de Janeiro: Arquivo Nacional, 1995); James Sweet, *Recreating Africa: Culture, Kinship, and Religion in the African World, 1441-1770* (Chapel Hill: University of North Carolina Press, 2003); and Sweet, "Defying Social Death: The Multiple Configurations of African Slave Families in the Atlantic World," *The William and Mary Quarterly* 70:2 Centering Families in Atlantic Histories (April 2013): 251-272.

<sup>22</sup> The literature on manumission and the tendency for women to be manumitted is quite extensive. See Mary Karasch, *Slave Life in Rio de Janeiro, 1808-1850* (Princeton: Princeton University Press, 1987), 335-361; Kátia m. de Queiros Mattoso, *To Be a Slave in Brazil: 1550-1888*, trans. Arthur Goldhammer (New Brunswick: Rutgers University Press), 164-168; Stuart Schwartz, "The Manumission of Slaves in Colonial Brazil," *The Hispanic American Historical Review* 54:4 (Nov. 1974): 603-635; Mieko Nishida, "Manumission and Ethnicity in Urban Slavery: Salvador, Brazil, 1808-1888," *The Hispanic American Historical Review* 73:3 (Aug. 1993): 361-391; and Kathleen Higgins, *"Licentious Liberty" in a Brazilian Gold-Mining Region: Slavery, Gender, and Social Control in Eighteenth-Century Sabará, Minas Gerais*, (University Park: Pennsylvania State University Press, 1999).

frequency, particularly in the urban environment. In particular, the work of Keila Grinberg has demonstrated the relationship between enslaved women and the law illustrating how gender shaped routes to freedom throughout the nineteenth century.<sup>23</sup> Taken together, these studies provide deep knowledge about the different ways in which male and female bondspersons experienced slavery as well as how ideas about gender shaped relationships between free and enslaved; however, discussions about sexual labor and intimate practices are of a secondary concern.

The changing historiographical tide now increasingly centers sexuality within the study of slavery in the Americas.<sup>24</sup> Many of these texts are edited volumes that bring together scholarship on slavery and sexuality throughout the Americas with one lacuna. With few exceptions—one being the inclusion of Ana Lucia Araujo and Ronaldo Vainfas in Gwyn Campbell and Elizabeth Elbourne's *Sex, Power, and Slavery*, these volumes largely focus on North America and the Caribbean, failing to include work on Brazil.<sup>25</sup> In order to gain a fuller

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<sup>23</sup> Keila Grinberg, *Liberata: a lei da ambiguidade—as ações de liberdade da corte de apelação do Rio de Janeiro no século XIX*, (Rio de Janeiro: Relume Dumará, 1994); Grinberg, "Freedom Suits and Civil Law in Brazil and the United States," *Slavery & Abolition* 22: 3 (Dec. 2001): 66-82; and Grinberg, "Manumission, Gender, and the Law in Nineteenth-Century Brazil," in *Paths to Freedom: Manumission in the Atlantic World*, Rosemary Brana-Shute and Randy J. Sparks, ed. (Athens: University of South Carolina Press, 2009): 219-234). Also see Camillia Cowling, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio* (Chapel Hill: University of North Carolina Press, 2013).

<sup>24</sup> For example, see Gwyn Campbell and Elizabeth Elbourne, eds. *Sex, Power, and Slavery* (Athens: University of Ohio Press, 2015); Jennifer L. Morgan, Jennifer Brier, and Jim Downs, eds. *Connexions: Histories of Race and Sex in North America* (Champaign: University of Illinois Press, 2016); and Daina Ramey Berry and Leslie M. Harris, eds., *Sexuality and Slavery: Reclaiming Intimate Histories in the Americas* (Athens: University of Georgia Press, 2018).

<sup>25</sup> See Ana Lucia Araujo, "Gender, Sex, and Power: Images of Enslaved Women's Bodies," in *Sex, Power, and Slavery*, Gwyn Campbell and Elizabeth Elbourne, eds. (Athens: University of Ohio Press, 2015): 469-499 and Ronaldo Vainfas, "Sodomy, Love, and Slavery in Colonial Brazil: A Case Study of Minas Gerais during the Eighteenth Century," in *Sex, Power, and Slavery*, Gwyn Campbell and Elizabeth Elbourne, eds. (Athens: University of Ohio Press, 2015):

understanding of the experiences of bondswomen throughout the Atlantic and the ways in which their sexuality and sexual labor undergirded local economies it is crucial for scholars of slavery in the U.S. and Caribbean to engage more directly and extensively with their counterparts in South America. Moreover, excluding Brazil from the conversation means missing out on the unique, rich sources it has to offer and what they can tell us about not just slavery in Brazil but throughout the Americas more broadly.

To these ends, the recent publication of two special editions on “mothering slaves,” edited by Camillia Cowling, Maria Helena P.T. Machado, Diana Paton, and Emily West in *Slavery & Abolition* and *Women’s History Review* is a welcome addition to the historiography that engages the rich and extensive scholarship on slavery in Brazil while bringing it to bear on the intertwined histories of slavery, sexuality, and gender within a comparative framework.<sup>26</sup> Both of the special issues take into consideration questions surrounding pregnancy, birth, fertility control, childlessness, and infant care to offer insights into how enslaved women experienced giving birth and caring for children that were often not their own. The contributions by Maria Helena Pereira Toledo Machado and Stephanie Jones-Rogers are of particular relevance to this current project as they address the role of wet nurses and the ways in which slaveholders sought

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526-540. Another welcome recent edition that is *The Routledge Companion to Gender, Sex, and Latin American Culture* that looks at contemporary questions surrounding gender and sexuality more broadly throughout Latin America. Of particular note are entries by David William Foster and Jack A. Draper III who, respectively, examine homosociality through the lens of photography and race and gender through the lens of professionalized soccer. See *The Routledge Companion to Gender, Sex, and Latin American Culture*, ed. Frederick Luis Aldama (Boston: Routledge, 2018).

<sup>26</sup> See Camillia Cowling, Maria Helena P.T. Machado, Diana Paton, and Emily West, *Mothering Slaves: Comparative Perspectives on Motherhood, Childlessness, and the Care of Children in Atlantic Slave Societies* *Slavery & Abolition* 38:2 (2017) and Camillia Cowling, Maria Helena P.T. Machado, Diana Paton, and Emily West, Special Issue *Women’s History Review* *Mothering Slaves: Motherhood, Childlessness, and Care of Children in Atlantic Slave Societies* 27:6 (2018).

to extract every last ounce of profit and labor from the bodies of their bondswomen: Machado's work examines the use of enslaved wet nurses in Brazil during the waning years of slavery to reconstruct the experiences and perspectives of these women while Jones-Rogers examines how the market for wet nurses intersected with the slave marketplace in southern households.<sup>27</sup>

The purpose of these complimentary publications is to draw attention to the centrality of mothering, motherhood, and reproduction to Atlantic slavery and to bring together an international cohort of scholars working on disparate geographic regions from the U.S. to the Caribbean and Brazil. In doing so, the editors have initiated a transnational conversation about slavery, gender, and sexuality that places these themes into a comparative framework to highlight continuities, differences, and local peculiarities of slave societies throughout the Atlantic. Once again, the emphasis here is on biological reproduction while questions remain about how enslaved women experienced and understood non-biologically reproductive sexual labor and intimacy.

Historians have long highlighted the changing dynamics of the internal Brazilian slave trade following the abolition of the transatlantic trade. Most of these authors have debated the effects of the abolition of the transatlantic trade and the extent to which the internal markets were reorganized to accommodate labor shortages in the southeast.<sup>28</sup> These studies show that bonded

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<sup>27</sup> See Maria Helena Pereira Toledo Machado, "Between Two Beneditos: Enslaved Wet-nurses Amid Slavery's Decline in Southeast Brazil," *Slavery & Abolition* 38:2 (2017): 320-336 and Stephanie Jones-Rogers, "[S]he could...spare one ample breast for the profit of her owner': White Mothers and Enslaved Wet Nurses' Invisible Labor in American Slave Markets," *Slavery & Abolition* 38:2 (2017): 337-355.

<sup>28</sup> Robert Conrad, *The Destruction of Brazilian Slavery 1850-1888* (Berkeley: University of California Press, 1972); Herbert S. Klein, "The Internal Slave Trade in Nineteenth-Century Brazil: A Study of Slave Importations into Rio de Janeiro," *Hispanic American Historical Review* 51:4 (1971): 567-585; Robert Slenes, "The Demography and Economics of Brazilian Slavery: 1850-1888," Ph.D. diss., Stanford University, 1976; Slenes, "The Brazilian Internal Slave Trade, 1850-1888," in *The Chattel Principle: Internal Slave Trades in the Americas*,

labor was reallocated from the northeast to the south and south-central regions to meet the demand for labor in the booming coffee regions. However, both Robert Conrad and Richard Graham, in their respective studies of the internal trade, suggest the existence of a niche sector of the slave trade, one that specialized in the trafficking of young women from the northeast to the capital in the southeast.<sup>29</sup> By Graham's estimation roughly 3,500 bondswomen arrived annually in Rio de Janeiro, many of which, he suggests, ended up as either domestics or prostitutes.<sup>30</sup> Scholars of slavery in the U.S. have noted a similar niche trade that flourished throughout the U.S. South as well.<sup>31</sup> These women, known as "fancies" or fancy maids, were often bought and sold as luxury items by those who could afford it. They were marketed outright through the fancy trade but also through the ruse of buying (or hiring) a housekeeper or maid. A similar market in young bed slaves undoubtedly existed in Brazil as it was common knowledge that men routinely bought attractive female slaves to serve as sexual companions. Moreover, the practice was observed and noted by foreign travelers with some regularity yet this niche sector of the

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Walter Johnson, ed. (New Haven: Yale University Press, 2005): 325-370; and José Flávio Motta, *Escravos daqui, dali e de mais além: O tráfico interno de cativos na expansão cafeeira paulista* (São Paulo: Alameda Casa Editorial, 2012);

<sup>29</sup> Conrad, *The Destruction of Brazilian Slavery 1850-1888*, 51 and Graham, "Another Middle Passage? The Internal Slave Trade in Brazil," in *The Chattel Principle: Internal Slave Trades in the Americas*, ed. Walter Johnson (New Haven: Yale University Press, 2004): 291-324.

<sup>30</sup> Graham, "Another Middle Passage?," 300. Graham draws on data collected by Herbert Klein cited above.

<sup>31</sup> Deborah Gray White first drew attention to what became known as the "fancy girl trade," where light-skinned Black women were bought for the exclusive purpose of prostitution, concubinage, and sexual labor. White, *Ar'n't I a Woman? Female Slaves in the Plantation South* (New York: Norton, 1985). Also see Edward Baptist, "'Cuffy,' 'Fancy Maids,' and 'One-Eyed Men': Rape, Commodification, and the Domestic Slave Trade in the United States," *American Historical Review*, 106, no 5 (Dec., 2001): 1619-1650; Stephanie Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven: Yale University Press, 2019): 146-149; and Emily A. Owens, "Fantasies of Consent: Black Women's Sexual Labor in 19th Century New Orleans," (Ph.D. diss., Harvard University 2015).

Brazilian internal trade and its implications for the sexual economy remains largely unexplored.<sup>32</sup>

Historians have acknowledged that some owners forced their bondswomen into prostitution. Yet the practice, and indeed prostitution during the nineteenth century more broadly, has largely escaped the historian's purview. Historians and anthropologists alike have produced rich studies of prostitution in the period between 1890 and 1930s, after the abolition of slavery.<sup>33</sup> Likewise, the historiography on police intervention and regulation skews towards the twentieth century with few studies grounded in the nineteenth century.<sup>34</sup> The few notable

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<sup>32</sup> Lauderdale Graham suggests that such a trade did exist substantiating that many of the women caught up in Judge Tavares' campaign were indeed born in the northeast and brought to Rio de Janeiro either via the internal trade or directly with their owners. See Lauderdale Graham, "Slavery's Impasse," 681.

<sup>33</sup> On prostitution during the first decades of the Republic see: Margareth Rago, *Os prazeres da Noite: Prostituição e Códigos da Sexualidade Feminina em São Paulo, (1890-1930)* (São Paulo: Paz e Terra, 1991), Lená Madeiros de Menezes, *Os estrangeiros e o comércio do prazer nas ruas do Rio (1890-1930)* (Rio de Janeiro: Arquivo Nacional, Órgão do Ministério da Justiça, 1992); Beatriz Kushnir, *Baile de Máscaras: Mulheres Judias e Prostituição As Polacas e suas associações de Ajuda Mútua* (Rio de Janeiro: Imago Editora, 1996); Cristiana Schettini, *Que Tenhas Teu Corpo: Uma história social da prostituição no Rio de Janeiro das primeiras décadas republicanas* (Rio de Janeiro: Arquivo Nacional, 2006). The sources on prostitution in the 21<sup>st</sup> century are too numerous to list here. However, there has been a notable development in the study of prostitution as it relates to tourism that has been particularly generative for my own thoughts on the links between race, sexuality, and economic markets. See Erica L. Williams, *Sex Tourism in Bahia: Ambiguous Entanglements* (Urbana: University of Illinois Press, 2013);, Adriana Piscitelli, "On "gringos" and "natives": gender and sexuality in the context of international sex tourism in Fortaleza, Brazil." *Virtual Brazilian Anthropology* 1:1 (2004): 87-114; and Gregory Mitchell, *Tourist Attractions: Performing Race and Masculinity in Brazil's Sexual Economy*, (University of Chicago Press, 2015).

<sup>34</sup> On prostitution and regulation in the twentieth century, see Cristiana Schettini, "Prostitutes and the law: the uses of court cases over pandering in Rio de Janeiro at the beginning of the twentieth century," in *Honor, Status, and the Law in Modern Latin America*, ed. Sueann Caulfield, Sarah C. Chambers, and Lara Putnam (Durham: Duke University Press, 2005): 273-294; Thaddeus Blanchette and Cristiana Schettini, "Sex Work in Rio de Janeiro: Police Management without Regulation." In *Selling Sex in the City: A Global History of Prostitution 1600-2000s*, eds. Magaly Rodríguez García, Lex Heerma van Voss, and Elise van Nderveen Meerkerk, eds., (Leiden: Brill, 2017): 490-516; Thaddeus G. Blanchette and Ana Paula Silva,



exceptions are the work of historians Magali Engle, Sandra Lauderdale Graham, and Luiz Carlos Soares. Engle's *Meretrizes e Doutores: saber médico e prostituição no Rio de Janeiro (1840-1890)* is an invaluable guide to the medical discourse and debates that swirled throughout the medical community by mid-century illustrating how Imperial medical authorities understood the social function of prostitution, envisioned regulation, and sought to shape ideas about the female body, public health, and morality. Instead of a study of prostitution itself, *Meretrizes e Doutores* is a study of ideas about prostitution. With the focus on the medical discourse, Engle's work necessarily focuses on prostitution more broadly with the role of enslaved women warranting only minor consideration; however, the medical community's (and by extension Engle's) definition of "prostitution" is a far more capacious one that included a variety of sexual relationships and practices and did not strictly apply to the exchange of sex for money. Broadly speaking, the term "prostitution" could apply to any excessive (and extra-marital) expressions of sexuality and desire that was purely for pleasure and with non-reproductive aims including same sex relationships, sodomy, nymphomania, and libertinism.<sup>35</sup> Because of this, any woman involved in such relationships was susceptible to the label of "prostitute." Engle provides valuable insight into the medical discourse but how did the debates about regulation translate elsewhere, on the ground?

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"Prostitution in Contemporary Rio de Janeiro," in Susan Dewey and Patty Kelly, eds., *Policing Pleasure: Sex Work, Policy, and the State in Global Perspective* (New York: New York University Press, 2011): 130-145; Marlene Teixeira Rodrigues, "O sistema de justice criminal e a Prostituição no Brasil contemporâneo: administração de conflitos, discriminação, e exclusão," *Sociedade e Estado* 19:1 (June 2004): 151-172; and Marcio Gustavo Senra Faria, "A prostituição no Brasil no século XXI: razões para sua regulamentação" (MA thesis, Universidade do Estado do Rio de Janeiro, 2013).

<sup>35</sup> Magali Engle, *Meretrizes e Doutores: saber médico e prostituição no Rio de Janeiro (1840-1890)* (São Paulo: Editora Brasiliense 1989), 72.

Sandra Lauderdale Graham's study of slavery, prostitution, and the law, "Slavery's Impasse: Slave Prostitutes, Small-Time Mistresses, and the Brazilian Law of 1871," has been foundational for my own study of slavery and sexual labor. Drawing on a set of freedom suits from 1871, Lauderdale Graham details the experiences of several enslaved women involved in prostitution. However, she goes beyond an examination of the practice of forced prostitution to understand the significance of Judge Tavares' campaign in light of the concurrent debates in Parliament over the regulation of slavery. Graham concludes that Tavares' campaign was less about the regulation of prostitution or the abolition of slavery and more to do with regulating the morally corrupt masters who earned a living through such scandalous means. Tavares, Lauderdale Graham argues, wanted to restore the "tie of respect and obedience" that should naturally bind an owner and their bondswoman.<sup>36</sup> The denigration of moral authority posed a great threat to slaveholding more broadly. But there is another reason Graham's study is also valuable—for what it tells us about poor, free women and slaveholding patterns amongst Rio's poorer classes.

Complementing "Slavery's Impasse," in *Rameiras, ilhoas e polacas: a prostituição no Rio de Janeiro do século XI* Luiz Carlos Soares draws on the nineteenth century medical reports, theses, and literature as well as police correspondence and reports to reveal contemporary views of prostitution and proposed measures for on-the-ground regulation.<sup>37</sup> He primarily focuses on the prostitution of free women offering rich detail on the social role of prostitution, the varying classes of women, and how the sexual economy evolved throughout the nineteenth century. His discussion of clandestine prostitution and the role of enslaved women is limited to seven short

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<sup>36</sup> Lauderdale Graham, "Slavery's Impasse," 693.

<sup>37</sup> Luiz Carlos Soares, *Rameiras, ilhoas, polacas....A prostituição no Rio de Janeiro do século XIX* (São Paulo: Editora Ática, 1992).

pages but accomplishes his main goal which is to draw attention to aspects of Rio's social history that had, to date, largely been neglected. Lauderdale Graham and Soares published their studies in 1991 and 1992, respectively. And yet, nearly twenty years later, the field is still comparatively neglected and understudied. My own work in the pages that follow expands upon Soares' observations to delve more deeply into the practice and implication of clandestine prostitution and to identify a broader spectrum of sexual and intimate labor performed by enslaved women.

As mentioned above, Sandra Lauderdale Graham's article "Slavery's Impasse," is one of the more comprehensive examinations of legal efforts to crack down on the practice of forcing enslaved women to prostitute and both Engle and Soares briefly acknowledge various attempts by local police to track prostitutes. In a similar fashion, historian Sueann Caulfield's chapter, "The Birth of Manguê: Race, Nation, and the Politics of Prostitution in Rio de Janeiro 1850-1942," focuses primarily on the post-abolition period with slight attention to the period between 1850-1890.<sup>38</sup> Taken together, these works provide a foundation for studying the overlap of the sexual economy and the sexual economy of slavery; but prostitution is only the tip of the iceberg and much work remains to be done on the relationship between women's intimate labor and the sexual economy of slavery.

#### Reassessing the Nature of Women's Work

Historians have shown that enslaved women's work was indispensable to urban life. Mary Karasch's study of the lives of enslaved Africans in Rio de Janeiro is still one of the most thorough and detailed works on the subject and provides an excellent survey of the myriad

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<sup>38</sup> Sueann Caulfield, "The Birth of Manguê: Race, Nation, and the Politics of Prostitution in Rio de Janeiro 1850-1942." In *Sex and Sexuality in Latin America*, eds. Daniel Balderston and Donna J. Guy. New York. New York University Press, 1997: 86-100.

functions of bondspersons throughout the city.<sup>39</sup> Not only did their labor help fuel the commercial engines of the city, it was also a critical source of wealth and capital for their owners. Often, slaveholders would live off of the wages earned by their bondsmen and women as they contracted out to work for others, remitting a portion of their wages to their owners.<sup>40</sup> Karasch notes that one of the functions of enslaved women was to serve as sexual partners as concubines, mistresses, and common-law wives and that on occasion owners would force their bondswomen into prostitution.<sup>41</sup> Likewise, foundational studies of women's work produced by Maria Odila Silva Dias and Sandra Lauderdale Graham suggest that both free and enslaved women engaged in sex work (namely prostitution) in order to supplement their meager wages.<sup>42</sup> However, for Adelaide, and the innumerable women who shared her fate, sex was work.

Whether it was working *na janela* in one of the city's numerous cramped apartments, in one of the flashy, glittering bordellos, or as part of her expected duties as a short-term housekeeper, concubine, or lover, enslaved women engaged in a broad spectrum of intimate labor. Often times they reproduced what historian Luise White refers to as "the comforts of home," as their work often also included making conversation, providing companionship, and

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<sup>39</sup> Mary Karasch, *Slave Life in Rio de Janeiro, 1808-1850* (Princeton: Princeton University Press, 1987).

<sup>40</sup> In the city, *negros de ganho* were enslaved persons who worked for wages and turned over a certain percentage to their owners on a regular basis. It was customary for them to keep any wages over those owed to their owners. See Karasch, *Slave Life*, 186; Luiz Carlos Soares, "O Povo do Cam" na capital do Brasil: A escravidão urbana no Rio de Janeiro do Século XIX (Rio de Janeiro: 7Letras, 2007); and Juliana Barreto Farias and Flavio dos Santos Gomes, et. al. *Cidades Negras: Africanos, crioulos e espaços urbanos no Brasil escravista do século XIX* (São Paulo: Alameda, 2006).

<sup>41</sup> Karasch, *Slave Life*, 186, 207-208.

<sup>42</sup> Maria Odila Silva Dias, *Quotidiano e poder em São Paulo no século XIX-Ana Gertrudes de Jesus* (São Paulo: Brasiliense, 1984) and Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (Cambridge: Cambridge University Press, 1988).

even food or drink to their clients.<sup>43</sup> These women recreated the emotional and sexual dimensions of the domestic sphere for their clients while reproducing wealth for their owners. This labor, I contend, constituted not only their primary form of work but shaped and defined their day-to-day lives, social networks, and access to freedom. In many ways, this work was akin to other forms of hired wage labor performed by enslaved persons throughout the city. For *mucamas* and housekeepers in particular their work brought them into close contact with their owner and their families. Many of these women would be coerced into sexual relationships with men within the household. Indeed, as Marcus Carvalho confirms, the line between domestic and sexual labor was “thin” and “ambiguous,” one that was easily and frequently crossed within the household.<sup>44</sup> We cannot overlook this connection between work and sexual labor. Yet far too often in the historiography on women’s work intimate labor, such as concubinage or prostitution, is treated as either a secondary, supplemental form of income or as a separate category altogether.

Building on these prodigious bodies of scholarship, this dissertation seeks to go beyond sex as a function of reproduction to offer three arguments: (1) that traders and slaveholders intentionally commodified, marketed, and sold women expressly for sexual labor that in turn undergirded and supported the urban sexual economy of slavery; (2) that prostitution and other forms of intimate labor should be understood as categories of work and labor that sustained the

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<sup>43</sup> Luise White, *The Comforts of Home: Prostitution in Colonial Nairobi* (Chicago: University of Chicago Press, 1990).

<sup>44</sup> Marcus J.M. de Carvalho, “De portas adentro de portas afora: trabalho domestico e escravidão no Recife, 1822-1850,” *Afro-Asia* 29:30 (2003): 56. For similar studies noting similar patterns see: Luiz R. B. Mott, “Os pecados da família na Bahia de Todos os Santos (1813),” (Salvador: CEB/UFBA, 1982); Eni de Mesquita Samara and Eliane Cristina Lopes, “Meretrizes e seus domicílios na população de Fortaleza: um análise preliminar em 1887,” in *XI Encontro Nacional de Estudos Populacionais da APEB* (Universidade Estadual de Campinas, 1998): 1181-1198. Freyre refers to this as “domestic prostitution.” Freyre, *Masters and Slaves*, 281.

political economy of slavery; and (3) that the institution of slavery coupled with the rights of slaveholders would contribute to stymieing attempts to legally regulate prostitution that resulted in an ill-defined, largely discretionary policy of intervention by legal authorities—an approach that marks the regulation of prostitution today.<sup>45</sup>

Historians of slavery in the Americas have long acknowledged the vulnerability of enslaved women to sexual violence and exploitation. However, this history of slavery and sexuality cannot, and should not, be distilled down to acts of rape between master and slave. We know that enslaved women engaged in a range of relationships many of which fell along a spectrum between consensual intimacy and coercive, forced intimacy. As this dissertation will argue, for many women, intimacy comprised their primary form of labor. Therefore, building on Engle's discussion of a more capacious notion of prostitution, intimate labor, as I conceptualize the term, encompasses a range of emotional and physical acts that range from clearly defined sexual relationships to more ambiguous interactions and connections. It can include acts of nurturing and sustaining as well as acts of sexual gratification and pleasure. In this way, intimate labor revolves around expressions of sexuality related to biological reproduction as well as non-reproductive acts of intimacy and domesticity while recognizing that these acts can be a reflection of love and genuine affection or representative of coercive, oppressive power.

The forced prostitution of enslaved women is one of the most visible aspects of the sexual economy of slavery; however, it was only one facet of intimate labor enslaved women

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<sup>45</sup> On the modern policing of prostitution in Rio de Janeiro see Thaddeus Blanchette and Cristiana Schettini. "Sex Work in Rio de Janeiro: Police Management without Regulation," in *Selling Sex in the City: A Global History of Prostitution, 1600-2000s*, ed. Magaly Rodríguez García, Lex Heerma van Voss, and Elise van Nederveen Meerkerk (Leiden: Brill, 2017): 490-516.

were forced to engage in. While their wombs and beautiful faces were openly commodified and marketed, much of their intimate labor was hidden behind the walls of the household or cloaked in the language of domestic labor. Attending to the history of this labor highlights both the financial and intangible benefits that slaveholders gained from owning women as well as how this labor—and the wealth it created—undergirded the broader economy of slavery in Brazil. This history is often painful and violent; at the same time, it illustrates the resiliency and determination of women who, even under the most oppressive and exploitive circumstances, fought to resist their bondage and, through their herculean efforts, delegitimized slavery. Their stories illuminate how enslaved women sought to secure freedom and bodily autonomy using any means necessary.

#### Sources and Approach

Scholars of Atlantic slavery have recently begun to grapple with how to fill these gaps and silences in order to construct meaningful histories that honor the lives of enslaved subjects.<sup>46</sup> Conversely, scholars of slavery in Brazil must take a different approach to make sense of archives that are loud and noisy, brimming with a wide array of sources that speak to the social organization, cultural practice, and labor of enslaved persons. Indeed, the lives of the enslaved

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<sup>46</sup> Recently, scholars of slavery in the Atlantic have adopted innovative new approaches to reconstruct the lives of enslaved women. See Jessica Marie Johnson, *Wicked Flesh: Black Women, Intimacy, and Freedom in the Atlantic World* (Philadelphia: University of Philadelphia Press, 2020); Marisa Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive* (Philadelphia: University of Pennsylvania Press, 2016); Saidiya Hartman, *Wayward Lives, Beautiful Experiments: Intimate Histories of Riotous Black Girls, Troublesome Women, and Queer Radicals* (New York: W.W. Norton and Co. 2020); Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (Oxford: Oxford University Press, 1997); Katherine McKittrick, *Demonic Grounds: Black Women and the Cartographies of Struggle* (Minneapolis: University of Minnesota Press, 2006); Daina Ramey Berry, *The Price for their Pound of Flesh: The Value of the Enslaved, from Womb to Grave, in the Building of a Nation* (Boston: Beacon Press, 2017).

were more likely to be observed and written about than free men and women. Moreover, given the sheer size and visibility of Rio de Janeiro's enslaved population, foreign visitors to the city left numerous sketches, paintings, and written accounts of urban slavery and the quotidian activities of bondsmen and bondswomen. Local newspapers are a particularly rich font of information that relayed critical debates and details about the economics of slavery, sale ads touting persons for rent or sale, and information on recent arrests and illegal activity. Unlike New Orleans or other cities in the U.S., there was no central brick and mortar slave market in Rio de Janeiro by the mid-nineteenth century. Therefore, I rely on newspaper advertisements and sources to recreate the slave market of Rio de Janeiro.

Due to the influence of Iberian juridical traditions, Brazilian administrators carefully documented not only official correspondence but also nearly all aspects of life and death through wills, post-mortem inventories, property transactions, household census lists, petitions, and all manner of legal disputes. Ecclesiastical authorities recorded petitions for marriages and annulments as well as records of death and religious disputes. Enslaved persons often appear in these records as the object of sale or dispute, but these records also illustrate important personal events such as marriage, childbirth, and manumission and freedom. While these documents help us to reconstruct the economic, social, political, and cultural dimensions of slavery, few accounts are left by the enslaved themselves or in their own words. More frequently, it is notaries, planters, and bureaucrats writing about the enslaved.

In Brazil, however, it was not uncommon for enslaved men and women to seek aid through the courts. These lawsuits can be found throughout Brazil, but especially in the urban centers where enslaved people's access to information and the courts was relatively easier. Cases were initiated in the first-instance court but often would reach the appeals court as well, yielding



hundreds of pages of notes, testimony, and evidentiary documents like work permits, manumission letters, and financial accountings. Courts solicited testimony from the litigants as well as any witnesses—high and low born—who could attest to the facts of the case. Judicial case records do not grant us access to the direct voice and words of the enslaved persons involved, but they often provide the closest approximation or representation that we can get.

Social and cultural historians have long mined administrative and legal documentation for insight into the quotidian lives of common men and women.<sup>47</sup> Likewise, since the 1970s, Brazilian historians of slavery have drawn on the abundance of documents generated by the courts and legal administrators in order to understand the every day lives, desires, labor, and communities of manumitted and free persons of color.<sup>48</sup> Through an analysis of *cartas de*

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<sup>47</sup> For example see: Natalie Zemon Davis' pioneering works *The Return of Martin Guerre* and *Fiction in the Archives*. Davis demonstrates how historians can glean insight into the perceptions and aspirations of people in the lower echelons of society to reconstruct a history from below through the use of criminal records and legal petitions. See Davis, *The Return of Martin Guerre* (Cambridge: Harvard University Press, 1984) and *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth Century France* (Stanford: Stanford University Press, 1987).

<sup>48</sup> In the 1970s, research conducted by historian Kátia M. de Queirós Mattoso and her students began to lay the foundation for using judicial and administrative archives to write social and cultural histories detailing the lives of freedmen and freedwomen. See Mattoso, "Propósito de cartas de alforria na Bahia, 1779-1850," *Anais de História* 4 (1971): 23-53; Mattoso, *Être esclave au Brésil* (Paris: Hachette, 1979); Mattoso, *Testamentos de escravos libertos na Bahia no século XIX. Uma fonte para o estudo de mentalidades* (Salvador: Centro de estudos baianos, Universidade Federal da Bahia, 1979); Maria Odila Leite da Silva Dias, *Quotidiano e poder em São Paulo no século XIX—Ana Gertrudes de Jesus* (São Paulo: Editora brasiliense, 1984); and Maria Inês Côrtes de Oliveira, *O Liberto: o seu mundo e os outros* (Salvador: Corrupio, 1988). Leila Algranti, Silvia Hunold Lara, Lenine Nequete, João José Reis, and Maria Jânuaire Vilela Santos demonstrate the utility of police and judicial records to detail acts of resistance, rebellion, culture, and community. See Leila Mezan Algranti, "Slave Crimes: The Use of Police Power to Control the Slave Population of Rio de Janeiro," *Luso-Brazilian Review* 25:1 (Summer 1988): 27-48; Silvia Hunold Lara, "Campos de violência. Estudo sobre a relação senhor-escravo na capitania do Rio de Janeiro, 1750-1808," Ph.D. diss, Universidade de São Paulo, 1986; Lenine Nequete, *O Escravo na Jurisprudência Brasileira: Magistratura e ideologia no Segundo Reinado* (Porto Alegre: Revista dos Tribunais, 1988); João José Reis, *Rebelião escrava no Brasil: A história do levante dos Malês (1835)* (São Paulo: Editora Brasiliense, 1986); and

*alforria* (letters of emancipation), wills, and testaments, historian Kátia Mattoso's *Être esclave au Brésil* signaled a turn in the scholarship modeling how historians can use legal and administrative documents to write a social history of slavery from the perspective of the enslaved.<sup>49</sup> More recently, Sidney Chalhoub, Hebe Mattos, and Keila Grinberg have used judicial archives to take up the question of how freed and enslaved persons fought for, defined, and redefined freedom.<sup>50</sup> In his work, Chalhoub used freedom suits to challenge ideas about passivity and rebellion to illustrate the small, day-to-day ways in which enslaved persons resisted their bondage and how these actions undermined the power and domination of slaveholders.

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Maria Jânuaire Vilela Santos, *A Balaiada e a insurreição de escravos no Maranhão* (São Paulo: Editora Atica, 1983).

<sup>49</sup> Kátia M. de Queirós Mattoso, *Être esclave au Brésil* (Paris: Hachette, 1979). The book was originally published in French then later in Portuguese and English.

<sup>50</sup> Keila Grinberg, *Liberata: a lei da ambiguidade—as ações de liberdade da corte de apelação do Rio de Janeiro no século XIX*, (Rio de Janeiro: Centro Edelstein de Pesquisa Social, 2010); Grinberg, "Freedom Suits and Civil Law in Brazil and the United States," *Slavery & Abolition* 22: 3 (Dec. 2001): 66-82; Grinberg, "Re-escravização, direitos e justice no Brasil do século XIX," in *Direitos e justiça: ensaios de história social*, eds. Siliva Lara and Joseli Mendonça (Campinas: Editora da UNICAMP, 2006): 101-128; Sidney Chalhoub, *Visões da Liberdade: Uma história das últimas décadas da escravidão na Corte* (Rio de Janeiro: Companhia das Letras, 1990); and Hebe Mattos, *Das Cores do Silêncio: os significados da liberdade no sudeste escravista, Brasil século XIX* (Campinas, Brazil: Unicamp, 2013). On freedom suits and the engagement of enslaved persons with the courts and legal system more broadly see: Elciene Azevedo, *Direito dos escravos: lutas jurídicas e abolicionismo na provincial de São Paulo na segunda metade do século XIX*. Ph.D. Dissertation, UNICAMP, Campinas, 2003; Azevedo, *Orfeu de carapinha* (Campinas: UNICAMP, 2001); Lenine Nequete, *O escravo na Jurisprudência brasileira: magistratura e ideologia no 2o Reinado* (Porto Alegre: RTJ), 1988; Eduardo Spiller Pena, *Pajens da Casa Imperial: jurisconsultos, escravidão, e a lei de 1871*, (Campinas: Editora da UNICAMP, 2001); Chalhoub, *A força da escravidão: ilegalidade e costume no Brasil oitocentista* (São Paulo: Companhia das Letras, 2012); and Joseli Mendonça, *Entre a mão e os anéis* (Campinas: UNICAMP, 1999). With regards to the role of women specifically, see Camillia Cowling, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro*, Durham: UNC Press, 2013; "Debating Womanhood, Defining Freedom: The Abolition of Slavery in 1880s, Rio de Janeiro," *Gender and History* XXII: 2 (August 2010): 284-301; and "'As a slave woman and as a mother:' women and the abolition of slavery in Havana and Rio de Janeiro," *Social History* 36:3 (August 2011): 294:311.

Likewise, Mattos uses freedom suits to illustrate a spectrum of tactics to change their condition and that open, violent rebellion was not the only way to do so. In her early work, Grinberg used nineteenth-century freedom suits to analyze enslaved persons' possibilities of obtaining freedom through the courts arguing that the Brazilian Empire did effectively intervene in the master/slave relationship to effect change in the status and condition of enslaved people's lives. These authors provide the best example of how to utilize court records to understand both broader strategies employed by slaves, their lived experiences, and how they understood their bondage and freedom. Together, these authors have signaled a new direction in the historiography, one that breaks from a strict dichotomy of passivity and rebellion to argue that resistance could take myriad forms, not just armed rebellion. Specifically, these authors illustrate how enslaved persons used legal actions and the law as tools of resistance, not only against their own personal bondage but also against the larger system of slavery itself.

Through the lens of these legal transactions, we can glimpse into the desires, expectations, and experiences of enslaved persons as well as their strategies for survival, social mobility, and community formation. We can gain a greater sense of what they understood as fair and legitimate treatment or conversely, what events experiences drove them to pursue a course of legal action. As Leticia Grazielle Basílio de Freitas's recent study of enslaved persons and the law demonstrates, legal cases can also shed light on the personal dynamics between the enslaved and their owners as well as ties of family and blood.<sup>51</sup> Freitas interrogates a variety of strategies employed by both enslaved men and women to understand how they interpreted the law, understood their rights, and how they actively shared their tactics with others. Through her work,

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<sup>51</sup> Leticia Grazielle Basílio de Freitas, "Escravos nos Tribunais: O Recurso À Legislação em Ações de Liberdade do Século XIX," (MA thesis, Universidade Estadual de Campinas, 2012).

we see how freedom suits collectively contributed to the breakdown of slavery, even when the final verdict was not pronounced in their favor.

Following in the footsteps of Grinberg and Chalhoub, I conducted the research for this dissertation at the National Archive in Rio de Janeiro. Sifting through many of the files identified in this scholarship, I surveyed a wide variety of freedom suits and similar lawsuits generated by the first instances courts and the Court of Appeals to get a sense of the claims made by enslaved women in particular and in the hopes of gaining insight into how gender shaped freedom and bondage for women in Rio de Janeiro. However, it was a set of cases pertaining to prostitution, some of which have been examined by Sandra Lauderdale Graham in her own study, that caught my attention<sup>52</sup> This particular set of cases was compelling not only for the rich details they could provide on the lives and labor of enslaved women but also because many of the slaveholders were women as well. Studies of slavery, gender, and sexual violence have tended to focus on the role of slaveholding men but these documents implicated female slaveholders as well illustrating how they too profited off of the exploitation of enslaved women's sexuality. Therefore, at the heart of this dissertation is a set of judicial cases brought by enslaved women like Adelaide during the early 1870s. Many of these cases were solicited and brought to court under the guidance of Judge Tavares during his campaign to rid the city of enslaved prostitutes. Instead of conducting a quantitative analysis of these sources, I use them for what they can tell me qualitatively about what it meant to be an enslaved woman in an urban environment. To situate these lives and experiences within the broader social and urban landscape, I use journalistic

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<sup>52</sup> Graham, "Slavery's Impasse." Graham uses a similar methodological approach and source in *Caetana Says No: Women's Stories from A Brazilian Slave Society* (Cambridge: Cambridge University Press, 2002). At the center of the first story in this study is an ecclesiastical petition for the annulment of an enslaved woman's marriage. The ensuing petition ran to 200 pages detailing Caetana's attempts to escape an unwanted marriage and thwart the power of her master.

sources, medical dissertations and debates, and the writing of foreign observers to piece together a social history of gender, sexuality, and slavery in nineteenth century Rio de Janeiro.

Oftentimes archival work can be tedious and unrewarding but every so often, we make an exciting discovery that shapes our research in unexpected ways. One serendipitous day, as I was sifting through police logs and records at the National Archive, I happened across a thick file, dated March 1855, that contained twelve copies of reports on the regulation of prostitution in the city of Rio de Janeiro. The documents proved to be a remarkable find that included a proposal by Police Chief Alexandre Joaquim de Siqueira, a document long believed to be lost, as well as the efforts of another Police Chief, Jeronymo Martiniano Figueira de Mello, whose attempts to regulate prostitution extended back to the 1840s, earlier than initially believed.<sup>53</sup> This file is at the center of Chapter Two and helps to illustrate the limitations of the law with regards to the regulation of sexual labor in a slave society.

### Geographic Overview

Founded in 1565, the captaincy of Rio de Janeiro was little more than a strategic defense post to ward off increasing incursions by the French and Spanish when, in 1763, it would become the new capital of the colony. From that moment on, Rio de Janeiro would begin its transition from small colonial outpost to a locus of wealth, power, and politics. By the turn of the eighteenth century, merchants were exporting rice to Portugal as well as a bounty of other goods such as sugar, cotton, and wood.<sup>54</sup> By 1799, the city boasted over 1,300 registered commercial

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<sup>53</sup> Dr. Francisco Ferraz de Macedo, writing in 1873 and Dr. Souza Lima, writing in 1899, both note that they were unable to locate a copy of Siqueira's report claiming that it was lost. See Dr. Francisco Ferraz de Macedo, *Da Prostituição em geral, e em particular em relação á cidade do Rio de Janeiro: Prophylaxia da syphilis* (Rio de Janeiro: Typographia Acadêmica, 1873) and Souza Lima, "Medicina publica-Prostituição," *Revista da Jurisprudência*, (1899).

<sup>54</sup> Kristen Schultz, *Tropical Versailles: Empire, Monarchy, and the Portuguese Royal Court in Rio de Janeiro, 1808-1821* (New York: Routledge, 2001), 44.

establishments dealing in all manner of goods including those illegally imported from Europe.<sup>55</sup>

At the turn of the nineteenth century, the city would undergo yet another momentous change that would indelibly shape the city's future and fortunes. In 1804, Napoleon Bonaparte undertook a campaign to conquer all of Europe. As his army began its march towards Portugal, the Portuguese court—including the prince regent, his mother, two sons, and an estimated ten thousand courtiers and advisors—loaded onto twenty-three warships and thirty-one merchant ships bound for Brazil.<sup>56</sup> Aided by the British, the goal was to relocate the entire Portuguese court to Brazil making the city of Rio de Janeiro the new seat of the Portuguese Empire.

When the court sailed into Guanabara Bay, Rio de Janeiro was a small, compact city set within a space no more than a mile and a half long and three quarters of a mile wide. Estimates vary but according to historian Mary Karasch, the local population of the city totaled approximately 54,255, in 1808, when the court arrived.<sup>57</sup> By 1822, the date of Brazilian independence from Portugal, the population of Rio de Janeiro doubled to nearly 100,000 individuals.<sup>58</sup> The city would continue to undergo exponential growth owing not only to the arrival of Portuguese immigrants but also to rapid growth of the transatlantic slave trade as the enslaved population more than doubled to an estimated 36,182 persons between 1808 and 1821.<sup>59</sup> By 1829, an estimated 50,000 bondspersons resided in the city itself.<sup>60</sup>

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<sup>55</sup> Schultz, *Tropical Versailles*, 44.

<sup>56</sup> Thomas Skidmore, *Brazil: Five Centuries of Change*, 2<sup>nd</sup> edition, (Oxford: Oxford University Press, 2010), 41.

<sup>57</sup> Karasch, *Slave Life*, 60.

<sup>58</sup> Skidmore, *Brazil*, 43.

<sup>59</sup> Karasch, *Slave Life*, 61-62.

<sup>60</sup> Ibid, 63. Owing to unreliable censuses and incomplete data, Karasch suggests that 50,000 may even be a low estimate.

Twenty years later, Rio de Janeiro was home to 205,906 souls.<sup>61</sup> The royal family was firmly ensconced in the palace at São Cristóvão with the old palace, near Praça XV currently being used as the “city palace” and principal workplace for the emperor. By 1854, the city center swelled in population owing to an influx of European traders and shopkeepers; shops lining Rua do Ouvidor touted myriad imported luxury wares ranging from French perfumes and silks to literary goods.<sup>62</sup> The offices of the larger, more well-to-do merchants lined the nearby streets of Rua Direita, dos Ourives, da Quitanda, and das Violas.<sup>63</sup> Closer to the wharves, coffee merchants predominated as the coffee trade continued to flourish. Dried beef and hides arrived from Rio Grande do Sul. Tobacco, cachaça, pork products, cheese, and cattle came from Minas.<sup>64</sup> From the more rural regions surrounding the city, smaller-scale farmers brought supplies of fresh fruit, manioc, and firewood. The smaller villages and towns along the coast provided fresh fish. Slaves, perhaps the most lucrative commodity in the city, could be purchased from any number of traders and consignment houses as well. A steamboat ferried people back and forth between the city and its nearest neighbor, Niterói. Earlier in the century, the city witnessed the implementation of its first form of public transportation—horse-drawn trams—and in 1854,

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<sup>61</sup> Ibid, 61. Karasch notes that the original census taken in 1849 could not be located and therefore she estimated the city’s population from less complete printed materials. A version of the census appears in Hermann Burmeister, *Viagem ao Brasil através das províncias do Rio de Janeiro e Minas Gerais*, trans. Manoel salvaterra and Hubert Schoenfeldt (São Paulo: 1952) however this source has errors and incorrect information. Therefore she compared it with abbreviated versions of the census information appearing in several other sources. See Karasch, 64fn21.

<sup>62</sup> Prior to 1870, the street was known as Desvio do Mar. However, for simplicity and clarity I am referring to the street by its current name. For a contemporary chronicle of the street’s importance to the city, see Joaquim Manoel de Macedo, *Mémoires da Rua Ouvidor* (Rio de Janeiro: Perseverança, 1878).

<sup>63</sup> Jeffrey D. Needell, *The Party of Order: The Conservatives, the State, and Slavery in the Brazilian Monarchy, 1831-1871* (Stanford: Stanford University Press, 2006), 20-21

<sup>64</sup> Schultz, *Tropical Versailles*, 44.

streets lit by gas lighting (as opposed to fish oil). At anchor in the harbor, one could find ships from around the world bringing both licit and illicit cargos.

On the eve of the legal abolition of the transatlantic slave trade in 1850, an estimated 78,855 bonded men and women resided in Rio de Janeiro.<sup>65</sup> The city was home to an estimated 10,732 freedmen and freedwomen as well.<sup>66</sup> While demographic numbers prior to 1870 are somewhat unreliable, the free population of color steadily grew throughout the nineteenth century thanks, in part, to comparably high rates of manumission. According to Chalhoub, in the 1872 census, 84.7% of the Brazilian population was listed as free; of that percentage, 58% were identified as either *preto* (Black) or *pardo* (the offspring of a *preto* and a white persons).<sup>67</sup> Of

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<sup>65</sup> Karasch, *Slave Life*, 61. These statistics date from 1849 and represent the recorded number of enslaved persons in the city. However, Karasch suggests that the actual number of enslaved persons could have been between 65,082 and 78,855. Based on data collected by the foreign observer John Luccock, Karasch estimates that the number of enslaved persons per household was approximately 3.0 from 1808-1818. Drawing on data from the taxation information contained in the *Annuário Político, Histórico, e Estatístico do Brasil, 1846-1847*, she estimates that between 1821 and 1849, the number per household was 3.6 making the total population 78,098. However, Karasch notes that the *Annuário* data for the previous period of 1844-1845, does not include children, only enslaved persons aged twelve and older. It stands to reason that similar criteria applied to the 1849 period as well. Therefore, only enslaved persons over the age of twelve would have been counted. See John Luccock, *Notes on Rio de Janeiro and the Southern Parts of Brazil; Taken during a Residency of Ten Years in that Country, from 18081-1821* (London: Samuel Leigh, 1820) and *Annuário Político, Histórico e Estatístico do Brasil, 1846-1847*, 2 vols. (Rio de Janeiro: Casa de Firmin Didot Irmãos, 1846).

<sup>66</sup> Karasch, *Slave Life*, 66.

<sup>67</sup> Sidney Chalhoub, "The Precariousness of Freedom in a Slave Society (Brazil in the Nineteenth Century," *IRSH* 56 (2011), 406. In terms of how or who was identified as white, *pardo*, or *preto*, individuals would not have identified themselves in racial terms. Instead, these designations reflect categories imposed by census agents. According to Antonio Sérgio Alfredo Guimarães, from 1872 onward, the Brazilian census classified individuals according to color employing four categories: white, *caboclo* (an individual of European and Indigenous parentage), black, and brown. These categories were derived from a formula in which the color group was determined by a combination of one individual of a pure race with the phenotypes of that race in the process of reversion. This formula, Guimarães states, incorporated not only skin pigmentation but also the physical features associated with other "pure races," like hair, noses,



this population, the majority of enslaved persons lived in the five primary parishes of the city: Sacramento, 34%; São José, 37.8%; Candelária, 68.7%; Santa Rita, 38.7%; and Santana 32.1%.<sup>68</sup>

Primarily concentrated in the city center, slaves labored in nearly every sector of the economy as porters; sailors: boatmen who ferried goods between ships and shore; factory workers; craftsmen and artisans; blood letters and barbers; musicians; peddlers of all kinds of goods; and personal servants such as housekeepers, wet nurses, laundresses, and seamstresses.<sup>69</sup> A panoply of languages such as Nagô, Jeje, Mina, and Bantu floated through the air as slaves from the Gold Coast mingled with those from Angola and the Congo conversing in their local languages and dialects as well as a form of creole Portuguese pidgin.<sup>70</sup> The smell of spicy African food scented the air as Bahian or African marketing women—known as *quitadeiras*—cooked palm oil stew spiced with hot peppers and fried fish along the wharf to sell to hungry porters and sailors.<sup>71</sup> These women also sold a variety of fresh vegetables, fruit, fish and poultry,

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and lips. See Guimarães, *Racismo e Anti-Racismo no Brasil* (São Paulo: Editora 34, 1999), 102-103.

<sup>68</sup> Juliana Barreto Farias and Flávio dos Santos Gomes, et. al. *Cidades Negras: Africanos, crioulos e espaços urbanos no Brasil escravista do século XIX*. (São Paulo: Alameda, 2006), 10.

<sup>69</sup> For more on the occupations of slaves in Rio see Karasch, *Slave Life*, Ch. 7, “Porters and Property: The Functions of Slaves in Rio de Janeiro,” 185-213.

<sup>70</sup> For one of the best overviews to date of the different groups represented in Rio’s slave population see Karasch, *Slave Life*, Chapter One “The Nations of Rio,” 3-28. For more on the ethnicity and demographics of Rio de Janeiro’s enslaved population see Mariza de Carvalho Soares, “From Gbe to Yoruba: Ethnic Change and the Mina Nation in Rio de Janeiro,” in *The Yoruba Diaspora in the Atlantic World*, Toyin Falola and Matt Childs ed. (Bloomington: Indiana University Press, 2004): 231-247 and Flávio Gomes, “The Atlantic demographics of Africans in Rio de Janeiro in the seventeenth, eighteenth, and nineteenth centuries: some patterns based on parish registers,” *História, Ciências, Saúde – Manguinhos* (RJ) 19 (December 2012).

<sup>71</sup> *Quitadeiras* were ubiquitous throughout the city center but also throughout all urban areas of Brazil. For more on their economic and social role in the cities see: Patricia Acerbi, *Street Occupations: Urban Vending in Rio de Janeiro, 1850-1925* (Austin: University of Texas Press, 2017); Cecília Moreira Soares, “As ganhadeiras: Mulher e Resistência em Salvador no século XIX,” *Afro-Asia* 17 (1996): 57-71; Maria Odila da Silva Dias, *Power and Everyday Life: the*

sweets, and other dried goods. African women dominated the market and marketing activity. African and Afro-Brazilians also prevailed in skilled professions as cobblers, barbers, and blood-letters.<sup>72</sup> Other typical scenes included Black women sharing the daily news with each other as they washed laundry in one of the cities fountains while children splashed nearby; the ever-present sound of song and music; and on special religious holidays or festivals, both free and enslaved Africans/Afro-Brazilians might be seen parading down the street in honor of a saint, that year's Black King, or to honor the dead.<sup>73</sup> In the streets, the free and enslaved mixed and intermingled every day.

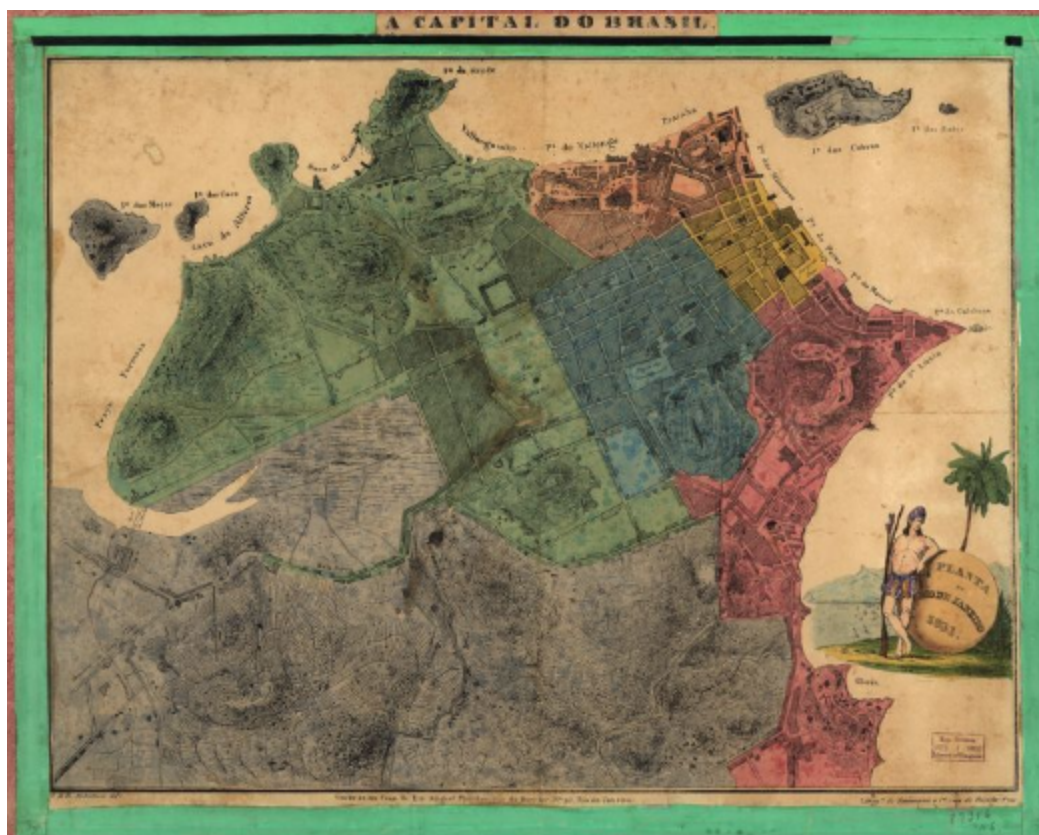
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*Lives of Working Women in Nineteenth-Century Brazil*, trans. Ann Frost (New Brunswick, NJ: Rutgers University Press, 1995); Fernando Vieira de Freitas, "As Negras Quitandeiras no Rio de Janeiro do Século XIX Pre2-Republicano: Modernização Urbana e Conflito em Torno do Pequeno Comercio de Rua," *Tempos Historicos* 20 (2016): 189-217; Richard Graham, *Feeding the City: From Street Market to Liberal Reform in Salvador, Brazil, 1780-1860* (Austin: University of Texas Press, 2010); and Mary Karasch, *Slave Life in Rio de Janeiro, 1808-1850* (Princeton: Princeton University Press, 1987).

<sup>72</sup> According to Manuela Carneiro da Cunha and Tânia Salgado Pimenta, frequently the bloodletters were free or freed men of African descent. See da Cunha, *Negros, Estrangeiros: Os escravos Libertos e sua Volta À África* 2<sup>nd</sup> ed. (São Paulo: Companhia das Letras, 2012), and Pimenta, "A arte da sangria; Circularidade de ideias e práticas (Rio de Janeiro, I metade do século XIX)" in *Mobilidade humana e circularidade de ideia: Diálogos entre a América Latina e a Europa*, eds. Luis Fernando Beneduzi e Maria Cristina Dadalto (Venice: Edizioni Ca' Foscari, 2017), 161-171.

<sup>73</sup> For more on Black festivals and religions ceremonies in public spaces see Cécile Fromont, "Dancing for the King of Congo from Early Modern Central Africa to Slavery-Era Brazil," *Colonial Latin America Review* 22:2 (2013): 184-208; Mariza de Carvalho Soares, *Devotos da cor: identidade étnica, religiosidade e escravidão no Rio de Janeiro, século XVIII* (Rio de Janeiro: Civilização Brasileira, 2000); and João José Reis, *A morte é uma festa: ritos fúnebres e revolta popular no Brasil do século XIX* (São Paulo: Companhia das Letras, 1991).

MAP 0.1 *A capital do Brasil*<sup>74</sup>



According to historian Patricia Acerbi, many of the *quitandeiras*, *ganhadores*, and their masters lived in and around the city center.<sup>75</sup> Freedmen and slaves also crowded together in these densely populated areas living in *cortiços*, *estalagens*, and *casas de alcouce* (referred to as *casas de zungus* after 1860), vexing local authorities for myriad reasons. Not least among them, was the densely packed nature of habitation coupled with low standards of hygiene.<sup>76</sup> Associated with

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<sup>74</sup> This map illustrates the central parishes of Rio de Janeiro. Each of the parishes are color-coded. The Parish of Sacramento is blue, Santa Rita is peach, Santa Anna is green, and Candelária is yellow. Source: E. de la Michellerie, *A capital do Brasil* (S.I 1831), Map in Public Domain available at: <https://loc.gov/item/2001620476>.

<sup>75</sup> Acerbi, *Street Occupations*, 34-40.

<sup>76</sup> There does not seem to be a solid consensus on the definition of “zungú” and the term was loosely applied to any room or space where Black men and women met and interacted for any purpose. They also provided a space for sociability, faith, and culture. Police closely monitored

the “*classes perigosas*” of the city, dwellings such as the *cortiços* and *zungus* posed a two-pronged problem of public hygiene and social control.<sup>77</sup> *Zungus*, in particular, worried authorities and slaveholders alike as they were associated with safe haven for runaways, houses of worship for followers of Candomblé, and, perhaps most threatening, places where freedmen and slaves could congregate, dance, socialize, and plot.<sup>78</sup> To accommodate a great influx of immigrants *cortiços* proliferated throughout the city in the 1850s and 1860s. In areas such as the Cidade Velha, it was also quite common to find slaves residing in the *cortiços* as well. In many cases, enslaved persons rented the apartments directly, living independently from their masters.<sup>79</sup> Like many port cities of the time, Rio was also home to a diverse, thriving market in commercialized sex. By 1872, in a city of 274,972 residents, an estimated 1,171 women openly engaged in prostitution.<sup>80</sup> Ninety percent of these women resided within the four central parishes

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and frequently targeted *zungus* as meeting places that offered temporary shelter for runaway slaves and other suspected crimes.

<sup>77</sup> Sidney Chalhoub, *Cidade Febril: Cortiços e epidemias na corte imperial*, (São Paulo: Companhia das Letras, 1996) 11.

<sup>78</sup> See Juliana Barreto Farias, et.al, *Cidades Negras: Africanos, crioulos e espaços urbanos no Brasil escravista do século XIX*, 88-101. For more on *zungús* see Carlos Eugênio Libano Soares, *Zungú: rumor de muitas vozes* (Rio de Janeiro: Arquivo Público do Estado do Rio de Janeiro, 1998); Ynaê Lopes dos Santos, “Além da senzala: arranjos escravos de moradia no Rio de Janeiro, 1808-1850,” MA dissertation, Universidade de São Paulo, 2008; and Sandra Lauderdale Graham, *Proteção e obediência: criadas e patrões no Rio de Janeiro: 1860-1910* (São Paulo: Companhia das Letras, 1992).

<sup>79</sup> Chalhoub, *Cidade Febril*, 31.

<sup>80</sup> Ferraz de Macedo, *Da Prostituição em geral*, 144; Zephyr Frank and Whitney Berry, “The Slave Market in Rio de Janeiro circa 1869: Context, Movement, and Social Experience,” *Journal of Latin American Geography* 9:3 (2010): 85. It should be noted that this number does not include the higher end kept courtesans and mistresses but instead reflects the number of women engaged in the less respectable forms of prostitution.

of the city with nearly seventy percent located within the parish of Sacramento alone.<sup>81</sup> It is against this backdrop that this dissertation begins.

### Chapter Outline

The dissertation that follows is comprised of four chapters and a conclusion.

### Chapter One

The effective closing of the transatlantic slave trade, in 1850, created a ripple effect throughout the entire internal slave trade in Brazil. Due to these international changes coupled with shifts in economic production, the labor of able-bodied bondsmen and women was in high demand throughout the provinces of São Paulo and Rio de Janeiro. As trade routes shifted to meet this demand, new patterns and practices of enslavement emerged. Chapter One, “Where there is good business in slave girls”: Gender, Sexuality, and the Slave Market in Mid-Nineteenth Century Rio de Janeiro” examines this changing moment to trace a discernable flow of young, prime-aged females into the city of Rio de Janeiro arguing that traders and brokers intentionally sought to procure young women and girls for the city’s sexual economy. Many of these women would be destined for the city’s public sexual economy whereas others would be marketed and sold ostensibly for household labor as housekeepers and maids, but, would, in actuality end up engaging in sexual labor and the reproduction of intimate labor as concubines and short-term companions.

### Chapter Two

Chapter Two, “A night with Venus, and a lifetime with mercury”: Prostitution, Syphilis, and Regulation in a Nineteenth-Century Slave Society,” asks: what does the regulation of prostitution and sexual labor look like in a slave society? Based on a series of proposals

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<sup>81</sup> Ferraz de Macedo, *Da Prostituição em geral*, 144.

submitted by various Police Chiefs in the mid-nineteenth century, this chapter brings together the medical and legal debates about the need to regulate prostitution in the Corte. Inspired by their French counterparts, Brazilian legal authorities proposed a system of regulation based on registration, geographic restriction, and routine medical exams. However, despite their best efforts to generate support for legally enforceable regulations, public policy would never be paired with official legislation. Instead, as this chapter illustrates, the Brazilian approach to regulation would be fashioned out of the circulation of European ideas about regulation adapted to local realities. This chapter argues this outcome reflects the tensions between the desire for regulation, the demands for enslaved women's sexual labor, and the laws governing slavery.

### Chapter Three

Chapter Three, "The Women at the Window: Clandestine Prostitution and Intimate Labor Within the Household," is one of two chapters that specifically zooms in on the lives of the actual women who worked "at the window." Drawing upon a set of legal cases housed in the National Archive in Rio de Janeiro, this chapter focuses on women who engaged in clandestine prostitution soliciting their clients "na janela." Through these court cases, this chapter offers insight into enslaved women's day-to-day life, their clients and friends, and the mechanisms by which slaveholders sought to extract every last ounce of labor from their bodies. For these women, and countless others, engaging in prostitution was their primary form of labor, one that generated income and wealth for slaveholders as did any other form of work. However, they were often required to work as housekeepers and maids, frequently for single men. This form of labor demanded the reproduction of intimate, domestic labor with the expectation that their sexual labor and companionship was also included.

## Chapter Four

Chapter Four, “The Price of Freedom: Sex, Work, and Strategies for Manumission” shifts away from clandestine prostitution to explore the engagement of enslaved women in public prostitution. At the center of this chapter is the story of Corina, a young, enslaved woman from Bahia forced to labor within one of Rio de Janeiro’s more well-known brothels. Unlike the women in Chapter Three, Corina engaged in a clear form of public commercialized sexual labor that more closely aligns with modern definitions or expectations of prostitution. After two years of this arduous labor, Corina attempted to purchase her freedom from her owner, a notorious procuress of enslaved prostitutes. The ensuing case provides a glimpse into the dynamics between female slaveholders and their bondswomen as well as the fraught, personal nature of self-purchase and manumission while offering insight into Corina’s own expectations about fairness and freedom.

Taken together, these chapters ask us to reevaluate our assumptions about the relationship between the economy, slavery, and sexuality. Through these cases, a new dimension of the sexual economy of slavery begins to emerge, one that was predicated upon non-biologically reproductive sex and labor and extended into the realm of the intimate and personal. Slaveholders—both male and female—seized upon and exploited bondswomen’s sexuality for profit and pleasure not as an incidental function of slavery but a central, profitable part of the system.

Chapter One:  
“Where there is good business in slave girls:”  
Gender, Sexuality, and the Slave Market in Mid-Nineteenth Century Rio de Janeiro

In 1863, Maria Elenteria de Albuquerque purchased a young Brazilian-born girl named Honorata, registering the purchase with the provincial police of Bahia.<sup>1</sup> Soon thereafter, Albuquerque forced the young Honorata, aged twelve, into a life of sexual servitude. For six years, Albuquerque forced her to “receive visitors” nightly either by sitting “at the window” of a private home where she could solicit customers from the passers by on the sidewalks or through various stints at local brothels.<sup>2</sup> It is unclear when exactly Honorata and Albuquerque moved to Rio de Janeiro but documents show the two resided in the city by 1865. After relocating to Rio de Janeiro, Albuquerque continued to force Honorata to engage in prostitution while living off the profits of her sexual labor. Occasionally, Albuquerque would also rent Honorata out as a household servant to clean and wash clothing for others. At one point, Honorata lived with a young man who paid for her services, ostensibly as a household domestic though it is certainly not a stretch of the imagination to assume he was paying for the benefit of her sexual companionship as well.<sup>3</sup> After eight years under Albuquerque’s dominion, Honorata reached her

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<sup>1</sup> Honorata is listed as “*cabra*” on the official note registering her sale but she is also referred to as “*parda*” and “*criola*” throughout the document. These descriptions would be the product of the notary or official transcribing the documents. Juízo do Supremo Tribunal de Justiça, Revista Cível, defendant Maria Elenteria de Albuquerque, Rio de Janeiro, 1872, Arquivo Nacional Rio de Janeiro, Seção do Poder Judiciário, BU.0.RCI.69, Fl. 34. [Hereafter cited as ANSPJ; subsequent citations of court cases are cited by name of defendant and date of case]. Honorata and the details of her case are discussed in further detail in Chapter Three.

<sup>2</sup> Note on spelling: in the archival documents, the spelling “*janella*” appears most frequently; but the contemporary spelling uses “*janela*.” I employ the original spelling when quoting but the modern-day spelling otherwise.

<sup>3</sup> In the court case, witnesses insinuate that the young man was a lover of sorts though the relationship is not clarified any further. All we can discern for sure is that she resided with him



limits; suffering from deteriorating health and in “poor condition,” she presented herself to the court to demand her freedom.<sup>4</sup>

Prostitution was not illegal in Rio, therefore, Honorata’s lawyer constructed an argument that ultimately rested on abandonment. Honorata, he argued, had “lived as if she were a free person” spending the night away from home, providing for her own lodging, clothing, and food. In this way, he reasoned, Albuquerque neglected the duties of a responsible slaveholder leaving Honorata with no master. Therefore, her lawyer argued, Honorata was free by default and could not, according to the law, be re-enslaved.<sup>5</sup> In response, Albuquerque flatly denied forcing Honorata into prostitution. Instead, she strategically presented herself as a poor but respectable woman who barely managed to make ends meet.<sup>6</sup> In the documents, Albuquerque is described as a 43 year old widow, born in Bahia, who earned her income from washing clothes and

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with Albuquerque’s permission until he could no longer pay the monthly fee at which time Albuquerque demanded that Honorata return home.

<sup>4</sup> Maria Elenteria de Albuquerque, 1872, fl. 5v.

<sup>5</sup> Ibid., fl. 5v. According to Brazilian law, abandoned slaves without a discernable master were considered free and could not be re-enslaved. See Agostinho Marques Perdigão Malheiro, *A Escravidão no Brasil*, vol. 1 *Direito Sobre os Escravos e Libertos* (Rio de Janeiro: Typographia Nacional 1866), 123.

<sup>6</sup> In her study of enslaved prostitutes and the Free Womb Law of 1871, Sandra Lauderdale Graham develops a profile of women like Albuquerque who lived off the earnings of their enslaved women. She refers to these women as “small time mistresses,” or “small time owners,” as they often owned only one or two women a time. She ascertains that the majority of women who forced their bondswomen into prostitution were illiterate, poor, single or unmarried, and either immigrants from Europe or other regions of Brazil. See Graham, “Slavery’s Impasse: Slave Prostitutes, Small-Time Mistresses, and the Brazilian Law of 1871,” *Comparative Studies in Society and History* 33:4 (Oct. 1991): 669-694. Zephyr Frank confirms that in the mid-nineteenth century single women, while on average poorer than any other demographic, tended to own female slaves at a higher rate than men. Often, he notes, the labor of the slaveholding woman was tied to that of her bondswomen meaning that they both engaged in “gender-determined” labor such as laundering or sewing. This logic could likewise be extended to include prostitution. See Frank, *Dutra’s World: Wealth and Family in Nineteenth-Century Rio de Janeiro* (Albuquerque: University of New Mexico Press, 2004), 160.

occasionally renting out her enslaved woman Honorata. However, she claimed, she only ever rented her out to “decent persons” and “honorable families.”<sup>7</sup> As the case between Honorata and Maria Elenteria de Albuquerque unfolds, so too does the clandestine world of slavery’s sexual economy.

Honorata’s story is unique for its visibility and the rich details it provides about her life under slavery. Certainly, one woman’s life cannot stand in for a legion of women who undoubtedly endured similar experiences. But her story, which connects Bahia to Rio de Janeiro, is suggestive of broader practices and links between slavery, sex, and economic markets that carried a wave of young women from the provinces to the brothels of the Capital. This traffic in women has long been overshadowed by a focus on the reorganization of the internal slave trade to accommodate the demand for labor in the coffee growing regions of Brazil in the nineteenth century. But it has also been cloaked by historians’ tendency to isolate studies of sex and sexuality from studies of labor and economic markets. As the story of Honorata illustrates, the contours of this specialized traffic in women are difficult, but not impossible to discern. Throughout the last half of the nineteenth century, we can more fully see how the labor of enslaved women undergirded the market for sexual intimacy particularly in the form of enslaved women stationed at the window, in the parlor rooms of the city’s brothels, and in the pages of the local newspapers. While the plantations demanded strong arms and backs to tend the coffee crops, the Capital continued to demand female labor that, in turn, generated a lucrative urban market where sex, intimacy, and domesticity were commodified.

In this chapter I argue that, following the rapid changes and internal reorganization of the enslaved population in Brazil following the effective closing of the transatlantic slave trade in

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<sup>7</sup> Maria Elenteria de Albuquerque, 1872, fl. 69v.

1850, we can discern an intentional funneling of young, enslaved girls and women (generally between 12-20 years old), into the capital, many of whom were destined for the city's sexual economy. In this period, a steady flow of young, prime-aged enslaved women were brought to the capital from the northeastern provinces, particularly Bahia, Pernambuco, and Ceará.<sup>8</sup> These young women were plucked from the local markets and sent to Rio de Janeiro. Some women arrived with their masters, like Honorata; others were awaited by a buyer who had already contracted with a particular trader to procure fresh, young women for their brothels. Perhaps more often, the women entered the market through the ads placed by traders, brokers, and auction houses who advertised their wares in a coded, sexually-charged language that signaled particular desirable qualities for young women in much the same way that a bondspersons advertised as being sold "*fora da terra*" signaled to buyers that the individual was likely being sold as punishment thus implying bad behavior or potential liability.<sup>9</sup>

While we cannot know for sure the exact number of women trafficked into the city explicitly for sex work from mid-century on, medical and legal authorities noted an marked uptick in prostitution in the city as well as the increased visibility of large numbers of enslaved

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<sup>8</sup> This pattern and trend is confirmed by Robert Slenes, Richard Graham, and Sandra Lauderdale Graham. Slenes and Graham draw on the quantitative data of the internal trade more broadly whereas Lauderdale Graham builds her assessment off of manumission letters. Her conclusions will discussed at further length elsewhere in this chapter. See Robert Slenes, "The Brazilian Internal Slave Trade, 1850-1888: Regional Economies, Slave Experience, and the Politics of a Peculiar Market," in *The Chattel Principle: Internal Slave Trades in the Americas*, ed. Walter Johnson (New Haven: Yale University Press, 2004): 325-370; Richard Graham, "Another Middle Passage? The Internal Slave Trade in Brazil," in *The Chattel Principle: Internal Slave Trades in the Americas*, ed. Walter Johnson (New Haven: Yale University Press, 2004): 2921-324; and Lauderdale Graham, "Slavery's Impasse," 669-694.

<sup>9</sup> Mary Karasch, *Slave Life in Rio, 1801-1850* (Princeton: Princeton University Press, 1987), 50. According to Karasch, slaves feared being sold outside the city and that masters would use the threat (and practice) of sale outside the city to punish rebellious or defiant slaves.

women who were placed “at the window” and in the city’s brothels.<sup>10</sup> I also argue that we should include women who were bought or hired out as *mucamas* and housekeepers in this number as it is impossible to neatly separate a woman’s sexual labor (or potential for) from these particular occupations.

Despite the open nature with which buyers and sellers conducted their business, archival evidence concerning this specialized trade is scant, at best, but not altogether impossible to find.<sup>11</sup> By reconstructing evidence from an array of different sources including newspapers, medical discourse, notarial records, and legal documents, it is possible to discern the contours and outlines of an internal trade motivated by the demand for prostitution and other forms of sexual labor in the city. Contemporary observers attested to these patterns, as did at least one local trader. Moreover, a careful reading of newspaper sale ads helps us reconstruct the local slave market highlighting the prominent numbers of young, prime aged, attractive women. Through these ads, the sexual and financial economies of the slave trade come together to illustrate how deeply sexuality was embedded in the commodification of enslaved women. Enslaved women purchased as maids, cooks, nannies, or outright for prostitution illustrates the extent to which non-procreative and intimate labor bolstered the sexual economy—and therefore

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<sup>10</sup> One of the earliest commentaries on the number of enslaved prostitutes was published in 1845 by Dr. Herculano Lassance Cunha. See Lassance Cunha, “A prostituição em particular na cidade do Rio de Janeiro” (Ph.D. diss., Faculdade de Medicina do Rio de Janeiro, 1845). Following his work, we see the steady growth of a preoccupation with the regulation of prostitution and the involvement of enslaved women. Chapter Two will address these issues further.

<sup>11</sup> I have identified a number of individuals and firms that I suspect or are directly linked to trafficking specifically in women for prostitution and other forms of sexual labor. I had hoped to conduct further research into trader’s records and documents in the Spring of 2020 but due to Covid-19 and travel restrictions, I was unable to conduct further archival research in Brazil. In her work, Lauderdale Graham suggests that the trading firm Duarte, Fonseca and Company was known for procuring women for prostitution. See Lauderdale Graham, “Slavery’s Impasse,” 671-2.

the broader economy—of slavery in nineteenth-century Rio de Janeiro. Taken together, these elements suggest just how deeply intertwined enslaved women’s non-generative sexual labor was with the broader economy of slavery. Sex and intimacy became a commodifiable good marketed and sold like any other commodity. Moreover, this was a form of labor that could be repeatedly sold to generate capital in the short-term for slaveholders and required minimal investment. In this way, the purchase of one enslaved woman could yield years of labor and income for their owner. It is this interplay of sex and markets that helps to shed light on the spectrum of intimate labor that undergirded the sexual economy of slavery in nineteenth-century Rio de Janeiro.

After years of negotiation hoping to secure Brazilian support of the abolition of the transatlantic slave trade, the British finally succeeded in contracting a treaty with Brazil making it illegal for any Brazilian subjects to engage in the overseas slave trade. The treaty, set to take effect three years after its ratification in March 1827, guaranteed an absolute end to the transatlantic trade without exception.<sup>12</sup> British abolitionists hoped that by stemming the flow of bodies across the Atlantic, that slavery would soon go into decline and extinguish itself forever. In November 1831, the Brazilian General Assembly approved legislation that not only meant to end the Atlantic slave trade but also mandated the liberation of any Africans who arrived on Brazilian soil after 1831. While there was an initial decrease in trafficking, the Brazilian government took few meaningful measures to prevent smuggling or to seize illegal cargoes.<sup>13</sup> This law, known as the Lei Feijó-Barbacena, eventually became known by another name, “*a lei*

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<sup>12</sup> Beatriz G. Mamigonian, *Africanos Livres: A abolição do tráfico de escravos no Brasil* (São Paulo: Companhia das Letras, 2017), 60.

<sup>13</sup> Sue Peabody and Keila Grinberg, eds., *Slavery, Freedom, and the Law in the Atlantic World: A Brief History with Documents* (Boston: Bedford, 2007), 148.

*para ingles ver*,” or “the law for the English to see,” as it soon became apparent that Brazilian commitment to upholding the law was far from stringent.<sup>14</sup> Moreover, as historian Beatriz Mamigonian argues, neither the end of the Atlantic trade nor the law of 1831 successfully guaranteed illegally imported Africans freedom.<sup>15</sup> Despite British patrolling of Atlantic waters Brazilian ships continued to ply the waters between the coasts.<sup>16</sup> Nevertheless, the initial prohibition of the transatlantic trade, in 1831, reverberated throughout Brazilian society with social, economic, and political implications giving rise to other new forms of illegal and contraband trade.

Ample evidence suggests that when there is a will, there is a way. In other words, despite Imperial commitment to abolishing the trans-Atlantic traffic, the trade proved lucrative enough that less-risk averse sailors, captains, traders, and traffickers worked to smuggle Africans onto the Brazilian shore. Historian Jeffrey Needell notes that the 1831 law drove the older, established traders in cities like Rio de Janeiro and Salvador out of the business to be replaced with

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<sup>14</sup> For the relevant text of this law in English see Ibid, 149.

<sup>15</sup> Mamigonian, *Africanos Livres*, 155-164. Mamigonian argues that the lack of commitment to prosecuting illegal cargos and enforcing the law resulted in most of the illegally imported Africans remaining in a *de facto* enslavement. Some were able to sue for their freedom but more frequently, these individuals’ labor would be granted to either individuals or public institutions resulting in conditions that mirrored slavery or indentured labor. Together, the lack of legal enforcement and the favoring of slaveholders’ needs overrode Africans’ rights to freedom. For more on the labor conditions of these “freed” Africans see Chapters 4 and 5, specifically.

<sup>16</sup> After 1845, under the Aberdeen Act, the British claimed the right to intervene in Brazilian commerce insofar as it was related to slaving in the Atlantic. They claimed authority to arrest and try any Brazilian slavers in British courts. This direct aggression resulted in the interception and arrest of several Brazilian vessels as well as the stationing of Royal Navy ships off the coast of Brazil threatening further action if the Brazilians did not adhere to their promise to suppress the trans-Atlantic trade. Leslie Bethell, *The Abolition of the Brazilian Slave Trade: Britain, Brazil, and the Slave Question* (Oxford: Oxford University Press, 1970), 177-179.

Portuguese merchants residing in Brazil.<sup>17</sup> In other instances, ship captains attempted to disembark their cargo along sandy beaches in the middle of the night in order to avoid detection, a risky endeavor that could, and often did, result in shipwreck. As historian Thiago Campos Pessoa details, from the 1830s on, illegal traffickers had created actual infrastructure such as small farms, sheds, and baracoons to facilitate their clandestine trade along the northern shores of São Paulo.<sup>18</sup> Through collaboration with others, they created what he calls “new slave ports” that were linked to ranches and farms in the interior.<sup>19</sup> Slavers who could count on the protection and cover of local authorities did not bother hiding their activities and offloaded their contraband cargo in broad daylight.<sup>20</sup> Given the illicit nature of these importations and landings, many of the disembarkations were not properly recorded; however, Beatriz Mamigonian estimates that between 1830 and 1856, roughly 800,000 Africans illegally disembarked on Brazilian shores.<sup>21</sup> As a result, it is difficult to discern exactly how many Africans forcibly arrived during this period. These are only the *known* cases suggesting the actual number of illegal importations could be considerably higher.

After nearly two decades of tense diplomatic relations, in September 1850, Brazilian authorities passed the Law 581 known as the Lei Eusébio de Queiroz after its author and

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<sup>17</sup> Jeffrey D. Needell, “The Abolition of the Brazilian Slave Trade in 1850: Historiography, Slave Agency, and Statesmanship,” *Journal of Latin American Studies* 33:4 (Nov. 2001): 686.

<sup>18</sup> Thiago Campos Pessoa, “Sobre o que se quis calar: o tráfico de africanos no litoral norte de São Paulo em tempos de pirataria,” *História* 39 (2020): 1-30. See also Marcus Carvalho, “O desembarque nas praias: O funcionamento do tráfico de escravos depois de 1831,” *Revista de História* São Paulo 167 (2012): 223-260 and “O patacho *Providência*: Política, justice, e redes depois da lei antitráfico de 1831,” *Varia Historia* Belo Horizonte 30:54 (2014): 777-806.

<sup>19</sup> Pessoa, “Sobre o que se quis calar,” 4.

<sup>20</sup> Luiz Carlos Soares, “Urban Slavery in Nineteenth Century Rio de Janeiro” (Ph.D. diss., University College London, University of London, 1988), 55.

<sup>21</sup> Mamigonian, *Africanos Livres*, 20.

Brazilian Minister of Justice. The law did not override or repeal the law of 1831 but built upon those foundations to effectively and meaningfully suppress the transatlantic trade by further imposing significant fines upon those caught trafficking or trading in persons born in Africa. “Any Brazilian vessels found anywhere and foreign vessels found in ports, inlets, at anchor, or in the territorial waters of Brazil with slaves on board...or having landed them” would be apprehended and arrested by the authorities and “considered to be slave importers.”<sup>22</sup> All such individuals were to be punished for engaging in piracy as defined in the Criminal Code.<sup>23</sup> Any crew caught assisting in the disembarkation of slaves in Brazilian territory would likewise be held accountable. As for the apprehended Africans, the law stipulated that they be “re-exported...to the ports from which they came” or to any point outside of the Empire.<sup>24</sup> In the event that individuals could not be returned, they fell under the care and guidance of the Imperial government—a noticeable departure from an earlier policy that allowed them to be placed with private individuals.<sup>25</sup> This meant that liberated Africans who remained in Brazil would be

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<sup>22</sup> Lei No. 581, 4 September 1850, “Estabelece medidas para a repressão do trafico africanos neste Império,” Article 1. Accessed online at Planalto, [http://www.planalto.gov.br/ccivil\\_03/leis/lim/lim581.htm](http://www.planalto.gov.br/ccivil_03/leis/lim/lim581.htm)

<sup>23</sup> Ibid, Article 4. Also see Lei de 16 de Dezembro de 1830, Código Criminal do Império do Brasil, Articles 82 and 84 for the full verbiage related to and defining acts of piracy.

<sup>24</sup> Ibid, article 6.

<sup>25</sup> Ibid. There is a long history of Africans being “returned” or returning to Africa from Brazil. After the Malê uprising in 1835, Bahian authorities mandated the deportation of guilty African freedmen. Similar measures were adopted in Rio de Janeiro as well. Others returned of their own accord. See João José Reis, *Slave Rebellion in Brazil: The Muslim Uprising of 1835 in Bahia*, trans. Arthur Brakel (Baltimore: The Johns Hopkins University Press, 1993); Manuela Carneiro da Cunha, *Negros, Estrangeiros: Os escravos libertos e sua volta à África* (São Paulo: Companhia das Letras, 2012); J. Michael Turner, “Les Bresiliens: The Impact of Former Brazilian Slaves upon Dahomey,” (Ph.D. diss, Boston University, 1975); Robin Law, “Yoruba Liberated Slaves Who Returned to West Africa,” in *The Yoruba Diaspora in the Atlantic World*, ed., Toyin Falola and Matt D. Childs, (Bloomington: Indiana University Press, 2004): 349-365; and Lisa Earl Castillo, “Mapping the nineteenth-century Brazilian Returnee Movement: Demographics, Life Stories, and the Question of Slavery,” *Atlantic Studies* 13:1 (2016): 25-52.



employed by public institutions in public works throughout the Corte as well as the provinces.<sup>26</sup>

According to Beatriz Mamigonian, within the first few months following the decision in September 1850, thousands of Africans were seized and nominally liberated.<sup>27</sup> Between September 1850 and the early months of 1854, the Auditoria de Marinha do Rio de Janeiro recorded the apprehension and emancipation of 2,246 Africans, 1,258 of which were seized on land.<sup>28</sup>

During the first half of the nineteenth century, over 1.7 million Africans disembarked in Brazilian ports—primarily those of Rio de Janeiro and Salvador, Bahia. After the passage of the Quiroz Law, records estimate that 36,516 souls arrived between the years of 1850 and 1859, a meager drip in comparison to previous decades.<sup>29</sup> The transatlantic trade may have slowed to a trickle but bonded labor remained deeply entrenched in—and central to—the Brazilian political economy. Few were seriously concerned about abolishing the institution altogether and, writes

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On the placement of freed Africans in Brazil see Beatriz G. Mamigonian, *Africanos Livres: A abolição do tráfico de escravos no Brasil* (São Paulo: Companhia das Letras, 2017), particularly Chapters 7 and 8; and Mamigonian, “In the Name of Freedom: Slave Trade Abolition, the Law and the Brazilian Branch of the African Emigration Scheme (Brazil-British West Indies, 18302-1850s,” *Slavery and Abolition* 30:1 (March 2009): 41-66.

<sup>26</sup> Mamigonian, *Africanos Livres*, 284. For a first-hand account on the treatment of “free” Africans see Agostinho Marques Perdigão Malheiro, *Escravidão no Brasil: Ensaio historico-juridico-social*, 2 vols. (Sao Paulo: Edicoes Cultura, 1944) vol. II, 70-72. Perdigão Malheiro, a preeminent Brazilian legal historian, served as a guardian for a number of free Africans. These individuals, he argued, still endured great mistreatment, in part, stemming from their color and association with slavery. Therefore, it is questionable as to what liberation represented or meant for these individuals. See also Sidney Chalhoub, *A força da escravidão: ilegalidade e costume no Brasil oitocentista* (São Paulo: Companhia das Letras, 2012).

<sup>27</sup> Mamigonian, *Africanos Livres*, 284.

<sup>28</sup> Ibid, 287.

<sup>29</sup> For example, between 1810 and 1819, 433,868 Africans disembarked. Between 1820 and 1830, 493,328 Africans disembarked. The post-1850 number is certainly higher due to clandestine and illegal trafficking but these are the only disembarkations on record. See [slavevoyages.org](http://slavevoyages.org).

historian Robert Conrad, “more than a decade of near silence” concerning the “slavery question” followed the closing of the transatlantic trade. Instead, traffickers, traders, and slaveholders became preoccupied with a more pressing concern: a labor shortage in export crop producing regions, specifically the provinces of Rio de Janeiro and São Paulo where coffee cultivation was booming. As the price and demand for bondspersons rose, the existing internal trade routes began to rapidly undergo massive reorganization and rerouting.<sup>30</sup>

According to historian Robert Slenes, two relatively autonomous regional markets comprised the post-1850 internal trade.<sup>31</sup> These two markets were loosely organized around Bahia and Pernambuco in the Northeast and the other in the Center-South that encompassed Rio de Janeiro and São Paulo.<sup>32</sup> It was not uncommon for slaves from the northeast to enter the markets further south but after 1850, the number began to quickly increase. For example, Conrad reports that in the early months of 1852, a recorded 1,660 slaves entered the market in Rio de Janeiro, of those, 1,376 were from ports in the northeast.<sup>33</sup> With the end to the trans-Atlantic

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<sup>30</sup> It was always commonplace for slaves to be shifted or sold to whatever regions where they were needed but this occurred on a different scale prior to 1850. With the constant influx of Africans, routes tended to extend from port cities into the provinces. However, there did exist an internal market and trade for African and Afro-descended slaves and enslaved Indigenous laborers. See Luiz Carlos Laurindo Junior e José Maia Bezerra Neto, “Alguns vêm de lá, outros de cá: A Amazônia no tráfico interno brasileiro de escravos (século XIX),” *História São Paulo* 37 (Sept. 2018); Laird W. Bergad, *Slavery and the Demographics and Economic History of Minas Gerais, 1720-1888* (Cambridge: Cambridge University Press, 1999); John Manuel Monteiro, *Negros da terra: Índios e bandeirantes nas origens de São Paulo* (São Paulo: Companhia das Letras, 1994).

<sup>31</sup> Slenes, “The Brazilian Internal Slave Trade,” 327.

<sup>32</sup> The Northeast trade included the provinces of Bahia, Pernambuco, Sergipe, Alagoas, Paraíba, Piauí, and Rio Grande do Norte, the historically sugar-bearing regions. The Center-South included São Paulo, Minas Gerais, the Corte, Rio de Janeiro, and Espírito Santo. Here I employ the same geographic categorization as Slenes who draws these geographic parameters from the Brazilian Ministry of Agriculture. See *Ibid.*, 326.

<sup>33</sup> Robert Conrad, *The Destruction of Brazilian Slavery 1850-1888* (Berkeley: University of California Press, 1972), 49.

trade these two markets converged with slaves from the northeast forcibly migrating South to the coffee plantations of Rio de Janeiro and São Paulo provinces. This southward movement, Robert Conrad notes, continued from 1851 until 1881.<sup>34</sup>

The closing of the transatlantic trade and the reorganization of slavery reveal new patterns and trends in the internal trafficking of slaves. Foreshadowing events in the South of Brazil, the British Consul at Recife, H. Augustus Cowper warned that if the internal trade was allowed to progress as it was going, the toll would be enormous on the surrounding provinces for “man-stealing, the sale of children by their parents, and all the horrors of which we read as occurring in Africa, will be re-enacted here.”<sup>35</sup> Indeed, he was not wrong in his assessment that the heightened demand for labor combined with a steep rise in profit would lead to new patterns of enslavement, particular in the form of “man-stealing” and the illegal enslavement of free and freed persons.<sup>36</sup>

The kidnapping of free and freed persons of color was by no means a new phenomenon; however, after 1850, it was increasingly difficult for authorities to look the other way. In her analysis of 402 freedom lawsuits from the Court of Appeals of Rio de Janeiro, Keila Grinberg found that nearly 30% of the cases involved individuals trying to reassert and maintain their

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<sup>34</sup> Ibid, 48. For a closer examination of the internal trade’s impact on the province of São Paulo see José Flávio Motta, *Escravos daqui, dali e de mais além: O tráfico interno de cativos na expansão cafeeira paulista* (São Paulo: Alameda Casa Editorial, 2012).

<sup>35</sup> H. Augustus Cowper, *Class B Correspondence on the Slave Trade...From April 1, 1856 to March 31, 1857* (London: 1857): 246, 261; cited in Robert Conrad, *Children of God’s Fire: A Documentary History of Black Slavery in Brazil* (Princeton: Princeton University Press, 1983), 353.

<sup>36</sup> See Judy Bieber Freitas, “Slavery and Social Life: Attempts to Reduce Free People to Slavery in the Sertão Mineiro, Brazil, 1850-1871,” *Journal of Latin American Studies* 26:3 (Oct. 1994): 605-609. See also Chalhoub, *A força da escravidão: ilegalidade e costume no Brasil oitocentista* (São Paulo: Companhia das Letras, 2012).

freedom.<sup>37</sup> Only a small number of bondspersons had access to the court systems; yet, despite the comparatively small numbers, re-enslavement cases represented a not insignificant portion. Therefore, from this sampling of cases, Grinberg suggests that re-enslavement was not only widespread but also fairly successful well into the nineteenth century. The fact that the burden of proof primarily rested upon the enslaved further complicated escape.<sup>38</sup> Historian Judy Bieber Freitas' work on northern Minas Gerais confirms that by 1859 authorities were well aware of the uptick in illegal enslavement. Freitas details how traffickers procured free people of color through simple abduction or plying free children of color with gifts before selling them into the hinterlands.<sup>39</sup> Such blatant forms of illegal bondage occurred throughout Brazil while giving rise to more novel forms of kidnapping.

In her examination of slavery and freedom along the southern border of Brazil, Grinberg brings to the fore a "new form" of slave trafficking that emerged in the wake of the abolition of the trans-Atlantic trade. Brazilian slave catchers scoured the region along Brazil's southern border with Uruguay and Argentina—two nations that recently committed to the full abolition of slavery—looking for Afro-descended individuals who they could persuasively argue were fugitives or runaways and thus eligible to be dragged back into bondage. Notably, this new form of trafficking primarily affected free women and children.<sup>40</sup>

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<sup>37</sup> Keila Grinberg, "Re-enslavement, Rights, and Justice in Nineteenth-Century Brazil," *Translating the Americas* 1 (2013): 144-5.

<sup>38</sup> Bieber Freitas, "Slavery and Social Life," 598.

<sup>39</sup> Ibid, 598-599. Bieber Freitas notes that this practice persisted until the early 1870s when new forms of registering bondspersons made it more difficult to traffic in illegally enslaved persons.

<sup>40</sup> Keila Grinberg, "The Two Enslavements of Rufina: Slavery and International Relations on the Southern Border of Nineteenth-Century Brazil," *Hispanic American Historical Review* 96:2 (2016): 259-290. The kidnapping and selling of freed persons into slavery was widespread throughout the Americas. Grinberg's work is unique in its focus on the international dimensions of the problem and the ways in which the kidnapping of freed persons created diplomatic

Grinberg does not speculate as to why women and children were disproportionately represented in these cases; however, it stands to reason that by enslaving children, slaveholders were potentially purchasing decades of productive labor. While women, on the other hand, held even greater financial potential than their young or male counterparts as their reproduction was multi-dimensional and realized not just in the coffee fields or on the sugar plantations but through the beds and nurseries of slaveholders.<sup>41</sup> Thanks to a system predicated upon the tenets of *partus sequitur ventrem*, any child born to an enslaved mother entered the world as chattel thus increasing her owner's property and future wealth. The momentous Rio Branco Law, the *Lei do Ventre Livre*, would not be passed until 1871 and so, in 1850, *partus sequitur ventrem* was still the law of the land making female slaves all the more lucrative as the regeneration and reproduction of Brazilian slavery rested on their shoulders. Historically, Brazil's enslaved population was replenished via the transatlantic trade and not through natural increase; nevertheless, as Jeffrey Needell argues, according to at least one party insider, Brazilian

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tensions between Brazil and its neighbors. On the kidnapping of freed persons in the Americas, see Solomon Northup, *Twelve Years a Slave: Narrative of Solomon Northup, a Citizen of New York, Kidnapped in Washington City in 1841, and Rescued in 1853* (London: Sampson Low, Son & Company, 1853); Carol Wilson, *Freedom at Risk in America, 1780-1865*, (Lexington: The University Press of Kentucky, 1994); Lucy Maddox, *The Parker Sisters: A Border Kidnapping* (Philadelphia: Temple University Press, 2016); and Jonathan D. wells, *The Kidnapping Club: Wall Street, Slavery, and Resistance on the Even of the Civil War* (New York: Bold Type Books, 2020).

<sup>41</sup> Studies of gender and sale prices in the US illustrate that childbearing women often commanded similar, and at times higher, prices than their male counterparts. There is large and growing scholarship that focuses on the economics of enslaved female fecundity in the Americas. In particular, the work of Daina Ramey Berry interrogates how traders and buyers assessed women's fertility and their potential for future economic increase via reproduction. See Berry, *The Price for Their Pound of Flesh: The Value of the Enslaved, from Womb to Grace and the Building of a Nation* (Boston: Beacon Press, 2017) and Berry, "'We'm Fus' Rate Bargain: Value, Labor, and Price in a Georgia Slave Community," in *The Chattel Principle: Internal Slave Trades in the Americas*, Walter Johnson, ed. (New Haven: Yale University Press, 2004): 55-71.

policymakers believed that the existing population of bondspersons could, through greater attention to health and care, reproduce and sustain itself in numbers large enough to support the needs of the economy.<sup>42</sup> Indeed, it was no secret that slaveholders believed “the most productive feature of [female] slave property is the generative belly.”<sup>43</sup> Yet in the city it could be difficult for many enslaved persons to form stable, long-term relationships and families, therefore, in the absence of frequent reproduction and childbirth, urban slaveholders found new ways to exploit the sexuality of their bondswomen through the deliberate commodification and marketing of young women for non-generative sex such as prostitution and other forms of intimate labor such as concubinage and wet-nursing. The demand for prostitution and intimate labor remained high throughout the last half of the nineteenth century and offered a means by which slaveholders

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<sup>42</sup> Needell, “The Abolition of the Brazilian Slave Trade,” 703-704. Needell cites an article published in *O Brasil* by Justiniano José da Rocha, the chief publicist and personal acquaintance of several party members of the Party of Order (the future Conservative Party). Da Rocha, Needell argues, could be trusted to speak for the party and accurately represent its interests. See *O Brasil* 16 July 1850. Martha S. Santos confirms that the need for female reproduction became a central concern for slaveholders as early as 1831, with the initial suppression of the slave trade. The suppression of the trade created an increased concern with the legal enforcement of *partus sequitur ventrem*. See Martha S. Santos, “Mães escravas,” *partus sequitur ventrem, e a naturalização da reprodução escrava no Brasil oitocentista*, *Tempo* 22:41 (Sept./Dec. 2016): 467-487. Despite beliefs that the enslaved population would sustain and reproduce itself, in fact, it did not, at least not at very high rates. It does not appear that any meaningful measures were taken or enforced by the Crown to ensure the better treatment and health of the enslaved. See Robert Conrad, *The Destruction of Brazilian Slavery, 1850-1888* (Berkeley: University of California Press, 1972): 24-27. For recent discussions about fertility control see: Cassia Roth, “Reproducing Slavery in Nineteenth-Century Rio de Janeiro,” *UCLA Historical Journal* 24:1 (2013): 1-12; and Emily West and Erin Shearer, “Fertility Control, Shared Nurturing, and Dual Exploitation: The Lives of Enslaved Mothers in the Antebellum United States,” *Women’s History Review Special Issue Mothering Slaves: Motherhood, Childlessness and the Care of Children in Atlantic Societies* 27:6 (2018): 1006-1020.

<sup>43</sup> Joaquim Nabuco quoting farmers in Pirahy. Nabuco, *O Abolicionismo* (London: Abraham Kingdon e Co. 1883), 143.

could generate immediate, short-term income.<sup>44</sup> As able-bodied laborers flowed towards the coffee plantations of São Paulo and Rio de Janeiro, young women continued to flow towards the capital.

### The Trade in Women

It was no secret that Brazilian men frequently purchased young women for sexual companionship and pleasure. Dr. José de Goes e Sequeira Filho—a doctor with the Hospital da Misericórdia and Casa de Saúde de Santa confirmed this “sad truth,” that there were “individuals who buy young [female] slaves to turn into temporary lovers while their charms and pleasures of their age can be enjoyed.”<sup>45</sup> Once these young women aged out of their “charms” (and by extension, desirability) “with the same cold blood with which they went to the market to look for their victims,” such owners would “dispose” of their former lovers.<sup>46</sup> Moreover, as “incredible” as it might seem, the doctor lamented, these men would just as easily send their own offspring, born from this coursed sexual labor, to the market alongside their mothers.<sup>47</sup> In other cases, he notes, ex-concubines or bed-slaves were simply turned out for prostitution. In this way,

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<sup>44</sup> This would certainly be the case after the ratification of the Rio Branco Free Womb law in 1871. On the formation and maintenance of family, Robert Slenes shows that there was a higher rate of family formation in plantation zones or areas where there were larger, more stable populations of enslaved people. See Slenes, “The Demography and Economics of Brazilian Slavery: 1850-1888,” (Ph.D. diss., Stanford University, 1976); and Slenes, “Black Homes, White Homilies: Perceptions of the Slave Family and of Slave Women in Nineteenth-Century Brazil,” in *More than Chattel: Black Women and Slavery in the Americas*, ed. David Barry Gaspar and Darlene Clark Hine (Bloomington: Indiana University Press, 1996): 126-146.

<sup>45</sup> Dr. José de Goes e Sequeira Filho, “A Prostituição na Cidade do Rio de Janeiro: Necessidade de medidas e regulamentos contra a propagação da syphilis,” *Estudos sobre hygiene publica* Vol. 1 (Bahia: Typographia Constitucional, 1875), 53.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

prostitution, Sequeira Filho argued, was “the twin sister of slavery;” the two went hand in hand and the system of slavery itself facilitated such brutal and exploitive transactions.<sup>48</sup>

This practice, Siqueira Filho suggested, was not without precedence. In Ancient Rome, he explained, there was a specific market for enslaved women who engaged in prostitution. Only the bondswomen who had been earmarked for such labor were allowed to work in brothels or engage in the exchange of sex for money. Thus, he stated, the law forbade masters from casually forcing their enslaved women into prostitution. However, in Brazil, “neither laws nor customs placed barriers to the libidinous and savage instincts of certain masters.”<sup>49</sup> Therefore the broader Brazilian slave market was a market in flesh and potential sexual labor. Moreover, Siqueira Filho confirmed the northern provinces as the primary source of the newly arrived young women. It was “the northern provinces,” he stated, that “constantly fill the markets in the south with slaves and Rio de Janeiro is today our Cyprus where there is good business in slave girls.”<sup>50</sup> Perhaps a more relevant comparison would have been the fancy trade that flourished throughout the Southern United States in the antebellum period.

In the US South, traders and buyers employed the term “fancy” in reference to any woman deemed suitable for sex and male pleasure. The term suggested a set of qualities: light-skinned, young, healthy, pretty, flashy or eye-catching, always desirable and coveted. The “fancy” became a type, a woman to be bought and sold exclusively with sexual labor in mind. These women were destined for the beds of the slaveholding men who could afford to buy them. Indeed, these women could be very costly to purchase. In his examination of the records of several US trading firms, historian Edward Baptist reveals that it was quite common for

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<sup>48</sup> Ibid, 55.

<sup>49</sup> Ibid, 56-7.

<sup>50</sup> Ibid, 53.



“fancies” to sell for at least twice the price of healthy female field hand.<sup>51</sup> One “Yellow Girl” (yellow being a term used for a light-skinned person of African and European descent) sold for an exceptionally high price owing to the fact that she had been raised in the household of a “respectable” family thus preparing her to mimic the role of a white wife or proper lady in the parlor.<sup>52</sup> The sale of such women, as one trader suggested, was extremely lucrative and in high demand, so much so that he joked about specializing in the outright sale of coerced sex instead of the one-time wholesale transactions.<sup>53</sup>

For traders, a beautiful, light-skinned woman meant increased profits as well as an opportunity for their own sexual gratification as traders were notorious for exercising a perverse entitlement and power over enslaved women.<sup>54</sup> These men, Edward Baptist argued, “passionately wanted ‘mulatto’ women...as bodies to rape and bodies to sell.”<sup>55</sup> One escaped man lamented the fate of any woman sold south, remarking that the Southern slave pen was “only another name for a brothel.”<sup>56</sup> For the buyer, it was the ability to purchase the right to sexually violate a particular kind of woman that the market deemed particularly desirable. For the “fancy maids”

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<sup>51</sup> Edward Baptist, “‘Cuffy,’ ‘Fancy Maids,’ and ‘One-Eyed Men’: Rape, Commodification, and the Domestic Slave Trade in the United States,” *American Historical Review*, 106, no 5 (Dec., 2001):1633, 1644. See also Alexandra J. Finley, *An Intimate Economy: Enslaved Women, Work, and America’s Domestic Slave Trade* (Chapel Hill: University of North Carolina Press, 2020), 19-45.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid, 1619.

<sup>54</sup> For a discussion on how traders discussed and exercised this power, see *ibid*,1619-20.

<sup>55</sup> Ibid, 1620.

<sup>56</sup> John Brown, *Slave Life in Georgia: A Narrative of the Life, Sufferings, and Escape of John Brown, a Fugitive Slave* Ed. F.N. Boney (Savannah: Beehive Press, 1991), 96-98 cited in Finley, 25.

themselves, their light skin and enslaved status condemned them to systematic rape and sexual abuse as bed slaves and concubines.

The antebellum taste for fancies stemmed from a longer history of white supremacy predicated upon the mastery and domination of Black female bodies, a history that is visible throughout all slaveholding societies in the Atlantic world. Baptist, though, takes his analysis a step further to suggest that the market for fancies and other such light-skinned, mixed-race women was a specific, historical form of sexual fetishism wedded with commodity fetishism. By engaging in sexual acts with “bodies marked by their own power as a class,” Baptist argues, these men reinforced and reenacted their own power as a class. Power without restraint proved to be a lucrative aphrodisiac. Certainly all enslaved women were subjected to unwanted sexual advances, harassment, or rape; it was, as Baptist notes, an all too common “everyday wound inflicted upon people bought and sold as commodities.”<sup>57</sup> Yet the fancy trade is a stark example of the ways in which traders sought to (and successfully did) commodify, package, and sell sex outright.<sup>58</sup> To paraphrase Baptist, this form of commodity fetishism underscores how closely the slave trade intertwined intimacy, sex, desire, and power. Sexuality infused the vision of traders and buyers alike speaking to how deeply coerced sex was embedded in the slave trade itself.

The records of U.S. slave traders are a rich trove of documents that provide exceptional insight into how demand shaped supply as well as how traders overtly shaped the market. I am

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<sup>57</sup> Baptist, “‘Cuffy,’ ‘Fancy Maids,’ and ‘One-Eyed Men,’” 1643.

<sup>58</sup> For other examples of how traders and slaveholders sought to commodify and exploit the non-reproductive sexuality of enslaved persons see Adrienne D. Davis, “‘Don’t Let Nobody Bother Yo’ Principle: The Sexual Economy of American Slavery,” in *Black Sexual Economies: Race and Sex in a Culture of Capital*, ed. Adrienne D. Davis (Champaign: University of Illinois Press, 2019); Thomas A. Foster, *Rethinking Rufus: Sexual Violations of Enslaved Men* (Athens: University of Georgia Press, 2019); and Daina Ramey Berry and Leslie M. Harris, *Sexuality and Slavery: Reclaiming Intimate Histories in the Americas* (Athens: University of Georgia Press, 2018).

unaware of a similar set of records in relationship to Brazil; nevertheless it is possible to piece together enough evidence to support Dr. Siqueira Filho's statements and to suggest that, like the U.S., a similar trade in young, prime age females flourished in Brazil as well.

As the demand for slaves in the south-central regions grew, agents and traders placed ads in local northern newspapers hoping to scoop up as many bodies as possible to offload for great profit in the capital and other southern markets. By 1852, the price of slaves in Rio de Janeiro skyrocketed, reportedly doubling in cost.<sup>59</sup> Planters, hungry for more human labor, purchased even those whose "defects" and "vices" would have otherwise prevented their sale had the transatlantic trade continued to flow.<sup>60</sup> Notices announcing port movements and newly arrived lots of bondspersons record these movements attesting that many of the newly arrived individuals came from ports in the northeast. These shipments included "the best assortment of slaves" who ranged in skills from mariners to carpenters to cooks and tailors to "beautiful *mucamas* appropriate for...all household services...from age 6 to 20."<sup>61</sup> Robert Conrad estimates that in one month alone, 345 new slaves (from outside the province) entered the market in Rio.<sup>62</sup> Of the newly arrived persons, 245 came from northern ports, 48 from the south (primarily Rio Grande do Sul, and another 52 from nearby ports.<sup>63</sup> Broadening the scope he notes a total of 1,660 new slaves entering the city in the first four months of 1852.<sup>64</sup> Mirroring this pattern, all

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<sup>59</sup> Relatório apresentado...na quarta sessão da oitava legislatura pelo Ministro e Secretario d'Estado dos Negócios da Justiça, 1852, 9 cited in Conrad, *Destruction of Brazilian Slavery*, 49.

<sup>60</sup> Ibid.

<sup>61</sup> *Jornal do Commercio* (RJ) 5 January 1855.

<sup>62</sup> Conrad, *The Destruction of Brazilian Slavery*, 48.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

except 114 had embarked from Bahia.<sup>65</sup> Historian Herbert Klein estimates that throughout the 1850s and 1860s, between 5,000 and 6,000 slaves arrived in Rio, annually.<sup>66</sup> By the 1870s, the internal trade intensified due to changes in global demand for cotton, sugar, and coffee. Robert Slenes calculates that during this period (1870-1879) nearly 10,000 slaves a year were relocated and redistributed by the internal trade.<sup>67</sup>

Throughout the decades, a steady stream of enslaved men and women continued to flow into the city of Rio de Janeiro. From there, the majority of bodies were sent further inland towards the plantations. The data is not clear on exactly how many males versus females left the city for the countryside; however, Richard Graham suggests that women were more like to remain in Rio de Janeiro while their male counterparts were sent out into the provinces to the coffee plantations.<sup>68</sup> Indeed, throughout the latter half of the nineteenth century, a noticeable population of young women remained in the city (as evidenced by the numerous sale ads and auctions that appeared daily in the local newspapers) prompting Dr. Lassance Cunha, in his study of prostitution in the city, to argue that “in this capital, slaves are an object of mere luxury,” particularly “if our crops cannot dispense with African arms” and “in this city...there are no crops.”<sup>69</sup> The large numbers of available females in the city, he suggests, was no coincidence, nor was it an unintended byproduct of the internal reorganization of slaves; their presence in the

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<sup>65</sup> Ibid.

<sup>66</sup> Herbert Klein, “The Internal Slave Trade in Nineteenth-Century Brazil: A Study of Slave Importations into Rio de Janeiro in 1852,” *Hispanic American Historical Review* 51:4 (November 1971): 568, 583; Conrad, *Destruction of Brazilian Slavery*, 296.

<sup>67</sup> Robert Slenes, “Grandeza ou decadência? O Mercado de escravos e a economia cafeeira da provincial do Rio de Janeiro, 1850-1888,” in *Brasil: História econômica e demográfica*, ed. Iraci del Nero da Costa (São Paulo: Instituto de Pesquisas Econômicas, 1986) cited in Graham, “Another Middle Passage?,” 296; fn. 15.

<sup>68</sup> Graham, “Another Middle Passage?,” 299.

<sup>69</sup> Lassance Cunha, “A prostituição,” 60.

city was not only intentional but also directly related to and responsible for the high rates of clandestine prostitution in the city of Rio de Janeiro.

Some traders openly contracted with brothel owners to procure young women for their establishments and had no shame in admitting as such. In a legal deposition on behalf of an enslaved woman named Corina, José Simplicio de Argollo Ferrão confirmed that the young woman in question (Corina) had indeed been forced to engage in prostitution and he knew this, he stated for the court, because he himself not only regularly encountered her in her mistress's brothel but that he himself regularly contracted with Corina's mistress to provide her with a steady supply of healthy, attractive, young women to "display at the window."<sup>70</sup> Ferrão, a son of Bahia, served as the middleman/broker for Corina's mistress, Anna Valentina da Silva, for a number of years until they fell out over a bad loan.<sup>71</sup> Certainly Argollo Ferrão was not the only trader to engaged in such business as da Silva's lawyer suggested that Argollo Ferrão belonged to an entire class of such traders—specifically, "that filthy wretched class of brokers and slave traders for prostitution."<sup>72</sup> The trading firm of Duarte, Fonseca and Company of Rio de Janeiro has likewise been implicated as part of this class of men who served as intermediaries who trafficked in women for prostitution.<sup>73</sup>

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<sup>70</sup> Juízo de Direito da 2ª Vara Cível, *Libello de Liberdade pela escrava Corina por seu curador, defendant Anna Valentina da Silva*, Rio de Janeiro, 1869, ANSPJ, Caixa 1624, No. 2781, fl. 69.

<sup>71</sup> According to the court documents, curiously it was da Silva who loaned Ferrão the money that led to their falling out. Unfortunately it is not clear what or how much the loan was for but suggests that not only did the two conduct business long enough to establish a close rapport but that da Silva's brothel was financially successful enough to the point that she had enough income and money at her disposal to loan the trader money.

<sup>72</sup> *Ibid*, fl. 85.

<sup>73</sup> Lauderdale Graham, "Slavery's Impasse," 671-672.

Without the records or correspondence of trading firms that openly admit to procuring women specifically for libidinous labor, we cannot know exactly how many individuals or firms belonged to this “filthy wretched class” of brokers. We can, however, develop a profile of the young women trafficked into the sex trade. From her examination of letters of manumission commissioned amid Judge Tavares’ campaign against enslaved prostitution, Sandra Lauderdale Graham concluded that the majority of enslaved women and girls being granted their freedom were between the ages of twelve and eighteen years old, had been born outside of the city, were noted as *mulata* and not as Black, and always listed as domestic servants.<sup>74</sup> With this profile in mind, newspaper sales ads are quite suggestive and offer possible insight into this activity as well as the locations and long distances from which brokers procured women. For example, in January 1870, a broker located at 283 Rua do Sabão advertised for sale “the following [female] slaves, beautiful and elegant figures, in perfect health and upright condition, some of those available: a *pardina* of 16 years old, natural of Laguna; a *pardinha* of 17 years old, natural do Rio Grande do Sul; a *crioula* of 16 years, natural of The Corte [Rio de Janeiro]; a *crioula* of 18 years old, natural of Santa-Catharina [sic]; [and] a *crioula* of 16 years old, natural of Laguna.”<sup>75</sup> All of the young women fall into the prime-aged category at which many young women entered into prostitution or would be viewed as eligible for sexual companionship.<sup>76</sup> Some women, like

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<sup>74</sup> Ibid, 680-681. Graham links this admittedly circumstantial evidence to prostitution through the fact that these women, in their prime working years, were being freed gratuitously by their owners without any financial compensation. These acts, she argues, only make sense if we read them against the backdrop of Tavares’ campaign and promises to prosecute anyone who forced their enslaved women into prostitution.

<sup>75</sup> *Jornal do Commercio* (RJ) 11 January 1870.

<sup>76</sup> The testimony of women whose masters forced them to engage in prostitution reveals that many, if not all, of the young women began working in the sex trade between the ages of 14 and 18. I will discuss these women and their experiences at further length in Chapters Three and Four.

Honorata, were forced into the sex trade at the age of twelve.<sup>77</sup> Given the large numbers of young girls aged twelve and fourteen advertised for sale, Honorata was quite likely not alone.

By the mid-nineteenth century, there was no central slave market in Rio de Janeiro. The renowned (or notorious) Valongo wharf complex ceased operation in 1830/1831 after the transatlantic trade was declared illegal.<sup>78</sup> While the area remained heavily associated with the trade; by the mid-nineteenth century, the carioca “slave market” spread its tentacles throughout the city with bodies being bought and sold in myriad auction houses, consignment shops, and stores as opposed to being displayed in the large-scale holding pens and patios. Accordingly, the “good business” in women Dr. Sequeira Filho noted was evidenced on paper. Dailies like the *Jornal do Commercio* and the *Diario do Rio de Janeiro* provided a central location for the sale of slaves, their pages advertising the “best assortment” of newly slaves, impending auctions, and individual sales—all essentially mirroring a physical brick and mortar market.<sup>79</sup> In a similar fashion to the physical markets, potential buyers were welcome to come and “examine” the individuals, prior to the sale, to detect any illness, deficiencies, or deformations.<sup>80</sup>

From 1850 onward one of the most striking aspects of the sales ads is the high number of young women available as well as a discernable relationship between skin color and occupation. The majority of female labor available in the city was advertised as housekeepers, cooks, *mucamas*, wet-nurses, and maids. Of this population, the women marketed as lady’s maids or personal servants tended to be noted—but not exclusively—as *mulata* or some varying degree of

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<sup>77</sup> Maria Elenteria de Albuquerque, 1872, fl. 9.

<sup>78</sup> For more on the Valongo Market in the 19th century see Claudio de Paula Honorato, “Valongo: O Mercado de Escravos do Rio de Janeiro, 1758-1831,” (MA. thesis, Universidade Federal Fluminense-Niteroi, 2008).

<sup>79</sup> *Jornal do Commercio* (RJ) 14 January 1855.

<sup>80</sup> *Ibid*, 16 January 1855.

African and European ancestry such as *parda*, *cabra*, or *crioula*. Cooks or other general household help were often marked with a more generic term of *preta*. On the surface, these may seem to be minor distinctions; however, when we take into consideration the historical association of mixed race women (broadly referred to as *mulata*) with sensuality, heightened sexuality, and association with sexual companionship, the sales ads help open up a fuller view of the sexual economy of slavery and the market in female flesh. Before we turn to the market in Rio de Janeiro, we must turn to the history of the *mulata* in Brazil and the Atlantic World more broadly.

The term “mulato” or “mulata” is at once both highly capacious yet also strikingly specific. Generally speaking, the term refers to an individual (male or female) of varying degrees of European/white and African ancestry. However, the term, throughout the slaveholding societies of the Americas, always invoked a set of certain visible markers while imparting a very clear history of racialized and sexualized practices, ideologies, and stereotypes, particularly in reference to female bodies.<sup>81</sup> To quote scholar Lisa Ze Winters, the mulatta was always a “Light-skinned, female, and always beautiful, nearly always understood to be a New World subject, her body is evidence of the racialized and sexualized trauma, the violence of white male desire, the

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<sup>81</sup> Throughout the Atlantic World, light-skinned, mixed race women (whether free or enslaved), often referred to as *mulatas* or *mulâtresses*, were often associated with concubinage or having sexual, intimate, or affectionate ties to white men. This association with sex and sexuality transcended geographic, political, and legal boundaries. See Lisa Ze Winters, *The Mulatta Concubine: Terror, Intimacy, Freedom, and Desire in the Black Transatlantic* (Athens: University of Georgia press, 2016); Melissa Blanco Borelli, *She is Cuba: A Genealogy of the Mulata Body* (Oxford: Oxford University Press, 2015); Emily Clark, *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World* (Chapel Hill: University of North Carolina Press, 2013); Dorris Garraaway, *The Libertine Colony: Creolization in the Early French Caribbean* (Durham: Duke University Press, 2005); and George Brooks, “The Signares Saint-Louis and Gorée: Women Entrepreneurs in Eighteenth Century Senegal,” in *Women in Africa: Studies in Social and Economic Change*, eds. Nancy J. Hafkin and Edna G. Bay (Stanford: Stanford University Press, 1976): 19-44.



geographic displacement, and, perhaps most importantly, the fractured and interdependent reproduction of kinship and capital so central to economies of American slavery.”<sup>82</sup> For women in particular, though, this violent history shaped their day-to-day lives in very specific ways.

The body of the *mulata* has rarely belonged to her. It has been the object of obsession, sexual desire, economic exploitation, and untold violence throughout the history of race-based slavery in the Americas. It has been subjected to assumptions about honor (that enslaved women had none), hypersexuality (that she was), and sexual availability (that she always would be). The connection between the term *mulata* and ideas about sexuality were so deeply intertwined that in the Americas, Winters argues, the term “mulatta concubine” became redundant; in many parts of the Anglophone world the term “mulatto” effectively stood in as a generic term for concubine, whether the woman was free or enslaved.<sup>83</sup> The circulation of watercolors, oil paintings, drawings, and engravings reinforced ideas about sexuality and power through their representation of the mixed-race body as exotic yet legible in its similarities to European profiles and physical characteristics.<sup>84</sup>

As images and writings circulated throughout the Atlantic world, ideas about the mulatta body took root in nearly every slave society in the Americas. Notably, in New Orleans, Louisiana, men flocked to the city in search of the fabled quadroon balls where they hoped to catch a glimpse and maybe the hand of one of these mixed-race beauties while affluent local young men hoped to secure one as his mistress or common law wife until he was forced to take a

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<sup>82</sup> Lisa Ze Winters, *The Mulatta Concubine: Terror, Intimacy, Freedom, and Desire in the Black Transatlantic* (Athens: University of Georgia press, 201), 14.

<sup>83</sup> Ibid, 3; and Jenny Sharp, *Ghosts of Slavery: A Literary Archaeology of Black Women’s Lives* (Minneapolis: University of Minnesota Press, 2002), 45.

<sup>84</sup> Ana Lucia Araujo, “Gender, Sex, and Power: Images of Enslaved Women’s Bodies,” in *Sex, Power, and Slavery*, ed. Gwyn Campbell and Elizabeth Elbourne (Athens: Ohio University Press, 2014): 469-499.

legal, white wife.<sup>85</sup> Conversely, American abolitionists from the U.S. held up the image of the mulatta as the “tragic” epitome of the evils of slavery. She was “light, bright, and damn near white,” making her liminal status as neither Black nor White nor enslaved or fully free all the more terrible.<sup>86</sup> In Saint Domingue, the mulatta woman was central to discussions about desire, domination, and the construction of race.<sup>87</sup>

In Brazil, similar ideas grounded in racist stereotypes emerged and took root. As in other colonial slave societies, Black women (whether free or enslaved) were, broadly speaking, often understood to be sexually available, at least by the free, white, slaveholding class. While all women of color were vulnerable to the sexual advances and whims of men, *mulata* women occupied a particularly unique place in the racial, gendered, and social hierarchy. Iberian racist thought positioned whiteness as the ideal, civilized beauty against the repulsive, wild blackness.<sup>88</sup> The body of the *mulata* fell somewhere in between bringing together the appearance

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<sup>85</sup> The Quadroon Balls, while rooted in reality, took on mythic proportions in their time. At these events, young, beautiful, mixed-race women would reportedly meet and contract a relationship with a wealthy white man who would then set her up in her own home, keep her as a *de facto* wife or concubine, and provide for any resulting children. For more on the practice of *plaçage* and the Quadroon Balls see: Emily Clark, *The Strange History of the American Quadroon—Free Women of Color in the Revolutionary Atlantic World* (Chapel Hill: University of North Carolina Press, 2013); Carol Wilson, “*Plaçage* and the Performance of Whiteness: The Trial of Eulalie Mandeville, Free Colored Woman, of Antebellum New Orleans,” *American Nineteenth Century History*, 15:2 (2014): 187-209; Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans* (Durham: Duke University Press, 1997).

<sup>86</sup> Anthony G. Barthelemy, “Light, Bright, Damn Near White” Race, the Politics of Genealogy, and the Strange Case of Susie Guillory,” in *Creole: the History and Legacy of Louisiana’s Free People of Color*, ed. Sybil Kein (Baton Rouge: Louisiana State University Press, 2000): 252-275.

<sup>87</sup> See Doris Garraway, *The Libertine Colony: Creolization in the Early French Caribbean* (Durham: Duke University Press, 2005).

<sup>88</sup> James Sweet, “The Iberian Roots of American Racist Thought,” *The William and Mary Quarterly* 54:1 (January 1997): 161.

of white female respectability with the availability and powerlessness of enslavement.<sup>89</sup>

Moreover, this racist thought promulgated the idea that *mulata* women were naturally predisposed to an “unbridled, degenerate” sexuality that made them the perfect target of male lust and sexual conquest.<sup>90</sup> Therefore, *mulata* women in particular were frequently targeted for sexual labor and companionship.

The Brazilian author Gilberto Freyre reinforced these gendered and racist ideas about the *mulata* body with the publication of *Casa grande e senzala*, his study of the formation of Brazilian society, in 1933. In this germinal work Freyre readily and repeatedly conveys the belief that the Brazilian slaveholders viewed these women as “easily to be had” and desired by all the young boys and men of the ruling class.<sup>91</sup> This, in part, he argued, was due to the voracious Portuguese libido but also because the *mulata* was an irresistible, natural seductress who initiated Brazilian boys into their first sexual experiences.<sup>92</sup> The precocious young Brazilian lads, Freyre argued, inevitably fell into a sexual “quicksand in which many an insatiable adolescent was hopelessly lost.”<sup>93</sup> As they aged, the men of the master class, Freyre argued, never lost their lust for *mulata* women; some young men, he noted, were completely unable to enjoy themselves with

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<sup>89</sup> John Burdick, *Blessed Anastácia: Women, Race, and Popular Christianity in Brazil* (New York: Routledge, 1998), 30.

<sup>90</sup> Martha Abreu, ““Sobre Mulatas Orgulhosas e Crioulos Atrevidos”: conflitos raciais, gênero e nação nas canções populares (Sudeste do Brasil, 1890-1920,” *Tempo* Rio de Janeiro 8:16 (2004): 13.

<sup>91</sup> Gilberto Freyre, *The Masters and the Slaves [Casa grande & senzala] A Study in the Development of Brazilian Civilization*, trans. Samuel Putnam (New York: Alfred A. Knopf, 1946), 256.

<sup>92</sup> Freyre references the Portuguese libido throughout *Casa grande* characterizing those that were sent to Brazil as the possibly “oversexed ones, there to give extraordinarily free rein to their passions.” Ibid, 29.

<sup>93</sup> Ibid, 256; 348.

white girls.<sup>94</sup> Such was one newly married youth's fixation with his enslaved woman that he had to bring her nightshirt into the bedroom in order to "excite himself" and perform for his white bride.<sup>95</sup>

Freyre's fixated groom suggests a world in which the wealthy, white, elite sons of Brazil honed their sexual prowess with the light-skinned beauties of Big House whose charms and sexuality they simply could not resist. Though such stories are indeed provocative, we must be careful to approach Freyre's work with a healthy dose of skepticism while acknowledging his own positionality and broader intellectual agenda. Much of Freyre's colorful details are gleaned from a combination of oral history, contemporary periodicals, memoirs, and travelers' accounts but also incorporated some of Freyre's own familial history and childhood memories. Many of the stories and experiences Freyre recalls are not out of the realm of possibility; however, these sources, and his depiction of the seductive *mulata* woman, serve his larger agenda of crafting a Brazilian national identity that valorized the mixing of African and Portuguese. Freyre celebrated this miscegenation while eliding the painful and often violent conditions under which it occurred. In the end, he ended up reinforcing a gendered and racialized hierarchy of domination constructed at the expense of enslaved women while benefitting the white, male population. Despite these considerations, Freyre's text is suggestive of an inherited worldview that valorized the *mulata* and her sexuality.

Throughout *Casa grande*, Freyre portrays sex between white Brazilian males and women of color as natural, generative, and inevitable. His words are coated in with the language of seduction and enchantment that reinforces the idea of submission covering up the violence and

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<sup>94</sup> Ibid, 256.

<sup>95</sup> Ibid.

coercion behind these acts. To quote scholar Saidiya Hartman, what this language and discourse effectively does is to ensure that “rape disappeared through the intervention of seduction.”<sup>96</sup>

Freyre does, at times, acknowledge the Portuguese male’s penchant towards sexual sadism yet he manages to largely elide the violence that undoubtedly accompanied the majority of these “acts of lust;” yet, the *mulata* woman is always the seducer and never the seduced or exploited.

Ideologically and legally speaking, enslaved women were “unrapeable;” therefore not even the law or notions of honor protected her body.<sup>97</sup> In this way, as anthropologist Donna Goldstein states, black female sexuality was considered erotic specifically because it was “available in a particular way.”<sup>98</sup> Valued for her beauty and lubricity, the *mulata*’s sexuality was “to be consumed...and discarded.”<sup>99</sup>

Freyre’s work was instrumental in upholding and perpetuating the idea of the exotic *mulata* seductress however ideas about black female sexuality crystalized long before the publication of his *Casa grande*. While Anglophone and Lusophone ideologies about race

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<sup>96</sup> Saidiya Hartman, “Seduction and the Ruses of Power,” *Callaloo* 19:2 (1996): 544-545.

<sup>97</sup> Erica L. Williams, “*Mucamas and Mulatas* Black Brazilian Feminisms, Representations, and Ethnography,” in *Transatlantic Feminisms: Women and Gender Studies in Africa and the Diaspora*, ed. Cheryl R. Rodriguez, Dzodzi Tsikata, and Akosua Adomako Ampofo (Lanham, MD: Lexington Books, 2016), 55.

<sup>98</sup> Donna Goldstein, *Laughter Out of Place: Race, Class, Violence, and Sexuality in a Rio Shantytown* (Berkeley: University of California Press, 2003), 125. The association between women of color and sexual availability remains a problem today and is often reinforced through film, literature, and tourism campaigns. See Erica Lorraine Williams, *Sex Tourism in Bahia: Ambiguous Entanglements* Urbana: University of Illinois Press, 2013); Angela Gilliam, “The Brazilian Mulata: Images in the Global Economy,” *Race and Class* 40 (1994): 57-69; *Xica da Silva*, Brazil, soap opera (1996); Joel Zito Araújo, *A negação do Brasil: O negro na Telenovela Brasileira* (São Paulo: Editora SENAC São Paulo, 2000).

<sup>99</sup> Abreu, ““Sobre mulatas,” 13. Abreu argues that in the post-abolition period popular songs continued to valorize the *mulata*’s sexuality while upholding hierarchies of gender, color, and class. These songs reveal the tension between praising the *mulata*’s beauty and treating her as a sexual object to be exploited and discarded.

developed along different trajectories, they shared common roots grounded in early ideas about African people and their bodies promulgated in travel journals and accounts. Travel accounts produced by European male travelers to Africa and the Americas reproduced images of Indigenous and African women as savage, beastly, and monstrous. She was sexually deviant and devoid of shame, particularly when it came to her own nudity.<sup>100</sup> As historian Jennifer Morgan illustrates, ideologically black women became the “evidence of cultural inferiority” that Europeans needed in order to rationalize their exploitation of Africa and its people.<sup>101</sup> Reality, however, was far more complicated.

For European men, the Black female body presented a series of contradictions. To the master class it was simultaneously seductive but repulsive, asexual while hypersexual, they were unwomanly yet valued for their reproductive capacity, their bodies were often characterized as soiled yet central to the nourishment of innumerable white children. Historically, as one author puts it, the *mulata* symbolized “the male sexual fantasy of uniting the white woman’s respectability with the black woman’s stereotypical lubricity and powerlessness.”<sup>102</sup> This fantasy was one readily available for purchase in the slave markets throughout the Americas.

“For sale,” the ad announced, “a beautiful and elegant *pardinha* 24 years old, a skilled *mucama*, guaranteed [good] conduct, very respectable, with very good habits, is skilled at ironing all kinds of clothes, cute and *tuyauté*, is an expert seamstress, knows how to dress, pin,

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<sup>100</sup> For a thorough examination of the evolution of European attitudes about African women’s sexuality see Jennifer Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004). Specifically see Chapter 1, “Some Could Suckle over Their Shoulder: Male Travelers, Female Bodies, and the Gendering of Racial Ideology, 1500-1770.”

<sup>101</sup> *Ibid.*, 49.

<sup>102</sup> Sonia M. Giacomini, “Aprendendo a Ser Mulata: Um Estúdio sobre a Identidade da Mulata Profissional,” in Albertina de Oliveira Costa and Cristina Brushini, eds., *Entre a Virtude e Pecado* (Rio de Janeiro: Rosa dos Tempos, 1991), 222.

and comb a *senhora*, and cooks, washes clothes perfectly, and does most household services.”<sup>103</sup> Another cut to the chase more quickly: “For sale: a skilled *mucama*, *crioula*, 19 years old [with] the best figure possible.”<sup>104</sup> Appearing in the same edition, “a beautiful *pardinha* of 13 years old, skilled *mucama*, talented and of very good docile nature.”<sup>105</sup> These are but a small sampling of the advertisements that appeared daily in the carioca newspapers. On the surface, these ads may seem rather innocuous; but if we read them keeping in mind that enslave women’s sexuality could never, and was never, separated from their labor, words like “good figure,” “docile,” and “cute” suggest a deeper meaning and, I argue, convey the “suitability” or potential of these women for sexual companionship. Moreover, there was a deep association of the term *mucama* with a woman’s potential for sexual labor and exploitation. Indeed, as we will see in Chapter Four, at least one known procuress staffed her brothel with “beautiful *mucamas*, young mulatto slaves that she had bought” to work in her brothel.<sup>106</sup>

Most definitions of the term “*mucama*” describe the occupation as a chambermaid, housekeeper, or personal attendant to the mistress of the household. Within the elite Brazilian household, *mucamas* were finely dressed female servants, often *mulata*, or with some degree of mixed ancestry. The term applied to women who served as chambermaids or handmaids for the ladies of the house. In many cases, the *mucama* was also directly related to the family via blood as either the half-sister or child of her owner.<sup>107</sup> As an intimate member of the elite household, the *mucama* held a higher position in the hierarchy of enslaved servants, as illustrated in the

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<sup>103</sup> *Jornal do Commercio* (RJ) 4 January 1870.

<sup>104</sup> *Jornal do Commercio* (RJ) 8 October 1861.

<sup>105</sup> *Ibid.*

<sup>106</sup> José Ricardo Pires de Almeida, *Homossexualismo (a libertinagem no Rio de Janeiro). Estudos sobre as perversões e inversões do instinto genital* (Rio de Janeiro, 1906), 72.

<sup>107</sup> Karasch, *Slave Life*, 208.

French painter Jean-Baptiste Debret's depiction of the Brazilian social hierarchy in his painting *Un Employé du Gouvernement Sortant de Chez Lui Avec sa Famille*. She is the figure following behind the veiled mistress of the household. Clad in a fine coat, dress, and stockings, she also wears slippers, a sign of significance and privileged status, as it was customary for enslaved persons to not be allowed to wear shoes.<sup>108</sup>



IMG: 1.1 Jean-Baptiste Debret. *Un Employé du Gouvernement Sortant de Chez Lui Avec sa Famille*<sup>109</sup>

<sup>108</sup> The wealthy often ignored this rule and opted to clad their household slaves in elegant clothing. For more on the clothing practices of carioca slaveholders and the perils of bare feet see Karasch, *Slave Life*, 130-131.

<sup>109</sup> Jean Baptiste Debret, *Un Employé du Gouvernement Sortant de Chez Lui Avec sa Famille* or *A Government Employee Leaving Home with his Family*. During his time in Brazil, Debret created a series of drawings and lithographs depicting daily life and culture in Brazil with careful attention to the enslaved population. His depictions of slavery and the position of enslaved persons in Brazilian society are amongst his most-well known works and are an invaluable



Indeed, their work often took them into the parts of the home traditionally reserved for the family alone, areas where other household servants were not permitted to go. *Mucamas* performed a variety of labor most frequently associated with the body of her mistress including, but not limited to, assisting with the making of clothing, helping with her dressing, serving as a sentinel while her mistress bathed, acting as a confidant and confessor, and running small errands.<sup>110</sup> On special occasions, a *mucama* might accompany her mistress on a public outing—usually to Church or another socially-acceptable engagement. The position was simultaneously one of privilege but also precariousness. *Mucamas* could generally expect a higher standard of living than other bondswomen with better clothing, a more nutritious and regular diet, as well as more attentive medical care when necessary.<sup>111</sup> They might even regularly receive small gifts or favors from their masters or mistresses. Through their work, they could form connections or relationships with free people that might prove providential. Generally, these improvements in standard of living applied to those who worked in the houses of the Brazilian elite and not

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source for scholars of the period. This image originally appeared in Jean-Baptiste Debret, *Voyage Pittoresque et Historique au Bresil* (Paris, 1834-39), vol. 2, plate 5, 31. Image in public domain sourced from "House Slaves with White Family, Brazil, 1816-1831," *Slavery Images: A Visual Record of the African Slave Trade and Slave Life in the Early African Diaspora*, accessed July 26, 2021, <http://www.slaveryimages.org/s/slaveryimages/item/498>

<sup>110</sup> Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (Austin: University of Texas Press, 1992), 35-36. For more on the role of *mucamas* and other female household slaves see: Joana de Moraes Monteleone, "Costureiras, mucamas, lavadeiras e vendedoras: o trabalho feminina no século XIX e o cuidado com as roupas (Rio de Janeiro, 1850-1920)" *Instituto de Estudos Gênero da Universidade Federal de Santa Catarina* 27:1 (2019): 1-11; Tamis Porfírio Costa Crisóstomo Ramos Nogueira, "Mucama Permitida: a identidade negra do trabalho domestico no Brasil," *Cadernos de Gênero e Diversidade* 3:4 (Oct-Dec. 2017): 48-57; Clóvis Moura, *Dicionário da Escravidão Negra no Brasil* (São Paulo: Edusp, 2004):282; Maria Odila Leite da Silva, *Quotidiano e poder em São Paulo no século XIX* (São Paulo: Companhia Editora Nacional, 1979).

<sup>111</sup> Lauderdale Graham, *House and Street*, 25.

necessarily to the more middling classes. Overall, though, as an indoor, intimate household servant, the *mucamas* lived a life of confinement and vulnerability. While increased intimacy could translate into favored status and an increased standard of living, it likewise opened women up to heightened surveillance as well as increased opportunities for violence, sexual abuse, harassment, or assault.

In addition to providing companionship and services to the lady of the house, it was not uncommon for *mucamas* to also serve as mistress or concubine to the master or one of the men in the household. Often times these young girls fell prey to the sexual curiosity and lust of the young men and boys of the house. But danger came from the women of the household as well. Indeed, one of the most striking examples of this double-nature of the *mucama* comes to us from Gilberto Freyre who related one of the “many instances of cruelty” enacted by *senhoras* against *mucamas*.<sup>112</sup> “There are tales,” Freyre wrote of young mistresses who “had the eyes of pretty *mucamas* gouged out and then had them served to their husbands for dessert, in a jelly-dish, floating in blood that was still fresh. Tales of young baronesses of adult age who out of jealousy or spite had fifteen-year-old mulatto girls sold off to old libertines. There were others who kicked out the teeth of their women slaves with their boots, or who had their breasts cut off, their nails drawn, or their faces and ears burned. A whole series of tortures.”<sup>113</sup> The motive, he noted, “almost always, was jealousy of the husband. Sexual rancor. The rivalry of woman with women.”<sup>114</sup> Again, we cannot take Freyre’s words as fact; nevertheless, such actions certainly were not out of the realm of possibility as similarly violent abuse and the torture of enslaved women by female slaveholders is substantiated in other sources such as newspaper reporting and

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<sup>112</sup> Freyre, *Casa Grande*, 351.

<sup>113</sup> Ibid.

<sup>114</sup> Ibid.

police reports.<sup>115</sup> More importantly though, is Freyre's association of *mucamas* with sexual service as a concubine, mistress, or even a potential sexual rival. Freyre reinforces the notion that *mucamas* were often young (fourteen or older), beautiful, and nubile. Local sales ads reinforce these desirable qualities.

A survey of sales advertisements for *mucamas* between 1850 and 1870 confirms that indeed the majority of women deemed suitable as a *mucama* were either *pardas* or *mulatas*. The majority of these bondswomen were aged between 13 and 25 speaking to the high number of young women for sale in the city. Invariably, these young women were advertised as "beautiful," "pretty," or "elegant," almost as though it was a prerequisite. For example, one seller advertised two "beautiful *mucamas*...one a *crioula* and the other a *parda*, 18 years old" with a list of attributes ranging from cooking, cleaning, and sewing.<sup>116</sup> Others were simply advertising as "a *mucama* with many gifts," "two beautiful *mucamas*," or "a beautiful *negrinha*, 15 years old, appropriate for a *mucama*."<sup>117</sup>

When read against the sexual economy of slavery and the well-known association of *mucamas* with pleasing looks and intimate service, words like "healthy," "beautiful," "gifted," "great figure," and "no diseases," take on a more sinister meaning. Given the rising concern over

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<sup>115</sup> See Anselmo da Fonseca, *A Escravidão, o Clero, e o Abolicionismo* (Bahia, 1887) cited by Freyre, *Casa Grande*, 352. Police records and newspapers also capture instances of horrific violence and abuse enacted by mistresses against their female slaves. For example, through my own research I have discovered the cases of a Doña Joaquina was arrested for the murder of her enslaved girl who was reportedly pregnant with Joaquina's lover's baby. Likewise, another woman killed her enslaved girl Luiza when she discovered that the father was her own lover. Doña Francisca da Silva Castro was imprisoned for torturing two her enslaved girls to death, just prior to abolition. See Policia, Registro das ordens e ofícios expedidos ao Juiz de Crime do Bairro da Santa Rita: 1819-1823, Códice 330, Vol. 31, ANRJ; Registro das ordens e ofícios expedidos ao Juiz de Crime do Bairro da Santa Rita: 1819-1823, Códice 330, Vol. 5, ANRJ; and *Rio News* 24 February 1886.

<sup>116</sup> *Jornal do Commercio* (RJ), 30 December 1853.

<sup>117</sup> *Ibid*, 24 February 1853; 3 January 1850; *Diario do Rio de Janeiro* 8 April 1851.

syphilis and other sexually transmitted diseases, it makes sense that slaveholders would be concerned over the health of their bondspersons; but perhaps more so when that individual was intended for sexual labor and intimate contact with the members of the household. Others were less opaque and more directly commented on the physicality of the women for sale offering the thinnest veneer of household labor. For example, a seller along Rua Carioca advertised for sale, “a *crioula*, 13 years old, very good figure, fit for a *mucama*.”<sup>118</sup> Another individual advertised “a beautiful and eye-catching *mucama*, *crioula* with a beautiful figure, *cria da casa* to be sold for the first time, 18 years old...no vices.”<sup>119</sup> It is not readily apparent why or how the “very good figure,” “beautiful figure,” or “eye-catching,” translated into suitability for a *mucama* unless we keep in mind what was really being sold: a woman’s pleasing appearance and her potential for sexual companionship and reproduction. For those who could afford it, such a purchase could mean sexual pleasure and gratification without having to frequent the city’s brothels or prostitutes who may or may not be harboring any number of diseases.

In a bustling port city like Rio de Janeiro, there was a constant influx of young men in need of both basic household services and sexual companionship. By 1850, a total of 68,575 (free born) males resided in the city with 28,936 of this population being foreign-born.<sup>120</sup> An additional number of 52,155 freed and enslaved males.<sup>121</sup> This predominantly male population—particularly the unattached bachelors—offered slaveholders and brokers additional opportunities for profit by renting out or leasing their enslaved women for varied lengths of time. One

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<sup>118</sup> *Jornal do Commercio* (RJ) 24 February 1853.

<sup>119</sup> *Ibid*, 30 April 1860.

<sup>120</sup> Hermann Burmeister, *Viagem ao Brasil através das províncias do Rio de Janeiro e Minas Gerais*, trans. Manoel Salvaterra and Hubert Schoenfeldt (São Paulo: 1952), 325, n.21 cited in Karasch, *Slave Life*, 66.

<sup>121</sup> *Ibid*.

suggestive advertisement, in March 1859, appeared in the *Jornal do Commercio* for “uma crioula moça,” either for rent or for sale. She knew how to cook, wash, iron, and “sew a little.” In addition to these useful skills the seller noted that she had “a beautiful figure” but no “disease nor vices.”<sup>122</sup> Another advertisement touted “two eye-catching *crioulas* 20 to 22 years old,” stating that the young women would be a good investment as they “are good for renting and are highly sought after,” suggesting that their attractiveness and beauty would draw many customers.<sup>123</sup> It is implied that the investment in these two young women could not only provide domestic labor but sexual labor as well. In this way, it becomes clear that we cannot separate sexual labor from domestic labor.

For many enslaved women, the line separating domestic labor and sexual labor was a thin one at best with many women performing the role of *de facto* wife or companion. In the U.S. South, the term “housekeeper” was often synonymous with concubine, common law wife, or, more broadly, sexual companion.<sup>124</sup> Similarly, during the remarkable campaign of 1869-1871, the majority of women involved were described by their owners as housekeepers suggesting that the term imparted a similar connection in Brazil. In 1872, Rita, a enslaved women from Ceará described her experiences to the court stating that her mistress often rented her out to a man by the name of Luis Hispanol who would frequently come to the city for short stays. On these occasions, Rita would be sent to reside with Hispanol in his lodging and perform a variety of household duties.<sup>125</sup> When Rita was not engaged as a housekeeper for someone like Hispanol her

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<sup>122</sup> *Jornal do Commercio* (RJ) 3 March 1859.

<sup>123</sup> *Ibid*, 25 January 1870.

<sup>124</sup> Alexandra J. Finley, *An Intimate Economy: Enslaved Women, Work, and America's Domestic Slave Trade* (Chapel Hill: University of North Carolina Press, 2020), 99.

<sup>125</sup> Relação do Rio de Janeiro, Apelação Cível, Acção de liberdade pela Rita por seu curador, Apelente Maria da Conceição Correa Lima, Rio de Janeiro, 1871, Caixa 3684 No. 14206 fl. 7.

mistress forced her to engage in prostitution *na janella*, at the window. So, when Rita suggests she provided housekeeping and other services for Hispanol, it is insinuated that sexual labor was part of the bargain. In a similar vein, Honorata, the young woman whose story opened this chapter, spent time as a companion to a young sailor who paid for the pleasure of her company when he was on shore-leave.<sup>126</sup> It was known that they maintained “relations;” however, Honorata does not provide any further insight into the nature of the relationship or the arrangement. What is clear is that women like Rita and Honorata were frequently and regularly rented out to men with the tacit understanding that their sexual labor was just as available as their other household skills.

It is impossible to separate enslaved women’s labor from their sexuality. This fact is readily apparent in an ad that appeared in March 1861. Listed for sale was “a beautiful and elegant *pardinha*, 22 years old, natural of The Corte, a skilled *mucama*, six months pregnant.”<sup>127</sup> The ad continues, extolling her potential as “one of the best wet nurses for the home, not only because she has a very beautiful figure but is of excellent quality,” as well as “a talented seamstress.”<sup>128</sup> The comparatively lengthy ad exudes an almost exceptional quality of praise and almost affection. Another striking aspect of this sale ad is that the seller noted that the young woman had never been sold before and that this sale would be “the first time.”<sup>129</sup> We can infer that the young woman was born into the household and had not been purchased from another owner.

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<sup>126</sup> Maria Elenteria de Albuquerque, 1871, fl 73v.

<sup>127</sup> *Jornal do Commercio* 23 March 1861.

<sup>128</sup> Ibid.

<sup>129</sup> Ibid. Her younger sister, aged 16, was also for sale.

We can only speculate as to the father of the young woman's child; however, it is not difficult to imagine that the young woman was subjected to a coerced sexual relationship with one of the men in the household. As household servants and the personal servant for the mistress of the house, *mucamas* rarely needed to leave the house unless it was to accompany their mistress to Church or other social engagements. They would have led a more secluded lifestyle than the servants who did the daily marketing or washing at the neighborhood fountain. The heightened seclusion as well as supervision meant fewer opportunities to create or engage in relationships with men of their own status. Given that a woman of her status would have worked within the home and led a relatively sheltered life away from the temptations of the streets, it stands to reason that it was likely one of the men of the household. This one short ad is quite provocative proving questions about who fathered the young woman's child. If it was a member of the household, did the woman's mistress demand her sale as a form of punishment or separation?

While the sale ad cannot help us answer these questions, it does illustrate the tactics employed by slaveholders to commodify and capitalize on multiple dimensions of women's reproductive and intimate labor. The ad suggests that the young woman is not only of a pleasing demeanor and "excellent quality" but healthy, beautiful, and fecund.<sup>130</sup> Born in Rio de Janeiro and having resided with the same family her whole life, she would have been familiar with the social customs, practices, and rhythms of an elite carioca household. She knew how to sew. As a result of her pregnancy, the young woman was now doubly appealing as both the "skilled *mucama*" and as "one of the best wet nurses."<sup>131</sup> Taken altogether, the ad signals to potential

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<sup>130</sup> Ibid.

<sup>131</sup> Ibid.

buyers that the young woman could work as a seamstress, a lady's maid, a wet nurse, and as an experienced sexual partner or concubine. From her hands to her breasts to her belly and beyond, enslaved women were the perfect commodity, broken down into multiple, profit-generating parts.

The buying and selling of slaves was, as historian Walter Johnson succinctly puts it, a story of "human beings broken down into parts and recomposed as commodities."<sup>132</sup> Slavery commodified every aspect of the bonded body. Savvy purchasers conducted a thorough examination of the men, women, and children displayed in the slave markets, show rooms, consignment houses, and auction blocks throughout the Americas searching for signs of infirmity, evaluating the strength of arms and backs needed to swing the machete during the sugar cane harvesting season, and whether or not a woman's hands would be small or delicate enough to pluck the white fluff from the prickly and unforgiving boll of the cotton plant.<sup>133</sup> For women, the auction block unquestionably presented yet another moment of excruciating—and public—violation as traders and buyers "palpated breasts and abdomens...trying to massage bodies into revealing their reproductive history and capacity."<sup>134</sup> Slaveholders worked to mold women's bodies into as many desirable categories or forms in order to make them broadly appealing on the market. The young woman in the aforementioned ad was spared the public inspection and probing; nevertheless, the newspaper sale ads mirrored the proverbial auction block in that the most intimate and personal aspects of a woman's life were laid bare for all to see—her fecundity, her sexuality, and her body all for sale, all with the promise of profit. In this

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<sup>132</sup> Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 3.

<sup>133</sup> For a more extensive discussion of the specific evaluations of slaves in the marketplace see *ibid.*, 137-145.

<sup>134</sup> *Ibid.*, 143.



way, we see how a young woman could transition from a *mucama* to an *ama de leite* creating new opportunities for slaveholders to, in the case of *ama de leite*, quite literally extract every ounce of profit from their bodies.

While a broader discussion of motherhood and wet-nursing is outside the purview of this chapter, the selling of a mother's milk was another way in which urban slaveholders wrung profit from their enslaved women's bodies. It was one of the most intimate forms of labor that enslaved women had to perform. It demanded close proximity with the family and, quite often, heightened supervision to ensure proper care of the child. The practice of employing an enslaved woman as a wet nurse was a common practice throughout the slaveholding societies of the Americas.<sup>135</sup>

The practice was one carried to the Americans from Europe where the wealthy routinely

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<sup>135</sup> Scholars of gender and slavery have recently renewed attention to the role of wet-nurses and experiences of mothering throughout the Atlantic World in an effort to complicate the categories of production and reproduction. See Stephanie Jones-Rogers, "[S]he could... spare one ample breast for the profit of her owner': White Mothers and Enslaved Wet Nurses' Invisible Labor in American Slave Markets," *Slavery & Abolition* 38:2 (April 2017): 337-355; Diana Paton, "Maternal Struggles and the Politics of Childlessness Under Pronatalist Caribbean Society," *Slavery & Abolition* 38:2 (April 2017): 251-268; Meleisa Ono-George, "By her unnatural and despicable conduct': Motherhood and Concubinage in the *Watchman and Jamaica Free Press*, 1830-1833," *Slavery & Abolition* 38:2 (April 2017): 356-372; and Gregory D. Smithers, *Slave Breeding: Sex, Violence, and Memory in African American History* (Gainesville: University of Florida Press, 2012). On Brazil, specifically, see Maria Helena Pereira Toledo Machado, "Between Two Beneditos: Enslaved Wet-Nurses Amid Slavery's Decline in Southeast Brazil," *Slavery & Abolition* 38:2 (April 2017): 320-336; Bárbara Canedo Ruiz Martins, "O aleitamento mercenário: os saberes médicos e o Mercado de trabalho das amas de leite (Rio de Janeiro, 1850-1884)," in Tânia Salgado Pimenta and Flávio Gomes, *Escravidão, Doenças e Práticas de Cura no Brasil*, eds. (Rio de Janeiro: Outras Letras, 2016): 164-177; Mariana de Aguiar Ferreira Muaze, "O que fará essa gente quando for decretada a completa emancipação dos escravos?" – serviço doméstico e escravidão nas plantations cafeeiras do Vale do Paraíba," *Almanack* 12 Guarulhos (Jan./April 2016): 65-87; Sandra Sofia Machado Koutsoukos, "'Amas mercenárias': o discurso dos doutores em medicina e os retratos de amas-Brasil, segunda metade do século XIX," *História, Ciências, Saúde – Manguinhos* Rio de Janeiro 16:2 (April-June 2009): 305-324; and Martha Santos, "Mothering Slaves, Labor, and the persistence of Slavery in Northeast Brazil: a Non-Plantation View from the Hinterlands of Ceará," *Women's History Review* 27:6 Special Edition *Mothering Slave: Motherhood, Childlessness and the Care of Children in Atlantic Slave Societies* (2018): 954-971.

employed poor women to nurse their children.<sup>136</sup> At the time, breastfeeding or nursing a child was considered “hard labor” and thus delegated to an enslaved woman whose primary job was to ensure the nutrition and well-being of the child.<sup>137</sup> In rural areas, families tended to select an *ama de leite* from amongst their own slaves; however, in this city, where households tended to own fewer slaves, a nursing mother was not always easy to come by.<sup>138</sup> This would have been particularly true after 1850 when the rising cost of slaves began to narrow the number of slaveholders in the city.<sup>139</sup> In the event that such a woman was not available, families turned to the local market.

Like *mucamas*, *ama de leite* could be associated with a particular set of desirable qualities. A good *ama* was supposed to be well-mannered, docile, good natured, intuitive to a child’s needs, and loving. Above all, she needed to be clean and have “good milk.” The language employed in these ads is striking as they characterize African and Afro-descended women as good mothers, caring, tender, and loving—ideas that the slaveholding class historically sought to refute more broadly in their efforts to justify chattel slavery and depriving enslaved women of their rights to motherhood. For example, one ad announced the availability of “a very superior

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<sup>136</sup> Lorena Féres da Silva Telles “Amas de Leite,” in *Dicionário da Escravidão e Liberdade*, ed. Lilia M. Schwarcz and Flávio dos Santos Gomes (São Paulo: Companhia das Letras, 2018), 100.

<sup>137</sup> Ana Maria Mauad, “A vida das crianças de elite durante o Império,” in *Historia das crianças no Brasil*, ed. Mary del Priore (Sao Paulo: Contexto, 2002) cited in Bárbara Canedo Ruiz Martins, “O aleitamento mercenário: os saberes médicos e o Mercado de trabalho das amas de leite (Rio de Janeiro, 1850-1884),” in Tânia Salgado Pimenta and Flávio Gomes, *Escravidão, Doenças e Práticas de Cura no Brasil*, eds. (Rio de Janeiro: Outras Letras, 2016): 166.

<sup>138</sup> Féres da Silva Telles, “Amas de Leite,” 100.

<sup>139</sup> As Zephyr Frank’s work on wealth and family in nineteenth century Rio de Janeiro illustrates, by 1870, the ownership of enslaved persons tended to be primarily (but certainly not exclusively) concentrated in the hands of the city’s wealthy whereas prior to 1850, the middling classes invested more heavily in enslaved labor. See Frank, *Dutra’s World*, 87.

*ama de leite* kept *mucama* who knows how to treat and think about a child.”<sup>140</sup> Curiously, the ad noted that the wet-nurse had been previously served as a *mucama*. This side note is suggestive. While we can only speculate as to who fathered the young woman’s child, it is quite possible that it was one of the men in the household. While some enslaved women were allowed to nurse both their own and the white child, it appears to be less common with most masters unwilling to allow the *ama* to share her breasts with both children.<sup>141</sup> Indeed, the ad does not state that the woman would be accompanied by her infant. Unfortunately there is no way of knowing what happened to the woman’s child but there are several possible scenarios. It is possible that she lost her child in birth, that it was given over to another family, or given over to another nanny for care—all common practices during this period.<sup>142</sup> It was equally likely, however, that the owner of the enslaved women paid a trusted midwife to whisk the newborn child off and abandon it at the *roda*, or the foundling’s wheel, an apparatus designed to allow for the anonymous abandonment of children into the care of the public hospital.<sup>143</sup>

For slaveholders, an unaccompanied wet nurse meant greater profit. Indeed, renters and buyers would often pay significantly higher rates for a wet nurse that could ensure no nutritional

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<sup>140</sup> *Jornal do Commercio* (RJ) 7 January 1850.

<sup>141</sup> Sandra Sofia Machado Koutsoukos, “‘Amas mercenárias’: o discurso dos doutores em medicina e os retratos de amas—Brasil, segunda metade do século XIX,” *Historia, Ciencias, Saúde—Manguinhos* Rio de Janeiro 16:2 (Abr-Jun 2009), 307.

<sup>142</sup> Féres da Silva Telles, “Amas de Leite,” 103.

<sup>143</sup> The *roda* was an actual wooden apparatus attached to an outer wall or opening in a public hospital where a child could be placed and then delivered into the building. The apparatus was designed to allow for the anonymous abandonment of children. According to Maria Helena Pereira Toledo Machado, the Portuguese adopted the practice from the Italians and imported it to Brazil where *rodas* were installed at several charity hospitals administered by the Santa Casa de Misericórdia. Machado, “Between Two Beneditos: Enslaved Wet Nurses Amid Slavery’s Decline in Southeast Brazil,” *Slavery & Abolition* 38:2 (2017): 325f17.

competition for their child.<sup>144</sup> This undoubtedly incentivized many a master to clandestinely dispose of any newborns. Others, like one slaveholder advertised an *ama* for sale “with or without her child,” clearly willing to separate mother and child for profit.<sup>145</sup> Lorena Féres da Silva Telles further suggests that after the passage of the Free Womb Laws, the Santa Casa de Misericórdia noted an increase in the number of Black babies abandoned, suggesting that many masters opted to dispose of newborns given that the law mandated such children be free.<sup>146</sup> In her examination of *ama de leite* and the nineteenth-century female labor market Bárbara Canedo Ruiz Martins found that more than ninety percent of enslaved wet-nurses were advertised as unaccompanied by their own children.<sup>147</sup>

How did these women cope with or feel about these experiences? One contemporary doctor noted that “When the enslaved wet-nurse is rented, she is not accompanied by her own child; she is obligated by her master, in order to gain a higher rent, to abandon him [the child],” as a result he argued, “she is upset and hates the family who rents her and especially the innocent child to whom she will act as a mother.”<sup>148</sup> We can only speculate as to how these women felt

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<sup>144</sup> Féres da Silva Telles, “Amas de Leite,” 103.

<sup>145</sup> *Jornal do Commercio* (RJ) 1 January 1870.

<sup>146</sup> Féres da Silva Telles, “Amas de Leite,” 103. Cassia Roth also cites a medical student at Rio de Janeiro’s maternity hospital, in 1873, who observed several cases of forced abandonment of *ingênuos*. J.M. das Neves, *Do aleitamento natural, artificial e mixto e particularmente do mercenário em relação as condições em que elle se acha no Rio de Janeiro*, (Rio de Janeiro: Typographia da Reforma, 1873), 38 cited in Roth, “Black Nurses, White Milk,” 806.

<sup>147</sup> Bárbara Canedo Ruiz Martins, “Amas-de-leite e mercado de trabalho feminina: descortinando práticas e sujeitos (Rio de Janeiro, 1830-1890),” MA thesis, UFRJ, 2006, 61 cited in Machado, “Between Two Beneditos,” 325.

<sup>148</sup> Koutsoukos, “Amas mercenárias,” 307. Accusations against *amas* and their alleged role in the death of their white charges were not uncommon. For a closer examination of an enslaved woman accused of murdering a white infant see Maria Helena Pereira Toledo Machado, “Between Two Beneditos: Enslaved Wet-Nurses Amid Slavery’s Decline in Southeast Brazil,” *Slavery & Abolition* 38:2 (2017): 320-336.

about these experience but undoubtedly it was a painful wound driven by slaveholders' insistence upon extracting every last ounce of productive wealth from women's bodies.

By the mid-nineteenth century, the medical community began warning against the use of Black *amas*. According to historian Maria Helena Pereira Toledo Machado, medical discourse began to coalesce around the idea of "scientific motherhood" advocating for Northern Atlantic ideas about middle class domesticity.<sup>149</sup> Central to this notion, she states, was the expulsion of female slaves from the household.<sup>150</sup> Theses, articles, and guidance manuals began to appear encouraging middle class women to nurse their own babies or to at least use the newly emergent practice of feeding babies powdered milk formula from rubber-tipped bottles.<sup>151</sup> Moreover, Brazilian medical authorities began to promote the idea that enslaved women produced an inferior quality of milk that also transmitted moral deficiencies as well.<sup>152</sup> Moreover, they claimed, Black *amas* were more likely to be carriers of syphilis and spread that, through their milk, to the children.<sup>153</sup> These ideas, historian Sandra Sofia Machado Koutsoukos explains, began to emerge in tandem with discourse about "the new mother," and the "hygienic mother," who cared for her own children and tended carefully to their health and hygiene.<sup>154</sup> By the 1880s,

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<sup>149</sup> Machado, "Between Two Beneditos," 321.

<sup>150</sup> Ibid, 322.

<sup>151</sup> Ibid. According to Machado, the nursing bottle was patented in 1841 and the rubber nipple in 1845. With the sterilization (1886) and pasteurization (1859) of milk, artificial nursing became safer with wet-nurses becoming largely obsolete in Europe and the United States.

<sup>152</sup> One such publication was *Mãe de Família*, a publication geared towards mothers published between 1879 and 1888. One of the primary focuses was extolling the health benefits of breastfeeding one's own child while warning of the dangers of using a wet-nurse. See Koutsoukos, "'Amas mercenárias,'" 312-313.

<sup>153</sup> Cassia Roth, "Black Nurses, White Milk: Breastfeeding, Slavery, and Abolition in 19<sup>th</sup>-Century Brazil," *Journal of Human Lactation* 34:4 (2018), 805.

<sup>154</sup> Koutsoukos, "'Amas mercenárias,'" 306.

she explains, the medical community issued several proposals for regulating the health of wet-nurses that would subject them to routine screenings and health checks.<sup>155</sup> Additionally, physicians began vilifying enslaved women accusing them of abandoning their children so that they might form fortuitous relationships with the parents of the children they nursed.<sup>156</sup> Yet despite such warnings and medical advice, the *ama de leite* remained in demand with advertisements appearing throughout the 1880s.

*Amas* also frequently appeared in lithographs, paintings, and portraits posed with a white child in their lap conveying scenes of sweet affection and devotion. What these images don't necessarily convey is the trauma and violence that many of these women endured as they were forced to neglect or abandon their own child in order to provide enough milk and care to their white charges. Yet the creation of these images converted the *ama de leite* into a powerful symbol of the harmony between the free and enslaved that would be exploited long after the abolition of slavery.<sup>157</sup>

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<sup>155</sup> Ibid. From my own research, authorities put forth a proposal to regulate the bodies of wet-nurses as early as 1855. As we will see in the following chapter, authorities attempted to impose medical regulations on prostitutions; in the proposal put forth by Police Chief Jeronyo Martiniano Figueira de Mello he included a subsection on wet-nurses suggesting that they also be subject to regular checkups to safeguard against syphilis. Jeronimo Martin Figueira de Mello, "Relatório do Chefe de Policia da Corte," in José Thomaz Nabuco de Araújo, *Relatório da Ministério dos Negocios da Justiça apresentado á Justiça do Conselho d'Estado*, Justiça, Secretaria de Policia, (Rio de Janeiro, 1855) Letter B, ANRJ. Hereafter cited as "Relatório, 1855."

<sup>156</sup> Roth, "Black Nurses, White Milk," 806.

<sup>157</sup> Recent work by Lilia Schwarcz and Sandra Sofia Machado Koutsoukos trouble this history through the analysis of images of *amas*. See Schwarcz, "Black Nannies: Hidden and Open Images in the Paintings of Nicolas-Antoine Taunay," *Women's History Review* 27:6 Special Edition *Mothering Slave: Motherhood, Childlessness and the Care of Children in Atlantic Slave Societies* (2018): 972-989 and Koutsoukos, *Negros No Estúdio do Fotógrafo* (Campinas: Editora UNICAMP, 2010).

Of all the individuals who labored in the household, the *mucamas* and the *ama de leite* worked within the most intimate spheres of the family. Their work placed them in constant contact with their masters and mistresses. This proximity could result in small favors, a more nutritious diet, and better clothing; however, this proximity also meant that these women were exposed to greater levels of violence and daily threats. They were subject to increased levels of supervision, surveillance, and restrictions in ways that other bondswomen were not. Taken together, the market in *mucamas*, *amas*, and other healthy young women suggests that enslaved women's sexuality and forms of intimate labor were indeed central to slavery in the city, so much so that they remained in demand throughout the nineteenth century, indeed, up until abolition. With abolition came freedom from slavery; however, it did not mean liberation from the stereotypes and ideologies surrounding Black women's sexuality or, in particular, the association of the *mulata* women with sensuality and hypersexuality.

Chapter Two: “A night with Venus, and a lifetime with mercury”:  
Prostitution, Syphilis, and Regulation in a Nineteenth-Century Slave Society

“A man avid for venereal pleasure is tormented by an imperious irresistible necessity . . . he is delirious with a fever which consumes him, driven by a necessity which impels him, carried away as though by supernatural powers. He is insensible to all, and only alive to the delights that he craves. . . nothing can stop him; all disappears before the ardor of his desire. Only the organism reigns: honor, virtue, duty, religion, and all he holds sacred are but chimeras; only the desire which torments him alone is real, only the pleasure which captivates him exists.”<sup>1</sup>

So wrote Dr. Miguel Antonio Herédia de Sá in his thesis “Some reflections on copulation, masturbation, and prostitution in Rio de Janeiro,” presented to the Faculty of Medicine of Rio de Janeiro in 1845.<sup>2</sup> He claimed that sexual passion occupied a man’s mind and soul; it was all consuming and demanded fulfillment. In his writings, de Sá argued extensively for the power and necessity of the male orgasm naturalizing this state of lust and desire. However, this natural desire could quickly turn into a problem if men lacked a proper outlet. Young men might turn to excessive masturbation, he warned, or worse, to each other; these acts would ultimately lead to an overall denigration of their health and by extension, that of Brazilian society.<sup>3</sup>

Coitus with a woman, he contended, was the best and perhaps only acceptable outlet for male desire and while sex outside of marriage was considered a sin by the Catholic Church, it was, according to de Sá, a sin that all nations and empires must tolerate as it served an integral

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<sup>1</sup> Miguel Heredia de Sá, “Algumas Reflexões Sobre A Copula, Onanismo e Prostituição no Rio de Janeiro,” (Thesis, Faculdade de Medicina do Rio de Janeiro, 1845), 7.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid, 17. Specifically de Sá warned that excessive masturbation led to issues related to the underdevelopment of the thorax and issues with the circulatory system.



social function by meeting the very natural needs of man.<sup>4</sup> Throughout his thesis, de Sá repeatedly reinforces the prevailing view of the male libido and thus the need to tolerate prostitution and other forms of non-generative, transactional sex. However, prostitution was linked to another threat, “Rare is the man who cohabits once with prostitutes without getting infected [with syphilis],” de Sá remarked.<sup>5</sup> Therefore, transactional sex—or more specifically the women who sold it—needed to be regulated and sanitized in order to guard against the spread of venereal diseases, chief among them the dreaded pox, syphilis.

A colleague and contemporary of de Sá, Dr. Herculano Lassance Cunha agreed—prostitution was a necessary evil but transactional sex posed a serious threat to the public health as it encouraged and facilitated the unchecked spread of syphilis. In Europe, he argued, authorities were addressing these twin evils of prostitution—meaning the moral and physical corruption—to safeguard their populations; but “here [in Brazil] the legislator sleeps, the moralist sleeps, and the doctor sleeps on the moral and sanitary future of a population that grows prodigiously day by day.”<sup>6</sup> The syphilitic tentacles of prostitution reached into the homes of “honest families” threatening the very fabric of society; therefore, he demanded, the legislature needed to do something to stop this “syphilitic contagion” before it consumed every healthy body.<sup>7</sup>

There was a general agreement that prostitution needed be controlled but opinions differed over best way to go about it. Some believed that prostitution should be regulated through

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<sup>4</sup> Ibid, 23-29.

<sup>5</sup> Ibid, 32.

<sup>6</sup> Herculano Augusto Lassance Cunha, “A prostituição em particular na cidade do Rio de Janeiro,” Thesis (Faculdade de Medicina do Rio de Janeiro, 1845), 1-2.

<sup>7</sup> Ibid, 2.

public hygiene and legal measure while others supported rigorous police intervention as a way to severely circumscribe public prostitution and potentially eliminate its practice altogether. Those in favor of regulation looked to the work of European hygienists for an example of how to impose effective regulatory measures. At this time, prostitution was seen as one of the characteristic ills of the urban environment; however, Rio de Janeiro differed from the cities of Europe in one significant way: slavery. Indeed, the local carioca sexual economy was one clearly marked by the presence of enslaved African women and women of African descent who engaged in both public and clandestine forms of sexual labor. With that in mind, this chapter asks the question: what would the regulation of prostitution look like in a slave society like Rio de Janeiro? How did the institution of slavery shape the local sexual economy and, in turn, its regulation?

Scholars often frame prostitution as a turn-of-the-century problem stemming from processes of urbanization and modernization. However, as early as the 1840s, Brazilian medical authorities debated the best way to effectively regulate prostitution. As a result, scholars of prostitution in Brazil have a rich source from which to draw insight into how this community understood and viewed the “problem” of prostitution. Magali Engel, one such historian, provides insightful analysis of this voluminous literature to reveal how Brazilian medical authorities actively engaged in shaping ideas about prostitution, morality, gender, and sexuality while proposing various forms of hygienic regulation and control.<sup>8</sup> As doctors debated, Engle explains, local authorities, primarily the local police, were left to try and implement changes on the

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<sup>8</sup> Magali Engle’s *Meretrizes e Doutores: saber médico e prostituição no Rio de Janeiro (1840-1890)*, (São Paulo: Editora Brasiliense 1989) is a comprehensive discursive analysis of the debates and literature generated by the 19<sup>th</sup> century medical community, particularly as articulated in various contemporaneous journals such as the *Anais de Medicina Brasiliense*, *Anais da Academia Imperial de Medicina*, and the *Anais Academia Nacional de Medicina*.

ground. Indeed, local police were also increasingly concerned with how prostitution could, or should, be regulated. Yet aside from a passing mention in the literature, little is known about exactly how the police sought to shape and intervene in the nineteenth century sexual economy.<sup>9</sup> Therefore, in the chapter that follows, I examine, in depth, the proposals and measures submitted by several of Rio de Janeiro's police chiefs to detail how legal authorities sought to shape and intervene in Rio's sexual economy throughout the last half of the nineteenth century. Despite these length discussions, debates, and appeals to higher authorities, public policy would never be paired with official legislation; instead, as we will see, the Brazilian approach to the regulation of prostitution would be fashioned out of the circulation of European ideas about regulation as they could be implemented or adapted to local realities.

At once both provincial and metropolitan, the city of Rio de Janeiro was one of contradictions. As the literary scholar Bruno Carvalho succinctly states, "not much seemed to fall along the lines of a neat dichotomy."<sup>10</sup> Inspired by "bourgeois ideas of modernization and

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<sup>9</sup> In the 1980s, when Brazilian historians more fully turned their focus to the history of prostitution, the first studies focused on the period between 1870 and 1930. Notably, the work of Margareth Rago, *Os Prazeres da Noite: Prostituição e códigos da sexualidade feminina em São Paulo (1890-1930)* (Rio de Janeiro: Paz e Terra, 1991); Luiz Carlos Soares, *Rameiras, ilhoas e polacas: a prostituição no Rio de Janeiro do século XI* (São Paulo: Editora Atica, 1990); Lená Medeiros de Menezes, *Os estrangeiros e o comercio do prazer nas ruas do Rio de Janeiro (1890-1930)* (Rio de Janeiro: Arquivo Nacional, 1992); and Beatriz Kushnir, *Baile de mascaras—mulheres judias e prostituição: as polacas e suas associações de ajuda mutual* (Rio de Janeiro: Imago, 1996). More recently, Cristiana Schettini has published several pieces on prostitution in the 1920s. See Schettini, *Que Tenhas Teu Corpo: Uma historia social da prostituição no Rio de Janeiro das primeiras décadas republicanas* (Rio de Janeiro: Arquivo Nacional, 2003); Schettini, "Between Rio's Red Light District and the League of Nations: Immigrants and Sex Work in 1920s Rio de Janeiro," *International Review of Social History* 62 (2017): 105-132; and Schettini, "Exploração, gênero e circuitos sul-americanos nos processos de expulsão de estrangeiros (1907-1920)," *Tempo* 18:33 (2012): 51-73.

<sup>10</sup> Bruno Carvalho, *Porous City: A Cultural History of Rio de Janeiro* (Liverpool: Liverpool University Press, 2013), 45.

progress,” Brazilian doctors took it upon themselves to create order out of this chaos.<sup>11</sup>

Accordingly, a cohort of five doctors founded the Society of Medicine of Rio de Janeiro, an association dedicated to the production of medical and scientific knowledge. The doctors intended to serve in an advisory capacity to the city council consulting on matters related to public hygiene. In 1835, the Society transformed into the Imperial Academy of Medicine of Rio de Janeiro, more concretely tying themselves to the state apparatus. From its original founding, the academy looked to the international medical community and closely followed along with medical advances there.<sup>12</sup> However, as Engle explains, between 1845 and 1890, the Academy increasingly dedicated themselves to issues and conditions specific to the Brazilian population. Of primary concern were the sanitary conditions of the city as well as local illnesses that routinely afflicted the population such as tuberculosis, beribéri, yellow fever, and syphilis.<sup>13</sup> Notably, the Academy also focused on issues related to the hygienic aspects of marriage, sex, motherhood, and children.<sup>14</sup> For an institution concerned with order, hygiene, and sexuality, it seems logical that by the 1840s, the Academy began to more fully turn their attention to the city’s prostitutes. After all, what group of individuals better embodied the fears and anxieties associated with disorder and unruliness?

Inspired by their French counterparts, the Brazilian doctors began to treat prostitution as a legitimate object of study; however, as Engle argues, they did not limit their interventions to the field of science, they also played the role of “the doctor, the moralist, the economist, the

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<sup>11</sup> Engle, *Meretrizes e Doutores*, 39.

<sup>12</sup> Ibid. Specifically, Engle says that the members closely followed the debates in France in the Academy of Medicine of Paris.

<sup>13</sup> Ibid, 41. On epidemics and disease in Rio de Janeiro, see Sidney Chalhoub, *Cidade febril: Cortiços e epidemias na Corte Imperial* (São Paulo: Companhia das Letras, 1996).

<sup>14</sup> Ibid, 46.

legislator, and the politician.”<sup>15</sup> It should be noted that to medical authorities, the term “prostitution” was a capacious one that included sexual relationships, arrangements, and transactions that went beyond the exchange of sex for cash; it also extended to any woman living in an extramarital conjugal relationships, women who exchanged sexual favors or their company for food, lodging, or other gifts, or concubines. On the other hand, medical authorities (and social mores) believed sex and sexuality should solely be a function of reproduction; any free exercise of sexuality outside the bounds of procreation led to physical degeneration. Moreover, as women who routinely engaged in non-procreative sex, prostitutes were viewed as deviant and unnatural leading to their association and categorization alongside pederasts, libertines, lesbians, and sodomites—in other words, those who engaged in forms of sex or sexuality deemed unnatural by religious and medical authorities.<sup>16</sup> They linked prostitution to adultery and illicit unions that, they claimed, denigrated the institution of marriage. They conceived of prostitution as a form of “sick sexuality, as a place for perversion;” whereas marriage, in turn, became the healthy, hygienic, and acceptable space for sexual relations.<sup>17</sup> In this way, the doctors characterized prostitution as a moral and physical illness that threatened the family, marriage, and work. Moreover, they argued, prostitutes spread diseases such as venereal syphilis, a virus that ravaged the family through infertility, miscarriages, and infant mortality.

Syphilis was not a new problem in Brazil. Though the origins of venereal syphilis in Brazil are still debated, according to Gilberto Freyre, the presence of the virus in Brazil—known as the scourge of the Portuguese Empire—can be traced back as far as the Portuguese’ first

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<sup>15</sup> Ibid, 70.

<sup>16</sup> Ibid, 72.

<sup>17</sup> Ibid, 73.

arrival on the eastern coast of Brazil near modern-day Porto Seguro, Bahia.<sup>18</sup> By the beginning of the eighteenth century, Brazil was reportedly known by foreigners as “the land of syphilis *par excellence*.”<sup>19</sup> Indeed, syphilis had become so common that by the mid-nineteenth century one doctor lamented that it was “near to hereditary,” and so commonplace that “people do not look upon it as a scourge, nor do they fear it.”<sup>20</sup> Indeed, a recent study confirms that both venereal syphilis as well as yaws (or endemic syphilis) was indeed endemic diseases to Rio de Janeiro throughout the eighteenth and nineteenth centuries.<sup>21</sup> Sources of the period confirm that both venereal and congenital syphilis (also known as yaws) were prevalent throughout the population.<sup>22</sup> Even if the broader population was unconcerned by it, medical reports and debates from the nineteenth century suggest that the medical community considered syphilis a very real threat with medical journals and reports routinely featuring discussions of syphilis alongside

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<sup>18</sup> Gilberto Freyre, *The Masters and The Slaves (Casa-Grande & Senzala); A Study in the Development of Brazilian Civilization*. Trans. Samuel Putman. New York: Knopf, 1946), 71. Freyre draws on statistics gathered by Oscar da Silva Araújo in “Alguns comentários sobre a sífilis no Rio de Janeiro,” (Rio de Janeiro: Empresa Gráfica Editora Paulo Pongetti, & Cia.m 1928). There is still a lively debate about the origins of syphilis in the Americas. See Sérgio Carrara, *Tributo a vênus: a luta contra a sífilis no Brasil, da passagem do século aos anos 40* (Rio de Janeiro: FIOCRUZ, 1996), 100-107. Carrara says that the origins fluctuate between the disease coming from Europe or already being present in the Americas. Those that refute the European origins say that they have identified ancient bones with lesions that are produced by syphilis. However, others counter that other forms of leprosy produce similar lesions.

<sup>19</sup> Freyre, *Casa Grande e Senzala*, 327.

<sup>20</sup> Lassance Cunha, “A prostituição em particular,” 41.

<sup>21</sup> See Lucélia Guedes, Ondemar Dias, Jandira Neto, et. al. “First Paleogenetic Evidence of Probably Syphilis and Treponematoses Cases in the Brazilian Colonial Period,” *BioMed Research International* (2018): 1-8.

<sup>22</sup> Non-venereal treponematoses known as the yaws or endemic syphilis, was believed to be more common in rural regions and was spread either from skin-to-skin contact or contact with infected materials. Unlike venereal syphilis, yaws frequently affects children as well as adults. It too causes lesions on the skin but unlike venereal syphilis, genital lesions are rare and symptoms do not manifest as quickly. See Peter Perine, Donald Hopkins, et.al. *Handbook of Endemic Treponematoses: Yaws, Endemic Syphilis, and Pinta* (England: World Health Organization, 1984).

those about tuberculosis and other intermittent fevers that routinely ravaged the population.<sup>23</sup> Dr. José de Góes Siqueira Filho estimated that at least a third of the troops quartered in Rio de Janeiro were infected with syphilis.<sup>24</sup> While an anonymous author, writing in the *Gazeta Médica da Bahia* in 1871, stated that between the years of 1861 and 1866, more than a third of the surgical cases at the Santa Casa de Misericórdia in Rio de Janeiro were related to venereal disease.<sup>25</sup> However, through her examination of medical records at the Santa Casa de Misericórdia, Karasch determines that the records do not necessarily reflect the actual rates of syphilis, recording only five deaths in 1847 despite at least nineteen individuals (noted as enslaved) undergoing treatment.<sup>26</sup>

Reliable statistics concerning infection and mortality due to syphilis are difficult to ascertain for the nineteenth century. This may be due, in part, to the chameleon-like nature of the disease. Known as The Great Mimicker, venereal syphilis was “a master of disguise,” that attacked the tissues and organs of the body resulting in a variety of symptoms such as aortic aneurysms, blindness, neurological disorders, and insanity.<sup>27</sup> An infection could present in a number of ways and be mistaken for other venereal diseases such as gonorrhea or *cancro*, a painful inflammation of the inguinal lymph glands.<sup>28</sup> For example, during his residency in Rio de

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<sup>23</sup> For example see *Gazeta Médica da Bahia*, *Annaes Brasilienses de Medicina*, and the *Arquivo Medico Brasileiro Gazeta Mensal de Medicina, Cirurgia, e Sciencias Accessorias*. On fevers and epidemics in the city see Sidney Chalhoub, *Cidade Febril: Cortiços e epidemias na corte imperial*. (São Paulo: Companhia das Letras, 1996).

<sup>24</sup> Carrara, *Tributo a Vênus*, 79.

<sup>25</sup> *Gazeta Médica de Bahia* 1871 cited in Carrara, *Tributo a Vênus*, 78.

<sup>26</sup> Mary Karasch, *Slave Life in Rio de Janeiro, 1801-1850* (Princeton: Princeton University Press, 1987), 167.

<sup>27</sup> William Boyd, *A Textbook of Pathology: Structure and Function in Disease* (Philadelphia: Lea & Febiger, 1979) cited in Karasch, *Slave Life*, 167fn29.

<sup>28</sup> Karasch, *Slave Life*, 168.

Janeiro, the French hygienist José Francisco Xavier Sigaud noted an inexplicably higher rate of nervous disorders amongst Rio's Black population in relation to others.<sup>29</sup> These nervous disorders, Karasch suggests, could have been the result of infection and thus related to rates of syphilis amongst the population.<sup>30</sup> Therefore, it stands to reason that syphilis might often be overlooked as the direct result of death. Indeed, modern science shows that if left untreated, venereal syphilis could progress into cardiovascular syphilis that affects the heart and blood vessels but also it can progress into neurosyphilis which attacks the nervous system or even ocular syphilis that can result in blindness.<sup>31</sup>

Both the disease and its treatment could be quite brutal and painful. Marked by very distinct phases, the symptoms of syphilis are similar for both men and women. During the primary stage, usually two to three weeks after infection, small sores or chancres develop along the site of infection, usually near the genital area, and are often accompanied by the swollen lymph nodes. These sores may or may not be painful and usually heal without treatment, though syphilis is still present and contagious. In the secondary stage, fever and a rash develops over the whole body including the hands and soles of the feet. Often papules or small, open sores also develop as well as a multitude of other symptoms including fever, weight loss, and paralysis. If left untreated, the disease will progress into the latent stage where the disease may lay dormant from one to twenty years before entering into the tertiary or late stage marked by large, painful, rancid-smelling sores develop all over the body. These sores can progress into ulcers that eat away at one's bones while destroying fleshy appendages like the lips, nose, and even the eyes. In

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<sup>29</sup> José Francisco Xavier Sigaud, *Do clima e das doenças do Brasil: Ou estatística médica deste império*, trans. Renato Aguiar (Rio de Janeiro: Fiocruz, 2009), 248-253.

<sup>30</sup> Karasch, *Slave Life*, 168.

<sup>31</sup> "Syphilis – CDC Fact Sheet," Centers for Disease Control and Prevention, June 8, 2017, <https://www.cdc.gov/std/syphilis/stdfact-syphilis.htm>



its final stage, it was not uncommon for the afflicted to devolve into madness and then finally death.<sup>32</sup> In the 16<sup>th</sup> century, the primary treatment for syphilis was guaiacum (holly wood) and mercury-infused ointments and oils. Sometimes sweating and hot baths were recommended to try and flush the disease from the body. The holly wood was largely ineffective but the side effects from mercury could be dire, including neuropathy, kidney failure, painful ulcers in the mouth, and the loss of teeth. Patients could just as easily die from the treatment as from the disease.<sup>33</sup>

In most urban port cities, the spread of venereal syphilis was linked to prostitution.<sup>34</sup> As a city full of foreign sailors, immigrants, and slaves venereal diseases were bound to flourish. However, in his dissertation, Dr. Lassance Cunha suggested that the root cause of the high rates of syphilis in the city owed just as much to the institution of slavery. Specifically, he warned, it was due to the presence of enslaved women within the households of the capital that spread the virus amongst the family. There is little to no mention made about tracking the men who frequented the brothels or sought out transactional sex. Hypersexuality in women was considered deviant while male hypersexuality was natural. Therefore, it is perhaps unsurprising that women were scapegoated as the driving force behind the spread of the disease and forced to endure the brunt of regulation and the financial costs that would be incurred from (the still theoretical) routine exams. Granted, Johns are exceedingly difficult to track; however, from court documents, newspapers, magazines, and literary journals we can begin to glean a bit of information. As

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<sup>32</sup> John Frith, "Syphilis—Its early history and Treatment until Penicillin and the Debate on its Origin," *Journal of Military and Veteran's Health* 20:4 (November 2012), 51.

<sup>33</sup> Ibid, 53.

<sup>34</sup> See Marion Pluskota, *Prostitution and Social Control in Eighteenth-Century Ports* (London: Routledge, 2016); Henry Trotter, "Dockside Prostitution in South African Ports," *History Compass* 6:3 (2008): 673-690; Susan Burns, "Bodies and Borders: Syphilis, Prostitution, and the Nation in Japan, 1860-1890," *U.S.-Japan Women's Journal English Supplement* 15 (1998): 3-28.

historian Marinete dos Santos Silva shows in her work, there was no one particular group of men who paid for transactional sex. In fact, she argues, johns came from all walks of life from the young student to the rich, older farmer to the middling Portuguese shopkeeper to venerable deputies and senators.<sup>35</sup> Sailors also frequented the brothels as they passed through Rio looking for some adventure on land. Surprisingly, though, Santos Silva reveals that the clergy were just as likely to frequent prostitutes as well.<sup>36</sup> According to Santos Silva, the upper class (free) prostitutes tended to recruit their Johns in public, most often at the theaters where they would rent a high profile box or seat so as to maximize her visibility. Those of the middling or poor class solicited men from windows along any number of the city streets.<sup>37</sup> The type, variety, and class of prostitutes is truly astounding and speaks to the dynamism and breadth of the carioca sexual economy.

Between 1820 and 1850, foreign immigration and the continual importation of Africans, the population of Rio de Janeiro began to grow; so too did the demand for female sexual and domestic companionship. The ever-rising numbers of prostitutes, their public visibility, and their association with the spread of venereal disease began drawing increased attention from the medical community with the publication of two medical theses presented by the aforementioned Dr. Miguel Antonio Heredia de Sá and Dr. Herculano Augusto Lassance Cunha. These early publications convey a rich insight into how medical authorities were beginning to discuss the problem of prostitution, at least in the Imperial Capital.

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<sup>35</sup> Marinete dos Santos Silva, “Clientes e circuitos da prostituição no Rio de Janeiro do século XIX,” *Dimensões* 29 (2012): 375-376. Despite her emphasis on the men who frequented prostitutes, much of her work ends up focusing on the women and their activities as it was easier to track them through the documents than the men.

<sup>36</sup> *Ibid*, 377.

<sup>37</sup> *Ibid*, 379.

In December 1845, Dr. Lassance Cunha presented his thesis “Prostitution, in Particular in the city of Rio de Janeiro,” to the Faculty of Medicine in Rio de Janeiro in defense of “religion, morals and the health of the people in the capital of Brazil.” He felt compelled to “raise [his] voice . . . to shout that it is urgent, and very urgent” to address the issue of prostitution in the city.<sup>38</sup> Dr. Lassance Cunha’s immediate concern was identifying the causes of prostitution in the city so that, in turn, if it could not be stamped out entirely at least authorities could contain the libertinism and disease running rampant throughout the city attacking “the decency and healthy of the people.”<sup>39</sup> After surveying the general history of prostitution throughout the world—from Ancient Greece to nineteenth-century Paris—Dr. Lassance Cunha turned his eye towards the causes of prostitution in Rio de Janeiro as well as the different categories of women who engaged in sex for sale.

Lassance Cunha distinguished between two types of prostitution: public and clandestine. Public prostitution was performed by women of “all colors, many regions and nations;” all “descended from the lower classes of society.” Public prostitution could be further divided into three classes. Frequented by wealthy men, the first class of prostitutes was more akin to the courtesans of Europe behaving “with decency” and dealing with “people of a delicate education” who, through their interactions, imparted to them a degree of “politeness, culture, and urbanity.” Relatively few in number, they preferred to live in a low-key opulence, usually by themselves, in a respectable home where they discreetly entertained their guests. They did not scandalize their neighbors by letting “the libertines congregate” outside their door. According to Lassance Cunha, the women of this first order were almost exclusively either foreign born or from the

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<sup>38</sup> Lassance Cunha, “A prostituição em particular,” 61.

<sup>39</sup> *Ibid*, 1.

provinces and not locally born.<sup>40</sup> Similarly, the second order of public prostitutes—the largest group by Lassance Cunha’s estimate—was filled with foreign-born Portuguese women arriving from the Azores but also Brazilian-born women of color.<sup>41</sup> These women proliferated throughout the city but tended to congregate in small houses between the Campo da Acclamação and Rua da Valla, living either alone or with one or two other similarly employed women. Unlike the women of the first order, these women were coarser in their language and manners and engaged primarily with men from the middling classes. Of poor or no education, they worked as maids or in other household jobs turning to prostitution out of greed, in search of a “softer” way of life.<sup>42</sup> The extra income derived from their nocturnal dealings allowed them to live either alone or with one or two other women without much of the spectacle generated by the women in the third class.

The third and final order of public women, Lassance Cunha judged as the “lowest, vile, and filthy,” presiding over a “fair of carnality . . . where brutish pleasures are made cheap.”<sup>43</sup>

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<sup>40</sup> Ibid, 17-18.

<sup>41</sup> Concerning foreign-born prostitutes, Luiz Carlos Soares notes that the first Polish prostitutes arrived in Rio in 1867. By 1888, Polish women left Rio to settle in other cities like Santos and São Paulo, leaving room for Italian, Asian, and Russian women to fill the void. In the immediate aftermath of abolition, there was a marked increase in the importation of women from these regions. Authorities were particularly preoccupied with the importation of Jewish prostitutes and pimps. On foreign-born European prostitutes in Brazil see: Beatriz Kushnir, *Bailes de Máscaras: Mulheres Judias e Prostituição, As Polacas e suas associações de Ajuda Mútua* (Rio de Janeiro: Imago, 1996); Lená Medeiros de Menezes, *Os estrangeiros e o comércio do prazer nas ruas do Rio de Janeiro (1890-1930)* (Rio de Janeiro: Arquivo Nacional, 1992); Jeffrey Lesser, *Welcoming the Undesirables: Brazil and the Jewish Question* (Berkeley: University of California Press, 1995); Anesio Frota Aguiar, *O lenocínio como problema social no Brasil* (Rio de Janeiro: n.p., 1940); Cristina Schettini, *Que Tenhas Teu Corpo: Uma história social da prostituição no Rio de Janeiro das primeiras décadas republicas* (Rio de Janeiro: Arquivo Nacional, 2006); and Schettini, “Exploração, gênero, e circuitos sul-americanos de estrangeiros (1907-1920),” *Tempo* 33 (May 2012): 51-73.

<sup>42</sup> Lassance Cunha, “A prostituição em particular,” 19.

<sup>43</sup> Ibid.

Unlike the first two orders of women, those in the third order lived in pure debauchery, piled into cheap lodging with others of their kind. Lassance Cunha's contempt for this category of women is palpable through the language he uses to describe them calling them "whores," "filthy," "dishonest," and "insolent." One gets the impression that it is the visible disruption and total disregard for their betters that rankles the doctor who is appalled by their lack of respect for "places [or] people" as they publicly hurled insults at each other as well as any unfortunate passers-by.<sup>44</sup> This lowest class of prostitutes, he noted, tended to congregate along the upper end of Ruas dos Ferradores, Sabão, São Pedro, and Hospício crowded into windows of squalid lodgings or the doors of taverns—anywhere that they might attract a crowd of men. While these women reportedly attracted the worst of libertines, "indulging in drunken lewdness and excesses of sensuality," they were not the greatest threat to the city; that came from a second type of prostitution—clandestine prostitution, or transactional sex conducted in private by women who could not readily be identified as "public women" or prostitutes.<sup>45</sup>

Lassance Cunha defined clandestine prostitution as that practiced by women under the guise of other labor.<sup>46</sup> For example, instead of engaging in public prostitution, where they could reliably be identified as prostitutes, women who practiced clandestine prostitution did so under the pretext of working as a stylist, a seamstress, a nurse, or artist when in reality, she was trafficking in sex.<sup>47</sup> His definition of clandestine prostitution is similar to that of Parent du Châtelet; however, he argued that clandestine prostitution in Brazil differed significantly from

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<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid, 23.

<sup>47</sup> In many cases, they did derive income from these other occupations but it was not their primary or sole source of income.

that in Paris—namely, due to “our exceptional social organization;” that is, one built upon slavery.<sup>48</sup> According to Lassance Cunha, enslaved women primarily practiced clandestine prostitution.<sup>49</sup> However, he expanded his definition of prostitution to include enslaved women who engaged in sexual relationships with their masters.<sup>50</sup> The keeping of enslaved female servants within the household, he posited, created the perfect opportunities for this kind of “prostitution.”<sup>51</sup>

Regardless of the fact that the majority of these relationships occurred under threat and coercion, Lassance Cunha blames enslaved women as the instigators of such situations. Nevertheless, it was the inability to identify or regulate such women, he argued, that held dire implications for the spread of disease. In this way, slavery, Lassance Cunha argued, was one of the leading causes of prostitution in Rio de Janeiro and Brazil. It enabled “a different sort of prostitution;” a more clandestine, hidden form.<sup>52</sup> By this Lassance Cunha intended to expand the definition of prostitution beyond transactional, commercial sex to include women who cohabitated with men outside of marriage, those who engaged in ambiguous sexual liaisons, and enslaved women kept as bed slaves or concubines by their owners. Drawing on the language of order, Lassance Cunha referred to the “disruption” of female slaves at home and in public while accusing them of enabling the spread of syphilis.<sup>53</sup>

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<sup>48</sup> Ibid, 23; 32.

<sup>49</sup> Ibid, 23-24.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Ibid, 24.

<sup>53</sup> Ibid, 24-5.

Lassance Cunha outlined three ways in which slavery corrupted the sexual economy and, more broadly, Brazilian society. Primarily, since its introduction to Brazilian soil, the “scourge” of slavery encouraged “an insatiable greed;” that the slave “generates a laziness, indolence, pride, vanity, and tyranny in his master.” Slavery, he continued, discouraged industriousness in the slaveholding class, “choking off the progress of intelligence, it cools the sacred fire of religion...[and] is finally an active... example of moral corruption.”<sup>54</sup> In short, by wielding near-totalizing power over another human being’s labor, Brazilian slaveholders became soft, lazy, and unproductive. Second, Lassance Cunha argued this near-total reliance on slave labor led to the introduction of slaves into the household that only ever resulted in danger. He regarded female slaves as particularly problematic. The problem did not stem from predatory males in the household who routinely coerced household slaves into sexual relationships but the threat of corruption stemmed from the very nature of the young slave girls who “ignoring modesty... are [by nature] of an erotic temperament and consequently very libidinous.”<sup>55</sup> It was this nature that led innumerable men abandoning their “marital bed to defile themselves in the...slave quarters where the [female] slaves sleep,” preferring them to his own wife.<sup>56</sup> Blaming their supposedly licentiousness on “nature, condition, and education,” Lassance Cunha believed that enslaved women were precisely the opposite of all that was “noble and sacred” in the “hearts of well-formed men;” they were sirens who lured otherwise upstanding men into their beds. Danger, he warned, also flowed from the breasts of the *amas de leite* whose milk instilled “the germ of corruption” in children’s souls.<sup>57</sup> Within the household, female slaves became the friends,

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<sup>54</sup> Ibid, 32.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid, 24.

<sup>57</sup> Ibid, 32.

companions, and confidants of the master's children. This, Lassance Cunha warned, created an opportunity for the African companions to corrupt the customs of Brazilian children (ostensibly through injecting their own ancestral languages and traditions) while enabling the idleness and indulging every whim of the young women of the household.

Third, and lastly, he alleged, slavery created conditions in which the city's poor were loath to work menial jobs. Slavery, Lassance Cunha believed, accustomed many women to "doing nothing" as "there are slaves to serve" and so there was a stigma attached to performing the same labor as the enslaved. Therefore, he alleged, even poor women felt "repugnance" towards performing similar labor and thus entered into prostitution or at least a scandalous relationship that might provide for their comforts.<sup>58</sup> The answer, he suggests, is expelling slaves from the capital and ensuring that all young women receive a good education and religious instruction.

#### The Question of Regulation

Despite the fact that several other countries in South America were struggling to discern the social role of prostitution, the Brazilians turned to the French for guidance. Based on eight years of research including interviews with Parisian prostitutes, *De la Prostitution dans la ville de Paris* by the preeminent French hygienist Alexandre Parent du Châtelet soon became the gold standard for the regulation of prostitution throughout Europe and the Americas. Parent du Châtelet painstakingly analyzed the community of Parisian prostitutes cataloging everything from their height, weight, and education to their eye color, family background, and menstruation cycles. He even interrogated their mental state to determine what impact that may have had on their lifestyle. He concluded that Parisian prostitutes tended towards "extreme negligence in all

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<sup>58</sup> Ibid, 33.



that appertains to cleanliness,” paying more attention to their clothing and adornment rather than the body underneath.<sup>59</sup> In addition to a lack of general hygiene, he noted, they often indulged in strong liquors; were gluttonous in the extreme; they were quick to anger and fight, with words or weapons; and loved to dance.<sup>60</sup>

The exhaustive report is remarkable not only for its scrupulous detail but for its human portrayal of the women themselves. Parent du Châtelet conducted hundreds of interviews with prostitutes in an effort to ascertain how they understood their lives and felt about their labor; whether they entertained any religious beliefs; and whether they were capable of modesty. Considering his class and the prevailing social attitude towards prostitutes, Parent du Châtelet paints a surprising portrait of a group of women with their own moral codes who were uncommonly generous and looked after one another offering mutual aid and assistance should one of them fall ill. They were also likely to assist complete strangers in times of need. However, it was their role as mothers that surprised him the most. These women, he remarked, went to great pains to protect and care for their children demonstrating great tenderness and attention.<sup>61</sup>

Parent du Châtelet concluded that prostitution itself wasn’t the greatest threat as fallen would could, in theory, be morally redeemed—the real scourge was the spread of venereal disease. He accepted prostitution as a necessary social function and viewed his work not as geared towards stamping out prostitution but as contributing to the prevention of the spread of venereal disease. Therefore, he ignored the kept women and courtesans, devoting himself primarily to interviewing the *fille publique* or public women who roamed the streets, lodging

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<sup>59</sup> Alexander Parent du Châtelet, *Prostitution in Paris, considered morally, politically, and medically*. Trans. An American Physician, (Boston: C.H. Brainard, 1845), 27.

<sup>60</sup> Ibid, 28-29.

<sup>61</sup> Ibid, 29-30.

houses, cafes, or brothels. According to Parent du Châtelet, these women posed the greatest threat to the public as they came into contact with men across the social spectrum. Accordingly, he proposed a set of regulations that would assist in mitigating the spread of venereal disease.

Parent du Châtelet's reforms rested on public hygiene measures, police surveillance, and legal enforcement. Together, medical and legal authorities, he argued, could impose an effective method and order. The French regulatory system placed prostitutes under constant surveillance while restricting their movements to certain parts of the city. The first step towards controlling prostitution was the registration of women. The registry recorded their names; age; profession; actual residence; marital status; whether or not she was an orphan or lived with her parents; whether she had been arrested before and why; for how long she had "followed the vocation of a prostitute;" and if she had ever been affected by syphilis.<sup>62</sup> The registry allowed authorities to track women; impose tax fees or fines; and ensure they were adhering to their required, scheduled medical exams. At first the exams were monthly, then semi-monthly, and finally weekly. Dispensary physicians performed each visit and scrupulously followed a proscribed set of rules that included alerting authorities to the presence of syphilis or other disease. Another key element was the creation of separate hospitals or, at the very least, hospital wings for the treatment for syphilitic prostitutes. Finally, Parent du Châtelet recommended the creation of a special police task force devoted to enforcing sanitary measures and the arrest of any prostitutes found in defiance of the law. Their task was threefold: 1: to see that the women properly observed police rules regarding appropriate clothing and language when on public streets; 2: that the number of women working in any one house did not exceed the limit, did not contain any minors or unregistered women, and that the house, including all windows, closed by 11 pm; and

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<sup>62</sup> Ibid, 114.

3: to arrest any women found in defiance of their sanitary inspection visits. These inspectors, he suggests, should be imbued with great discretionary power to enforce these public health and conduct measures. A strong bureaucratic government, Parent du Châtelet advised, could impose and maintain order through the implementation and legal enforcement of sanitation measures.

Brothels also performed a necessary, regulatory function. While the police did not authorize “houses of debauchery,” they tolerated them while trying to minimize their disruption of the spaces around them.<sup>63</sup> Parent du Châtelet advised on the conditions of these houses, the number of women who should reside in each, restrictions on where these houses could be located and/or situated next to; and the need for written consent from landlords and principle tenants before any woman could set up her operation. Despite the relative success of the Paris police in registering the city’s prostitutes, clandestine prostitution was not unknown. It was concealed under layers of “lying, cunning, and deceit,” and, according to Parent du Châtelet, it mostly involved young, underage girls.<sup>64</sup> On occasion, he notes, adults practiced clandestine prostitution but mostly in instances in which knowledge of their deeds would result in expulsion from decent houses or neighborhoods. To those ends, they might try to pass as seamstresses, washerwomen, or household workers.<sup>65</sup>

Following their European counterparts, Brazilian authorities tended to classify prostitution policies in three different camps: regulatory, prohibitionist, and abolitionist. Advocates of regulation argued that the state should impose controls on transactional sex. They supported state-controlled brothels where women could be localized, subjected to routine medical inspections, licensure, and fines. Supporters of prohibition believed that prostitution

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<sup>63</sup> Ibid, 61.

<sup>64</sup> Ibid, 133.

<sup>65</sup> Ibid.

should be criminalized without exception. They argued that the existence of prostitution in any form facilitated abusive, exploitive activity that gave rise to other forms of vice and violence. Finally, abolitionists—drawing on the language of slavery and anti-slavery—rejected both regulation and criminalization, demanding an outright elimination of prostitution and the trafficking of women altogether.<sup>66</sup> Nevertheless, they generally supported laws restricting third-party activities surrounding the sale of sex such as procuring and trafficking in women.

In nineteenth-century Brazil, there was little support amongst those in power for the prohibition or full abolition of prostitution. In 1852, the Police Chief for the Corte Alexandre Joaquim de Siqueira approached the Municipal Council with his study of prostitution in the city of Rio de Janeiro. The Central Hygiene Committee supported his proposal for regulating prostitution; however, once the file reached the Ministry of Justice, the proposal floundered and died. Others simply denied Brazilian culpability altogether, arguing that prostitution was a foreign problem, one introduced to Brazil via European migration.<sup>67</sup> Moreover, allegedly the proposal was rejected due to pressure from Dom Pedro II himself who stated that regulating

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<sup>66</sup> The first international anti-prostitution movement evolved out of the anti-slavery, abolitionist movements of the nineteenth century in Great Britain. These associations deliberately drew clear parallels between chattel slavery and prostitution in order to generate support among anti-slavery supporters. They argued that prostitution turned women into “slaves” who were “trafficked” and exploited. The same language is still employed today. For more on the genesis of this movement see Stephanie A. Limoncelli, *The Politics of Trafficking: The International Movement to Combat the Sexual Exploitation of Women* (Stanford: Stanford University Press, 2010).

<sup>67</sup> A report issued in the 1870s by the Police Sanitation Committee stated that prostitution was a foreign problem, specifically imported from Europe, and that had subsequently spread throughout Brazil. It is possible that the report was gesturing towards the perceived problems stemming from the increased numbers of foreign-born prostitutes as the publication of the report coincides with the increase in concern over large numbers of *polaca* or Eastern European women arriving to the city. The report is contained at the General Archive of the city of Rio de Janeiro. See “Prostituição: 1878-1884,” Códice 48.4.59, AGCRJ.

prostitution first necessitated its recognition which, by extension, imparting a sense of legality.<sup>68</sup> This ambivalence or hesitance to adopt an official legal stance, historian Donna Guy explains, was quite common in Catholic countries given the original position adopted by the Catholic theologians Saint Augustine and Saint Thomas Aquinas who both believed prostitution to be vile but necessary.<sup>69</sup> Brothels provided a bulwark against the spread of vice throughout the city while female prostitution provided a tolerable outlet for male lust. Furthermore, Aquinas believed that the availability of female prostitutes prevented the spread of male homosexuality.<sup>70</sup> Official Vatican policy denounced licensed brothels, yet, as Guy explains, proponents of prostitution in Catholic countries looked to Augustine and Aquinas to justify the toleration of prostitution. In Brazil, the discourse surrounding prostitution largely supports Guy's assertion and is evidenced by the hands-off approach adopted by imperial legislators. However, Brazilian authorities faced another distinct obstacle—the persistence of slavery and the rights of slaveholders.

Even if there had been a strong desire by the state to impose new laws and regulations, it would have been difficult to accomplish in a slave society like Brazil where the social organization facilitated and upheld the power of one class of people over another. The deep entrenchment of slavery in Brazil meant that a parallel system of justice developed; on one hand, there was the official legal codes designed to uphold the rule of law and on the other, a system in which private citizens exercised considerable personal authority over their private and domestic

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<sup>68</sup> José Ricardo Pires de Almeida, *Homossexualismo (A libertinagem no Rio de Janeiro) Estudo sobre as perversões e inversões do instinto genital*. Rio de Janeiro: Laemmert & Co. 1906), 52-53.

<sup>69</sup> Donna Guy, *Sex and Danger in Buenos Aires: Prostitution, Family, and Nation in Argentina* (Lincoln: University of Nebraska Press, 1991): 13. Guy provides a comparison between the Catholic and Protestant views on prostitution and its regulation. Protestants, unlike their Catholic counterparts, believed in the abolition of prostitution altogether condemning state regulated brothels. See Guy, 12-14.

<sup>70</sup> Ibid, 13.

lives, particularly with regards to their human property.<sup>71</sup> Masters were accustomed to this right and so any attempts by the state to intervene would be met with strong resistance particularly those that granted public officials the ability to monitor and intervene in private life. Elite Brazilians, Lauderdale Graham argues, were so deeply committed to preventing the state's ability to limit the will and desires of individual citizens that they were willing to take the risk of contracting debilitating diseases like syphilis.<sup>72</sup>

Another critical factor to consider was the state and strength of the police. Prior to the nineteenth century, military units and private armed guards comprised the primary system of public policing and protection.<sup>73</sup> The regulation of enslaved persons fell under the purview of their owners. However, after the arrival of the Portuguese court, an intendant of police was soon established in the city. Modeled on the administrative structure of Lisbon, the intendency delegated to the police the power to judge and penalize minor transgressions, allowing them to decide whether the act committed warranted imprisonment and if so, how long. This system would remain in place after Brazilian Independence, in 1822, until the Constitution of 1824 formally established the rule of law providing a more concrete and official legal framework for

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<sup>71</sup> In her study of slavery, liberalism, and the law, Keila Grinberg shows how the persistence of slavery throughout the nineteenth century delayed the completion and redaction of a civil code as legal jurists could not find a way to reconcile a liberal code that granted equality to all citizens with a system in which some individuals were considered the property of others. See Grinberg, "Slavery, liberalism, and the civil law: definitions of status and citizenship in the elaboration of the Brazilian civil code (1855-1916)," in *Honor, Status, and the Law in Modern Latin America*, ed. Sueann Caulfield, Sarah Chambers, and Lara Putnam (Durham: Duke University Press, 2005): 109-127.

<sup>72</sup> Sandra Lauderdale Graham, "Slavery's Impasse: Slave Prostitutes, Small-time Mistresses, and the Brazilian Law of 1871," *Comparative Studies in Society and History* 33: (1991): 685.

<sup>73</sup> Thomas H. Holloway, "'A Healthy Terror': Police Repression of Capoeiras in Nineteenth-Century Rio de Janeiro," *The Hispanic American Historical Review* 69:4 (Nov. 1989): 640.

social control.<sup>74</sup> In 1831, the office of the Chief of Police would be established inaugurating a period in which the police system of Rio de Janeiro began to undergo further development.<sup>75</sup> By the mid-nineteenth century, the chief of police, along with two delegates and a staff of fifteen clerks and bailiffs, would oversee and administer the central police headquarters in Rio de Janeiro.<sup>76</sup> A sub-delegate supervised each of the city's eight parishes with a designated block inspector assigned to each of the 195 blocks (small administrative units of twenty-five residences or more).<sup>77</sup> In addition to the civilian police, the judicial police numbered approximately 120 and the military police, another 400.<sup>78</sup> Despite these numbers, Thomas Holloway notes that authorities often complained of staffing shortages.<sup>79</sup> If there was a lack of available manpower to begin with, it is difficult to see how the police could carve out special units for the level of surveillance and management suggested by Parent du Châtelet.

By the mid-nineteenth century it was clear that the Imperial government had little intention of passing any concrete laws that either regulated or criminalized prostitution. By largely refusing to engage with the issue, the Crown effectively delegated the problem to local authorities. There was not much more support at the local level. The city council was unwilling to grant police the official powers to impose new ordinances and was further disinclined to

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<sup>74</sup> Ibid, 641.

<sup>75</sup> Thomas H. Holloway, "Doing Favors for Street People: Official responses to Beggars and Vagrants in Nineteenth-Century Rio de Janeiro," in *Cast Out: Vagrancy and Homelessness in Global and Historical Perspective*, ed., A.L. Beier and Paul Ocobock (Athens: Ohio University Press, 2008), 165.

<sup>76</sup> Holloway, "A Healthy Terror," 642.

<sup>77</sup> Ibid.

<sup>78</sup> Ibid. Holloway cites these statistics from 1850.

<sup>79</sup> Ibid, 643.

assume the financial burdens of reform.<sup>80</sup> Subsequently, tangible, on the ground efforts at regulation proved uneven and poorly implemented throughout the 1850 and 1860s. The Criminal Code of 1830 only mentioned prostitutes once and only insofar as to stipulate the punishment for rape was reduced if the woman was found to be a prostitute.<sup>81</sup> However, in 1842, a law granted police the ability to arrest any “scandalous whores who disturb the public sector.”<sup>82</sup> The law lacked specificity in terms of who could (or should) be considered a “scandalous whore;” however, the law still worked in the police’s favor. The ambiguity of the language granted the local block inspectors a wide berth in deciding who could be targeted and for what offenses as many behaviors could certainly fall under the umbrella of “disturbing the public sector” or vagrancy. The police records spanning the nineteenth century are replete with entries of women arrested for vagrancy; for being in a brothel; or for frequenting a house vaguely defined as one of “ill repute.” Any act deemed disruptive provided grounds for arrest and any woman who suggested she led a life outside the confines of bourgeois gentility could become a target of police repression.

According to nineteenth-century gender conventions, any unattended woman outside the home was vulnerable to assumptions about her class, status, and honor. Women in colonial Brazil—and throughout Latin America more broadly—honor was a highly gendered principle shaped by race and class well. Both the Catholic Church and the state dictated who had it and how it could be protected. For elite, white women, honor was closely tied to sexual chastity with

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<sup>80</sup> Lauderdale Graham, “Slavery’s Impasse,” 684.

<sup>81</sup> *Código Criminal do Império do Brasil*, 1830, Chapter II, “Dos Crimes Contra a Segurança da Honra,” Seção I, Estupro, Art. 222. Accessed online, [http://www.planalto.gov.br/ccivil\\_03/leis/lim/lim-16-12-1830.htm](http://www.planalto.gov.br/ccivil_03/leis/lim/lim-16-12-1830.htm)

<sup>82</sup> Regulamento No. 120, “Regula a execução da parte policial e criminal da Lei no. 261 de Dezembro de 1841,” Article 65, No. 4, (Rio de Janeiro, 1842). Accessed online [http://www.planalto.gov.br/ccivil\\_03/regulamentos/r120.htm](http://www.planalto.gov.br/ccivil_03/regulamentos/r120.htm)”



sex only permitted within the bounds of marriage and as a means of reproduction.<sup>83</sup> As Sandra Lauderdale Graham explains, historically Brazilian society understood life to be separated into two spaces: the home and the public street. The home was a protected, ordered, domestic space while the street represented disorder and danger.<sup>84</sup> In theory, if not practice, the *doñas da casa* resided within the walls of the home surrounded by servants who were equally protected from the brutish life beyond the front door. These servants only labored within the walls of the home while other women, women presumed to be “familiar” with the streets, were sent on errands outside the home. Often, it was the older, and presumably more experienced, women who were sent out of the home as their masters assumed they’d be better equipped to deal with the rough and rowdy nature of the streets.<sup>85</sup> Therefore, any woman engaged in street selling or found out of the house unescorted was prone to being labeled as a “public woman.” Indeed, there often was an overlap between street vendors, laundresses, seamstresses, and prostitution.<sup>86</sup> As Dr. Costa noted

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<sup>83</sup> According to Sueann Caulfield, historians of Brazil disagree about how honor functioned in reality, particularly taking into consideration the high rates of consensual (but not marital) unions, illegitimate children, and single, female-headed households. See Caulfield, *In Defense of Honor: Sexual Morality, Modernity, and Nation in Early Twentieth-Century Brazil* (Durham: Duke University Press, 2000), 6-7. For more on female honor in Brazil from the colonial early twentieth century see: Martha Abreu, *Meninas Perdidas: os populares e o cotidiano do amor no Rio de Janeiro da belle époque* (São Paulo: Paz e Terra, 1989); Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (Cambridge: Cambridge University Press, 1989); Rachel Soihet, *Condição feminina e formas de violência: Mulheres pobres e ordem urbana, 1890-1920* (Rio de Janeiro: Forense, 1989); and Laura de Mello e Souza, *O diabo e a terra de Santa Cruz* (São Paulo: Companhia das Letras, 1987).

<sup>84</sup> Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (Cambridge: Cambridge University Press, 1988), 15.

<sup>85</sup> Ibid, 18. There is also an implied relationship to sexual experience as well.

<sup>86</sup> Maria Odila Silva Dias notes that it was common for poor, urban women (free or enslaved) to supplement their wages through prostitution. See Dias, *Power & Everyday Life: The Lives of Working Women in Nineteenth-Century Brazil* (New Brunswick: Rutgers University Press, 1995).

in 1850, without any legal definition of who could or could not be considered a prostitute or public woman, it would be nearly impossible to track them.<sup>87</sup>

Such quibbles over definitions did not deter Alexandre Joaquim de Siqueira, the chief of police of the Corte from 1853 to 1854. Eager to clean up the city, Siqueira set about creating a registry of all the women in the city engaged in the libidinous trade. While it is not clear what criteria Siqueira employed to determine who qualified for regulation, he managed to compile a “relatively complete” list of public women.<sup>88</sup> Next, Siqueira drew up a comprehensive proposal aimed at regulating the women on his list.

In December 1853, Siqueira presented a twenty-eight article proposal to regulate prostitution to the Camara Municipal. Seven of the articles pertain to the registration and tracking of women. Article one required that any women wishing to engage in prostitution inscribe their name in a “special book,” to be kept by the Secretary of Police, that included their age, place of birth, state of birth, current address, their last known residence, and any other aliases or last names that they may have used.<sup>89</sup> Siqueira’s plan granted powers to the Board of Health to monitor, inspect, treat, and even penalize any operations found in violation of the codes. Notably, once registered, all women were required to submit to bi-weekly inspections by doctors approved by the Board of Health.<sup>90</sup> The results of all exams were to be logged. Women

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<sup>87</sup> Dr. Da Costa, “Sessão Geral em 3 de Outubro 1850,” *Annaes Brasilienses de Medicina*, 1851, 84.

<sup>88</sup> Francisco Ferraz de Macedo, “Da Prostituição em geral, e em particular em relação a cidade do Rio de Janeiro: prophylaxia da syphilis,” Rio de Janeiro: Typographia, 1873), 71.

<sup>89</sup> Jeronimo Martin Figueira de Mello, “Relatório do Chefe de Policia da Corte,” in José Thomaz Nabuco de Araújo, *Relatório da Ministério dos Negócios da Justiça apresentado á Justiça do Conselho d’Estado*, Justiça, Secretaria de Policia, Letter C, “Regulamento sobre a Prostituição,” Article 1§ Unico, (Rio de Janeiro, 1855), ANRJ.. Hereafter cited as “Figueira de Mello, Relatório, 1855.”

<sup>90</sup> Ibid, Article 9.

who skipped or evaded exam, would be fined. Any woman found to be infected with any venereal disease was to be removed to the Santa Casa for treatment. Any woman who continued to engage in sexual services despite knowingly being infected would be fined and sentenced to at least thirty days in jail.<sup>91</sup> Article Fourteen is particularly striking—if unsurprising—as it stipulated that doctors should look for and notify the police authority for any evidence of infanticide or induced miscarriages so that proper charges could be brought against any offending women.<sup>92</sup>

Given the police’s concern with maintaining public peace and keeping “unruly,” or disruptive women in place, surprisingly, only two articles directly addressed the conduct of “public women.” In an effort to shield the honest people of Rio from the disorderly harlots, Siqueira sought to prevent women from soliciting (and servicing) customers at inns, taverns, cafes, or temporary lodgings. Nor were women allowed to exhibit themselves in doors or windows.<sup>93</sup> Those that did were subject to fines for disrupting the peace. Moreover, any managers of public houses who allowed their women to devolve into public spectacle or disorderly conduct would be liable to fines and the women imprisoned.<sup>94</sup>

In Rio, women worked out of rooms and apartments that were interspersed between all manners of businesses as well as side by side with the homes of Rio’s “honest” and upstanding

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<sup>91</sup> Ibid, Article 13.

<sup>92</sup> Induced miscarriages and other forms of fertility control are difficult to document but were not unknown. See Cassia Roth, “From Free Womb to Criminalized Woman: Fertility Control in Brazilian Slavery and Freedom,” *Slavery & Abolition* 2 (2017): 269-286 and Roth, *A Miscarriage of Justice: Women’s Reproductive Lives and the Law in Early Twentieth-Century Brazil* (Palo Alto: Stanford University Press, 2020).

<sup>93</sup> Figueira de Mello, “Relatório, 1855,” Letter C, Article 15.

<sup>94</sup> Ibid, Article 16.

families.<sup>95</sup> They tended to concentrate around the neighborhoods in Sacramento, Santa Rita, and Candelária; but by mid-century, they had begun to infiltrate the areas around Lapa, Botafogo, and Gloria as well. Prostitution flourished throughout the city and sex could be purchased in myriad places from women of varying race, class, and status. In this way, sex workers were integrated into the social and commercial fabric of the city while frequently overlapping with the familial sphere as well. This close proximity to honest families and workingmen increasingly vexed both medical and legal authorities.

Inspired by the French model, Siqueira sought to establish clearly demarcated, state-regulated brothels that would be restricted to certain areas of the city. Across seven articles he outlines how to establish and register a brothel; what constituted a “public house” (at least two or more women engaged in the trade); the necessity of compliance with sanitation measure (visits by doctors to judge the health of the women but also the cleanliness of the space); the scrupulous registration of women; the maintenance of clear communication with the Board of Health as well as the Police; and proper use of logbooks to track the women, their exams, and any incidences of disease or illness. The only women allowed on the premises would be registered prostitutes and the house manager; not even female relatives of the manager were allowed in. Moreover, no females under the age of seventeen would be allowed to register to work as a prostitute. Should one try, the law demanded they be returned to their parents or sent to the orphanage. Importantly, though, this law was not retroactive and any “women” under the age currently engaging in prostitution were allowed to continue to do so.<sup>96</sup> Finally, reflecting a popular belief that most

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<sup>95</sup> Throughout the newspaper articles, medical debates and dissertations, and other legal reports and correspondence, the term “honest” or *honestas* is used in reference to citizens and families who exemplified bourgeois sensibilities and gentility as opposed to the rowdy, often poor, and allegedly immoral men and women who constituted the city’s *hoi polloi*.

<sup>96</sup> Ibid, Article 3.

women only entered into the sexual economy for a limited time (usually due to abandonment or financial hardship), should any of the women decide to leave their profession, she also must notify the police in order to have her name expunged from the logbook.<sup>97</sup>

Article seventeen introduced a second essential component of Siqueira's plan: the creation of a *zona de meretrício* or a vice district. Any registered prostitute would be "strictly prohibited," from residing outside a certain designated neighborhood, as would the establishment of any new brothels or *casas de tolerância*.<sup>98</sup> Anyone found operating outside of the zone was subject to fine or further penalty as was any owner or manager who allowed a woman to work out of their spare rooms or temporary quarters. Siqueira references an attached plan for the potential location of the *zona* but that, unfortunately, was lost or not included with this copy of the file. We do know, however, that the establishment of any *zona* could not be located near any "temples or churches, public or private educational establishments, or theaters."<sup>99</sup> At the time, prostitution flourished throughout the city. As Dr. Lassance Cunha illustrated, women tended to concentrate around certain areas in the old heart of the city but they also set up rooms in Lapa, Gloria, and Botafogo, as well. To Siqueira, the answer was obvious: confine women and the sexual economy to one particular space so that authorities could monitor, control, and penalize women who defied the law and defiled the city. Moreover, creating a dedicated pleasure district would effectively reduce the visibility of prostitution and protect good families from its effects. In theory, the creation of the vice district would indeed be an effective way in which to monitor sex workers; however, there is no way that such measures could be imposed upon enslaved

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<sup>97</sup> Ibid, Article 21.

<sup>98</sup> Ibid, Article 17.

<sup>99</sup> Ibid, Article 18.

women as such a mandate would pose an immanent threat to the power of the slaveholder and their right to control their own property.

In Siqueira's proposal, we can see the threading together of the medical and legal perspectives, namely in the control of women's bodies through the use of sanitation and punitive measures. Siqueira envisioned a collaborative effort in which the Board of Health oversaw regular examinations to detect any cases of syphilis in the women while the police punished transgressors. The goal was not to stamp out prostitution but to make it safe for men to engage in. Until the middle of the nineteenth century, doctors believed that syphilis was the result of too much sex without moderation or libertinism. However, they increasingly came to connect the disease to sex with prostitutes specifically. Something needed to be done to curb its spread. However, decades of previous neglect by authorities had given syphilis a deep foothold in city, so much so that one doctor pithily remarked that "it was an integral part of the walls."<sup>100</sup> Nevertheless, Siqueira's vision was never realized, as least not during his tenure as Chief of Police. Due to severe illness, he retired in 1854. In a final blow to Siqueira's agenda, not only did the Ministry dismiss his proposal, the text itself was reportedly lost "into oblivion."<sup>101</sup> This would explain why most contemporary monographs reference Siqueira's efforts but don't offer

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<sup>100</sup> De Sá, "Algumas Reflexões," 32.

<sup>101</sup> Ferraz de Macedo, *Da Prostituição em geral*, 71. Macedo meant that the document was literally lost and claims that he was unable to locate a copy of Siqueira's proposal anywhere in the city. In an interesting turn, another author writing in 1899, Dr. Souza Lima, also notes that he was unable to find a copy. In 1989, Magali Engle notes that the manuscript was located at the Arquivo Geral da Cidade do Rio de Janeiro but does not cite from the manuscript itself. However, when I attempted to locate the document, it was no longer available and the archivist suggested perhaps it had been lost along with one of the files on prostitution that was also missing. But, in a surprising turn of events, I located a copy of Siqueira's original report included in the proposal submitted by Figueira de Mello, dated 1855, at the Arquivo Nacional in Rio de Janeiro. It is thanks to this serendipitous finding that I can relate more of the details of Siqueira's original proposal.

an up close, in detail analysis of these measures.<sup>102</sup> Thanks to a fortuitous archival finding, through my own research I unearthed a copy of Siqueira's measure as well as discovered another unknown yet key figure in the push for regulation—Jeronymo Martiniano Figueira de Mello.

After the failure of Siqueira's proposal, most scholars note that the next attempt at police regulation came in 1858 with the then-Police Chief for the Corte, Isidro Borges Monteiro; however, in March 31, 1855, Chief of Police Figueira de Mello—Siqueira's replacement and a former magistrate from the province of Maranhão—submitted a file to the Ministério dos Negócios da Justiça.<sup>103</sup> It contained several copies of proposals for the regulation of prostitution (including Siqueira's) as well as the evaluations and opinions of three medical doctors and a lengthy correspondence concerning the subject with the Kingdom of Belgium (letter B1). Addressing the Ministry and the Imperial government more broadly, Figueira de Mello gently chastised them for having let the work of his predecessor languish without “the slightest progress.”<sup>104</sup> Prostitution, he argued, was a dire issued for “its influence on public health and morality [that] deserves to be seriously studied by the Imperial Government and that only by the Imperial Government [could] measures be taken.”<sup>105</sup>

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<sup>102</sup> Of the two texts that look at police intervention in prostitution during this period, both Soares and Engle reference Siqueira's efforts to accumulate information on the women who engaged in prostitution but do not provide an in depth analysis of his proposed measure to regulate prostitution from that point on.

<sup>103</sup> See Luiz Carlos Soares, *Rameiras, Ilhoas, Polacas...A prostituição no Rio de Janeiro do século XIX* (Rio de Janeiro: Editora Ática, 1992) and Carrara, *Tributo a vênus*. Both authors proceed from Siqueira to Monteiro in 1858. The Ministry was responsible for maintaining public order throughout the Imperial period. It oversaw all enacted laws, decrees, and regulations within its jurisdiction as well as overseeing civil and criminal justice concerns. After 1850, the Ministry would be charged with overseeing the apprehension and punishment of illegal slave traders making the enforcement of the law much more effective.

<sup>104</sup> Figueira de Mello, “Relatório, 1855.”

<sup>105</sup> Ibid.

Studies concerning the medical supervision of prostitution begin with the medical literature in the mid-1840s and argue that legal regulation attempted to follow; however, the evidence shows that Figueira de Mello had a long history with, and a deep interest in, regulating prostitution. He began his career as a public prosecutor in 1832. He was later appointed to a judgeship in Pernambuco before being appointed Secretary to the president of the province of Pernambuco and later, Chief of Police of the same. In 1854, he would be appointed Chief of Police of the Corte, in Rio de Janeiro, and, in 1855, would submit his own proposal for regulation to the city council.<sup>106</sup> However, this would not be Figueira de Mello's first appeal. He first submitted a draft of regulations in 1843 to the Administration of the Province of Maranhão when he was the then President of said province. In this way, it appears that the first attempts at legal regulation did not originate in the capital, but instead in the provinces.

Figueira de Mello's proposal rested on three main pillars: the registration of women, surveillance of their movements and location, and the enforcement of specific sanitation measures. The regulations would be enacted at the Imperial level but enforced at the local level by police inspectors and board-approved doctors and surgeons. This proposal closely mirror those of the Frenchman Parent du Châtelet; Figueira de Mello admits having closely studied his work, as well as that of the Belgians, hoping to find a way forward with rules and regulations that might be applicable to "the great cities of the [Brazilian] Empire."<sup>107</sup> Indeed, Figueira de Mello included a copy of Belgian regulations, translated into Portuguese, with the proposal he

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<sup>106</sup> Supremo Tribunal Federal "Ministros," accessed online at: <http://www.stf.jus.br/portal/ministro/verMinistro.asp?periodo=stj&id=312>

<sup>107</sup> Figueira de Mello, "Relatório, 1855."



submitted to the Municipal Council in 1855.<sup>108</sup> Spanning nearly forty pages, eleven separate chapters, and nearly 120 separate articles, Figueira de Mello's recommendations are quite extensive and detailed and shed light on the internal debates amongst legal authorities.<sup>109</sup> It is here that we will begin our examination of the police efforts at regulation.

Figueira de Mello began at the most basic, yet critical, level—defining who and what should fall under the definition of prostitute and prostitution. A prostitute was “any woman who ill used her body, giving herself to anyone and everyone who seeks her for pay, either in her private house, public house, or in the plazas, streets, or roads.”<sup>110</sup> This definition is a marked departure from the language employed by the medical community as it excluded women who engaged in alternative forms of cohabitation that fell outside of the legal and religious bounds of marriage such as concubinage or adultery.<sup>111</sup> Figueira de Mello clarified that any woman who *freely* gave herself—in the privacy of her own home—should not be considered a prostitute. This was an important distinction as the popular definition of prostitution was remarkably expansive. As previously mentioned, prostitution encompassed a wide range of sexual agreements and relationships while often hinging upon one's race, class, and social status. Figueira de Mello's

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<sup>108</sup> The translated copy of this letter included in Figueira de Mello, “Relatório, 1855,” Letter B2, 1851.

<sup>109</sup> I have not been able to locate or view a copy of Figueira de Mello's original proposal submitted in Maranhão therefore I do not know to what extent his perspective changed between 1843 and 1855; however he does include an analysis of the Belgian system dated 1851 in his 1855 file suggesting that he continued to pursue a study of prostitution regulation. It stands to reason that the 1855 file is the culmination of his studies and includes his previous measures.

<sup>110</sup> Figueira de Mello, “Relatório, 1855,” Letter A, Article 1.

<sup>111</sup> In particular, it diverges from the definition employed by Dr. Lassance Cunha, in 1845, who clarified that he used the term prostitution in the “broadest sense” to include women who engaged in *mancebia*, lived outside the bounds and rules of honor/honesty, and engaged in illicit relationships with more than one individual. Lassance Cunha, “A prostituição,” 16.

definition significantly narrowed the scope to focus exclusively on those who would engage in the sexual economy on a full-time basis.

Once the category of women was defined, steps could be taken to target and register those wishing to work in the occupation. Like Siqueira, Figueira de Mello's proposal required that all women register with both the police and the *directora* or manager of any public house where they would be working, providing extensive personal details as well as their medical history. All women must present a copy of their baptism record in order to prove their age, something that most poor or freed women of color likely could not do. However, in order to enter into a brothel or any other houses where sexual transactions occurred, a woman must be registered or else she risked imprisonment. Even women who worked as servants in the house would be subject to surveillance and regular health checkups.<sup>112</sup> Curiously, Figueira de Mello noted that married or widowed women could work under an alias in order to protect their real identity; however, they still had to provide their real name for the registry.<sup>113</sup> It was commonly believed that the majority of women who prostituted themselves primarily did so due to financial hardship stemming from a variety of factors including abandonment by husbands, performing exclusively low wage labor, and by being born into a poor family.<sup>114</sup> In this way, prostitution was often believed to be a stop-gap measure that women engaged in for a short period of time.

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<sup>112</sup> Figueira de Mello, "Relatório, 1855," Letter A, Article 43.

<sup>113</sup> Ibid, Article 97.

<sup>114</sup> Women have routinely engaged in transactional sex to offset poverty or low wages stemming from abandonment or low birth. See Christine Stansell, *City of Women: Sex and Class in New York 1789-1860* (New York: Knopf, 1986); Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (Cambridge: Cambridge University Press, 1988); Maria Odila Silva Dias, *Power & Everyday Life: The Lives of Working Women in Nineteenth-Century Brazil* (New Brunswick: Rutgers University Press, 1995); and Luise White, *The Comforts of Home: Prostitution in Colonial Nairobi* (Chicago: University of Chicago Press, 1990).

Therefore, Figueira de Mello provided steps for women to take should they decide to “retire” from the business as well as the creation of *casas de refugio* for ex-prostitutes where they might foreswear their previous life of debauchery and dedicate it anew to the virtuous pursuit of religious knowledge.<sup>115</sup>

The proper registration of women was key to facilitating the second critical feature of the plan: the physical containment of public women. Of paramount importance was putting prostitutes in their place and keeping them under the watchful eye of both the Police and the Board of Public Health while keeping them away from the innocent eyes of the broader—ostensibly more honorable and upstanding—population. The French solution rested on the creation of state regulated brothels; Figueira de Mello strongly supported this replication in Brazil. In a series of articles, he outlined the process through which a brothel could be established. It had to be licensed, inspected, and registered with the both the legal and sanitation authorities and was subject to regular inspection, just like the women. The brothels, he stated, should be “spacious, airy, healthy, and proportionate in size to the number of people residing there.”<sup>116</sup> All clothing worn “to bed” as well as sheets and mattresses should be routinely cleaned and kept in “the greatest possible way.”<sup>117</sup> The same should be applied to the girls’ dress—they should dress in “decent and clean” clothing being sure to cover their heads and arms should they leave the residence so as to not attract undue attention on the street.<sup>118</sup> Moreover, each girl should have her own room, separate from those of the others. This regulation is mentioned twice: the first in conjunction with sanitation and the second, in what seems to be an attempt, on behalf of

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<sup>115</sup> Figueira de Mello, “Relatório, 1855,” Letter A, Chapter 10, “Das Casas de Refugio.”

<sup>116</sup> Ibid, Article 28.

<sup>117</sup> Ibid, Article 35.

<sup>118</sup> Ibid, Article 34.

the police chief, to not only regulate the business of prostitution but also specific acts. Article 41 forbade any two women to “lie down in” the same bed with any “subject.” While the language is opaque, the article appears to forbid people from engaging in *ménage a trois*.<sup>119</sup>

In terms of the physical location, the regulations forbade the establishment of *casas publicas* above stores, bars, eating houses, or anywhere else women might ply their trade. It forbade the establishment of any houses on the main streets or thoroughfares of the city as well as near schools and government offices. No two neighboring houses could service “different clients” while sharing one entry.<sup>120</sup> Therefore, even the physical entry into the *casas* was to be monitored and relatively subtle in access so as not to offend any passersby or neighbors. Moreover, women could not beckon or solicit customers from out of windows, as was commonly practiced throughout the eighteenth and nineteenth centuries.<sup>121</sup> In fact, as we’ll see later, Figueira de Mello suggests criminalizing such behavior, subjecting women and brothel managers to fines and imprisonment for such behavior.

In particular, Chapter Four, on “Public Houses of Prostitution,” provides more detail on the internal workings of the house. For example, it stipulated that only a limited number of young women be allowed to work at a certain time “under the direction and vigilance of a woman to whom the young women owed their obedience.”<sup>122</sup> Like the young women, the manager also had to register with the Delegado de Policia to be in compliance with the rules as well. Figueira de Mello expanded on the role of the house manager in Chapter Five. She had to be at least twenty-five years old or older; know how to read and write; be capable of managing

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<sup>119</sup> Ibid, Article 41.

<sup>120</sup> Ibid, Article 29.

<sup>121</sup> Ibid, Article 62, No. 3.

<sup>122</sup> Ibid, Article 27. Italics are mine.

such a house; and refuse to enable or condone unregulated, clandestine prostitution. Also, importantly, the *directora* had to have been a prostitute herself at some point and be familiar with the profession.<sup>123</sup> It is not immediately clear why he stipulates that the manager would need to be an older woman (*mulher*) who was herself an experienced veteran in business and knew how to control or command the respect of the younger women (*raparigas*). Perhaps Figueira de Mello believed that the older women could also advise and guide the younger in the ways of hygiene and disease prevention as it has been suggested that women who worked in brothels—as opposed to the streets or out of private windows—were better skilled with washes, douches, and other seemingly preventative measures.

The *directora* was also responsible for maintaining the house books and ensuring any woman who joined her establishment registered with the Police. Figueira de Mello provided very exact parameters for the registration books. The regulations stipulated the log books should be split into two parts: the first to record the names of the young women working and the second, to record any women who had “retired” from the business but still rented rooms in the house.<sup>124</sup> The first column should further be divided into four columns recording the girls’ name and age; the day she entered into the house; the date of her health checkup and inspection; and the date, if applicable, that she left employed at the house.<sup>125</sup> Any failure to keep accurate books would result in fines and potentially the shuttering of the entire establishment.

Figueira de Mello was a man influenced by both science and the law for he understood prostitution to be more than just a moral quandary; it was a question of public health and public

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<sup>123</sup> Ibid, Chapter 5, “Das Directoras das casas publicas toleradas,” Article 36.

<sup>124</sup> Ibid, Chapter 6, “Das visitas dos medicos e dos cuidados sanitarios havidos com as prostitutas,” Article 39.

<sup>125</sup> Ibid.

order. What is particularly striking about his proposal is his emphasis on and recognition of the ill effects of venereal diseases—in particular syphilis and chlamydia (one was often taken for the other)—and believed it was of paramount importance to curb their spread. Figueira de Mello called for the creation of a special Commission staffed by Board-approved doctors who would be charged with “visiting, proscribing, and treating” any prostitutes exhibiting signs of venereal disease.<sup>126</sup> The police chief was incredibly thorough—he even stipulated salaries for the doctors and surgeons as well as a minimum age and experience.<sup>127</sup> Each woman would have a registry card where the doctors would log their observations about the women’s health and whether or not it had improved or deteriorated since her last visit. Should a woman exhibit signs of illness, the *directora* was to be immediately notified and the woman conveyed to the nearest dispensary for further inspection and then sent on to the hospital for treatment.<sup>128</sup> To these ends, Figueira de Mello called for the creation of a hospital devoted exclusively to the treatment of people infected with syphilis or other venereal diseases. In a way, what he wanted was a form of institutionalized quarantine that kept infected people separate from those suffering from other illnesses. The hospital would cater to not just prostitutes but women who were “not prostitutes [yet] suffering from the same disease,” and men (who would be housed in their own section of the hospital) who had contracted the disease as well.<sup>129</sup> In theory, such tight regulations would prevent the spread

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<sup>126</sup> Ibid, Article 44.

<sup>127</sup> Ibid, Article 45.

<sup>128</sup> Ibid, Articles 49-51.

<sup>129</sup> Ibid, Chapter 7, “Dos Hospitaes Venereos,” Article 53. Chapter 7 on “The Venereal Hospital” goes into further detail about the various aspects of the hospital such as the inclusion of a chapel as well as exercise and work routines for the residents and proper attire. Another proposal for the creation of a hospital dedicated to venereal disease was submitted in 1879 by Jose Ponciano de Oliveira of the Arsenal of War. See “Projeto de J. Ponciano de Oliveira (métodos de combate sífilis), Folha “Prostituição 48.4.59 1878-1884,” AGCRJ.

of disease or at the very least serve as a check on its spread. However, Figueira de Mello's plan required enormous investment not only in terms of time but also in terms of money and infrastructure, not an appealing project to the city council.

Chapter Eight, "The Crimes of Prostitutes and the Penalties that Should Be Imposed" is particularly striking in that Figueira de Mello attempts to further regulate the behavior of women through the criminalization of certain behaviors. Most infractions would be punishable by, at minimum, 15 days in prison but could be as much as up to three months, depending on rates of recidivism. Women were forbidden from soliciting or working outside a brothel; no fighting in the streets or other public places; no seeking alms or charity; no begging; no street walking to attract men; no leaving their listed house of residence prior to the required medical visits; failure to present themselves at the Dispensary for treatment or refusing such treatment; and most importantly, no evading exams or treatment altogether.<sup>130</sup> These crimes were punishable by fifteen days in jail, up to a total of three months. There were, however, graver crimes punishable by up to six months in jail such as insulting or injuring any of the medical professionals conducting the exams; abandoning their treatment before completion; and continuing to entertain clients even after exhibiting signs of venereal disease. The aforementioned ban on exhibiting themselves at the window also fell under these stricter penalties as women were strictly forbidden from appearing "in a state of nudity or verbally attacking the public with dishonest and obscene language."<sup>131</sup> No entertaining "thieves or bandits."<sup>132</sup> In a clear nod to the protection of "good" families, any "injury"—in this context a verbal insult—committed by a prostitute against

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<sup>130</sup> Figueira de Mello, "Relatório, 1855," Letter A, Article 61.

<sup>131</sup> Ibid, Article 62.

<sup>132</sup> Ibid.

a mother or father of a family (or their children) would be subject to the highest penalty. This also explicitly included trying to seduce husbands away from their wives.

In addition to building a hospital dedicated to syphilitic patients, Figueira de Mello also recommended the creation of a prison complex that exclusively housed prostitutes instead of putting them in with the general population.<sup>133</sup> This would presumably prevent the women from plying their trade or infecting others with their diseases while incarcerated, an issue that he addresses further in his proposal when outlawing visitors outside of immediate family members. Moreover, this time in prison, it appears, was designed to instruct these women in the ways of proper womanhood and piety. For example, they would be expected to cook, clean, embroider, and sew—many of these projects in service to the public or military—all under the supervision of an Abbess.<sup>134</sup> No obscene books or literature would be allowed; nor would ostentatious clothing or hairstyles. The line between prisoner and penitent was a thin, if nearly indistinguishable.

Finally, Figueira de Mello expressly forbade clandestine prostitution. Any woman found guilty of working outside of the prescribed locations and without regular medical checkups was subject to arrest and imprisonment. In theory, this measure seems reasonable and enforceable but only with regards to free or freed women who could be required to relocate. As Lassance Cunha and de Sá both acknowledged, enslaved women performed a large percentage of clandestine prostitution thus making it exceptionally difficult to stamp out. Moreover, though, to mandate that enslaved prostitutes reside within such a perimeter would infringe upon slaveholder's rights

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<sup>133</sup> Figueira de Mello dedicates an entire section to how and what the prison for prostitutes should look like. For more detail see: Figueira de Mello, "Relatório, 1855," Letra A, Article 68-84, "Da Prizao."

<sup>134</sup> Ibid, Articles 70-71.



and threaten the very precepts of slavery. However, Figueira de Mello makes no mention whatsoever about conduct concerning enslaved women and appears to sidestep the issue altogether. This disconnect is striking if not altogether explicable. Unlike the medical community Figueira de Mello employed a narrow definition of “prostitution” and “prostitute,” that included public women who exchanged sex acts for cash. Perhaps his narrow definition of prostitution allowed him to conclude that the prostitution of enslaved women, concubinage, and other forms of sexual exploitation was something altogether different that fell outside his purview. Perhaps he simply elided the issue altogether as he was aware that any threat to the institution of slavery would likely alienate those in power. Perhaps he hoped that the establishment of laws against freeborn public women might provide the foundation to eradicate the prostitution of enslaved women. Unfortunately we cannot know. However, what is clear is that Figueira de Mello believed regulation was necessary to curb the disruptive effects of open prostitution practiced throughout the city and that the answer may lie with his European counterparts.

While the imprint of Parent du Châtelet is clear, Figueira de Mello also sought to incorporate other examples as well. To this end, he looked to the example of the recently formed Kingdom of Belgium.<sup>135</sup> In an effort to persuade Brazilian jurists, Figueira de Mello included a translated copy of the Belgian regulations on prostitution along with his own notes so that the reasoning behind each measure might be readily available at “a single glance.”<sup>136</sup> According to historian Sophie de Schaepdrijver, the Belgian system closely mirrored that of the Parisians and was known for being particularly stringent. Contemporary authorities lauded its high level of

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<sup>135</sup> Ibid, Letter B2, “Relatorio e Projecto de Lei Appresentado pelo Conselho Geral de Salubridade do Reino da Bélgica,” 1851. Hereafter, “Relatório, 1855,” Letter B2.”

Belgium claimed its independent status as a constitutional monarchy in 1831.

<sup>136</sup> Figueira de Mello, “Relatório, 1855.”

detail that would reduce both the moral and sanitary threats posed by prostitution.<sup>137</sup> Given how closely the Belgian regulations aligned with those proposed by Figueira de Mello, they do not, in the main, require repeating. However, there is one passage in particular that does bear noting

One of the primary questions that occupied de Mello was why there were such high rates of syphilis in Brazil. The Belgians were equally concerned, as they had witnessed its “considerable development” in recent times and “threatened to invade the whole society.” Its spread, they believed was “almost exclusively due to prostitution.” Was syphilis just an inevitable evil, they asked? Was it one that, like prostitution, society must “deplore in silence”? Belgian officials concluded that syphilis was not the inevitable outcome of prostitution given that it had not seem to afflict the ancient populations (Romans and Greeks) to the extent that it did the current population; therefore, they surmised, prostitution could exist without the debilitating spread of venereal disease. Perhaps it was because the disease “had a character that was previously unknown” or maybe it was because the disease “had been imported from another continent.”<sup>138</sup> Nevertheless, syphilis was a real and imminent threat that must be dealt with at all costs, even if that included the promotion of prophylactics like the condom—a bold contention for a deeply Catholic kingdom.

The use of condoms in response to the spread of syphilis throughout Europe and the Americas can be traced to the fifteenth century. They were known to combat the spread of venereal disease and by the seventeenth century, were often used by European prostitutes. Early versions were frequently fashioned out of sheep gut, fish bladder, or linen and were used with a

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<sup>137</sup> Sophie de Schaepdrijver, “Regulated Prostitution in Brussels, 1844-1877, A Policy and its Implementation,” *Historical Social Research* 37 (January 1986), 89. Schaepdrijver also notes that despite the best efforts, the Belgian system largely failed to live up to expectations as theory and practice severely diverged.

<sup>138</sup> Figueira de Mello, “Relatório, 1855,” Letter B2.

variety of ointments and medicinal solutions. Until the mid-nineteenth century they were considered quite costly but by 1855, rubber-based versions began emerging on the market.<sup>139</sup> However, Belgium, like Brazil, was historically a Catholic kingdom with deeply embedded ideas about sex and gender. Sex was, according to the Church, inherently sinful but it was a forgivable sin if done within the confines of marriage for the sake of reproduction. The key to redemption was procreation; should any measures be taken to impede procreation, the act was considered sinful and simple fornication for personal pleasure. Therefore, any use of birth control or prophylactics—for any reason—was roundly condemned and prohibited. Nevertheless, Belgian authorities thought it was time to broach the subject of *le condom* or *a bolça*, in Portuguese. Given that Figueira de Mello included this passage in his translation, it stands to reason that while we may not know if he fully supported the use of the condom, he felt it necessary to at least draw attention to its use by another Catholic nation.

Some “timorous souls,” the Belgian Health Council wrote, “have criticized the use of prophylactics . . . They have gone on to qualify them as immoral, unworkable, and useless.”<sup>140</sup> Yet, they argued, prophylactics are “a true science” and bear examination without “going into the question of morality” as it is, more pressingly, a question of hygienic import when viewed from the medical point of view.<sup>141</sup> The Council discussed the use of unguents, douches, washes, and other cleaning solutions but in particular, they advocated for the use of the condom stating that “a condom of good quality is a powerful preservative against the syphilitic contagion because it

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<sup>139</sup> H. Youssef, “The History of the Condom,” *Journal of the Royal Society of Medicine* 86:4 (April 1993): 226-228.

<sup>140</sup> Figueira de Mello, “Relatório, 1855,” Letter B2, fl.20.

<sup>141</sup> *Ibid*, fl. 21.

prevented the immediate contact of male organs with the lethal virus.”<sup>142</sup> They believed that the condom made contraction of the virus much lower, if not altogether successful. In anticipation of moral and theological condemnation, the Council refused to “display such delicacy” in its discussion of prophylactics for it would be “at the expense of the health of its citizens.”<sup>143</sup> Moreover, they argued, the “obstacle of puritan morality” was most often raised by “hypocrites” who would most benefit from the use of condoms and other prophylactic measures. Good quality condoms were difficult to find and excessively priced, they acknowledged, but what was cost when an entire population’s health, and by extension the health of the empire, was at stake? Something needed to be done to stem the scourge of syphilis and so, the Council argued, a serious conversation must ensue that addressed not only policing and medical exams but also concerning the proper use of other preventative measures.

Historically, the onus of preventing and treating venereal disease fell on women. But in a striking departure, the Belgians also suggested that perhaps the johns who frequented the brothels might also take part in prevention efforts by employing post-coital treatments and undergoing routine examinations. In particular, the doctors recommended a thorough washing with soap—for men and women—after the act as well as avoiding any irritants that may cause abrasions on the skin. Moreover, they suggested, post-coital injections of chloride solutions via a syringe with the caveat that each woman must keep and maintain her own in a satisfactory state of cleanliness so as to avoid letting the syringe become a methods of propagation itself.<sup>144</sup> While these methods showed some measure of success and were rather promising, the question, the Council noted, was whether men would actually be willing to concede to such measures for

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<sup>142</sup> Ibid, fl. 22-23.

<sup>143</sup> Ibid, fl. 23.

<sup>144</sup> Ibid, fl. 24.

“never will men want to submit to these examinations as it will be very repugnant to expose their genitals to the inspection of a person and particularly to another man.”<sup>145</sup> Despite men’s overarching refusal to undergo such inspections, the Council refused to abandon the promotion of prophylactics arguing that these measures were critical asking “Indeed, of what use would be the frequent and careful [medical] visits by women be if at one quarter of an hour after they are subjected to them, they submitted to a man who may be infected?”<sup>146</sup> Further, they suggested that perhaps men would be more willing to undergo an examination by a female—presumably the prostitute herself—instead of a male doctor. Certainly once they realized that they “must fear the destructive scourge of syphilis” Johns could not “reasonably refuse” these inspections for “the fear of [syphilis] only poisons their pleasures.”<sup>147</sup>

The Belgian authorities, and possibly Figueira de Mello as well, believed that there was some merit in promoting the use of condoms amongst other prophylactic measures. The use of condoms to ward against the spread of venereal disease was not a new idea in the nineteenth century as the practice can be traced as far back as the seventeenth century.<sup>148</sup> By the early-eighteenth century, condoms were being manufactured and sold in London with prostitutes themselves selling the items to clients.<sup>149</sup> One London manufacturer reportedly shipped large quantities of condoms abroad to France, Italy, Spain, and Portugal.<sup>150</sup> By the early 1800s,

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<sup>145</sup> Ibid, fl. 25-26.

<sup>146</sup> Ibid, fl. 26-27.

<sup>147</sup> Ibid, fl. 27.

<sup>148</sup> Jean-Jacques Amy and Michel Thiery, “The Condom: A Turbulent History,” *The European Journal of Contraception and Reproductive Health Care* 20 (2015): 390.

<sup>149</sup> Ibid.

<sup>150</sup> A Mrs. Philips is reputed to have run a condom shop called The Green Canister in 1770s London supplying apothecaries, druggists, sailors, and even ambassadors with her product. She

Parisian prostitutes regularly employed condoms to prevent the spread of syphilis and rubber versions became increasingly prevalent, particularly after the discovery of the vulcanization process of rubber.<sup>151</sup> By 1855, the vulcanization process was regularly applied to the manufacturing of condoms (coincidentally using the sap from rubber trees grown in Brazil). It is entirely possible that Brazilians were already familiar with the use of condoms a prophylactic measure; yet, there is little to no open discussion about their use or the promotion of the condom in Brazil at this time. Despite their efficacy, as a Catholic Empire, the slow, public, embrace of the condom likely stemmed from Pope Leo XII's condemnation of the condom as an artificial means of preventing conception and birth.<sup>152</sup> Though even if they had been readily marketed and available, enslaved prostitutes would not have been in any position to mandate their use. Instead, other curatives and supposed "miracle tonics" proliferated throughout the carioca market. As early as the 1835, several discussions appeared in the *Diario de Saude* that debated the efficacy of various mercury-based treatments for syphilis. The journal also included international news and debates on the subject. For example, in 1835, it closely monitored a story from a German newspaper in Heidelberg that reported on a case of "perfectly cured syphilis" stemming from a couture concoction created by a Dr. Zittman with notes of *erva doce*, lemon, cardamom, and mercury sulfide.<sup>153</sup> The medical community, still trying to gain traction as a respected profession, wasn't the only, or even the primary group, advising on medical remedies and cures.

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even ran a mail order business shipping her product throughout Western Europe. See Amy and Thiery, 392.

<sup>151</sup> Ibid, 395. As a curious point of fact, by the 1870s, the use of condoms had gained such popularity amongst all classes of people that they were on sale at the First World's Fair in Philadelphia in 1876.

<sup>152</sup> Amy and Thiery, "The Condom," 394.

<sup>153</sup> *Diario de Saude*, 31 October 1835, 3.

Charlatans, who “never fail to profit from great calamities,” were everywhere.<sup>154</sup> They travelled from city to city across cultures and countries selling their exotic wares and remedies. They were adept at discerning local needs, parlaying their foreignness into a mystic expertise to gain authority as surgeons, occultists, and pharmacists.<sup>155</sup> In Latin America, historian Irina Podgorny writes, quackery was a problem legally speaking but also a solution for the ongoing shortage of licensed medical practitioners. Indeed, throughout the colonial period and well into the nineteenth century, medical doctors engaged in a broader campaign for legitimacy as a profession. Healing was largely practiced by a whole host of individuals including holistic healers, herbalists, priests, barbers, bleeders, *feiticeiros*, and barbers, many of which were freedmen.<sup>156</sup>

By the mid-century, charlatans touted “cures” for all variety of ailments as well as the occasional method of prevention. An array of “cures” for syphilis abounded and nearly every street corner had at least one pharmacy promoting some tonic, powder, or miracle water. Several of the recipes included an addition of sarsaparilla, a tropical plant indigenous to South America known for its anti-inflammatory properties as well as its ability to induce sweating, a technique

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<sup>154</sup> *Annaes Brasilenses de Medicina* (RJ) 7 (April 1852), 219.

<sup>155</sup> Irina Podgorny, “Charlatans and Medicine in 19<sup>th</sup>-Century Latin America,” *Oxford Research Encyclopedia, Latin American History* (Oxford: Oxford University Press, 2016), 4.

<sup>156</sup> For more on popular medicine in the 19<sup>th</sup> century specifically the involvement of African and Afro-Brazilian healers see: Gilberto Hochman, Luiz Antonio Teixeira, e Tânia Salgado Pimenta, “Historia da saude no Brasil: Um breve historia,” *História da saúde no Brasil*, Gilberto Hochman, Luiz Antonio Teixeira, e Tânia Salgado Pimenta eds. (São Paulo: Hucitec Editora, 2018); Tânia Salgado Pimenta, “O Exercício das Artes de Curar No Rio de Janeiro (1828-1855), Ph.D. Diss. (Campinas, UNICAMP, 2003); Joaquim Barradas, *A arte de sangrar de cirurgiões e barbeiros* (Lisboa: Livros Horizonte, 1999); James Sweet, *Domingos Álvares, African Healing, and the Intellectual History of the Atlantic World* (Chapel Hill: University of North Carolina Press, 2011); Sidney Chalhoub, Vera Regina Beltrão Marques, et. al. eds., *Artes e Ofícios de Curar no Brasil* (Campinas: UNICAMP, 2003); and Lycurgo de Castro Santos Filho, *Historia geral de medicina brasileira* (São Paulo: HUCITEC, Editora, 1991).

often associated with the treatment of syphilis.<sup>157</sup> Yet most of the “cures” did little to alleviate, prevent, or cure, as we now know that there simply was no cure for syphilis at the time. These touted curatives and the “quacks” that sold them worried the Brazilian Medical Academy.<sup>158</sup> By 1855, the Junta de Higiene moved to regulate and inspect the market in medicines in an effort to squash secret remedies and miracle cures.<sup>159</sup> One of the more pressing concerns, at least according to Figueira de Mello, was that the sale of such treatments only served to encourage libertinism.<sup>160</sup>

To buttress his claims to the efficacy of regulation policies, Figueira de Mello submitted his proposal to three independent carioca doctors: Doctors Ferreira França, Antonio Jose Peixoto, and Cesar Persini. In his response, Dr. França largely agreed with the police chief and only made minor changes to the wording. One significant correction, though, was the clarification of what constituted acceptable preventative measures. In his original proposal, Figueira de Mello recommends the use of curatives but opaquely references forbidding the use and sale of “infamous and immoral” means of *preservadores*. It is not immediately clear what he is

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<sup>157</sup> Marli K.M. Soares, et. Al “The sarsaparilla market in the sate of São Paulo (Brazil) and the challenges of cultivation,” *Revista Brasileira de Farmacognosia* (Feb 2014): 75. The authors also note that the Portuguese were known for using sarsaparilla specifically for the treatment of venereal diseases such as syphilis. As of 2006, communities still used it as a blood cleanser.

<sup>158</sup> Historian Tania Salgado Pimenta, considers the term “quack” or “quackery” to be a pejorative term frequently employed by qualified or licensed doctors to denigrate their unlicensed and informally educated competition. Pimenta, “Transformations in healing practices in Rio de Janeiro during the first half of the nineteenth century,” *Historia, Ciencias, Saude—Manguinhos* 11 (2004): 13-14. It is also important to note that the medical community as a whole was trying to gain legitimacy and respect as a licensed professionals and quacks posed an important obstacle. One essay in the *Annaes Brasilienses de Medicina* in 1853 refered to homeopathy as a form of quackery in an effort to gain legitimacy for the licensed medical field. Dr. J.J. Rodrigues, “Dos Charlatães em medicina, o uso indevido desta sciencia, a homeopathia,” *AB*, Edition 5 (Feb. 1853), 117.

<sup>159</sup> Pimenta, “Transformations,” 16.

<sup>160</sup> Figueira de Mello, “Relatório, 1855,” Letter A, Chapter 11, Article 96.



referencing but this passage can be interpreted as a reference to unproven curatives sold by charlatans.<sup>161</sup> Dr. França suggests a clarification to note that “condom sleeves are permitted as are curative methods” alongside such measure as bathing with soap and the *agua de Labarraque* (a strong chemical solution of sodium hypochlorite, sodium hydroxide, and water).<sup>162</sup> Dr. França, however, is careful to note that while he does not necessarily endorse or recommend the use of the condom, that the “little sack made from lambskin is a discovery that for its usefulness merits public recognition.”<sup>163</sup>

Much like Dr. França, Doctors Peixoto and Persiani agree that something needed to be done about prostitution in the city but they depart from Dr. França in two important regards. The first related to the actual implementation of the laws. While they applaud the list of regulations, particularly the Belgian example (finding it preferable to the French), they concluded that “in Brazil . . . there is no woman of any condition, even black or enslaved, who will, without great violence, enroll with the Police.” Even the highest class of courtesans “would have an invincible disgust” for registration presumably given the connotation of and connection to prostitution.<sup>164</sup> Moreover, their letter strikes a departure from França by directly addressing one of the most glaring obstacle to reform—that prostitution in Brazil operated very differently than it did in Europe, particularly in regard to its social organization. In short, Drs. Peixoto and Persiani

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<sup>161</sup> Dr. França to Figueira de Mello, “Relatório, 1855,” Letter A, Article 96.

<sup>162</sup> This solution, named after the French chemist and pharmacist Antoine Germain Labarraque, was originally used as a disinfectant akin to bleaching water or to modern-day Clorox. Antoine Germain Labarraque, *On the Disinfecting Properties of Labarraque’s Preparations of Chlorine*, trans. James Scott (London: S. Highley, 1828). Figueira de Mello, “Relatório, 1855,” Letter D in reference to Letter A. França offers to substitute language “são permittidos [sic] as manga de condom, assim como os meios curativos.”

<sup>163</sup> Figueira de Mello, “Relatório, 1855,” Letter D.

<sup>164</sup> Figueira de Mello, “Relatório, 1855,” Letter E.

echoed the earlier words of Dr. de Simoni stating that the prostitution of enslaved women was “very difficult to monitor” let alone regulate to the extent recommended.<sup>165</sup> Despite the most thorough, methodical, and well-intentioned proposals, regulation of prostitution inevitably ran up against local realities: until the abolition of slavery, effective regulation would be “almost impossible to prevent the general spread of syphilis and other contagious or easily transmitted diseases.”<sup>166</sup>

Indeed, any mention of slavery or the place of enslaved women in the sexual economy is conspicuously missing from Figueira de Mello’s proposal. He makes no differentiation between free or enslaved prostitutes. He gestures at the problem of clandestine prostitution but fails to note that it took on a very particular character in Brazil. In Europe, women working outside of the sanctioned brothels were subject to imprisonment but similar measures would not succeed in Brazil where clandestine prostitution was “even more disastrous due to slavery.”<sup>167</sup> So long as slaveholders could control the labor of their bondswomen and compel them to prostitute, it would be nearly impossible to stamp out clandestine prostitution, particularly, as we will see in the following chapter, when many forced their bondswomen to prostitute out of their own homes or cloak their activities in the language of housekeeping. The Brazilian economy—including the sexual economy—depended on bonded labor, as did the fortunes and livelihoods of most Brazilians. Legally enforceable regulations that required the registration and surveillance of all

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<sup>165</sup> Ibid.

<sup>166</sup> *Annaes Brasilienses de Medicina* (RJ), 1851, Sessão Geral em 3 de Outubro 1850, p. 85. Despite these beliefs, the doctors acknowledge that there is much merit to the proposal and should abolition come to pass, the regulations should be slowly eased into practice.

<sup>167</sup> Ibid, 83. Figueira de Mello does recognize the problem of slavery in his opening letter but not in his proposal, writing “it [prostitution] cannot be repressed by the same means [as in Europe] and only with great effort and prudence can it be regularized.” Figueira de Mello, “Relatório, 1855.”

women who trafficked in commercial sex or engaged in clandestine forms of sexual labor threatened slaveholders' liberty and ability to extract labor—including sexual labor—from their bonds people threatened the very foundations of Brazilian society.<sup>168</sup> Perhaps this is one of the reasons why, despite copious detail, exacting studying, and the general support of the medical community, the Ministry declined to implement any new laws or regulations and Figueira de Mello's file was shelved.

In 1858, yet another police chief would pick up the mantle of regulation and once again attempt to register and track the public women in the city. Less is known about Izidro Borges Monteiro's attempt to impose legal or sanitary laws; however, we can gain a glimpse into his movements through a series of highly critical essays published in the local press. Writing under the pseudonym "Diogenes," the author (or authors) acerbically condemned the leadership of the police delegation for endeavoring to force women to register under the label of "prostitute."<sup>169</sup> The essay promised to offer a three-pronged argument based on "legality, morality, and ridicule."<sup>170</sup> Indeed, in the first essay the author pointed to multiple articles in the Constitution that enshrined the rights of citizens while openly accusing the "civil servant"—a reference to Monteiro—of having "transgressed [and] violated not only the precepts of the law but the rights

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<sup>168</sup> Registration campaigns seem to have been difficult to implement more broadly. For example, the 1871 Rio Branco Law mandated the creation of a national registry of enslaved persons. Slaveholders were required to register their bondsmen and women under penalty of fines for non-compliance. Any enslaved person not registered after a certain point would be declared free. Despite the threat of penalty, registration was slow and incomplete. See Robert Conrad, *The Destruction of Brazilian Slavery, 1850-1888* (Berkeley: University of California Press, 1972), 107-110.

<sup>169</sup> "A Polícia e as Mulheres," 27 December 1857, *Correio Mercantil* (RJ).

<sup>170</sup> Ibid.

of the citizen.”<sup>171</sup> Considering that women did not enjoy the full benefits of citizenship, we must question whom these “citizens” are that the author is referring to. It stands to reason that the condemnation stems not from the police taking away women’s rights to engage in prostitution but a man’s right to frequent her business. Directing readers to Article 179 on “The Inviolability of Civil Rights, and Political Rights of Brazilian Citizens, which is based on freedom, individual security, and property guaranteed by the Constitution of the Empire” the author concluded that no, one “cannot find a single article in any law that favors him [the police delegate].”<sup>172</sup> If the constitution did not differentiate between the honest and “dishonest” of the feminine sex then how could the police? The law, they argued, “should be the same for everyone,” and the “authority must rise higher” to not condone abuses against “those who have no means or protections.”<sup>173</sup> Echoing a classic liberal defense of against power, they conclude that “as the enforcer of the law, he [Monteiro] has transgressed” his authority.<sup>174</sup>

Nor was there anything in the criminal code that outlawed prostitution. Prostitution was not explicitly listed among the criminal offenses, so, the author argued, “the woman who peacefully received whomever she pleased into her home is not a criminal.”<sup>175</sup> While public morality may condemn the sale of sex, the law did not explicitly forbid it and it was not the role of the police to morally regulate the populace.<sup>176</sup> Nor did it grant anyone the power to

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<sup>171</sup> Ibid. The author does not directly identify Monteiro but instead references the number one delegate of the police or the number one civil servant.

<sup>172</sup> Ibid; See: *Constituição Política do Império do Brasil*, 25 de Marco de 1824) accessed online; [http://www.planalto.gov.br/ccivil\\_03/constituicao/constituicao24.htm](http://www.planalto.gov.br/ccivil_03/constituicao/constituicao24.htm)

<sup>173</sup> “A Polícia e as Mulheres,” 27 December 1857, *Correio Mercantil* (RJ).

<sup>174</sup> Ibid.

<sup>175</sup> “A Polícia e as Mulheres,” Part II, 30 December 1857, *Correio Mercantil* (RJ)

<sup>176</sup> “A Polícia e as Mulheres,” Part III, 2 January 1858, *Correio Mercantil* (RJ)

“improvise” the law on their own.<sup>177</sup> The police chief, the author argued, was charged with preventing, suppressing, and punishing crime not creating or defining new ones. Conversely, what *was* clearly defined in the criminal code was the abuse of power—an accusation the author leveled once again at Monteiro.

The registration of women, the author warned, was a slippery slope. Would all single women who walked alone through the city or welcomed friends into their home be vulnerable to the accusation of being a prostitute? If she were to sit at her window and speak to anyone below, would she be forced to register with the police? It appears that the anonymous author was quite familiar with the work of Figueira de Mello as they shrewdly refuted, in detail, practices he had associated with “public women.” Would any woman who did not follow “those principles of honesty and modesty typical of the well-to-do families” be condemned to wear the mantle of the prostitute?<sup>178</sup> Conversely, the author feared that if the police explicitly regulated prostitution it would be tacit acceptance and validation of prostitution as an acceptable occupation for young women, a fear echoed by another anonymous author writing for the *Jornal do Commercio*.<sup>179</sup> “Deogenes” concluded their series by suggesting that if the chief of police was suffering from “idleness,” that perhaps he should make more of an effort to curb actual crimes and increase public security.<sup>180</sup> There was no need for him to try to “moralize others.”<sup>181</sup>

Public opinion was decidedly skeptical of registration, in particular. Another anonymous article appeared in the *Jornal do Commercio* that questioned the legality of forced registration as

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<sup>177</sup> “A Polícia e as Mulheres,” Part II, 30 December 1857, *Correio Mercantil* (RJ)

<sup>178</sup> “A Polícia e as Mulheres,” Part III, 2 January 1858, *Correio Mercantil* (RJ)

<sup>179</sup> “A Polícia para as meretrizes,” *Jornal do Commercio*, 4 January 1858.

<sup>180</sup> “A Polícia e as Mulheres,” Part IV, 3 January 1858, *Correio Mercantil* (RJ)

<sup>181</sup> *Ibid.*

well as any attempt to regulate what went on inside private homes. The same issue plagued Monteiro's predecessors Siqueira and Figueira de Mello, who, as a consequence, the author noted, both ended up abandoning their attempts to enroll women. This "registration of infamy" the author alleged, would only serve as a penalty and an arbitrary one at that which would malign a woman's reputation. The list would not protect her, or anyone else, from verbal or physical abuse.<sup>182</sup> Perhaps, the author conceded, that registration could help insofar as it could facilitate regular medical checkups of women. However, in addition to a total lack of legal authority, the police simply did not have the resources to create a separate branch of sanitary police to enforce regulations or to build special hospitals and institutions, as the French did. For a period, Police Chief Izidro Borges Monteiro became the target of protests and incurred deep criticism for his efforts at reformation and regulation. Ultimately, like his predecessors, he was forced to "retreat and give in."<sup>183</sup>

Despite the efforts of pro-regulation medical and legal authorities, official regulation failed to gain much traction, unlike in many other Latin American states. For example, by 1853, in the newly independent nation of Argentina, laws regarding medically supervised prostitution were among the first legislation debated; government-regulated brothels would follow in 1875.<sup>184</sup> In Cuba, where, like Brazil, slavery was still legal and abundant, authorities began creating a designated zone of tolerance in 1851, when full prohibition proved impossible. Official prohibition was repealed in 1853.<sup>185</sup> In nineteenth-century Peru, prostitution was not formally

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<sup>182</sup> "A matricula da infamia," 29 December 1857, *Jornal do Commercio* (RJ)

<sup>183</sup> Dr. Souza Lima, "Medicina publica-Prostituição," *Revista da Jurisprudência*, (Rio de Janeiro: 1899), 240.

<sup>184</sup> Guy, *Sex and Danger in Buenos Aires*, 1-2.

<sup>185</sup> Tiffany Sippial, *Prostitution, Modernity, and the Making of the Cuban Republic, 1840-1920* (Chapel Hill: University of North Carolina Press, 2013), 31-33. As a slaveholding society in the

illegal or criminalized and therefore police engaged in similar practices to those of the Brazilian police in that they exercised a broad discretionary power to act against prostitutes. Frequent police action against prostitutes, Paulo Drinot argues, resulted in criminalization and stigmatization of sex work and the women who practiced it.<sup>186</sup> As several other Latin American nations came to terms with the social role and function of prostitution as well as how best to regulate and supervise prostitutes, Brazilian efforts at official, legally sanctioned regulation would continue to founder as it was clear that little could be done to regulate the intimate labor of either enslaved women or those who were free or foreign-born.

Foreign-born prostitutes had always been a part of the city's sexual economy to a certain degree. French-born *coquettes* or *ilhoas* from the Azores numbered among the city's prostitutes, albeit at a distance from one another as the French women were often regarded as the height of elegance, luxury, and sophistication whereas the *ilhoa* women tended to be regarded as poorer or of a lower class of working women. But by the 1860s, a new group of women began arriving in Rio de Janeiro. According to Dr. Pires de Almeida, this notable cohort of women, mainly of Eastern European extraction, appeared in Rio de Janeiro in 1867.<sup>187</sup> The arrival of these 104 women, mostly from the Polish regions of the Austro-Hungarian empire, signaled a change in the racial and ethnic composition of the broader sexual economy. Of this first cohort, sixty-seven women remained in Rio de Janeiro while the remaining thirty-seven women boarded vessels

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Americas, Cuba seems to be the most logical point of comparison to Brazil. However, in her study of prostitution in Cuba, Sippial does not discuss the practice of prostitution by enslaved women. It is clear that slavery contribute to racialized notions of sex and honor but we do not get a sense to what extent or if enslaved women engaged in prostitution themselves.

<sup>186</sup> Paulo Drinot, *The Sexual Question: A History of Prostitution in Peru, 1850s-1950s* (Cambridge: Cambridge University Press, 2020), 27.

<sup>187</sup> Pires de Almeida, *Homossexualismo*, 50.

headed south along the Rio de la Plata.<sup>188</sup> By 1888, foreign-born prostitutes began spread to São Paulo and Santos as well. Pires de Almeida suggests that in the immediate aftermath of the abolition of slavery, the importation of foreign-born prostitutes nearly quadrupled.<sup>189</sup>

By 1879, *polaca* prostitutes, as these poorer, Eastern European women became known, began to draw the ire of cariocas who lamented their presence in “the most visited areas of our capital,” who gave “offense to families” and caused shopkeepers loss of business.<sup>190</sup> Honest businessmen, one critic asserted, were forced to relocate their establishments, as they “cannot afford to pay the fabulous rents that the infamous trafficking agents propose to the owners” in order to win the lease.<sup>191</sup> The same year, 759 citizens signed on to a similar petition presented to the Public Health Commission calling attention to the nefarious effects of “those who traffic in the importation and exploitation of prostitutes from Europe.”<sup>192</sup> Indeed, by the late-1870s and early 1880s, the pimps, traffickers, and traders in women were no longer just Portuguese or local-Brazilian born; instead their numbers were increasingly augmented by foreign-born pimps who trafficked “exotic” women from Europe lending credence to those earlier accusations that prostitution was an imported problem.<sup>193</sup>

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<sup>188</sup> Pires de Almeida, *Homossexualismo*, 50. Though Pires de Almeida does not note their destinations specifically, these women were likely headed for Buenos Aires. For more on the relationship between foreign-born prostitutes and Argentina see Donna J. Guy, *Sex and Danger in Buenos Aires: Prostitution, Family, and Nation in Argentina* (Lincoln: University of Nebraska Press, 1990) and Sandra McGee Deutsch, *Crossing Borders, Claiming a Nation: A History of Argentine Jewish Women, 1880-1955* (Durham: Duke University Press, 2010).

<sup>189</sup> Pires de Almeida, *Homossexualismo*, 52.

<sup>190</sup> Coleção Series Documentais: “Prostituição,” 1879-1883, 48.4.63, AGCRJ.

<sup>191</sup> Ibid.

<sup>192</sup> Coleção Series Documentais: “Prostituição, 1879-1883,” 48.4.63 N.47, AGCRJ.

<sup>193</sup> According to historian Marinete dos Santos Silva, the authorities were not as bothered by the procuring or pimping by Brazilian citizens. Santos Silva, “O tráfico e a exploração de mulheres na prostituição no Rio de Janeiro na segunda metade do século XIX,” *Ler História* 68 (2015), 89.



In 1879, the newspaper *A Gazeta de Noticias* amplified the outrage in a series of articles that asked the judicial and legal authorities to take action specifically against Jewish traffickers who were allegedly travelling between Rio de Janeiro and their home countries several times a year in order to “seduce poor unsuspecting women with promises of wealth and often marriage.”<sup>194</sup> The paper condemned these individuals for acquiring licenses in order to set up legitimate storefronts and facades though in reality, these practices closely aligned with those of other peddlers in human flesh, the more trafficker and traders in African slaves. The newspaper went so far as to call for a “conference in favor of morality,” whereby “heads of family, commerce, and wise men” might band together to discuss how best to expel the traffickers in European women.<sup>195</sup> This conference resulted in a document signed by 179 businessmen and industrialists. However, Mariente dos Santos Silva argues that these men more than likely signed on to the document more out of concern for the rising costs of rent.<sup>196</sup>

Soon after the petition, judicial authorities embarked upon an action to crack down on the Austro-Hungarians, Poles, Germans, Russians, and Jews accused of trafficking in women from their respective home countries.<sup>197</sup> In 1879, a total of twenty-one Jews were deported.<sup>198</sup>

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<sup>194</sup> *A Gazeta de Noticias*, 28 February 1879.

<sup>195</sup> *Ibid*, 30 May, 2-5 June.

<sup>196</sup> Santos Silva, “O tráfico e a exploração de mulheres,” 92. Curiously she also notes that certain religious orders owned many of the prime properties occupied by these traffickers.

<sup>197</sup> *Ibid*, 90. During the investigation, one of the main informants was Antônio Clímaco dos Reis, a Portuguese national and reporter for *O Diario de Noticias*. However, according to Santos Silva, he was also deeply involved in the trafficking and exploitation of women as he was also the manager of the Iberian Palace, one of the city’s more famous brothels at the time, where at least twenty women were known to work. He also allegedly ran another brothel near the Praça da Constituição. For more on the deportation of foreign-born pimps see Cristiana Schettini, “Exploração, gênero e circuitos sul-americanos nos processos de expulsão de estrangeiros (1907-1920),” *Tempo* 18:33 (2012): 51-73.

Authorities also began identifying and monitoring any establishments suspected of facilitating or engaging in the exploitation of women many of whom operated establishments located in the parishes of Sacramento, São Jose, and Candelária. In 1883, twenty-five of these individuals were deported for running such establishments.<sup>199</sup> Despite these actions, rent-by-the-hour establishments continued to flourish throughout the end of the century as did the importation and exploitation of European-born women.<sup>200</sup>

Prior to the establishment of the Republic, prostitution is only mentioned once in Imperial legal codes. Article 222 of the Imperial Criminal Code of 1830 notes that it is illegal to “have carnal copulation through violence, or threats with any honest woman;” the penalty being imprisonment between three and twelve years. However, if the woman is pronounced or identified as a prostitute, jail time drops to a maximum of two years.<sup>201</sup> It would be another sixty years, before the promulgation of any new laws pertaining to prostitution, its regulation, or the women who engaged in it. In the Penal Code of the First Republic, in 1890, authorities finally criminalized *lenocinio*—the intention “to excite, favor, or facilitate the prostitution of someone

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<sup>198</sup> Relatório do Chefe de Policia da Corte , *Relatório da Repartição dos Negócios da Justiça apresentado a Assembleia Geral Legislativa*, (1880) cited in Santos Silva, “O tráfico e a exploração de mulheres,” 92.

<sup>199</sup> For the list of names see “Casas de Tolerância 1879-1883,” BR.RJAGCRJ.CM.PTC.48.4.63 AGCRJ.

<sup>200</sup> It should be noted that Brazil was part of a broader network that trafficked in Eastern European women. Rio de Janeiro was but one port of entry. Buenos Aires was another popular destination. For more on this problem in the Argentine context see Donna J. Guy, *Sex Danger in Buenos Aires: Prostitution, Family, and Nation in Argentina* (Lincoln, NB: University of Nebraska Press, 1991); Mir Yarfitz, *Impure Migration: Jews and Sex Work in Golden Age Argentina* (New Brunswick, NJ: Rutgers University Press, 2019); and Sandra McGee Deutsch, *Crossing Borders, Claiming a Nation: A History of Argentine Jewish Women, 1880-1955* (Durham: Duke University Press, 2010).

<sup>201</sup> Código Criminal do Império do Brasil, 16 December 1830, Article 222, Cap. II “Dos Crimes Contra Segurança da Honra,” “Estupro.” Accessed online: Planalto, [http://www.planalto.gov.br/ccivil\\_03/leis/lim/lim-16-12-1830.htm](http://www.planalto.gov.br/ccivil_03/leis/lim/lim-16-12-1830.htm)

to satisfy dishonest desires or lustful passions others.” Further, it was now illegal to “induce women, abusing their weakness or misery, or constraining them by intimidation or threats, to be employed as a prostitute” as well as to live off of the profits from “this [kind of] speculation.”<sup>202</sup> The inclusion of just these two articles is revealing of how the Republican government viewed its relationship towards prostitution. In effect, the *lenocinio* laws—laws against pimping, procuring, and forcing freeborn women into prostitution— did not target the sale of sex or the prostitution of oneself but instead criminalized behaviors surrounding these acts.

The *lenocinio* laws passed in the mid-1890s targeted only the pimps and procurers but did not criminalize commercialized sex altogether or the women who peddled it. Following the abolition of slavery, the police continued to exercise their “extra-official” authority over local prostitutes with one precinct captain attempting to sweep the downtown area of all prostitutes.<sup>203</sup> Aside from sporadic actions, however, little progress would be made on the relocation of public prostitutes until the creation of the “Mangue,” a nine-block segregated vice district situated along the Campo de Santana, in the early 1920s. It was no coincidence that its establishment coincided with the arrival of the Belgian King and Queen, in 1920. The new republican capital hoped to present itself as a modern, orderly, hygienic city akin to the great cities of Europe. This required the removal of all prostitutes from highly visible spaces, particularly in the city center.

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<sup>202</sup> Código Penal dos Estados Unidos do Brazil, Capítulo III, “Do Lenocinio,” Art. 277 e 278, 11 October 1890. Accessed online: <https://web.archive.org/web/20140714133137/http://legis.senado.gov.br/legislacao/ListaPublicacoes.action?id=66049>. It is also worth noting that in a further effort to control public morality, that Articles 279 and 280 of the code also impose punishment for adultery including, but not limited to, the keeping of a concubine.

<sup>203</sup> Thaddeus Blanchette and Cristiana Schettini, “Sex Work in Rio de Janeiro: Police Management without Regulation,” in *Selling Sex in the City: A Global History of Prostitution 1600-2000s*, ed., Magaly Rodríguez García, Lex Heerma van Voss, and Elise van Nederveen Meerkerk (Leiden: Brill, 2017), 498.

According to Suanne Caulfield, the police sporadically swept the city, authorizing mass arrests and forced relocation of prostitutes while the authorities “put aside their liberal democratic principles and condoned illegal police violence and repression.”<sup>204</sup> Many of the lower-class women were arrested and held on charges of vagrancy only to be released once the Belgian royals left the city.<sup>205</sup> Upon their departure, these women were relocated to brothels in the Mangue. At last, the police were at least nominally successful in geographically restricting prostitutes. By 1923, police registries counted 674 registered women working in 112 houses in the Mangue.<sup>206</sup> However, there were still no official public policy that guided police repression or regulation. Instead, they would continue to exercise a high degree of discretionary authority while even, on occasion, indirectly managing *casas* or brothels themselves.<sup>207</sup> Despite the successful nucleation of women, prostitution continued to flourish outside the district and throughout the city much as it had before.

In terms of public hygiene and the campaign against syphilis, it would not be until 1905 that doctors successfully identified the bacteria responsible for the disease. By 1913, Brazilian doctors increasingly stressed the need for men to take preventative and hygienic measures to guard against the spread of syphilis as well. Dr. Souza Lima argued that for men, a prenuptial examination should be “mandatory” and that regulation was “either all or is worth nothing.”<sup>208</sup>

To only regulate prostitutes and other public women was to only treat half the problem. Despite

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<sup>204</sup> Sueann Caulfield, “The Birth of Mangue: Race, Nation, and the Politics of Prostitution in Rio de Janeiro 1850-1942,” in *Sex and Sexuality in Latin America*, ed., Daniel Balderston and Donna J. Guy (New York: New York University Press, 1997), 92.

<sup>205</sup> Ibid, 87.

<sup>206</sup> Ibid, 93; and Blanchette and Schettini, “Sex Work in Rio,” 501.

<sup>207</sup> Ibid, 490.

<sup>208</sup> Dr. Souza Lima, *Brasil-Médico* XXVII 24 (1913), 244, cited in Carrara, *Tributo a Vênus*, 189.

these warnings, no official public policy emerged that would require men to undergo a series of washes or preventative measures. These acts were left to the discretion of each *casa* and the women who sold their sexual favors. At long last, in 1943, doctors finally discovered that syphilis could be successfully treated with penicillin and the threat began to recede.

Both the medical community as well as the police believed that prostitution needed to be regulated in order to safeguard the health and peace of Brazilian society. Both united behind the real threat of syphilis—albeit with different motivations, perspectives, and tools at their disposal. Taken together, the legal and medical views of prostitution articulated a desire to control female bodies, the sale of sex, and the transmission of diseases like syphilis and gonorrhea. Yet, was regulation always doomed to fail?

In 1850, Dr. Luis Vicente de Simoni warned his colleagues that regulation without abolition would almost certainly fail stating “the greatest evil that arises from prostitution is unfortunately the least remedial and almost impossible to prevent in the current state of society in this country because of slavery.”<sup>209</sup> By its very nature, slavery enabled, if not encouraged, clandestine prostitution and other forms of sexual exploitation of enslaved women while protecting the rights of slaveholders to do so. As Dr. Lassance Cunha succinctly put it, it was not a difference in crime, misery, or poverty that differentiated prostitution in Rio from that in Europe, it was slavery for in the capital “the exceptional conditions of our social organization together with the neglect with which this ponderous subject is looked at, [that] are the causes for

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<sup>209</sup> *Annaes Brasilienses de Medicina* (RJ) 1851, Sessão Geral 3 October 1850. Born in Italy, Dr. de Simoni immigrated to Rio de Janeiro in 1817. He would go on to found the Sociedade de Medicina do Rio de Janeiro along with several other notable doctors of the period. He dedicated himself to the study of improving public hygiene. “Simoni, Luís Vicente de,” *Dicionário Histórico-Biográfico das Ciências da Saúde no Brasil (1832-1930)*, Casa de Oswaldo Cruz, accessed online: <http://www.dichistoriasaude.coc.fiocruz.br/iah/pt/verbetes/simonil.htm>

this difference making public prostitution unnecessary due to private debauchery; but also, these same conditions should greatly assist the spread of syphilis.”<sup>210</sup>

One of the central pillars of European regulation was the identification and registration of all women who engaged in public prostitution. But in a slave society like Rio de Janeiro, identification would be exceptionally difficult and unreliable. As we will see in the following chapter, slavery complicated a straightforward definition of prostitution as well as who might be labeled as such. As Dr. Lassance Cunha noted, public prostitution was only a part of the equation. So long as slavery persisted in its current form so too would clandestine prostitution. Therefore, without abolition, it would be nearly impossible to effectively regulate the city’s sexual economy and, by extension, the spread of venereal diseases.

By 1870, legal authorities would adopt a new strategy that, while not necessarily directly aimed at the regulation of prostitution, was directed towards stamping out clandestine sexual labor and the forced prostitution of enslaved women. In the chapter that follows, we will return to the campaign initiated by Judge Tavares and Police Chief Francisco de Faria Lemos and their efforts to crack down on clandestine prostitution and the slaveholders who lived off its profits.

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<sup>210</sup> Lassance Cunha, “A prostituição em particular,” 24.

Chapter Three:  
The Women at the Window: Clandestine Prostitution and Intimate Labor Within the Household

On the morning of May 24, 1871, readers of the *Diario de Noticias*—a local carioca newspaper that regularly reported on local debates and issues—awoke to the front-page headline “O Questão das Escravas” (The Slave Issue).<sup>1</sup> The essay related the text of a recent report by the chief of police, Francisco de Faria Lemos, that addressed the recent, alleged “public outcry” over the persistence of the “immoral scandal of slave prostitution by the order and express consent of their masters” who “earned an exorbitant profit” off of their bondswomen’s labor.<sup>2</sup> These “unfortunates,” the report stated, were obligated to meet these demands and “satisfy” their masters’ “greed.”<sup>3</sup> These women, however, were not street-walkers or ensconced in one of the city’s brothels; instead, they were forced to perch “half-naked” at the window, visible to all passers-by, soliciting customers through their “gestures [and] words...for libidinous purposes.”<sup>4</sup> It was not

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<sup>1</sup> “Questão das Escravas,” *Diario de Noticias* (RJ) 24 May 1871 In 1871, the masthead of the *Diario de Noticias* listed Antonio Climaco dos Reis (& co.) as the founder of the latest iteration of the newspaper currently in its second year of publication. By the 1880s, the newspaper would be a Republican-leaning mouthpiece with articles published by Rui Barbosa. However, the current editor/founder in 1871, Climaco dos Reis is a rather complicated figure himself. See discussion of his implication in local prostitution rings in Chapter Two, 143fn197 and Mariente dos Santos Silva, “O tráfico e a exploração de mulheres na prostituição no Rio de Janeiro na segunda metade do século xix,” *Ler Historia* 68 (2015): 87-108.

<sup>2</sup> *Diario de Noticias* (RJ) 24 May 1871 It should be noted that both Luiz Carlos Soares and Sandra Lauderdale Graham cite the original police correspondence in their respective works; however, I was unable to view the files myself as they were currently out of circulation when I was at the AN. See Soares, *Rameiras, Ilhoas, Polacas...A prostituição no Rio de Janeiro do século XIX* (Rio de Janeiro: Editora Ática, 1992) and Graham, “Slavery’s Impasse: Slave Prostitutes, Small-Time Mistresses, and the Brazilian Law of 1871,” *Comparative Studies in Society and History* 33:4 (Oct. 1991): 669-694.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

only an “immoral scandal” but an offense to “public morality;” therefore, Faria Lemos suggested, steps needed to be taken to remedy the issue.<sup>5</sup>

Faria Lemos noted that his predecessor, Luiz Carlos de Paiva Teixeira, had petitioned the Municipal Council in November 1867, suggesting that any slaveholder—including individuals who rented or leased an enslaved woman—that compelled their enslaved women to engaged in prostitution should be penalized. He does not clarify what the exact penalty should be but does state that he himself had presented a similar proposal to the Municipal Council in 1868.<sup>6</sup> Like his predecessor, Faria Lemos lamented, he failed to obtain any results. As the “evil progressed on a large scale,” Faria Lemos resolved to address the issue himself and tasked his sub-delegates with surveying and counting the number of enslaved women who publicly (or at least visibly) engaged in prostitution.<sup>7</sup> After compiling this list, Faria Lemos intended to turn it over to a likeminded municipal judge—and former police officer himself—named Miguel José Tavares, who, he hoped, would proceed with “zeal.”<sup>8</sup> Indeed, Judge Tavares committed himself to the cause and embarked upon remarkable campaign to rid the city of enslaved prostitutes.

In addition to Faria Lemos’ statement, the article included correspondence between Faria Lemos and Tavares that detailed their strategy to liberate all the women on the list. The plan required the assistance of block inspectors to identify the women and their owners, lawyers willing to take up this “noble purpose,” and guardians with whom the enslaved women could be deposited (and cared for) over the duration of the trial.<sup>9</sup> Anticipating resistance from slaveholders

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<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.



on the grounds that they were entitled to extract labor from their bondsmen and bondswomen, Tavares recalled the practices of slavery under the “ancients” noting that among them, any masters who forcibly compelled their bondswomen into prostitution were obligated to free her.<sup>10</sup> This tenet of Roman law, he suggested, should be extended to Brazilian slaves forced into prostitution particularly in light of the fact that the Brazilian courts have had a hand in liberating slaves who had been abused by their masters.

Further, Tavares and his allies deployed the local dailies to spread word of this campaign. The correspondence between Tavares and Faria Lemos and the testimony of Adelaide, the text of which is detailed in the introduction, appeared in the *Diario de Noticias* while the *Jornal do Commercio* published a multi-part expose of forced prostitution.<sup>11</sup> These publications offer rich detail into the nature of coerced sexual labor and the mechanisms by which owners extracted this labor. However, they are also a remarkable use of print media intended to publicly shame owners who profited off of pimping out their bondswomen. They could also be read as a warning. By announcing his intent to target such individuals, Tavares effectively encouraged owners to manumit their bondswomen or at least cease their activities. Tavares suggests as much writing that “as soon as the press of this Court publicized the first measures which we took, some masters appeared to liberate the slave women with whom they held in this sad state.”<sup>12</sup> Previous attempts had all floundered at the municipal level; however, Faria Lemos and Tavares hoped that

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<sup>10</sup> Ibid.

<sup>11</sup> See Ibid; *Jornal do Commercio* 25, 27, and 31 March 1871; and 1 April 1871.

<sup>12</sup> “Relatorio do Chefe de Policia da Corte,” in *Relatorio apresentado á Assembléa Geral Legislativa na Terceira Sessão da Decima Quarta Legislatura pelo Ministro e Secretario de Estado dos Negocios de Justiça*, Francisco de Paula de Negreiros Sayão Lobato (Rio de Janeiro, 1871), 21-22 cited in Robert Conrad, *Children of God’s Fire: A Documentary History of Black Slavery in Brazil* (Princeton: Princeton University Press, 130-131).

by threatening prosecution, using the courts, and marshaling the limited resources of the police they could finally effect some measure of reform and free the “women at the window.”

Writing about his time in Rio de Janeiro, one foreign visitor remarked upon the “taste of Brazilians for women of color...above all for black women.”<sup>13</sup> He recognized, there was a “*Mina* black woman...that would be considered beautiful in Europe—and even in Paris.”<sup>14</sup> Indeed, one of the most striking aspects of the city’s sexual commerce was the high visibility of Africans and women of African descent. Yet despite their visibility, much about their lives is shrouded in darkness and lost to the historical record. Who were these women? How did they fit into the social, political, and economic fabric of the city? What was their relationship with the men and women who owned them? How did sexual labor shape their understanding of bondage and freedom? Was it their primary form of labor or used supplement other forms of work?

Thanks to Police Chief Faria Lemos and Judge Tavares, there is a valuable corpus of lawsuits that detail the lives of a number of these women. These lawsuits are at the center of this chapter. Although highly mediated through the words, language, and law of men, provide insight into and give voice to the personal experiences of enslaved women. Through their testimony, we learn more about how they experienced, endured, and understood their bondage.<sup>15</sup> These documents—despite their silences and limitations—reveal the quotidian experiences of enslaved

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<sup>13</sup> Maria Elizabeth Chaves de Mello, ed. *Brasil do século XIX, no olhar de Charles Expilly* (Curitiba: Editora CRV, 2017), 39. Expilly suggested that this taste for women possibly stemmed from the poor, dirty appearance of *ilhoa* or Portuguese-born prostitutes.

<sup>14</sup> Ibid. In this passage, Expilly reinforces the association of *Mina* women with beauty and an appealing sexuality.

<sup>15</sup> The legal cases involving slaves are not unique; however, this set is in that they speak more openly about sexual abuse and violence through forced prostitution. As I will discuss later in the chapter, these cases fit into a larger body of freedom suits that can be found throughout the court system in Brazil, not just in Rio de Janeiro. To get a sense of the variety of cases, see Sidney Chalhoub, *Visões da Liberdade: Uma história das últimas décadas da escravidão na Corte* (Rio de Janeiro: Companhia das Letras, 1990).

women, offering slivers of insight into their personal struggles and emotions; their successes and failures at carving out autonomy and safety; and their strategies for basic survival. Moreover, the testimony of these women suggest new ways in which slavery shaped the sexual economy of Rio de Janeiro but also, in turn, how coerced sex undergirded the broader economy of slavery in the city. Prostitution was only one of the ways in which owners extracted sexual labor from their bondswomen. However, it was the most visible. While often incomplete and silent in frustrating ways, these documents provide the clearest insight into the lives of these “women at the window,” women who otherwise would be condemned to silence due to their race, gender, and enslaved status.

For enslaved women, promises of freedom were often intimately tied to their sex—to their ability to reproduce and to provide sexual labor and companionship. It is not that male slaves were not sexually abused; however, for women, such abuse was ubiquitous, routinely commoditized, and visible through the bodies of the multiracial population.<sup>16</sup> But as many freedom suits and freedom papers show, sexual relationships and childbearing could open up paths to freedom.

A growing yet robust body of literature illustrates the role of gender in constructing the meaning of freedom. It shows how enslaved women could and did leverage the law to their benefit.<sup>17</sup> Through their use of the courts, enslaved women in Rio de Janeiro effectively shaped

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<sup>16</sup> The sexual abuse of male slaves is difficult to document; however, some of the clearest evidence is located in the records of the Portuguese Inquisition in Brazil. See Luiz Mott, *Escravidão, homossexualidade e demonologia* (Rio de Janeiro: Coleção Malungo, 1988); Ronaldo Vainfas, *Trópico dos pecados: moral, sexualidade e Inquisição no Brasil* (Rio de Janeiro: Nova Fronteira, 1989); and Lamonte Aidoo *Slavery Unseen: Sex, Power, and Violence in Brazilian History* (Durham: Duke University Press, 2018).

<sup>17</sup> For more on the consequences of the Free Womb law see: Camillia Cowing, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro* (Chapel Hill: UNC Press, 2013); Martha Abreu, “Mães escravas e filhos libertos: novas

the broader history of slavery and emancipation. Historian Camillia Cowling argues that enslaved women played a “major, specific role” in the emancipation process.<sup>18</sup> Without greater attention to how gender shaped these processes, she argues, we cannot fully grasp how enslaved men and women imagined freedom nor can we fully understand the process of abolition as it unfolded in the nineteenth century. Cowling is correct in identifying the need for greater attention to how gender and women’s agency shaped slavery and freedom. However, the women who sought freedom for their children based on the Free Womb Law did so by successfully appealing to elite sensibilities concerning femininity and maternity. But what about the women who could not make claims to motherhood or appeal to traditional notions of honorable femininity? How could women who identified (or were identified by others) as prostitutes capture the court and the public’s sympathy? In asking these questions, the following chapter builds upon this literature to contribute to this critical, ongoing discussion of how gender influenced the meaning of, and access to, freedom.

To be sure, it was no simple feat for an enslaved person to initiate a lawsuit against their master; nevertheless, many did.<sup>19</sup> In order for a lawsuit to progress, a petition needed to be filed

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perspectivas em torno da Lei do Ventre Livre, Rio de Janeiro, 1871,” in Maria Rizzini, *Olhares sobre a criança no Brasil* (Rio de Janeiro: Universidade Santa Úrsula, 1997): 107-125; Margarita Rosa, “Filial Freedoms, ambiguous wombs: *Partus Sequitur Ventrem* and the 1871 Brazilian Free Womb Law,” *Slavery & Abolition* 41:2 (2020): 377-394.

<sup>18</sup> Camillia Cowling, “Debating Womanhood, Defining Freedom: The Abolition of Slavery in 1880s Rio de Janeiro,” *Gender & History* 22:2 (August 2010): 285.

<sup>19</sup> According to the law, an enslaved person was unable to file a complaint on their own behalf but were able to do so through the assistance of their master or a public prosecutor. If their master is unwilling to help, any free citizen may assist. An enslaved person could not file a complaint against their master nor give sworn testimony, only an informative testimony. See Perdigão Malheiro, *A Escravidão*, 22. Enslaved persons utilized the courts for a variety of reasons, namely, as Sidney Chalhoub illustrates, the pursuit of freedom; however, Keila Grinberg has demonstrated that such cases were not simply about freedom but in defense of freedom, to resist being re-enslaved. See Sidney Chalhoub, *Visões da Liberdade: Uma história das últimas*

by a free person, on behalf of the enslaved person that stated the reason why they were seeking freedom. The municipal judge then decided whether or not the petition had merit and warranted further review. If the judge decided to progress with the lawsuit, the bondsperson in question was remanded into custody—either in a public or private setting. In her examination of enslaved persons and their use of the law, historian Leticia Grazielle Basílio de Freitas, found that it was not uncommon for slaves to be placed with a relative while they awaited the results of their case.<sup>20</sup> This was the case for the young woman Rufina, who, while seeking her freedom from slavery, resided with a man identified as her father. It is likely, Freitas notes, that Rufina already lived and moved about the city as though she was free. For those not fortunate enough to be placed with a friend or relative, they were sent to the local jail to await a verdict. Once the municipal judge decided to proceed with the case, litigation could begin with witnesses called to testify on behalf of both parties.

Throughout the process, a lawyer would serve as the enslaved person's representative. Tavares revealed to Faria Lemos—and later, through the publication of this correspondence, to the entire city—that he had recruited several lawyers willing to aid him in his “noble purpose.”<sup>21</sup> We cannot assume that every lawyer who represented one of the enslaved prostitutes was one of the lawyers recruited by Tavares or that they had any particularly abolitionist-leaning beliefs;

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*décadas da escravidão na Corte* (Rio de Janeiro: Companhia das Letras, 1990); Grinberg, *Liberata, a lei da ambigüidade* (Rio de Janeiro: Relume Dumará, 1994); Grinberg, “Re-escravização, direitos e justiça no Brasil do século XIX,” in *Direitos e justiça: ensaios de história social*, eds. Silvia Hunold Lara and Joseli Maria Nunes Mendonça (Campinas: Editora Unicamp, 2006): 101-128; and Grinberg, “The Two Enslavements of Rufina: Slavery and International Relations on the Southern Border of Nineteenth-Century Brazil,” *Hispanic American Historical Review* 96 (2016): 259-290.

<sup>20</sup> Leticia Grazielle Basílio de Freitas, “Escravos nos Tribunais: O Recurso À Legislação em Ações de Liberdade do Século XIX,” (MA thesis, Universidade Estadual de Campinas, 2012), 45.

<sup>21</sup> *Diario de Noticias* (RJ) 24 May 1871

nevertheless, though, it appears that many of the lawyers involved in freedom suits did intend to expand the rights of both freed and enslaved persons even if they did not fully support emancipation.<sup>22</sup> While the development of a full-throated abolitionist movement was comparatively slower to coalesce locally, by the 1870s, the internal Brazilian populist abolitionist movement was nevertheless gaining traction.<sup>23</sup> Therefore, it is quite possible that many of the men who represented the enslaved prostitutes could have been pro-abolition.

There was no extensive, comprehensive code of laws that regulated the relationship between masters and slaves in Brazil. Instead, this relationship was governed by a set of laws, regulations, and practices drawn from Ancient Roman Law, the Portuguese *Ordinações Filipinas*, and Luso-Brazilian customs that developed alongside the colony. At times this pastiche of laws and regulation failed to provide clear direction with regards to slavery and freedom. In such cases, it was not uncommon for Brazilian lawyers to turn to Roman law for guidance and argue based on ancient law.

Beyond a committed lawyer, the litigants would need several witnesses to speak on their behalf. Witnesses could be male or female, free or enslaved—anyone who knew and could corroborate their claims—though, as previously mentioned, according to the law, enslaved

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<sup>22</sup> Grinberg, “Re-escravização,” 103.

<sup>23</sup> Here I am referring more broadly to the popular and political abolitionist movement for as we see in the rich historiography Afro-Brazilians and Africans had a long history of advocating for and advancing freedom and abolition. Scholars of abolition broadly consider the period between 1880-1888 as the most intense phase of mass abolitionism in which Brazilian abolitionists drew on Anglo-American tactics such as newspaper publicity, rallies, and formal organizations. See Robert Conrad, *The Destruction of Brazilian Slavery 1850-1888* (Berkeley: University of California Press, 1972); Seymour Drescher, “Brazilian Abolition in Comparative Perspective,” *The Hispanic American Historical Review* 68:3 (August 1988): 429-460; and Jeffrey Needell, *The Sacred Cause: The Abolitionist Movement, Afro-Brazilian Mobilization, and Imperial Politics in Rio de Janeiro* (Stanford: Stanford University press, 2020).

persons could only provide informative testimony, not sworn testimony.<sup>24</sup> In the cases examined in this chapter, witnesses needed to testify to knowing the enslaved woman in her occupation as a prostitute *and*, if possible, be able to substantiate that her master or mistress was not only aware but condoned this behavior. They were also used to corroborate allegations of abuse and neglect, daily remittance amounts, the presence and persistence of illnesses, and the extent to which the woman lived independently from their master or mistress. Witness testimonies helped support the enslaved woman's case for freedom. In several instances, the witnesses produced on behalf of the women were men who frequented their services and men who worked in the brothels or managed the rooms used for such assignments. But also, just as frequently, witnesses were police officers and block inspectors. Some were even the enslaved woman's current lovers, as was the case of Josefa who was brought to court by a man identified as someone with whom she had "maintained relations" with.<sup>25</sup> Despite their marginalized position as enslaved, prostitute, and women of color, their ability to provide a diverse array of witnesses revealed their surprisingly broad social network as well as the ways in which their labor facilitated these connections.

The files generated by these lawsuits are quite extensive, often running over one hundred pages. They include the initial petition that clearly laid out the claims of the individual initiating the suit (in this case the enslaved women), signed and acknowledged by their representative. Then followed the information about with whom the enslaved person was deposited for the

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<sup>24</sup> Perdigão Malheiro, *A Escravidão*, 22.

<sup>25</sup> Apelação civil sobre liberdade de escravo. Apelante Josefa, escrava de Caetana Rosa, Apelados Caetana Rosa e Matilde Rita do Nascimento, Rio de Janeiro, 84.0.ACI.179, ANRJ, cited in Freitas, "Escravos nos Tribunais," 55. Also see Freitas, section 2.2 "Famíliares e parceiros: a luta em comum," for more on the relationship between slaves and their curadors and depositários.

duration of the trial, the witness testimonies, and the rebuttal by the opposing council and witnesses for the defense. At the conclusion of the case is the judge's final decision and reasoning for and against this decision. These files also frequently include substantiating documentation like bills of sale or purchase, records of money exchange (in cases involving manumission or self-purchase), and doctor's reports that either refuted or substantiated claims about health and maltreatment. It bears noting that these legal documents can be slippery in regard to personal testimony. Not only are they filtered through court reporters and notarial scribes, in the set of cases that follow, Judge Miguel José Tavares served as both judge *and* police commissioner and could have potentially exercised a higher degree of influence over the women's words. We cannot know to what degree Judge Tavares shaped their testimony or claim with complete certainty but if the court believed the testimony and evidence passed muster, it stands to reason that any of the situations, abuses, or experiences could have happened. These experiences were not out of the realm of possibility and at the very least we learn the names, age, birthplace, and residence of these women as well as reimagine the streets they walked, the sights they saw, and the physical boundaries of their world.

This burst of highly visible legal activity and criticism surrounding clandestine prostitution, from 1869-1873, likely contributed to the growing belief that slavery was an illegitimate, morally corrupting practice and signaled the institution's forthcoming demise. More importantly, this legal action reinforced the fact that enslaved persons were not merely the passive "machines" Tavares described earlier who diligently carried out the orders of their masters and mistresses.<sup>26</sup> We must recognize the critical role played by allies such as Tavares, Faria Lemos, and supportive lawyers in bringing many of these cases to court; however, this

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<sup>26</sup> *Diario de Noticias* (RJ) 24 May 1871.



should not mitigate the fact that the enslaved women involved in these cases were active, willing participants who aggressively pursued freedom, seizing the moment and opportunity presented by Tavares and his campaign. Moreover, through the cases we see the day-to-day forms of resistance and survival deployed by these women—the secreting away of savings, building personal relationships, and constructing social networks. So, instead of analyzing these court cases as either “successes” or “failures” “based on the final outcome, they need to be mined for what they can tell us about how enslaved women carved out spaces of autonomy, formed friendships, and struggled towards freedom within the confines of a system and a market designed to extract as much labor and income from their bodies as possible.

One of the earliest observations of urban, enslaved prostitutes in Brazil comes from the early-eighteenth century seaport, and former colonial capital, of Salvador de Bahia, where the French circumnavigator Guy Le Gentil de La Barbinais observed that masters bejeweled their slave women in “gold chains, bracelets and rings and rich lace” so that they might compete with free prostitutes in order that they could live off “the rewards of their infamous trade.”<sup>27</sup> Overlooking an enormous bay, the city of Salvador Bahia grew into a thriving seaport that welcomed a revolving door of men in search of more than just trade. If La Barbinais can be believed, prostitution was not only competitive but also quite lucrative.

Prostitution was also rampant in the boomtowns and mining camps of Minas Gerais. With the discovery of gold and establishment of the *vila* Nossa Senhora de Conceição de Sabará, in the captaincy of Minas Gerais in the early eighteenth century, frontier towns were full to

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<sup>27</sup> Afonso de e. Taunay, *Na Bahia Colonial, 1610-1764* (Rio de Janeiro, 1923), 367, quoted in L.C. Soares, “Urban Slavery in Nineteenth Century Rio de Janeiro,” (Ph.d diss., University College of London, 1988), 248.

brimming with thousands of new migrants, nearly all whom were single, unmarried men.<sup>28</sup>

Female slaves were in demand for domestic and marketing services but, like many other predominantly male frontier boomtowns, women were always in demand for sexual services (even amongst the clergy) and prostitution proved a lucrative endeavor many.<sup>29</sup> For those who went in search of libidinous pleasures, prostitution of all kinds and brothels were easily found.<sup>30</sup>

The prostitution of enslaved women was apparently such a problem near mining sites that in 1729, Governor Lourenço de Almeida was forced to respond to complaints about free and enslaved women who worked under the cover of *negras de taboleiros* but were, in reality, there to sell more than just food and drink. These women were accused of “lead[ing] the men astray” by selling sexual favors for gold.<sup>31</sup> The governor attempted to banish all such women from the mine sites but he largely failed as women continued to “sell goods, and themselves, in precisely

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<sup>28</sup> Kathleen J. Higgins, “Gender and the Manumission of Slaves in Colonial Brazil: The Prospects for Freedom in Sabará, Minas Gerais, 1710-1809,” *Slavery & Abolition* 18:2 (1997): 6.

<sup>29</sup> For more on prostitution and gender in Minas Gerais see Alexandre Rodrigues de Souza, “A prostituição em Minas Gerais no século XVIII: “Mulheres públicas”, moralidade e sociedade,” (Ph.D. diss, Universidade Federal Fluminense, 2018); Lisa Batista de Oliveira, *Devassas e “mal-procedidas:” Prostituição, concubinato, e vivência religiosa nas Minas Gerais do século XVIII* (Curitiba: Editora Prismas, 2017); Luciano Figueiredo, *O Acesso da Memória: cotidiano e trabalho da mulher em Minas Gerais no século XVIII* (Rio de Janeiro: José Olympio, 1993); and Luiz Mott, *Rosa Egípcia: uma santa africana no Brasil* (Rio de Janeiro: Bertrand, 1993).

<sup>30</sup> These catered to a wide variety of men. Maria Crioula, a freed Black woman, ran a house that catered to Black men, soldiers, and slave catchers whereas Francisca (crioula forra) welcomed not just black men but basically anyone who could afford to pay. Laura de Mello e Souza, *Desclassificados do ouro: A pobreza mineira no século XVIII* (Rio de Janeiro: Graal, 1983), 184. Mello e Souza provides an excellent overview of sin and prostitution in Mineiro society. Perhaps one of the most well known residents of Minas Gerais was Chica da Silva, the much mythologized former slave turned wealthy freedwoman. For an accurate examination of her life, see Júnia Ferreira Furtado, *Chica da Silva: A Brazilian Slave of the Eighteenth Century*, (Cambridge: Cambridge University Press, 2014).

<sup>31</sup> Bando do Governador D. Lourenço de Almeida, 11 September 1729, APMSC, Códice 27, fol. 42 cited in Kathleen J. Higgins, ““Licentious Liberty” in a Brazilian Gold-Mining Region: Slavery, Gender, and Social Control in Eighteenth-Century Sabará, Minas Gerais, (University Park: Pennsylvania State University Press, 1999), 197-198.

the same locations as they had before.”<sup>32</sup> Further, slaveholders in Sabará not only disregarded the governor’s decree but also actively encouraged and promoted prostitution among their slaves. One slaveholder brazenly stated that not only did he give his “consent” to his slaves to prostitute but that he apparently encouraged it. Moreover, he suggested that he would like for his male slaves to become female slaves, for they brought in more money daily.<sup>33</sup> Given the kind of frontier society that evolved in Minas Gerais, it was undoubtedly difficult to limit prostitution. But regulating and limiting prostitution would prove equally difficult in the capital city.

In the mid-nineteenth century, the central parishes of the city remained an effervescent, gritty, cacophonous tangle of streets lined with pharmacies, coffee houses, taverns, eating establishments, and even luxury import shops selling European fabrics and finery.<sup>34</sup> Judging from arrest notices and complaints in the local newspapers, the area was also home to a number of establishments specializing in commercial sex.<sup>35</sup> For example, *O Grito Nacional* complained of an “immundo lupanar” located at 24 Rua da Assembléa.<sup>36</sup> The city was ripe for prostitution

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<sup>32</sup> Higgins, “*Licentious Liberty*,” 199.

<sup>33</sup> Arquivo Eclesiástico da Arquidiocese de Mariana, Mariana, Minas Gerais. (AEAM), *Livro de Devassas—ano de 1753*, fls, 35v, cited in Laura de Mello e Souza, *Desclassificados do Ouro: A pobreza mineira no século XVIII* (Rio de Janeiro: Graal, 1982), 181.

<sup>34</sup> Kristen Schultz, *Tropical Versailles: Empire, Monarchy, and the Portuguese Royal Court in Rio de Janeiro, 1808-1821* (New York: Routledge, 2001), 39-57 and Mary Karasch, *Slave Life in Rio, 1801-1850* (Princeton: Princeton University Press, 1987), 55-91.

<sup>35</sup> Throughout the period, local newspapers would include information on recent arrests that provide a snapshot of who was arrested, where, and in what kind of establishment (brothel, *casa de tolerancia*, *lupanar*, ect.) For example, the *Correio da Tarde* 8 March, 1858 related the arrest of “escravos Rufina Cabinda, Leocadia Mina, e Josepha Benguela, *por serem encontrados em lupanar*” (for being found in a *lupanar*) in the parish of Sacramento.

<sup>36</sup> *O Grito Nacional* 10 April 1853. The alleged owners of this establishment were French. The author refers to them as “*insolentes estrangeiros*,” (insolent foreigners) in what is possibly an effort to blame the problem on a foreign element as it was not uncommon for Brazilians to argue that prostitution was imported or brought to the country by foreign influences.

and libertinism to flourish. In a port city full of single, transient men, the market for transactional sex was a booming and steady one.

Despite various attempts at regulating residents' nocturnal habits—such as gambling, drinking, and all other manners of raucous troublemaking—authorities largely failed. Men and women (free and enslaved) found multiple ways to circumvent curfew in pursuit of work and play.<sup>37</sup> One visitor remarked that come nightfall, the city “all but transformed into a brothel” with women to be seen in various states of undress, beckoning from the windows of the lower end brothels and apartments.<sup>38</sup> At the end of the eighteenth century, “women at the window” allegedly numbered two hundred fifty-five. This observer, a local Carioca doctor, did not note these women's status as either free or enslaved but did admit that there was quite likely many more women working but under more surreptitious conditions, “the majority of which were slaves,” he believed.<sup>39</sup>

Despite the growing concern of authorities, it was not until much later that any one official began a concerted fight against the “libidinous commerce” and sought to identify and track these women. A year after Judge Tavares began his public campaign in 1871, a survey of the four parishes of Sacramento, São José, Santa Rita, and Glória revealed a total of 1,171

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<sup>37</sup> For a look at Rio's nocturnal life, see Amy Chazkel, *Laws of Chance: Brazil's Clandestine Lottery and the Making of Urban Public Life* (Durham: Duke University Press, 2011) and Chazkel, “A vida noturna e o poder municipal no Rio de Janeiro oitocentista,” in *Dimensões do poder municipal*, Paulo Terra, Marcelo Magalhães, and Martha Abreu, eds. (Rio de Janeiro: Editora Mauad 2019): 279-300.

<sup>38</sup> Affonso de E. Taunay, *No Rio de Janeiro de D. Pedro II* (Agir: Rio de Janeiro, 1947), 108, cited in Luiz Carlos Soares, “Prostitution in Nineteenth Century Rio de Janeiro,” Institute of Latin American Studies (London: University of London, 1988), 30.

<sup>39</sup> Dr. Pires de Almeida, *Homossexualismo (A Libertinagem no Rio de Janeiro) Estudo sobre as perversões e inversões do instinto genital* (Rio de Janeiro: Laemmert & Co., 1906), 46.

women working as prostitutes.<sup>40</sup> The survey, organized in 1872 by Doctor Ferraz de Macedo primarily covered lower class prostitutes and not those who would be more akin to courtesans or ladies kept in comfort by a benefactor. He did not record how many were free, freed, or enslaved but according to Dr. Lassance Cunha the majority of “low class” or “clandestine” prostitution was practiced “almost exclusively” by enslaved women.<sup>41</sup> Barring clear statistics, it nevertheless stands to reason that enslaved women made up a significant portion of this population. This impression is further reinforced by a number of foreign visitors and chroniclers, like the aforementioned Charles Expilly, who rarely failed to mention the high visibility of enslaved women and women of color who engaged in sexual commerce.<sup>42</sup> Moreover, enslaved women disproportionately appear in arrest notices or raids on *casas de tolerância*, brothels, and the like suggesting that visibility translated into vulnerability. To guard against the loss of their property, many masters opted instead to set their bondswomen to work at the window.

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<sup>40</sup> Francisco Ferraz de Macedo, *Da Prostituição em geral* (Rio de Janeiro: 1872), 144. These parishes were all located near the city center and port area of the city.

<sup>41</sup> One of the first medical theses to address the categories of prostitution in Rio de Janeiro was published in 1845 by Dr. Herculano Augusto Lassance Cunha. In this thesis, he draws upon the same categorization of “public” versus “clandestine” prostitution as employed by Parent du Chatelet; however, he acknowledges that he uses the term “prostitution” in its broadest sense to encapsulate all forms of illicit relationships and conjugal arrangements that fail to conform to Church-sanctioned marriages such as *mancebia* or concubinage. The categorization of prostitution as “public” or “clandestine,” stems back to the 1840s. See Herculano Augusto Lassance Cunha, “A prostituição em particular na cidade do Rio de Janeiro,” (Ph.D. Dissertation, Faculdade de Medicina do Rio de Janeiro, 1845), 16.

<sup>42</sup> See: Charles Expilly, *Le Brésil tel qu’il est* (Paris, 1862); Afonso de e. Taunay, *Na Bahia Colonial, 1610-1764* (Rio de Janeiro, 1923); C. Schlichthorst, *O Rio de Janeiro como é, 1824-1826*, trans. and ed. Emmy Dodt and Gustavo Barroso (Rio de Janeiro: Editora Getúlio Costa, 1943) and Adolfo Morales de Los Rios Filho, *O Rio de Janeiro Imperial* (Rio de Janeiro: Editora A Noite, 1946). In the medical dissertations, see Herculano Augusto Lassance Cunha, “A prostituição em particular na cidade do Rio de Janeiro,” Ph.D. diss., Faculdade de Medicina do Rio de Janeiro, 1845 and Miguel Heredia de Sá, “Algumas Reflexões Sobre A Copula, Onanismo e Prostituição no Rio de Janeiro,” Ph.D. Diss., Faculdade de Medicina do Rio de Janeiro, 1845. Their presence was also captured by the Danish artist Harro-Harring who depicted a woman in one of the markets examining young women allegedly to purchase for prostitution.

Within this environment, coachmen and coaches took on a new, important role in the “libertine and philandering life of the Brazilian cities,” with their use most widespread in Rio and Recife.<sup>43</sup> They could chauffeur women across the city to assignations while largely avoiding authorities and detection. Coachmen (who were also often enslaved themselves) could also provide protection—and in the case of at least one woman, friendship and monetary support.

### The Women at the Window

#### Honorata

When Honorata filed her suit, she was nineteen years old having endured seven years of sexual abuse at the hands of her mistress, Maria Elenteria de Albuquerque. At the tender age of twelve, Albuquerque “handed her over to a life of prostitution.”<sup>44</sup> It is not clear what prompted Honorata to bring her lawsuit. Perhaps it was due to the encouragement of the police commissioner and municipal Judge Miguel José Tavares and others like him. Nevertheless, the resulting case between Honorata and Albuquerque—spanning over 300 pages—is an exceptionally rich one that details Honorata’s life, her social network, the sexual economy of Rio de Janeiro, and what resources enslaved women could potentially draw on for assistance.

Thanks to the candidness of Honorata’s witnesses (all men), her life begins to more fully take shape and emerge. These experiences are filtered through a prism of (primarily) free and male privilege and understanding of the world. Nevertheless, it is possible to begin reconstructing where she lived and worked; the parts of the city she frequented, the clothes she

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<sup>43</sup> Gilberto Freyre, *The Mansions and the Shanties: The Making of Modern Brazil* (New York: Alfred A Knopf, 1966), 116.

<sup>44</sup> Juízo do Supremo Tribunal de Justiça, Revista Cível, defendant, Maria Elenteria Borges de Albuquerque, Rio de Janeiro, Seção do Poder Judiciário, 1871: fl. 9. Hereafter cited as “Maria Elenteria de Albuquerque, 1872.” Sandra Lauderdale Graham also discusses this case in detail in “Slavery’s Impasse: Slave Prostitutes, Small-Time Mistresses, and the Brazilian Law of 1871” *Comparative Studies in Society and History* 33:4 (Oct. 1991): 669-694.

wore, and the social networks she maintained. One witness, Prudencio Jose Perreia—a married laborer, resident of Rua d’Alfandega—recounted the times he would look for Honorata at various locations throughout the area. Admittedly a “regular” customer, Perreira first encountered Honorata at the house on Rua Alfandega that was owned by a woman named Bibiana. The house was just around the corner from the raucous Rua Conceição where some of the more lively and high-end brothels were located, such as the one run by Ana Valentina da Silva, the woman known as La Barbuda.<sup>45</sup> It is not clear if Bibiana’s was a brothel or simply a front where a few women worked “at the window.” But Perreira testified that Honorata was known to “receive visit[ors] for dishonest pleasures, the profits from which she turned over to Bibiana,” who, he noted, collected all fees so as to be sure to maximize profit.<sup>46</sup>

From Bibiana’s, Honorata moved to a house three blocks over on Rua Uruguiana across from the Igreja do Senhor Bom Jesus. Here she “continued in the same . . . life” until she moved to another location across from the Igreja de Sao Francisco off of Rua Sete de Setembro. It was at the house on Rua Sete de Setembro that Honorata was forced to not only receive customers at night but also spend the day washing and ironing clothes for the Spanish *doña da casa*.<sup>47</sup> At one point, Honorata had enough of the woman’s demands and she left the house of Rua Sete de Setembro and returned to her mistress claiming that she “could not work during the day and be exposed [for visits] at night.”<sup>48</sup> Perreira informed the court that despite pleading for assistance,

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<sup>45</sup> The house of La Barbuda was notorious in the city. She was known for procuring young, light-skinned girls who she nominally freed after a period of time. I discuss her, and brothel prostitution, at length in the following chapter.

<sup>46</sup> Ibid., fl. 72v.

<sup>47</sup> Ibid., fl. 73.

<sup>48</sup> Ibid.

Maria Elenteria refused and forced Honorata to return to the “Spanish woman” to resume her life of prostitution.

When Honorata was not working at the window, Albuquerque would set up other meetings for her outside of the house. On these occasions, a coach driver named Teixeira—one of Honorata’s witnesses—would pick her up at Albuquerque’s house and drive her to a room on Rua do Hospicio or somewhere similar where she could procure short term lodging.<sup>49</sup> He would pick her up “in the morning” and bring her back “at night.”<sup>50</sup> He testified that he was aware that Honorata would be “castigated” by her mistress should she return to the house with less money than expected and so he would, on occasion, lend her enough to cover her daily remittance should she be short.<sup>51</sup>

Her mistress’ demands were such that not even sickness was cause for Honorata to withdraw from her nocturnal obligations. After working several nights at the house on Rua Alfandega Honorata began to succumb to “an illness in her chest” prompted her to seek help from Albuquerque.<sup>52</sup> Not only did Albuquerque deny her medical care but, Honorata stated, she had her beaten and sent back to work at the window.<sup>53</sup> The relationship between Honorata and her mistress appears to have been one based purely on financial transactions. As long as Honorata remitted her weekly quota, Albuquerque appears to have left her largely alone, so much so that Honorata alleged gross negligence and abuse. At the very least, slave owners were

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<sup>49</sup> Rent by the hour or temporary lodgings were fairly common at the time and would continue to be a cause for concern among the city’s authorities. From police records and correspondence, they knew the locations and proprietors of the most notorious establishments.

<sup>50</sup> Ibid, fl. 76v.

<sup>51</sup> Ibid, fls. 69-70.

<sup>52</sup> Ibid, fl. 9v.

<sup>53</sup> Ibid, fl. 9-9v.



expected to provide the basic necessities for their bondspersons; but Honorata was left to provide her own food and clothing. This, her lawyer argued, was proof that Honorata not only lived as a free woman, providing for herself, but that she was known as such by “a large number of people.” Throughout the judicial documents, the words “lived as free” (or some similar version) appear with regular frequency suggesting that it was a common tactic for lawyers to portray their clients as free women. By established that their client lived as a free person—*with the acknowledgment of their owner*—the lawyers suggested that it should follow that the enslaved person be granted their legal freedom on paper, as well.<sup>54</sup> Therefore, not only did Albuquerque neglect her duties as master, she tacitly acknowledged Honorata’s ability to live on her own as any free woman might. As a result, she should be required to forfeit her rights of ownership over Honorata.<sup>55</sup>

Albuquerque vehemently denied the charges claiming she never received any money from such illicit activities. She claimed Honorata was a housekeeper and never “slept outside the house” unless she was in the employ of one of the “decent” and “honest families” to whom Albuquerque would rent her. In defense, Albuquerque alleged that it was the individuals leasing Honorata who were responsible for any medical treatment.<sup>56</sup> If Honorata’s illnesses went

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<sup>54</sup> This tactic was adopted by lawyers in freedom suits more broadly. For more on the tactics employed by lawyers in freedom suits see: Keila Grinberg, *Liberata, a lei da ambiguidade: As ações de liberdade da Corte de Apelação do Rio de Janeiro no século XIX* (Rio de Janeiro: Relume Dumará, 1994); Grinberg, “Freedom Suits and Civil Law in Brazil and the United States,” *Slavery & Abolition* 22: 3 (Dec. 2001): 66-82; Sidney Chalhoub, *Visões da Liberdade: Uma história das últimas décadas da escravidão na Corte* (Rio de Janeiro: Companhia das Letras, 1990); Hebe Mattos, *Das cores do silêncio* (Rio de Janeiro: Nova Fronteira, 1998); Eduardo Spiller Pena, *Pajens da casa imperial* (Campinas: Unicamp, 2001), and Beatriz Mamigonian, *Africanos Livres: A abolição do tráfico de escravos no Brasil* (São Paulo: Companhia das Letras, 2017).

<sup>55</sup> Maria Elenteria de Albuquerque, 1872, fls. 9v, 20.

<sup>56</sup> *Ibid.*, fl. 23.

untreated, according to Albuquerque, it was not her fault. She claimed to be a poor but respectable woman who earned an honest living from the labor of her bondswoman.

Of particular interest to the judge and lawyers was Honorata's clothing. More than one witness claimed Honorata was known for wearing "flowers in her hair, gold jewelry, and gloves," as well as "luxurious" wool and silk garments.<sup>57</sup> However, they characterized her attire as either stylistic flourishing designed to entice men or gifts from her patrons. Either way, comments about her clothing were implicitly tied to her capacity to provide for herself. Honorata admitted that her clients would offer her small tokens but it is not clear if they paid for her clothing. What is clear is that her mistress did not provide even basic garments.

Apparently not all of her clients were one-time engagements. At one point, Honorata was allowed to live with a young sailor.<sup>58</sup> However, once he could no longer meet Albuquerque's financial demands, Honorata was forced to leave him and return home. The sailor, Joaquim, was of a similar age, single, and very well could have been her chosen lover. Perhaps this time with Joaquim provided Honorata respite from her usual rotation through the brothels and rented rooms, but unfortunately nothing more is known about this relationship and Honorata's feelings on the matter are not recorded.

Albuquerque portrayed Honorata as a housekeeper who (without Albuquerque's consent) supplemented her wages through prostitution; however, from Honorata's own words and the testimony of her witnesses, it seems to be the other way around. Despite the horrifically exploitive nature of her labor, it was through her work that she was able to form social connections that helped her in her case against Albuquerque. Indeed, all of Honorata's witnesses

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<sup>57</sup> Ibid, fl. 27-27v.

<sup>58</sup> Ibid, fls. 73v, 74.

knew her through her work—either as a client or driver who ferried her between assignments. Swayed by Honorata’s testimony, and that of her witnesses, the judge granted Honorata her freedom citing Albuquerque’s “immoral abuse” and her “moral degradation.” Honorata was “free of captivity and restored to her natural liberty.”<sup>59</sup> Unfortunately, that freedom was short-lived as Honorata was soon again embroiled in another legal fight as Albuquerque immediately appealed the judge’s ruling.

Honorata lived as a free woman for the year that it took for the appeal to play out in court. But, ultimately, she was ordered to return to her mistress. In another show of defiance, Honorata refused to comply with the judge’s orders and fled. He ordered her to be apprehended and returned to Albuquerque who produced witnesses who testified to seeing Honorata living in a shabby *cortiço*.<sup>60</sup> From here, Honorata eluded the official record, and perhaps her mistress, but nothing more is known of her fate.

### Isabel

On the 20<sup>th</sup> of September, 1871, the lawyer José da Silva Costa petitioned the Second Municipal Court for the manumission of Isabel, a *parda* slave belonging to a woman named Anna Maria da Gloria, resident of Rua da Prainha 66 in the parish of Santa Rita. It is unclear why, but the court dismissed this initial filing.<sup>61</sup> Nevertheless, Isabel and her lawyer filed new charges on February 26, 1872, alleging that da Gloria had “compelled the enslaved *parda* into the vile act of prostitution” in order to support da Gloria and her household. This, da Silva Costa

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<sup>59</sup> Ibid, fl. 23, 26.

<sup>60</sup> Juízo de Direito da 2a Vara Cível, Execução de Sentença, defendant, Honorata, Rio de Janeiro, 1873, ANSPJ, Maço 2385 n. 2088, fls, 26-28 cited in Graham, “Slavery’s Impasse,” 678. A *cortiço* refers to a type of housing found in large Brazilian cities that are prone to overcrowding and poor sanitation. They are akin to tenement housing in the 19<sup>th</sup> century US.

<sup>61</sup> *Jornal do Commercio* (Rio de Janeiro) 13 September 1871.

argued, was a flagrant “abuse of property” and as such, da Gloria should lose ownership of her slave.<sup>62</sup>

In the initial claim, da Costa Silva stated that da Gloria attempted to “derive maximum profit” from her slave through prostitution.<sup>63</sup> Each participant accepted that it was well within da Gloria’s right as a slave owner to demand of, and profit from, Isabel’s labor. Yet, forcing her into a life of such “deep immorality,” da Costa Silva argued, was a step too far and a clear “abuse of her rights of property.”<sup>64</sup> Isabel claimed that da Gloria would set up assignations for her to go and meet clients but also compelled her to frequently take a room across from the Palacio de Crystal [sic] along the Rua dos Latoeiros (later known and interchangeably identified within the documents as Rua Gonçalves Dias). Just seven days earlier, on September 13, 1871, as part of his initial sweep of women at the window, Judge Tavares issued a notice for the police to retrieve Isabel from this same address at Rua Latoeiros where “she rented a room and was obligated to pay her mistresses [cash] daily.”<sup>65</sup>

The address was noteworthy, as the Rua dos Latoeiros was known as an area renowned for “special houses, veritable centers of extreme degradation, where rooms [were] rented all hours of the day and night for the consummation of hedonistic acts so repulsive that decency” forbade its discussion in polite conversation.<sup>66</sup> It was clearly understood that here the proprietors of the houses and the “tenants” made their living through prostitution, demanding a certain

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<sup>62</sup> Supremo Tribunal da Justiça, Revista Cível, defendant Anna Maria da Gloria, 1871, ANRJ, BR.AN.RIO.BU.0.RCI.358, fl. 9. Hereafter Anna Maria da Gloria, 1871.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> *Jornal do Commercio* (Rio de Janeiro) 13 September 1871.

<sup>66</sup> Anna Maria da Gloria, 1871, fl.145; Francisco Ferraz de Macedo, *Da prostituição em geral, e em particular em relação a cidade do Rio de Janeiro* (Rio de Janeiro: Typographia-Academica, 1873), 115.

agreed upon sum from their slave on a daily or weekly basis.<sup>67</sup> According to Isabel, while she was at the infamous Rua dos Latoeiros address, da Gloria demanded a daily remittance of *cinco mil reis*.

da Gloria rebutted, claiming that Isabel willingly turned to prostitution as a means of earning “easy” money.<sup>68</sup> Such accusations were not uncommon. Amongst contemporaries, there was a fear that enslaved women would turn to prostitution as a means of earning more money so that could purchase extravagant clothing, rich meals, jewelry, and even their freedom.<sup>69</sup> Yet, if a woman was able to purchase her freedom in this manner (via prostitution) it was likely more an exception more than the rule. For the women who worked out of the dingy, rent-by-the-hour rooms, out of their master’s home, or in any of the lower priced brothels along the streets of Santa Rita and Sacramento, there was nothing “easy” or extravagant about their work. Moreover, any profits derived from their labor would likely have gone to rent or food.

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<sup>67</sup> Ferraz de Macedo, *Da Prostituição em geral*, 115. This area in particular does not necessarily seem to be any worse than the other surrounding streets; however, the author of the description notes that male prostitution occurred in the same areas as well. This, he believed, was far worse than female prostitution as it transgressed a multitude of moral and religious boundaries.

<sup>68</sup> Anna Maria da Gloria, 1871, 152.

<sup>69</sup> Women throughout many societies could, and did, turn to casual prostitution to supplement their income. However, within this context, I contend that the accusation was based in racist ideologies about Black female sexuality—that they were predisposed to laziness, hypersexuality, and lascivious behavior. See previous comments by La Barbinais. Police Chiefs Miguel Calmon du Pin e Almeida (1877) and Ludgero Gonçalves da Silva (1872-1875) also echoed similar beliefs arguing that women (whether free or enslaved) were seduced by the illusion that prostitution offered an easy, luxurious life unlike household labor or other forms of manual labor. See Miguel Calmon du Pin e Almieda, “Relatorio do Chefe de Policia da Corte,” in Diogo Velho Cavalcanti de Albuquerque, *Relatorio da Repartição dos Negocios da Justiça apresentado á Assembléa Geral Legislativa*, Annexos (Rio de Janeiro, 1877), 259 cited in Soares, *Rameiras*, 85; and Ludgero Gonçalves da Silva, “Relatorio do Chefe de Policia da Corte,” in Manoel Antônio Duarte de Azevedo, *Relatorio da Repartição dos Negocios de Justiça apresentado á Assembléa Geral Legislativa*, Annexos (Rio de Janeiro, 1872), 23, cited in Soares, *Rameiras*, 85.

da Gloria's insisted that it was Isabel's choice to turn to prostitution, yet the declaration of apprehension signed by Antonio José Barros, the manager of the hotel at Rua das Latoeiros 86, was particularly damning for da Gloria and it articulated the conditions in which Isabel was found.<sup>70</sup> He testified to the number of sexual transactions Isabel was compelled to perform in order to meet the financial demands of her mistress. He testified to how those transactions were arranged, many by da Gloria herself. And as a resident of a "hotel" on Rua dos Latoeiros, he could even speak to the conditions of her forced labor. It was at the hotel that Barros first encountered Isabel. She was, he stated, a slave who rented rooms with the express purpose of conducting the "stated offense" of prostitution due to the fact that she was required to remit a sum of *cinco mil reis* to her master daily.<sup>71</sup> Out of the money that she earned, Barros verified, Isabel was only allowed to eat and purchase basic clothing. The rest went to her mistress leaving her with little extra to cover other expenses. Barros' testimony clearly established that Isabel worked as a prostitute.

Unfortunately verifying Isabel's forced prostitution was not enough to grant her freedom. Isabel's lawyer needed to establish that da Gloria had actually broken the law and not just offended the moral sensibilities of the court. So Isabel's lawyer, like others before him, turned to the examples provided by Roman law. Da Costa Silva based his defense of Isabel's claim on the ancient Roman principle that a master who prostituted his slave abused their rights of power and control and should therefore be forced to forfeit their slave.<sup>72</sup> He made sure to emphasize Isabel's

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<sup>70</sup> It is unclear whether this is actually a hotel or whether it is one of the many "rent by the hour" houses that others have referenced and noted in this part of the city. I assume, from the context, that this is one of the houses where Isabel would rent a room to service customers.

<sup>71</sup> Anna Maria da Gloria, 1871, fl. 146-147.

<sup>72</sup> Sandra Joshel, *Slavery in the Roman World* (Cambridge: Cambridge University Press, 2010), 70-72.

abandonment and to portray her as a helpless wretch at the mercy of a greedy, abusive master with no other recourse than to petition the court for help. The Brazilian law only explicitly forbade extreme *punishment*. Nevertheless, da Costa Silva couched Isabel's claims within the language of morality and order. da Silva argued that Isabel was cast into a life of profound "immorality . . . trampling on the laws of decorum and tradition."<sup>73</sup> Isabel was enslaved and therefore she claimed she was unable to resist this moral degradation and suffered profoundly from the effects.

For all appearances, da Gloria derived her sole income from Isabel's nocturnal labor and so was desperate not to lose her slave. Moreover, given the location of her home, along the Rua da Prainha with its close proximity to the bustling commercial center and its constant influx of sailors, porters, and tradesmen looking for nightly entertainment, she was well situated to capitalized on the needs of the transient population. This reality clashed with da Gloria description of herself as a respectable woman who attempted to keep Isabel on an honest, moral path of working as a domestic despite Isabel's predilection for prostitution.

To support her image as an honest businesswoman, da Gloria produced a license for "selling fruits" along the Rua Primeiro de Março (formerly Rua Direita). As one of, if not the most important streets in Rio de Janeiro, Rua Primeiro de Março passed in front of the royal palace connecting the Morro do Castelo to the Monastery of São Bento. It was located in the heart of the city's commercial district crowded with vendors and businessmen. Yet, surprisingly, during the initial proceedings, Anna Maria da Gloria failed to produce for the court proof of her alleged thriving, legitimate fruit-selling business. How then did she actually support herself?

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<sup>73</sup> Anna Maria da Gloria, 1871, fl.9

Da Gloria's economic activities could not be verified while Isabel's were quite clearly substantiated. Accordingly, Judge Tavares accepted that she worked as a prostitute but only at the behest of her mistress. Moreover, even if it *had* been Isabel's choice, the fact that her mistresses allowed her to do so, the judge argued that da Gloria was a pimp—a further offense under the law, as procuring was illegal.<sup>74</sup> The weight of the Roman law, he suggested, coupled with the aforementioned facts, was such that he was left with only one option. Isabel was pronounced free.

For Isabel, the immediate future looked hopeful; she might finally escape the daily demands of her master. However, as might be expected from a woman who derived a large—if not entire—portion of her income from slave labor, da Gloria promptly appealed the decision filing a counter suit. Upon review, the judge decided that Isabel's lawyer failed to prove that da Gloria was the one who forced Isabel into a life of prostitution and that harkening back to Roman law was not sufficient enough deprive da Gloria of her property—a move that would strike against a citizen's right to control their property.<sup>75</sup> In one last show of defiance, Isabel and her lawyer refused to accept the judgment and filed their own appeal; however, the court declined to revisit the judgment and pronounced the case closed.<sup>76</sup> Nothing more is known about Isabel's fate.

#### Joana

“[I] have been the slave of Carolina Ferreira, but, abusing her right to property, she threw me into a life of prostitution which [I] the supplicant had to subject [myself] to for lack of

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<sup>74</sup> Ibid, 79v.

<sup>75</sup> Ibid, fl. 84-87.

<sup>76</sup> Ibid, fl. 4-5; also noted in the *Diario do Rio de Janeiro* 18 June 1874.



means provided by my ex-mistress.” As a result, “I . . . have suffered greatly.”<sup>77</sup> Thus stated the seventeen-year-old *parda* Joanna, while asking that she officially be granted her freedom.

Joanna went on to magnify her claims of abuse stating that while she suffered from “ill health,” while her “ex-mistress” Ferreira enjoyed “great profit.”<sup>78</sup> Left to her own devices to provide food, clothing, and shelter, Joana alleged that this gross negligence was tantamount to abandonment and an effective discharge of her (Ferreira’s) responsibilities as a mistress. Since prostitution itself was not grounds for losing one’s slave, Joanna had to prove beyond a doubt that she was truly and fully abandoned by her mistress. Joanna’s claims echo those of several other women who accused their mistresses of forcing them into the sex trade but there is something striking about her use of the word “ex-master.” Instead of referring to Ferreira as her mistress or master, Joanna, in a similar tactic to those deployed by Honorata, reinforced the belief that she was a masterless slave who had “lived for so long” as a free woman in all but legal title.<sup>79</sup> Her witnesses corroborated stating they knew her to be free as well.<sup>80</sup>

However, in a surprising twist, the identity of Joanna’s actual and legal owner was thrown into question. Ferreira responded to Joanna’s legal action by claiming she certainly could not have forced Joanna into prostitution as she had only recently bought Joanna from a man named João Antonio Lopes and was, in fact, still in the process of paying off her purchase price to the estate of the recently-deceased Lopes. Ferreira confessed that Lopes had not—for unknown reasons—completed the proper sale paperwork before dying and therefore, really,

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<sup>77</sup> Supremo Tribunal da Justiça, Relação do Rio de Janeiro, Apelação Cível, defendant, Carolina Ferreira, 1871, ANRJ, fl. 4. 84.0.ACI.175/1. Hereafter, “Carolina Ferreira, 1871.”

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> Ibid, fl. 22-25.

Joanna's suit needed to be directed towards Lopes' heirs. However, Ferreira continued, she still held a stake in the proceedings because she had in her possession several receipts that demonstrated large payments to Lopes for the purchase of Joanna. To bolster her claim that Lopes was Joanna's legal owner, Ferreira pointed to the fact that Lopes' heirs had tried to seize Joanna as part of Lopes' estate. Ferreira attempted to escape prosecution based on this loophole of ownership while also claiming a right to maintain Joanna as a slave. She was not the one responsible for Joanna prostituting, Ferreira claimed, but she should still retain her rights to ownership of the woman as she had proceeded to pay Lopes in good faith.<sup>81</sup> Ferreira's claim threw the proceedings into disorder. Before the case could move forward, it was necessary to identify who legally owned Joanna.

Like da Silva, Joanna's lawyer had to improvise. He argued that Lopes knew Ferreira was a "public woman"—tantamount to a prostitute herself—and so he had been aware of Joanna's ultimate destination. This meant, he argued, that *both* Lopes and Ferreira were responsible for Joanna's condition and thus, the case should proceed and Joanna given her freedom as not one but two of her owners were aware of—and condoned, if not outright coerced—Joanna to work as a prostitute. Ultimately, the court recognized the relationship between Joanna and Ferreira as master and slave and the case proceeded.

As the case slowly crept on, Joana openly acknowledged that she worked as a prostitute, entertaining men throughout the day and night. But, she made clear, it was not her choice and as a result, she "suffered ill health," presumably from contracting some form of venereal disease coupled with malnutrition.<sup>82</sup> However, she was not without resources or allies. Joana produced

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<sup>81</sup> Ibid, fl. 12-13.

<sup>82</sup> Ibid, fl. 4.

three male witnesses who would testify on her behalf, all of which appear to have known her in her occupation as prostitute. But they also claimed to have known Joana to live “as a free woman,” away from her mistress. Her claim was further bolstered by verification from the “inspector [sic] de quarteirão,” or block inspector who stated that he knew her as a prostitute. Moreover, Joanna’s lawyer alleged that the deceased Joao Antonio Lopes was known to be a man who dealt in young women for the very specific purpose of prostitution and clearly knew that once sold to Ferreira, she was destined for the window. The judge agreed. He wrote that Lopes sold Joana to Ferreira, “[uma] *mulher da vida publica*,” with only one goal in mind: to put her to work in the “illicit commerce” of prostitution.<sup>83</sup>

This evidence was enough to convince the presiding judge. As in previous cases, he ruled based on Roman law and the necessity of liberating slaves whose masters forced them into the immoral trade.<sup>84</sup> Yes, the judge admitted, Joana conceded to this life but only because she was a good, obedient slave. This, coupled with Ferreira’s inability to present fully executed paperwork (despite her claims that she paid Lopes nearly 2:100\$000 *reis*) resulted in Joana’s freedom.<sup>85</sup> But, in May of 1872, Ferreira filed an appeal against the lower court’s previous decision contending that to liberate one’s slave based on a technicality, such as improperly executed paperwork, was tantamount to violating her “legitimate rights” to property.<sup>86</sup> She was, she

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<sup>83</sup> Ibid, fl. 26. The reference to Ferreira as a “public woman” is meant to evoke her status as a woman of poor quality and low moral standing. At this time, “honorable” women and those in the upper class did not leave their homes unless it was for church or other sanctioned events. Therefore, women who knew (or were known on) the streets carried the stigma of being low class. I have identified other slave traders and dealers who openly admit that they procured young women expressly for this purposes and while the judge does not openly state this, he certainly alludes to Lopes being one of these traders.

<sup>84</sup> Ibid, fl. 25-27.

<sup>85</sup> Ferreira claimed to have purchased Joana for 2:100\$000 *reis*. Ibid, fl. 59.

<sup>86</sup> Ibid, fl. 13.

explained, in the process of correcting the paperwork issue with the representatives of Lopes' estate and was proceeding in "good faith," assuming that everything would be sorted soon and properly.

The appeals judge did not hold the Roman law in higher regard than the constitutional law protecting personal property.<sup>87</sup> In this case, he stated, Roman law was inapplicable. Ruling in favor of Ferreira, the court reversed the earlier decision stripping Joana of her freedom and remanded her back into Ferreira's custody in May of 1873.<sup>88</sup>

### Rita

For Rita, a young woman born in the state of Ceará in Northeastern Brazil, the "infamous traffic . . . occupied her days and long into [her] night[s] as well."<sup>89</sup> Initially, she claimed, she believed to have been purchased to serve as a housekeeper or cook but soon was placed "at the window" by Maria da Conceição Correa Lima.<sup>90</sup> When, at first, Rita complained to Correa Lima about this line of work, she was presented with a choice: be turned over to the Police and remanded to a public house for offending the public morality or continue "na janella."<sup>91</sup> When asked for how long she had "lived this life," Rita replied that it had been approximately three years.

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<sup>87</sup> Article 179, item XXII of the Constitution of 1824 on the civil and political rights of Brazilian citizens fully guaranteed their rights to property with limited exceptions. See *Constituição Política do Império do Brasil 25 Março 1824 Chapter III, Title 8, Article 179, XXII.*

<sup>88</sup> Carolina Ferreira, 1871, fl. 65v.

<sup>89</sup> *Relação do Rio de Janeiro, Apelação Cível, Maria da Conceição Correa Lima, defendant (1871), fl. 47, ANRJ. 84.0.ACI.183.* Hereafter cited as "Maria da Conceição Correa Lima, 1871." Interestingly, Ceará would become the first state to emancipate all of its slaves, in 1884, before total abolition throughout the Empire. See Conrad, *Destruction*, 174-176.

<sup>90</sup> Maria da Conceição Correa Lima, 1871, fl. 2.

<sup>91</sup> *Ibid.*

For three years she was forced to accept “any man” who could afford to pay for her time and services and to remit no less than twenty *milreis* per day.<sup>92</sup> Occasionally, Correa Lima demanded up to thirty *milreis*. All profits were turned over directly to Correa Lima leaving little to nothing for Rita to save or draw upon. While most bondsmen and women could claim a *peculium* and benefit from the traditional practice that allowed them the ability to retain a portion of their profits, not Rita. Her mistress created an elaborate system of oversight to ensure the highest profit.

Rita produced a witness, a former client, who provides insight into the mechanisms Correa Lima had in place to ensure she knew the exact amount clients paid and that each *reis* and *centavo* were accounted for.<sup>93</sup> He stated that Rita would use a card or slip of some sort to record the amount paid when she gave her mistress the profits. It is not quite clear whether her mistress would pre-fill the amount or whether the customer would note how much they paid, but it is clear that the exchange was to ensure that payment was made in full at the time services were rendered. The local block inspector—another of Rita’s witnesses, confirmed Correa Lima’s use of the cards/receipts. He stated that Rita’s customers were always careful to mark the cards correctly for if they didn’t, Rita would suffer—“[everyone] knew about the punishments.”<sup>94</sup> Confirmation of the cards and proof of transactions were also meant to ensure Correa Lima was aware of the transaction. Despite her protestations, it would appear that Correa Lima was not only aware of Rita’s activities but that she was directly involved with accounting for the money. She was so involved in the transactions that she apparently even opened the door for clients

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<sup>92</sup> Ibid, fl. 15, 2, and 6.

<sup>93</sup> Ibid, fl. 29-29v.

<sup>94</sup> Ibid, fl., 36.

herself.<sup>95</sup> By scrupulously monitoring the financial exchanges, Correa Lima succeeded in restricting Rita's right to part of her earnings undoubtedly contributing to Rita's miserable condition and lack of basic comforts.<sup>96</sup>

Despite Correa Lima's threats of turning Rita over to the Police, she apparently took care and caution to keep her from falling into the hands of the authorities. Rita told the judge that she was always forced to hide whenever the Police would come around her house. If anyone asked, Correa Lima would tell them that Rita was a housekeeper.<sup>97</sup> She told Rita that if she spoke to anyone about her actual activities she would "suffer."<sup>98</sup> Threats of bodily harm and violence suffuse Rita's testimony. So, motivated by a mixture of "terror and fear," Rita obeyed her mistress and continued on in the life to which she had been forced.<sup>99</sup> When further questioned as to whether she had always "been obedient to her mistress" and why she had wanted to continue to engage in the trafficking of sexual acts, Rita answered that she "was always submissive to the orders of her mistress" and that she was a good "obedient slave."<sup>100</sup>

However, the primary threat came from the contraction of syphilis, a disease that had increasingly become a public health crisis by the mid-nineteenth century. Untreated the disease took a quick toll on the body resulting in unsightly, painful sores. By 1871, Rita's health was

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<sup>95</sup> Ibid, fl. 47v.

<sup>96</sup> According to local practice slaves were granted a right to his or her peculium, or personal property. This meant any surplus from sold goods or labor was granted to the slave. Moreover, any gift made to slaves or other forms of compensation given by third parties was also considered private property to be disposed of by said slave. The Brazilian government recognized this right as one of the important contributing factor to self-purchase.

<sup>97</sup> Maria da Conceição Correa Lima, 1871, fl., 5v.

<sup>98</sup> Ibid.

<sup>99</sup> Ibid, fl. 6.

<sup>100</sup> Ibid, fl. 7v.

nearly destroyed.<sup>101</sup> Correa Lima acknowledged Rita's poor health but claimed it was due to other illnesses and that Rita worked as a housekeeper in order to pay for the extensive medical care.<sup>102</sup> It was this extensive financial burden of Rita's medical care, she claimed, that prompted her to try and sell Rita to someone in the interior of the state. Rita, however, stated that Correa Lima was aware that the police did not want "slaves to live in houses of prostitution," and that this was the impetus behind her sale.<sup>103</sup> Others in the city of Rio de Janeiro had, in fact, offered to buy Rita from Correa Lima yet she steadfastly refused.

At one point, Correa Lima asked Rita if she would rather continue at the window or be rented out. Believing she was to escape her life at the window, Rita said she'd like to be removed and rented out. However, unbeknownst to her, Correa Lima intended to sell Rita out of the city, having her work first in Barra Mansa and then on to Bananal, in São Paulo province.<sup>104</sup> Once she discovered the ruse, Rita decided she would not endure any more cruelty and, having heard of Tavares' commitment to helping free women like herself, she presented herself to the court.<sup>105</sup>

Rita's testimony provides insight into the other persons in the household as well. When asked if she was the only bondswoman or woman in the house in Rio de Janeiro, Rita revealed that there were two other women of her condition, both *mulata* slaves. These women had also been forced to prostitute for Correa Lima; however, one was of such an age that she no longer brought in enough profit as a prostitute. This woman was summarily rented out as a "housekeeper." Whether or not she actually served that function or if she was rented out in

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<sup>101</sup> Ibid, fl. 2.

<sup>102</sup> Ibid, fl. 15.

<sup>103</sup> Ibid, fl. 7-7v.

<sup>104</sup> Ibid, fl. 4-5; 49. The intended sale was corroborated by a judge in Bananal, as well.

<sup>105</sup> Rita's representative acknowledge that Rita was indeed aware of Judge Tavares' campaign when she initiated her case. However he does not say exactly how she learned of it. Ibid, fl. 55.

another capacity, we cannot know. Nevertheless, Correa Lima continued to capitalize off of this woman's labor long after her "prime" years were behind her. The second woman, Rita noted, had worked as a prostitute for years before eventually being conditionally freed by Correa Lima but only after agreeing to another ten years of undefined service *in addition to* regular remittance of her income.<sup>106</sup> It is not entirely clear whether this woman continued to peddle sexual services or how she met the daily salary quota.<sup>107</sup> What is clear, however, is that Correa Lima always had at least one woman at the window and once that bondswoman came of a certain age—or her *moléstias* finally reached a certain stage—she was removed, set to other work, and replaced by a fresh, young bondswoman.<sup>108</sup> By conditionally freeing her other slaves, Correa Lima ensured that she would continue to reap profits even after they quit working at the window. Moreover, conditional manumission could be (and often was) revoked by masters.<sup>109</sup>

When asked if there were any people in the city who could attest to "this life" of hers, Rita offered the name of one Luis Hespanhol, who, she said, would visit her every time he came to the city. It also appears that, at times, she would go and stay with him in his home while he was in the city.<sup>110</sup> On one occasion, she spent more than fifteen days with him. While there, she

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<sup>106</sup> This type of conditional manumission appears to be quite common and was frequently contingent upon death of the owner. However, in this case, the freed woman was only obligated to ten years labor. On conditional manumission and its effects see Chalhoub, "'The Precariousness of Freedom in a Slave Society (Brazil in the Nineteenth Century)' *International Review of Social History* 56:3 (Dec 2011), 405-439.

<sup>107</sup> Maria da Conceição Correa Lima, 1871, fl. 6-6v. One of Rita's witnesses notes that there were other slaves in the house who engaged in prostitution so it is quite likely that even when the women aged and were removed from full time service at the window they continued to engage in prostitution.

<sup>108</sup> If she demanded 20-30 milreis a day that could total up to a potential of 140:000-210:000 milreis per week, a not insignificant sum.

<sup>109</sup> See Chalhoub, "'The Precariousness of Freedom.'"

<sup>110</sup> Maria da Conceição Correa Lima, 1871, fl. 7.



also worked as a domestic servant in addition to providing sexual services.<sup>111</sup> For Hespanhol, Rita recreated the intimate labor of the domestic sphere tending to the household chores as well as Hespanho's sexual demands. This seemed to be the one occasion on which she worked away from Correa Lima's oversight and of the house.

Despite Correa Lima's high degree of oversight, Rita was still able to carve out small moments in which she could gain the confidence or trust of a potential ally. Several of these men admitted they found way to slip her small coins or brought small gifts in the form of food or fabric. Rita provided the names of several men who had paid for her services.<sup>112</sup> One, Jose Gomes da Mesquita—a single businessman of 31 years, native of Portugal, and resident of Rua do Conde, was the first to testify that he knew Rita was “forcibly employed in the traffic of prostitution.”<sup>113</sup> He said that he believed Rita was forced into prostitution and that he would see her perched nightly “at the window,” at her mistress' home.<sup>114</sup> Mesquita was only one of many “loyal” customers who sought Rita out on a regular basis and four other men testified they knew her to “traffic in prostitution.”<sup>115</sup>

The sixth—and perhaps most damning—witness to testify on Rita's behalf was the block inspector, Antonio Pereira da Silva Rocha, held in high esteem by the court.<sup>116</sup> Inspector Rocha confirmed Rita's occupation as well as the testimony of the previous witnesses. This witness, the

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<sup>111</sup> Ibid. She specifically mentioned that Hespanhol demanded services of her that were the same as those that she was testifying to today. In other words, intimate or sexual labor as well as household duties.

<sup>112</sup> Ibid, fl. 29.

<sup>113</sup> Ibid, fl. 28v.

<sup>114</sup> Ibid.

<sup>115</sup> Ibid, fl. 47v.

<sup>116</sup> Ibid, fl. 35. He is listed as born in Rio de Janeiro, forty-one years old, and married. He was the block inspector for Rua Carioca.

court transcript notes, particularly unnerved Correa Lima, who, in defense, “attempted to tell a few stories” to invalidate the block inspector’s statements, but failed.<sup>117</sup> He noted that Correa Lima “constantly had women at the window.”<sup>118</sup> He stated that when he had inquired about Rita (prior to the case), Correa Lima claimed that Rita was “already a free but continued in her [Correa Lima’s] company,” thus implying that she had not forced Rita to work at the window.<sup>119</sup> Moreover, he countered, Rita “was known as a slave,” and certainly must have been for why else would she have endured the “continuous punishment inflicted by [Correa Lima]?”<sup>120</sup> Apparently one punishment was so severe that the inspector was prompted to interrogate the rest of the slaves in the house. He suggested that the court inquire with the neighbors if they needed to substantiate the severity of Rita’s punishments. Even in the face of such wounds or illness, he noted, Rita was obliged to accept men at night.

In her defense, Correa Lima only managed to marshal two witnesses, neither of whom provided a particularly impressive or detailed defense.<sup>121</sup> The first claimed that they never saw Rita at the window and therefore she was not a prostitute. The second stated that Rita washed clothes only. He claimed to have seen her at the window with a child, and at times with Correa Lima, but Rita was never “dressed for exposure.”<sup>122</sup> Their testimony was thin, at best.

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<sup>117</sup> Ibid, fl. 48.

<sup>118</sup> Ibid, fl. 36.

<sup>119</sup> Ibid, fl. 35.

<sup>120</sup> Ibid.

<sup>121</sup> In his final statements, Rita’s lawyer noted that the testimony came from individuals “of the same kind” as Correa Lima, intimating that they were of lower class origin and not above the exploitation of women like Rita.

<sup>122</sup> Ibid, fl. 44v.

The evidence, Rita's lawyer stated, was "incontrovertible," that Rita "lived in forced, public prostitution for the benefit of [Correa Lima]." <sup>123</sup> Multiple men corroborated both Correa Lima's scrupulous accounting system that deprived Rita of any income and the consistency of physical abuse resulting in deep wounds. Moreover, he accused Correa Lima of intentionally trying to circumvent the law—and secure her financial investment—by intentionally selling Rita out of the city and into São Paulo province. Citing Roman law, Judge Tavares agreed, and in June 1872, the court handed Rita her freedom.

As to be expected, Correa Lima appealed the decision. However, the appeal process did not move swiftly or smoothly for Correa Lima. Upon Rita's release, her depositário (the man into whose power Rita had been placed for the duration of the trial), Manoel Jose Alves sued Correa Lima for defaulting on payment of Rita's expenses. Correa Lima was supposed to pay restitution within twenty-four hours, yet several months passed without payment. When asked to provide further witnesses, Correa Lima could not. After several calls for Correa Lima to appear and despite the court's extensive support of rights to property, in June 1873, Rita was judged a free woman. Two months later the court officially declared the "dismissed." <sup>124</sup>

It is unclear for the documents exactly why the court decided to dismiss the appeals case; nonetheless, we see a victory for Rita. Perhaps it was due to Correa Lima's financial insolvency, record of extreme abuse, or the contradictory nature of her witnesses' testimony that moved the court to dismiss her claim and judge her an unfit master. Perhaps it was the damning testimony of the block inspector who spoke to the regularity and severity of violence as well as Correa Lima's reputation as a public woman known for always keeping a "woman at the window."

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<sup>123</sup> Ibid, fl. 51.

<sup>124</sup> "Parte Jurídica," *Jornal do Commercio* (RJ), 12 June 1873 and 27 August 1872.

Perhaps it was Correa Lima's repeated denial to sell Rita to another master—a request that was within Rita's right to make, should she be able to secure another buyer.<sup>125</sup> What matters is that in the end is that Rita, unlike so many of her counterparts, earned her freedom.

At the most basic level, we can begin to draw some general conclusions about the enslaved women involved in these cases: their sex, age, color, status as freed or enslaved, occupation, where they resided within the city, and, frequently, their location of birth or nationality. From this information, we can deduce that, in general, the majority of these women were born into bondage in Brazil and arrived to the city from somewhere in the northeast—frequently from Bahia and Ceará. They were often between the ages of 14 and 17 when they initially entered into sex work.<sup>126</sup> While others worked “at the window” full time, occasionally they could be required to perform housekeeping tasks such as laundry and cooking. On average, each worked in the sex trade for at least three years and almost to a one, they mentioned their deteriorated health often in relation to the contraction of venereal disease. Daily remittances varied between five to thirty mil-réis, a not unsubstantial sum. For comparison, a highly skilled cook brought his master 35 *mil-reis per month*.<sup>127</sup>

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<sup>125</sup> According to the Brazilian legal historian Agostinho Marques Perdigão Malheiro, Brazilian law granted enslaved persons the ability to demand sale to a new master if they are forced to endure immoderate, brutal treatment. Perdigão Malheiro, *A Escravidão no Brasil Ensaio Histórico-Jurídico-Social*, Volume One, (Rio de Janeiro: Typographia Nacional, 1866), 7. The Penal Code dictated that punishment (of children and slaves alike) should be within moderation. See Código Penal, 1830, Chapter II, Article 14, No. 6.

<sup>126</sup> This is true for the legal cases that I examined as well as conforms to Lauderdale Graham's conclusions drawn from a much larger sampling of notarial records. Lauderdale Graham surveyed letters of manumission from February and March 1871, determining that the majority of young, female slaves being freed were all aged between twelve and twenty-eight, *mulata*, single, and listed occupation as housekeeper. She concludes that these women were most likely prostitutes as they were freed gratuitously by their owners during the period of Tavares' campaign. See Lauderdale Graham, “Slavery's Impasse,” 680-681.

<sup>127</sup> Relação do Rio de Janeiro, Apelação Cível, Bernardina Rosa de Aguiar, Apelante, Rio de

Looking beyond the biographical data, we can trace the address of their masters as well as those of locations where the women claimed to have worked, we can begin to reconstruct the boundaries of their lives—where they worked, what businesses they may have frequented, where they may have washed their clothes, and who they may have encountered while performing their daily chores. It is even quite possible, if not likely, that many of the women knew each other. For example, while the enslaved woman Eulalia was forced to prostitute out of a house at Rua Conceição 23, several other enslaved women worked nearby in the notorious brothel of La Barbada just a few houses down at number 30.<sup>128</sup> Any time spent away from one's master, even if only for short periods of time, offered the opportunity to form connections with, gossip, or share news with others.<sup>129</sup> In this way, we can see just how crucial and valuable physical mobility and lack of direct supervision could be. We can trace women through the streets of Rio de Janeiro, noting known landmarks like the Praça da Constituição (one of the central social sites in the city as well as the location of a pillory) the Church of our Lady of Lampadosa, and the Church of San Francisco da Paula. It is easy to imagine how and where these women moved throughout the city seeking lodging, customers, and perhaps religious succor. Given that the majority of the women at the window lived in and around the parish of Sacramento or its neighboring parishes of São Jose and Candelária, it is entirely possible that they navigated within the same or overlapping social circles.

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Janeiro, 1867, ANRJ, 84.0.ACI. 147 cited in Freitas, "Escravos nos Tribunais," 94.

<sup>128</sup> Relação do Rio de Janeiro, Apelação Cível, Eulália, Apelante, 1871, ANRJ, 84.0.ACI.64. The brothel owned by Ana Valentina da Silva, known by the name La Barbada, will be discussed at greater length in the following chapter..

<sup>129</sup> For more on how street vending and labor outside the home contributed to the development of meaningful relationships and community, see Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (Cambridge: Cambridge University Press, 1988), specifically Chapter 2, "The Work."

Mobility—as opposed to cloistering in the confines of the home—proved of paramount importance in developing networks of support throughout the parish and the city more broadly. But even for those like Rita who worked under the hawkish eye of her mistresses, allegiances were formed. Almost but not all of the witnesses in support of the women were male. Many were businessmen or clerks who worked in any of the numerous shops and offices near the port. Some were married while others were young, single men. At least one was a retired military officer. Several of these men testified to keeping track of a particular woman and following her when she moved from one location to another, as in the cases of Honorata and Rita. Unfortunately none of the men provide further insight into their engagement with the sexual economy or whether they had feelings about frequenting a woman who, quite often, they knew to be forced into the “infamous trade.”<sup>130</sup>

These regular, long-term connections proved to be beneficial in terms of material goods as well. This was the case with Rita. At least one of her clients commented on her deplorable state of clothing (owing to her greedy mistress) and his attempts to sneak Rita small scraps of fabric or pieces of clothing so that she might not lack such basic comforts. But Rita’s mistress set in place a rigid system of checks and balances. She collected a card listing the sum each client paid Rita per transaction checking these against the daily receipts to make sure that Rita did not withhold any profits. Such was her mistress’ oversight that it was exceptionally difficult for Rita

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<sup>130</sup> In studies of nineteenth-century Brazilian prostitution the women are usually the focus with little known about the men who frequented them. Marinete dos Santos Silva reinforces the difficulty in identifying the men who frequented prostitutes. In her article, “Clientes e circuitos da prostituição no Rio de Janeiro século XIX,” dos Santos Silva attempts to identify the “other face of prostitution,” the male John. In what is perhaps a testament to just how difficult it is to identify such men, the majority of her article surveys the various locations where sex could be bought and sold with only a general profile of the men involved: senators, deputies, the clergy, civil servants, and sailors. Beyond these general categories, the identities and names of such men remain unknown. See dos Santos Silva, “Clientes e circuitos da prostituição no Rio de Janeiro século XIX,” *Dimensões* 29 (2012): 374-391.

to secret anything away.<sup>131</sup> Apparently Rita's labor proved so lucrative that her mistress refused more than one person's attempt to purchase her.<sup>132</sup>

When the *Diario de Noticias* published the correspondence between Miguel Tavares and Police Chief Faria Lemos announcing his plan to rid the city of clandestine, forced prostitution of enslaved women Tavares' campaign was already in full swing and yielding results, in part due to Tavares' fortuitous position within the legal system. As both judge for the Second Municipal Court and the police commissioner for the city's second district—which encompassed the parish of Sacramento and the heart of the city's sex market—Tavares was in the perfect position to orchestrate a campaign against forced prostitution.<sup>133</sup> As a police delegate he certainly held intimate knowledge of the parish and those who resided or worked there. Undoubtedly he—or the neighborhood police who worked under him—could identify the regular vendors who hocked their wares through the day, knew which taverns or corner stores served as gathering points for the locals, and knew which shabby, miserable cortiços doubled as rent-by-the-hour accommodations frequented by the “public women” and disreputable prostitutes of the city. Moreover, his dual position meant that as commissioner, he could not only identify enslaved women forced into prostitution but that he also could also collect their testimony. Then, as judge, he decided their case. From his own words, Tavares admits he also solicited help from the

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<sup>131</sup> Maria da Conceição Correa Lima, 1871, fl. 29.

<sup>132</sup> Ibid.

<sup>133</sup> According to Lauderdale Graham, Tavares is not unusual in his dual appointment. In fact, it was not until September 1871 that a law passed officially separating the two functions forbidding a man from serving as both judge and police commissioner. She notes that by October of 1871, Tavares had been replaced as judge; however, it is unclear whether his replacement was due to enforcement of the law or his tenure in office had expired. See Graham, “Slavery's Impasse,” 689, fn.28.

lawyers of the court—many of whom “when notified about such a noble purpose, accepted and even enthusiastically applauded the measures we took.”<sup>134</sup>

Yet, as Tavares admits, not all of the court’s lawyers eagerly supported his mission as “two or three. . . were excused,” though “there [were] only a few fortunately.”<sup>135</sup> At least one lawyer accused Tavares of overstepping his authority arguing that prostitution was “a necessity,” an accepted practice in the city—indeed, in cities throughout the world—needed to help keep order and the social peace.<sup>136</sup> Nevertheless, Tavares persisted. We cannot know with exact statistical accuracy exactly how many women were forced to work “at the window,” but in 1871 Judge Tavares claimed that he had already liberated 186 women and that more than 200 additional bondswomen were in the process of bringing legal charges against their masters.<sup>137</sup> Indeed, the newspapers attest to a rise in freedom suits involving enslaved women and their masters. Moreover, Tavares stated that more than 180 letters of manumission had also been registered with the notarial authorities as slave owners *voluntarily* manumitted or forfeited a number of young enslaved women, often without direct recompense.

Many of the women in this chapter presented themselves to the court as a result of Judge Tavares’ sweep in 1871 but others, like Rita, had heard about him and his actions through other channels. With the high rates of illiteracy among the free population in Brazil, it is quite unlikely that any of the enslaved women read the polemical articles in the city’s newspapers; however, it

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<sup>134</sup> Miguel José Tavares, “Questão das Escravas,” *Diario de Noticias*, May 24, 1871.

<sup>135</sup> Ibid.

<sup>136</sup> Maria da Conceição Correa Lima, 1871, fl. 47.

<sup>137</sup> For these statistics see letter from Miguel José Tavares, Municipal Judge 2 Vara, to Francisco de Faria Lemos, Chefe de Policia, Rio de Janeiro, 18 March 1871 in Chefe de Policia, “Relatorio” in Brazil, Ministerio da Justica *Relatorio*, 1871, 21 cited in Lauderdale Graham, “Slavery’s Impasse,” 680.



makes perfect sense that word spread through conversations overheard in the streets, through conversations with their clients, or even through direct contact with abolitionists themselves. Perhaps word spread from woman to woman when they encountered each other in different houses or brothels. That so many women entered the court records during this time underscores the keen attention and ability of the enslaved to capitalize on even the smallest changes in social or political landscape that might aid their bid for freedom. Since the majority of the women Tavares liberated resided within his parish of Sacramento, certainly word spread quickly about the judge who was willing to help enslaved prostitutes.

Lawyers also shared legal strategies. There was no provision for how to handle such cases within the Brazilian legal codes so many had to improvise new arguments based on old statutes. Prostitution was legal and slaveholders had the right to wield enormous power and control over their slaves/property. In such instances, and according to the Law of Good Reason (1769), legal jurists should follow Roman law.<sup>138</sup> Conveniently, Roman law stipulated that any master who forced their slave into prostitution should forfeit their slave. Another tactic commonly deployed by lawyers was to establish that the women in question lived as free women—meaning that they provided for themselves, paid rent on separate lodging and lived on their own away from their master, and in every other sense carried on as a free person.<sup>139</sup> Several witnesses explicitly stated that they knew the women “as free.” These conditions could be

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<sup>138</sup> Enacted in 1769 under the Portuguese crown, the Lei da Boa Razão (Law of Good Sense), stipulated that the courts should apply Roman law to fill any gaps in the legislative codes. They intended for the courts to apply “good human sense” as in accordance with natural law. See Keith S. Rosenn, “Brazil’s Legal Culture: The Jeito Revisited,” *Florida International Law Journal* 1 (1984): 12.

<sup>139</sup> See Grinberg, “Manumission, Gender, and the Law in Nineteenth-Century Rio de Janeiro,” in *Paths to Freedom: Manumission in the Atlantic World*, ed. Rosemary Brana-Shute and Randy J. Sparks (Columbia: University of South Carolina Press, 2009): 221.

magnified into claims of abandonment. For women like Honorata, her rich clothing and ability to hire a coachman spoke to her self-sufficiency; but more importantly, by demonstrating that a woman lived as free it also demonstrated a certain level of neglect and abandonment by their owners.<sup>140</sup> It was not uncommon for lawyers to marshal this defense and the term occurs with regularity throughout the case files. If a woman lived as free, it stood to reason that she should *be* free. Such argument passed muster with Judge Tavares but met heightened opposition from others. Therefore, in the majority of cases, the first instance decision by Tavares was reversed and the women were remanded back into the custody of their owners.

Nevertheless, Tavares' efforts incited a public conversation about the plight of young enslaved women and the horrific conditions under which they were forced to labor. Opinion pieces in the newspapers decried the prostitution of enslaved women, condemning the scandalous number of men and women who scoured the slave markets for young girls on the verge of puberty, just about to "blossom into women." They denounced the "depravity" of those who "enjoyed profits from hurling" these "miserable slaves," purchased as young as "ten to fourteen years old," into a life of deprivation and unhappiness.<sup>141</sup> The lawyer and author José Joaquim Peçanha Póvoa—who would himself become chief of police of the state of Rio de Janeiro—became an outspoken critic of the practice and authored a multi-part essay in the *Jornal*

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<sup>140</sup> Sidney Chalhoub writes that lawyers used this line of reasoning to argue that slaves who supported themselves should not be subject to domination by another. This, Chalhoub explains, is a logical argument if one takes the standpoint that slavery is a relationship of "subjection" and "dependence" in which the slave depends on their master for meeting their basic needs. Should the master fail in their responsibilities and a slave managed to provide for themselves independently, the relationship should be severed and the slave granted their full liberty. However, he notes, this was a problematic argument at the time. Chalhoub, *Visões da liberdade*, 296.

<sup>141</sup> *Diario do Povo* (Rio de Janeiro) 20 December 1867; "Trafico Infame," *Diario de Noticias*, 14 March 1871; 25 and José Joaquim Peçanha Póvoa, "Prostituição Forçada," *Jornal do Commercio* 27 March 1871; 1 and 4 April, 1871.

*do Commercio* in which he echoed the demands of Police Chief Luiz Carlos de Paiva Teixeira—and more recently Police Chief Faria Lemos—calling for the public punishment of the traffickers in young women.<sup>142</sup>

It bears noting, though, that accusations of slaveholders intentionally seeking out virginal young girls was not just a scenario or tactic used by abolitionists to scandalize the public.

Virginity was a lucrative quality to be exploited for great profit. For example, in 1879, a young woman name Catarina was held at the behest of the Deputy Commissioner in the parish of Sacramento. Her mistress, Amelia Francelina Cabral de Azevedo, demanded that her slave be returned despite Catarina's report to the police that Azevedo had turned her out to an unwanted life of prostitution. Purchased from a trader known to furnish young slave women to brothel madams, Catarina claimed she had been a virgin when Azevedo bought her. A rare and lucrative quality that could only be exploited once, Azevedo, Catarina testified, proceeded to sell her to a man who "paid for this privilege" of her deflowerment.<sup>143</sup> After this initial violation, she was forced to "stay at her window until one o'clock at night" when Azevedo would take "all of the money that she earned."<sup>144</sup>

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<sup>142</sup> "Prostituição Forçada," *Jornal do Commercio*, 25 March 1871. Póvoa was a contemporary of Tavares and a likeminded colleague at the Academia de São Paulo. According to Lenine Nequete, Peçanha Póvoa was somewhat of an unsung hero diligently working towards his goal of ending the slave trade altogether. For more on Peçanha Póvoa and his work see Nequete, 86-89 and Osvaldo Orico, *A Tigre da Abolição* (Rio: Civilização Brasileira, 1977). For his serialized articles on forced prostitution see the *Jornal do Commercio*, 25 and 27 March 1871; 1 and 4 April, 1871.

<sup>143</sup> In Brazil, rape and deflowerment charges did not apply to the violation of enslaved girls and women. In his writings, one of the changes that Peçanha Póvoa suggested was that the Brazilian laws on rape be amended to include the deflowerment of young female slaves.

<sup>144</sup> *Habeas Corpus*, Maco 1,720, No. 2, 468 (1879) ANRJ, cited in Luiz Carlos Soares, *Prostitution in Nineteenth Century Rio de Janeiro* (London: University of London, 1988), 23. According to Soares, Catarina was ultimately returned to Cabral demonstrating the limits of freeing women from abusive slaveholders as authorities ran up against strict property laws.

It is thanks in large part to Tavares and his campaign against forced prostitution that we have this rich body of lawsuits preserving the stories of women like Honorata, Rita, Joanna, and Isabel. Certainly he drew attention to the abuse but men like Tavares or the renowned abolitionists—Joaquim Nabuco, José do Patrocínio, André Rebouças, and Luiz de Gama—are only half of the equation. As this collection of cases illustrates, enslaved persons themselves increasingly took the critical step of presenting themselves to the court and making claims to freedom.

While this chapter focused on the experiences of the enslaved women themselves, I would be remiss not to acknowledge the role of their owners. For every woman at the window, there was someone who put her there. Nearly all of the slaveholding women involved in the cases not only roundly denied that they forced their slaves to engage in prostitution; but, they also denied even knowing that their slaves engaged in the act. From the testimony it appears that each one of these women deliberately sought out a young, female, Creole slave with the express purpose of putting her to work at the window. Given that virtually no obstacles existed to prohibit the prostitution of one's slave, this is somewhat surprising. Moreover, given the financial investment—as slaves certainly were not cheap after the close of the transatlantic trade—it is hard to believe that these small slaveholders could have truly been ignorant of their slaves' whereabouts and activities. Any slave out after dark was subject to curfew laws. Those without express, written permission from their master were liable to seizure by the police and their owner exposed to forfeiture of property. For those who derived their entire living from the labor of their enslaved women, it was imperative that they provided an excuse for why their women were in the streets or sleeping outside their home.

The commodification of sexual service reveals just how lucrative sexual labor could be. As previously mentioned, women were required to remit rather large sums on a daily basis and all noted that their owners reaped great profit from their labor. These sums allowed their owners to live primarily off of this labor. Prior to Tavares' campaign, the women who forced their slaves to prostitute remained largely invisible while the slave herself was subject to social judgment and legal measures such as arrest for being in "disorderly houses" or out past curfew without permission.<sup>145</sup> The enslaved were condemned for spreading disease, for spreading the "evil" of prostitution, and for luring otherwise upstanding men into moral decay. Their owners faced some social approbation but were largely left to conduct their business. However bringing suit against them brought them from behind the shadows and shined a light on their illicit activity.

From these cases, we begin to gain insight into the economic practices of slaveholding women and how they too, like their male counterparts, sought to extract profit from the sexuality of their female slaves. Earlier studies of women and slavery—particularly that within the U.S. historiography—tended to promote an idea that there was at least some semblance of solidarity amongst free and enslaved women—that they both suffered under the yoke of patriarchy.<sup>146</sup> However, more recently, historians are beginning to pull back the veil on slaveholding women to

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<sup>145</sup> These women have, until recently, largely remained invisible in the scholarship on slavery as well. In her study of "small time mistresses," Sandra Lauderdale Graham states that in general, the women who prostituted their slaves in Rio de Janeiro were poor, illiterate, unmarried, and frequently immigrants from Europe or other regions of Brazil. As noted earlier, all lived within the parish of Sacramento. See Graham, "Slavery's Impasse," 681.

<sup>146</sup> Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old Plantation South* (Chapel Hill: University of North Carolina Press, 1988) and Catherine Clinton, *The Plantation Mistress: Woman's World in the Old South* (New York: Pantheon Books, 1982).

reveal the many ways in which they were calculating, sophisticated economic actors who leveraged their enslaved property to maximize profits.<sup>147</sup>

We now know that slaveholding women were not passive or submissive victims of patriarchy but active participants in benefiting from and upholding this brutal labor system. These documents attest to the many ways slaveholding women sought to enforce their power while helping to make and remake the institution of slavery.<sup>148</sup> Slavery was a collaborative endeavor between men *and* women, with female slaveholders exercising their own form of power over enslaved people.

We know that women regularly engaged in slave trading and exploiting enslaved labor for profit.<sup>149</sup> But what needs to be underscored here is that slaveholding women found another (particularly awful) way to leverage and exploit Black female sexuality. Through forced prostitution, they repeatedly sold their slaves' bodies to the men who could pay for the pleasure. In this way, they orchestrated acts of sexual violation for profit. By repeatedly selling sexual

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<sup>147</sup> Of particular note and inspiration, see Sandra Lauderdale Graham, *Caetana Says No: Women's Stories From a Brazilian Slave Society*, (Cambridge: Cambridge University Press, 2002); Thavolia Glymph, *Out of the House of Bondage. The Transformation of the Plantation Household* (Cambridge: Cambridge University Press, 2008), and Stephanie Jones-Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven: Yale University Press, 2019).

<sup>148</sup> Male slaveholders were likewise implicated in the prostitution of enslaved women and appear in cases from this period. However, for this chapter I have chosen to focus on those involving primarily female slaveholders.

<sup>149</sup> For a detailed discussion of wealth and slaveholding patterns in Rio de Janeiro see Zephyr Frank, *Dutra's World: Wealth and Family in Nineteenth-Century Rio de Janeiro* (Albuquerque: University of New Mexico Press, 2004) and Frank and Whitney Berry, "The Slave Market in Rio de Janeiro circa 1869: Context, Movement, and Social Experience," *Journal of Latin American Geography* 9:3 (2010): 85-110.

access to their enslaved women, owners who forced their slaves into prostitution were, as historian Stephanie Jones-Rogers notes, “slave traders of a different stripe.”<sup>150</sup>

When brought to court, almost to a one, the owners feigned ignorance of their bondswomen’s activities or sought to portray prostitution as their choice. In shifting the blame, owners positioned themselves as upright, honest individuals who only employed their bondswomen in socially acceptable occupations like vending, washing, or sewing. Moreover, it was not an uncommon accusation, though, as many apologists suggested that enslaved women readily turned to prostitution as a way to make extra money. However, as historian Sharon Block reminds us, within the coercive confines of slavery, consent simply did not exist.<sup>151</sup> Slaveholders who forced their woman into sexual labor were simply translating their authority over one’s labor into sexual coercion wherein “economic mastery created sexual mastery, . . . forc[ing] sexual encounters into a mimicry of consensual ones.”<sup>152</sup> Judging from the words of the women themselves (as well as comparable narratives within the North American and Caribbean context), they did not prostitute themselves willingly. With little to no recourse, as we can see, enslaved women developed a variety of strategies by which they could begin to resist their condition.

Each woman stated that they did not want to engage in prostitution but did so only under pressure and coercion from their owners. They labored under horrific circumstances, enduring repeated sexual violations for profit in order to meet their daily remittances. Yet when Rita learned about her impending sale outside of the city she decided to act. She presented herself to the court in an effort to prevent the sale. Honorata decided to rebel when her owner forced her to

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<sup>150</sup> Stephanie Jones Rogers, *They Were Her Property: White Women as Slave Owners in the American South* (New Haven: Yale University Press, 2019): 148.

<sup>151</sup> Sharon Block, *Rape and Sexual Power in Early America* (Chapel Hill: UNC Press, 2006).

<sup>152</sup> *Ibid*, 68.

work for a woman who demanded she labor over house chores all day and then entertain men at night. For Isabel, perhaps it was that her mistress demanded nearly all of her wages leaving her to fend for her own lodging and basic needs. We know that Honorata lived for a period of time with a young sailor who was known to be her lover. Like her, Rita quite likely had created her own life independently of her owner and therefore feared being sold out of the city. This tells us that enslaved women held certain ideas about fair treatment and the limits to which they could endure a tyrannical master. The threat of sale was apparently too much. Bondsmen and women clearly developed expectations about how they should be treated. At the very least, they expected their masters to provide food, clothing, shelter, and medical care, when needed.<sup>153</sup> When owners breached these traditional practices, slaves could turn to any number of strategies to advocate for better treatment. Given the tentative nature of freedom and the constant threat of re-enslavement, the courts offered the best recourse of action.

For women like Honorata, Rita, and Joanna, their lives were irrevocably shaped by sexual labor. Adrienne Davis states that enslaved black women inhabited two worlds—one an economically productive world that they shared with other men and women (black, white, free, and enslaved) and the other, a separate world of involuntary sexual and reproductive labor. The widespread practice of compelling enslaved women to prostitute brings these two worlds together. The “women at the window” embody how sexual relations were economic relations. This is the sexual economy of slavery. By understanding slavery *as* a sexual economy, Davis argues, we can more fully grasp how profoundly gendered and sexualized the institution was.<sup>154</sup>

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<sup>153</sup> Chalhoub calls this “just captivity,” Chalhoub, *Visões*, 27.

<sup>154</sup> Adrienne Davis, “Don’t Let Nobody Bother Yo’ Principle: The Sexual Economy of American Slavery,” Sharon Harley, ed. *Sister Circle: Black Women and Work* (New Brunswick: Rutgers University Press, 2002): 120.



Building on Davis' argument, the testimonies analyzed in this chapter show that enslaved women were prostituted for a number of reasons: economic, political, for pleasure, power, and terror. But the primary reason for forcing women to enter the "libidinous commerce" was, first and foremost, profit. And profitable it seemed to be. So much so that many of the slaveholders refused to forfeit their slaves and instead spent time, money, and perhaps their reputation defending their rights in court. Selling "women at the window" was, without a doubt, an important sector of the Carioca sexual economy.

Nevertheless, in reading these cases for what they tell us about the strategies adopted by women of color we learn more about how enslaved persons helped chip away at the institution of slavery. Regardless of the outcome of these cases, the mere fact that they exist represents an attempt to strike against the legitimacy of slavery. They reveal the myriad tactics women of color exercised in pursuit of survival and freedom. While the law often worked to the advantage of slaveholders and helped uphold the institution of slavery, it was nevertheless possible to use the law to their advantage and obtain freedom.

Most of the women lost their case on appeal, but the fact that they were able to bring their cases before a court of law is in and of itself profoundly important for the broader narrative of slavery. Each case was considered a legitimate challenge to the authority of slaveholders and revealed just how tenuous that control could be. The law provided few protections for the enslaved but by exploiting the few that it did, enslaved women began to chisel away at the legitimacy of chattel slavery. By the end of the century slavery would be outlawed with Afro-descended women—free and enslaved—having had a large hand in its demise.<sup>155</sup> Yet much

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<sup>155</sup> Camillia Cowling's work on Rio de Janeiro and Havana is a comparative analysis of how gender shaped routes to freedom for enslaved women in the urban environment. She argues that women played a prominent role in utilizing the courts to carve out freedom for themselves and

remains to be discovered about how women specifically experienced slavery. As this chapter shows, forced prostitution was a very gender-specific form of labor that was deeply enmeshed in the slave economy.<sup>156</sup> In the next chapter, we will explore another dimension of the sexual economy: brothel prostitution.

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their children. See Cowling, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro* (Durham: University of North Carolina Press, 2013).

<sup>156</sup> Certainly male slaves endured sexual violation, abuse, and prostitution as well but not nearly on the same scale and enslaved women. See Luiz Mott, *Escravidão, homossexualidade, e demonologia* (São Paulo: Editor Icone, 1988); Ronaldo Vainfais, *Trópico dos pecados: Moral, sexualidade, e Inquisição no Brasil* (Rio de Janeiro: Editora Nova Fronteira, 1997); and Lamonte Aidoo, *Slavery Unseen: Sex, Power, and Violence in Brazilian History* (Durham: Duke University Press, 2018); and Thomas A. Foster, *Rethinking Rufus: Sexual Violations of Enslaved Men* (Athens: University of Georgia Press, 2019).

Chapter Four:  
The Price of Freedom: Sex, Work, and Strategies for Manumission

The men began arriving to the house as early as the morning hours but business did not really pick up until later in the afternoon and lasted until two or three in the morning. The house was always brightly lit and welcoming, promising “high luxury” entertainment.<sup>1</sup> The entertainment came in the form of women who were all young, scantily clad, “more or less white,” and “more or less beautiful.” The women in the house worked for another woman, the notorious madam La Barbuda, a woman reputedly “impelled by... horrible greed.” She made the young girls entertain any and all men who arrived to the house, no matter the time of day.<sup>2</sup> Regardless of race, color, or creed, “money, and lots of it” was the only requirement for entrance.<sup>3</sup> Day and night, the young women serviced a consistent crowd of mixed clientele comprised mostly of “young men in trade, students, and old libertines” who eagerly sought to interact with the young women and to lay claim to an hour or two of their time, talent, and charms.<sup>4</sup> Even a short encounter reputedly “turned a large profit.”<sup>5</sup> In addition to the “libidinous commerce,” the sale of alcoholic drinks and spirits supplemented profits. The entire enterprise—the house, the women, and the clientele—was a long-running, successful business, for the proprietress reportedly claimed a “certain well-being in the early years of her career and a

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<sup>1</sup> José Ricardo Pires de Almeida, *Homossexualismo (A libertinagem no Rio de Janeiro) Estudo sobre as perversões e inversões do instinto genital* (Rio de Janeiro, 1906), 72.

<sup>2</sup> Ibid

<sup>3</sup> Relação do Rio de Janeiro, Libello de Liberdade pela escrava Corina por seu curador, defendant, Anna Maria Valentina da Silva, Rio de Janeiro, Caixa 1624, No. 2781,v. Ana Valentina da Silva, Relação de Rio de Janeiro, 1869, Caixa 1624, No. 2781, Gal. A, ANRJ, fl. 71, 74, 109v. Hereafter “Anna Valentina da Silva, 1869.”

<sup>4</sup> Pires de Almieda, *Homossexualismo*, 72.

<sup>5</sup> Ibid.

liberality of fortune in her old age.”<sup>6</sup> While the glittering lights and veneer of high-end luxury of the house on Rua Conceição promised comfort and carnal entertainment, the women of the house were not the pampered and powdered courtesans of European fame but a “legion of unhappy slaves destined for the immoral commerce” of prostitution.<sup>7</sup>

In this chapter, I will shift the focus away from clandestine position in the household to zoom in on the life of Corina. Placed in a brothel, Corina, was forced to engage exclusively in a more public form of commercialized prostitution. Unlike Honorata, Rita, or Joana, who were expected to perform sexual labor in addition to domestic labor, Corina’s labor revolved entirely around providing sexual services to the men who could afford it. This exploitive, but lucrative, labor indelibly marked—and constrained—her life in bondage. However, as we will see, this labor also created small spaces of autonomy, friendship, and, perhaps surprisingly, hope. As the case unfolds, we gain insight into one bondswoman’s experiences in the carioca sexual economy while illuminating an understudied dimension of the sexual economy of slavery—non-generative, transactional sex. At the heart of Corina’s case is her bid for freedom. Through her words and those of her witnesses, we can begin to trace Corina’s personal relationships and connections as well as the spaces in which she labored in the city. Conversely, we begin to gain insight into the conditions of one of the most notorious brothels in nineteenth-century Rio de Janeiro.

Through the case, the brothel emerges as a space of sexual violence, exploitation, and abuse but also one of sociability that facilitated the creation of crucial allies as well as the accumulation of wealth that could, in turn, be parlayed into freedom. Corina’s case opens up new

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<sup>6</sup> Anna Valentina da Silva, 1869, fl. 3; Pires de Almeida, *Homossexualismo*, 72.

<sup>7</sup> Anna Valentina da Silva, 1869, fl. 70v.

questions about the link between enslaved women's sexuality and freedom. Through coerced sexual labor, Corina was able to accumulate enough money to (attempt to) buy her freedom within a two-year time span. Despite remitting payment, Corina's owner refused to execute her freedom papers prompting Corina to sue for her freedom. As the case unfolds, Corina's bid for freedom underscores the fragile, tenuous nature of freedom or, in the words of Sidney Chalhoub, the "precariousness of freedom."<sup>8</sup>

In nineteenth century Rio de Janeiro, sex could be purchased in any number of establishments. *Lupanar*, *casa de espetáculos*, *casas de dansa*, *casas de rendez vous*, *prostíbulo*, *casas de passes*, *casa de tolerancia*, *collegios*, *zungu*, *bordel*, and *conventilho*—the names used to describe these places of transaction were numerous. Brothels, or *bordels*, existed but not necessarily along the lines of those that operated under state control in Europe.<sup>9</sup> Women worked out of houses—big and small—monthly rentals, and rooms rented by the hour. Clients ranged along a wide spectrum of race and class, oftentimes mixing together the salons and sitting rooms of the larger establishments. Even men of the cloth frequented the city's brothels and at least one block inspector reportedly lived *in a casa da tolerancia*.<sup>10</sup>

On one end of the spectrum were the perfumed and powdered mistresses. These high end *cocottes* and courtesans met their clients at the theaters and other respectable public locales, working out of their own rooms in quiet, residential homes where they could discreetly entertain

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<sup>8</sup> Sidney Chalhoub, "The Precariousness of Freedom in a Slave Society (Brazil in the Nineteenth Century)," *IRSH* 56 (2011): 405-439.

<sup>9</sup> An establishment that catered specifically and primarily to commercialized sex with more than three women working within could be considered a brothel.

<sup>10</sup> Pires de Almieda, *Homossexualismo*, 63; *A Reforma* (RJ) 4 July 1875.

the city's powerful elite.<sup>11</sup> These women—frequently European-born but occasionally Brazilian-born and almost all certainly freeborn—Pires de Almieda calls the “idle prostitutes” as they lived a quiet life largely free of scandal and ostentatious solicitation.<sup>12</sup> Other “high profile” prostitutes opted to live in the “aristocratic hotels,” where they could eat, rent clean quarters, and reside in a house “worthy of their magnificence.”<sup>13</sup>

On the other end of the spectrum were the *casas de tolerância*, “public houses,” and *zungus* that were primarily frequented by working men and women of color—free and enslaved.<sup>14</sup> According to Dr. Ferraz de Macedo, the “*prostitutas de zungús*” were the most

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<sup>11</sup> Francisco Ferraz de Macedo, *Da prostituição em geral, e em particular em relação a cidade do Rio de Janeiro* (Rio de Janeiro: Typographia-Academica, 1873); 77.

<sup>12</sup> Ibid. Ferraz de Macedo provides a comprehensive breakdown of the varying classes of the city's prostitutes and where they work.

<sup>13</sup> Ibid, 77-78.

<sup>14</sup> Pires de Almieda, *Homossexualismo*, 71; Marinete dos Santos Silva, “Clientes e circuitos da prostituição no Rio de Janeiro do século XIX,” *Dimensões* 29 (2012): 383-384. The term *zungu* appears frequently in police records and refers to a purely urban phenomenon of sociability. According to Farias, Gomes, et. al., the *zungu* was a physical space in which Africans and their descendants—free and enslaved—gathered to engage in cultural, social, and religious practices that might otherwise be suppressed by the authorities. Fear of the *zungu* stemmed from its clandestine, mysterious nature and the belief that they harbored dangerous elements. More broadly, *zugus* have been described as a house that had been split up into individual rooms that would be occupied by the city's poor with multiple people crowded into the small space—similar to the tenements of major U.S. cities. Alternately, the term is also said to stem from the noise generated by so many people crowded into a small space. *Zungus* were not specific to Rio de Janeiro and according to sources, could be found in cities throughout Brazil such as Belém and Recife, though they may have been called by different names such as *angu* or *casa de angu*. Notably, there was a strong female presence in these spaces stemming, in part, from women's involvement with marketing, but also their association with prostitution. For more on *zungus* see: Juliana Barreto Farias and Flávio dos Santos Gomes, et. al. *Cidades Negras: Africanos, crioulos e espaços urbanos no Brasil escravista do século XIX* (São Paulo: Alameda, 2006): 83-101; Carlos Eugênio L. Soares, *Zungu: rumor de muitas vozes* (Rio de Janeiro: Prêmio Arquivo Estadual, 1998), and Sandra Lauderdale Graham, *Proteção e obediência: criadas e patrões no Rio de Janeiro: 1860-1910* (São Paulo: Companhia das Letras, 1992).

“degrading” among the “addresses of prostitutes.”<sup>15</sup> These “gloomy rooms,” he wrote, were occupied by “*pardas, pretas, e pretos libertos*” that played multiple roles as “pimps, procurers, street sweepers, and grocers” allowing them to “surrender to all the horrors of prostitution and debauchery.”<sup>16</sup> Somewhere in the middle of the spectrum, were the “professoras dos vícios da prostituição,” women who resided in the *estalagens, bordeis, and hospedarias*. These, Ferraz de Macedo noted, were the most frequented houses of prostitution that veritably “flood[ed] the city.”<sup>17</sup> Here, men and women—foreign-born and local—of all “colors, origins, and conditions,” mingled under the watchful eye of the owner of the house who solicitously sold alcoholic beverages and food to eager patrons.<sup>18</sup> These houses, Ferraz de Macedo noted, were known for being disorderly dens of vice where men and women of all class, race, and color could mingle.<sup>19</sup>

Despite the wide reach and exceptional visibility of Rio’s sexual economy, little is known about how brothels functioned during the nineteenth century leaving scholars left to glean bits and pieces of information from medical debates, police records, and observations by foreign travelers. Brothels were neither illegal nor officially sanctioned but operated in a space of tolerance with authorities largely looking the other way. Unlike Storyville, the prostitution district of New Orleans, there were no directories of prostitutes or open advertisements proclaiming the unique attraction and features of specific women. But, in the case that follows, we gain valuable insight into the lives of at least one woman engaged in the “libidinous trade” while prompting new questions about the experiences of enslaved women, how the urban

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<sup>15</sup> Ferraz de Macedo, *Da prostituição*, 82.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid, 80.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid, 81.

environment shaped these experiences, the role of enslaved women in Brazilian society, and how slaveholding women profited from, and upheld the institution of, slavery.

In March 1867, Corina, a nineteen-year old *parda* woman from Bahia was sold to a trader in the city of Rio de Janeiro who, in turn, quickly sold her to a woman named Anna Valentina da Silva, resident of 30 Rua da Conceição, for the not insignificant sum of 1:950:000 reis. The bill of sale stated that da Silva purchased Corina for “domestic service.”<sup>20</sup> However, a little over two years later, in October 1869, Corina engaged da Silva in a lawsuit that revealed a different reality—one in which Corina labored long hours in da Silva’s brothel losing her health and her infant son in the process.<sup>21</sup> Shortly following the filing, Dr. Miguel José Tavares—the same judge responsible for spearheading the short-lived campaign to liberate Rio’s population of enslaved prostitutes—ordered Corina placed in the custody of Francisco de Paula da Costa Pimentel while the court reviewed her claims.

Through her lawyer and representative, Luiz Fortunato de Brito Abreu Souza e Menezes Filho, Corina filed a lawsuit with the Second Municipal Court of Rio de Janeiro alleging a series of systemic abuses and exploitation.<sup>22</sup> da Silva, Menezes alleged, ran a *conventilho* of enslaved women, all of whom were “destined” to be offered, to great profit, “in the vile...libidinous

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<sup>20</sup> Among the documents in the file is the bill of sale for Corina that corroborates her original purchase price. See Bill of Sale, Corina v. Ana Valentina da Silva, fl. 16. Corina’s age is approximate; in the documents related to her sale, she is alternately identified as 19 in one and 20 in the other.

<sup>21</sup> The details surrounding her son are somewhat fuzzy. Da Silva acknowledged the existence of the child but claimed it was sent to live with another woman that is alternately identified as Corina’s mother or another mother. Corina claimed he was abandoned at the orphanage so that she could then return to her duties.

<sup>22</sup> Luis Fortunato’s father was a local judge; therefore, to clarify I’ve retained the signifier of Filho.



trade.”<sup>23</sup> Driven by “a horrible greed,” da Silva compelled these young women to “enter into relations” with men seeking sexual assignations from “the morning until two or three at night.”<sup>24</sup> The price of admission, Menezes Filho wrote, was “money and only money;” no one with the cash was turned away.<sup>25</sup> da Silva, Menezes Filho stated, administered “barbarous punishments” to those who displeased her.<sup>26</sup> Moreover, for those who “had the misfortune to fall under [da Silva’s] control,” sure ruination of health quickly followed owing to “excess and diseases acquired in such a filthy trade.”<sup>27</sup> To prove this point, Menezes Filho pointed to his client, Corina who, prior to her purchase by da Silva, “enjoyed good and perfect health.” But, he argued, after two years of “excessive” labor in da Silva’s brothel, Corina’s health was now “gravely compromised,” as illustrated by a recent doctor’s examination.<sup>28</sup> Despite these allegations of sexual abuse, at the heart of the case—and the only accusation with legal standing—was a dispute over Corina’s attempt to purchase her freedom.

According to Corina and Menezes Filho, da Silva had offered to sell her to another woman, Doña Genuina Maria de Castro, for 1:000:000 reis. De Castro, also a resident of Rua Conceição, was another known “abelha-mestra,” the queen bee (madam) who ran a successful operation out of a “magnificent *sobrado* [that was] always brilliantly illuminated at night.”<sup>29</sup> However, the sale fell through due to Corina’s aforementioned health. Her syphilitic afflictions

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<sup>23</sup> Anna Valentina da Silva, 1869, fl. 3.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid, fl. 74.

<sup>26</sup> Ibid, fl. 3.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid, fl. 3-3v.

<sup>29</sup> Ibid, fl. 71.

had progressed to such a stage that she could no longer disguise or deny her condition. This, in turn, translated into a loss of income for anyone planning to put her to work in the libidinous commerce. Thus, Corina returned to da Silva's possession.

According to Corina, when da Silva offered to sell her to Doña Genuina for the 1:000:000 reis, da Silva had essentially set Corina's sale price. Corina informed da Silva of her desire to purchase her freedom and remitted the full amount to da Silva. However, upon receipt, da Silva, "abusing the ignorance of a poor slave," reportedly demanded another 800:000 reis. Corina produced another 300:000 reis but found herself short the additional 500:000 reis. Therefore, da Silva refused to execute the necessary paperwork and bestow Corina with her freedom papers. Menezes Filho argued that if da Silva had originally set Corina's sale price at 1:000:000 for Doña Genuina, then Corina should not be expected to pay a higher price. As Corina had met the original asking price—and more—Menezes Filho reasoned, she should be granted her freedom.

In response, da Silva thoroughly denied the charges stating that all her young women were employed in "sewing and making sweets," not prostitution and she "never offered or intended to sell Corina for 1:000:000."<sup>30</sup> She did, however, admit that she had "out of friendship" lent Corina to Doña Genuina, free of cost, in order to help the latter recoup her finances.<sup>31</sup> However, when she failed to improve her status, da Silva "called her [Corina] back."<sup>32</sup> It should be noted, though, that da Silva does not explicitly state in what line of work Genuina employed Corina. da Silva stated that she would not sell Corina to anyone else for less than 2:000:000

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<sup>30</sup> Ibid, fl. 190v, 9.

<sup>31</sup> Ibid, fl. 9v.

<sup>32</sup> Ibid.

reis.<sup>33</sup> However, she would, “out of charity” lower her asking price to 1:800:000 reis should Corina want to purchase her own freedom.<sup>34</sup> To support her image as a reasonable, compassionate woman, da Silva swore that she always “perfectly” treated her slaves and often facilitated their freedom.<sup>35</sup> She pointed to the recent manumission of five bondswomen and the “gratuitous” manumission of Corina’s young child—something Corina disputed. While it is likely quite true that da Silva did indeed manumit these other bondswomen, it is quite clear from her testimony that she was, at the very core, a business-minded woman and therefore manumission was a financial transaction even if she cloaked it in the language of charity and fairness. Therefore, she stated, once Corina met the full price, da Silva agreed to freely execute the letter of freedom. That Corina refused to pay the remaining 500:000 reis, da Silva attributed to attacks by “her enemies” who sought to “seduce” Corina into collusion in order to instigate the ongoing lawsuit.<sup>36</sup> Therefore, the accusations presented by Corina and her lawyer were nothing more than “defamatory” and “injurious” to the good name of da Silva.<sup>37</sup>

### The Witnesses

In compliance with court procedure, Corina and da Silva produced several witnesses each to substantiate their claims. The first individual to testify on behalf of Corina, Josefina de Oliveira Silva (a freedwoman, aged twenty from Rio Bonito) was well-positioned to comment on Corina’s life and labor as she knew her quite intimately as the women had worked together in da

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<sup>33</sup> This amount is actually more than she paid for Corina initially. The amount seems high considering the allegations that Corina’s health had deteriorated significantly since her purchase and it is unlikely that she could have been sold as healthy resulting in a lower sale price on the open market.

<sup>34</sup> Anna Valentina da Silva, 1869, fl. 9v.

<sup>35</sup> Ibid, fl. 10.

<sup>36</sup> Ibid, fl. 9v.

<sup>37</sup> Ibid, fl. 9.

Silva's brothel prior to Josefina's manumission. Josefina was one of the woman da Silva bragged about freeing in her earlier deposition. It is remarkable to note that despite da Silva's supposed charity, generosity, and "perfect" treatment towards her slaves, Josefina aligned herself with Corina. After obtaining her own freedom papers, Josefina stated that one day she went to look for Corina at da Silva's only to be informed that she was down the street "at Doña Genuina's." There, Josefina testified, she did indeed find Corina in Doña Genuina's employ. Moreover, Josefina recounted, Doña Genuina herself stated that she had purchased Corina for the sum of 1:000:000 reis.<sup>38</sup> Later, Josefina learned that the sale fell through due to Corina's illnesses.

Corina's second witness, the twenty-two-year-old Luis Gonçalves da Graça, was a regular who often frequented the house on Rua Conceição "because of the young girls who received visitors."<sup>39</sup> Politely put, Gonçalves da Graça intentionally sought out commercialized sex with the young women of La Barbuda bordel. He clearly held a particular fondness for Corina and one day, when inquiring about her whereabouts, he was informed by "the other girls," that Corina had been purchased by Doña Genuina for the sum of 1:000:000.<sup>40</sup> He, too, confirmed that despite Corina's initial departure for Doña Genuina's, the sale was never finalized.

Jose Simplicio de Argolo Ferrão, a thirty-three year old trader from Bahia and Corina's third witness, is a particularly compelling character as he openly admitted to routinely—and *intentionally*—trafficking in young women destined for the city's brothels and pleasure sector.<sup>41</sup> Argolo Ferrão testified that not only did he seek out such women but that he had done so explicitly for da Silva, on several occasions, as she was always looking to buy slaves "to show at

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<sup>38</sup> Ibid, fl. 54-54v.

<sup>39</sup> Ibid, fl. 55.

<sup>40</sup> Ibid, fl. 55v.

<sup>41</sup> Ibid, fl. 59. His last name is also recorded as "Argollo Ferrão."

the window.”<sup>42</sup> These women, he testified, always underwent a “thorough examination” prior to purchase, implying that Corina would not have exhibited signs of illness prior to purchase.

Argolo Ferrão does not say who specifically conducted the examination—whether it was da Silva or a medical doctor; however, accounts of slave markets throughout the Americas confirm that potential buyers—male and female—often and eagerly conducted their own visual and physical examinations of enslaved bodies seeking to identify any health concerns, damaged body parts, and potential futurity. One visitor to the Valongo slave market noted that enslaved bodies were “handled by the purchaser in different parts, exactly as I have seen butchers feeling a calf...without the remotest question as to the moral quality...than if he was buying a dog or a mule. I have frequently seen Brazilian ladies at these sales. They go dressed, sit down, *handle and examine their purchases*, and bring them away with the most perfect indifference.”<sup>43</sup> da Silva—as an experienced buyer, shrewd businesswoman, and one well-acquainted with sex work—would likely have been able to identify the telltale signs of venereal disease as well as estimate how far any disease had progressed. Given the high prices that she paid, it is doubtful that she would have purchased a woman who exhibited any signs of the virus. Moreover, da Silva reportedly only purchased the youngest and most beautiful women; it would be poor business sense to invest in one who was already exhibiting signs of illness. Therefore, as a long-

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<sup>42</sup> Ibid.

<sup>43</sup> Robert Walsh, *Notices of Brazil in 1828 and 1829*, 2 vols. (London: Frederick Westley and A.H. Davis, 1830), 323 cited in Robert Edgar Conrad, ed., *Children of God’s Fire: A Documentary History of Black Slavery in Brazil* (Princeton: Princeton University Press, 1983), 49. Italics are mine. Walter Johnson also offers detailed accounts of the examinations of slaves in New Orleans as well as how slaveholders sought to monetize and assess each body part to determine health and potential productivity. See Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999) and Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge: Harvard University Press, 2017).

term business associate, it stands to reason that Argolo Ferrão would be well-acquainted with her purchasing process.

As the two had conducted business for a time, Argolo Ferrão found cause to occasionally stop by the brothel on Rua Conceição. One day, noticing Corina's absence, Argolo Ferrão "heard it from [da Silva's] mouth" that she had sold Corina for 1:000:000 to "the lady resident of Rua da Conceição," the aforementioned Doña Genuina.<sup>44</sup> After Corina's reappearance several days later, da Silva confirmed the failure of the sale due to disease. Argolo Ferrão revealed another bit of insight into Corina's life stating that he was aware she had had a son and that the child had been delivered into the care of another.<sup>45</sup>

Like Luis Gonçalves da Graça, José Antonio Fernandes Martinho regularly frequented da Silva's establishment. Martinho appears to be another regular customer with a fondness for Corina who did not fail to notice her absence. He, like the others, was duly informed that Corina "had been sold for 1:000:000 reis" and now resided at 14 Rua Conceição, at Doña Genuina's. However, Martinho insinuated that the sale was contingent upon Corina "enjoying good health" and failing such the sale fell through. As for Corina's child, Martinho believed da Silva had placed the child "*na roda*" or on the wheel—in other words, the child had been abandoned at an orphanage.<sup>46</sup> Martinho's statement is unsurprising as this was not uncommon for prostitutes to be accused of infanticide or abandonment of their children. However, in this case, it appears that da Silva is the one who compelled the abandonment of the child.

It is clear from Corina's witnesses that all were in agreement that not only had da Silva opened her sale price at 1:000:000 but that da Silva quite readily admitted it to those who

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<sup>44</sup> Anna Valentina da Silva, 1869, fl. 59v-60v.

<sup>45</sup> Ibid, fl. 60v.

<sup>46</sup> Ibid, fl. 70.

inquired about Corina's absence. Additionally, several of the witnesses, as well as Corina herself, remarked on the ruination of Corina's health stemming from persistent *molestias*. "Molestias" could refer to any host of diseases, afflictions, or illnesses; however, it is clear that Corina suffered from syphilis. A document entered into the record by Dr. Luiz Delfino dos Santos, a member of the Faculdade de Medicina do Rio de Janeiro corroborated Corina's illness. Dr. Delfino dos Santos attested to attending Corina in March 1867, to treat her for a syphilitic ulcer in her leg.<sup>47</sup> Later, he would tend to her after a recurrence of the disease that resulted in additional syphilitic ulcers on her upper thigh as well as enflamed lymph nodes along her neck. Corina, he stated, had required a "prolonged and rigorous treatment" for the disease.<sup>48</sup> A second surgeon confirmed he too had treated Corina for a syphilitic ulcer in 1868 corroborating that her illness was ongoing. As we now know, there were no effective cures for syphilis at the time and the side effects of any prolonged treatment could be very grave indeed.

Argolo Ferrão attested that da Silva had each and every woman she purchased inspected for disease. If he is to be believed, Corina passed any initial inspection prior to purchase. However, given the timeline of events as recorded by Dr. Delfino dos Santos, it appears that Corina could have possibly been infected with syphilis when da Silva purchased her. Unfortunately the court documents do not shed light on Corina's life prior to her purchase by da Silva. Though we cannot know for sure, perhaps Corina had previously worked as a prostitute under her previous owner or perhaps had been used as his personal bed slave and contracted the virus then. It was also common practice for traders and procurers to have their way with

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<sup>47</sup> Ibid, fl. 17.

<sup>48</sup> Ibid.

attractive young female slaves prior to sale.<sup>49</sup> Given the high rates of syphilis in the city—stemming in large part from the sexual market—it was likely only a matter of time before Corina contracted the disease, if she had not already. From Corina’s own testimony, it is clear that disease was no excuse for missing work; therefore, it is quite unlike Corina would have been able to take the necessary time to recuperate or tend to her wounds. Clearly, over the two years she labored for da Silva, her condition worsened to the point that only the most careless lotharios would pay for the pleasure of her company.

In her defense, da Silva solicited testimony from six witnesses: the “queen bee” Doña Genuina Moreira de Castro, herself; Jose Antonio de Oliveira Junior; Jose Rodriguez de Mello; Joaquim Custodio Ferreira Mendes da Silva; Francisco Antonio de Moraes; and Jose Espindola. In her sworn statement, de Castro refuted the accusation that she had agreed to purchase Corina for 1:000:000 reis. Moreover, she attested, she did not even have the funds to make such a purchase. In fact, da Silva was kind enough to help de Castro make ends meet, as she was quite “poor,” something that Francisco Antonio de Moraes corroborated in his own statement.<sup>50</sup> However, Doña Genuina’s finances were not the main issue. Da Silva’s witnesses were more invested in refuting that the sale was ever contracted and that even if it had, it wouldn’t have been at such a price. Jose Antonio De Oliveira Junior, the “respectable and moral” boss of the *casa* at Rua de Conceição 14—the brothel ostensibly owned by the self-proclaimed poverty-

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<sup>49</sup> See Edward Baptist, “‘Cuffy,’ ‘Fancy Maids,’ and ‘One-Eyed men’: Rape, Commodification, and the Domestic Slave Trade in the United States,” *American Historical Review* (Dec. 2001): 1619-1650. Corina was born in Brazil and therefore would not have endured the passage from West Africa. However, in terms of the rape and sexual abuse of female captives by traders, sailors, and ship captain prior to sale, studies of the Middle Passage reveal that the sexual abuse of enslaved women often began early in their voyage as they were often forced to provide sexual labor onboard the slaving vessels. See Sowande’ M. Mustakeem, *Slavery at Sea: Terror, Sex, and Sickness in the Middle Passage* (Urbana: University of Illinois Press, 2016).

<sup>50</sup> Anna Valentina da Silva, 1869, fl.50, 64.



stricken Doña Genuina—testified that Corina had indeed come to stay; however it was to cook and clean.<sup>51</sup> Yes, he had visited the *sobrado* at number 30, but as far as what services she provided for da Silva, he could not say!<sup>52</sup> Joaquim Custodio Ferreira Mendes da Silva, the family friend, also claimed ignorance of da Silva’s activities reporting that he had known da Silva for over ten years and thus had visited her numerous times in her home and had not seen evidence of the vile commerce. Da Silva, he swore, was indeed the proprietress of a *conventilho* but one in which all the young ladies were instructed in the arts of cooking and making sweets.<sup>53</sup> Moreover, da Silva had never suggested any interest in selling Corina, a statement corroborated by Jose Espindola, as well.<sup>54</sup>

Da Silva’s last witness, Rodriguez de Mello wove a particularly intriguing tale as he testified to having overheard da Silva tell de Castro that what Corina was saying about her sale was patently false. Moreover, de Mello relayed that Corina had actually (according to da Silva) contrived a visit de Castro for several day so that she could support this ruse of her sale only to return to da Silva claiming the sale fell through due to her illness.<sup>55</sup> If de Mello is to be believed, Corina concocted quite the elaborate scheme in order to secure her manumission at a lower rate.

Once the witness statements were recorded, each lawyer, in turn, submitted their response to the opposing council’s testimonies and arguments. In his candid assessment, Menezes Filho,

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<sup>51</sup> Ibid, fl.51v.

<sup>52</sup> Ibid, fl. 71v.

<sup>53</sup> Ibid, fl. 57v. The term “conventilho” roughly translates as “a small convent” or social circle but can be read in other ways. The term is also used as a euphemism to denote a clandestine or mysterious space associated with sex or sexual services. Dr. Pires Almieda referred to the “conventilho da Barbada [sic]” and the women within as “*freiras*,” or nuns. Pires de Almieda, *Homosexualismo*, 72, italics in the original.

<sup>54</sup> Anna Valentina da Silva, 1869, fl. 66.

<sup>55</sup> Ibid, fl. 52.

Corina's lawyer, expressed his deep skepticism that anyone could be ignorant of da Silva's business endeavors, especially if they had ever visited the house on Rua Conceição. da Silva, he wrote, was widely known as "the proprietor of a brothel on Rua Conceição 30 [where] the vile and libidinous commerce of that conventilho is entirely conducted by her slaves, from which she has derived great profits."<sup>56</sup> "The name of Anna Valentina da Silva may be ignored by many," he admitted, "but by the cry of her *nome de guerra*—Barbuda—everyone knows her immediately."<sup>57</sup> Described as "a woman of color," this "queen bee" was "relatively fat, of medium height, with an espresso-colored mustache" with "almost a beard...between 55 and 60 years old."<sup>58</sup> At the time, Rio de Janeiro was certainly one of the largest cities in South America; however, it was still small enough that a woman such as da Silva certainly would not go unnoticed. That the Bordel da Barbuda drew not only drew the attention of her contemporaries but also captured that of men like Dr. Pires de Almieda, writing nearly forty years later, speaks to a high level of visibility and notoriety.

That anyone could deny knowing how da Silva earned her income was, according to Menezes Filho, rather laughable. "At any time of day," he wrote, "and especially in the afternoons, those who passed along Rua Conceição [could] see at the windows of the house at number 30 a legion of unfortunate slaves destined for the immoral commerce of men."<sup>59</sup> Indeed,

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<sup>56</sup> Ibid, fl. 70-70v.

<sup>57</sup> Ibid, fl. 70v.

<sup>58</sup> Pires de Almieda, *Homosexualismo*, 72.

<sup>59</sup> Anna Valentina da Silva, 1869, fl. 70v. The term "lupanar" was derived from the Latin expression for a brothel. The literal translation means "wolf's den" and female Roman prostitutes were often referred to as "lupa" or she-wolves. One of the most famous sites is the *Lupanare Grande* of Pompeii, an ancient Roman brothel preserved by the volcanic explosion. See Thomas A. McGinn, *The Economy of Prostitution in the Roman World: A Study of Social History and the Brothel* (Ann Arbor: University of Michigan press, 2004). On *lupanars* and pimps in Brazil, see:

the Bordel da Barbuda, as it was known, was situated within the heart of the parish of Sacramento in the old city center on a street known for its nocturnal entertainments.<sup>60</sup> It was just down the street from the military academy and a short walk to any of the city's theaters and fancy hotels. Given that madam, brothel-keeper, and pimp were not legitimate occupational categories it is difficult to identify and track many of these individuals. However, the daily police blotters in the local newspapers as well as the nineteenth-century criminal logs do offer up names and addresses—many of which are in the parish of Sacramento—if little insight.

For example, we know that Luiza Thereza de Jesus ran afoul of the police for “having a lupanar” as did Maria Rosa de Conceição, Salvador Jose da Costa, Benedicto Jose da Silva, and Carolina da Silva.<sup>61</sup> Enslaved women also ran brothels and vice dens as evidenced by an anonymous note in the *Diário do Rio de Janeiro* in October 1857 that reported “um lupanar,” on the corner of Rua da Alfandega and travessa de Sao Domingos. There, the author informed the public, “several slaves gathered” ostensibly engaging in debauchery and prostitution, under the watchful eye of the owner who was herself a slave, “despite being be the lady of the house.”<sup>62</sup> This anonymous madam was likely the enslaved woman Pacifica, “slave of Jeronymo da Costa,” a repeat-offender whose arrest coincided with the announcement.<sup>63</sup> Perhaps at first blush, a

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Francisco Ferreira da Rosa, *O Lupanar: Estudo sobre a prostituição e o castismo no Rio de Janeiro* (Rio de Janeiro: S.N., 1896).

<sup>60</sup> Note on spelling: Throughout the court case, her name is recorded as “Barbuda;” however, in other published material the name is spelled “Barbada.” I have opted to use the latter spelling as the sobriquet stemmed from the fact that she reportedly had a small beard.

<sup>61</sup> *Diário do Rio de Janeiro*, 16 January 1850; 5 December 1850; 18 November 1857; 8 November 1855, and *O Carbonario* 23 June 1882.

<sup>62</sup> *Diário do Rio de Janeiro*, 29 October 1857.

<sup>63</sup> *O Correio da Tarde*, 21 January 1857; *Diário do Rio de Janeiro*, 29 October 1857. Unfortunately we cannot know the exact relationship between Pacifica and da Costa; however her identification as the “owner” or at the very least manager of the operation implies a certain

slave-run brothel is surprising; however, Pacífica is almost certainly not the only enslaved woman to run a *casa* or brothel of some sort in the city. Moreover, it should be mentioned that slave-run brothels were certainly not isolated to Rio de Janeiro, as ample evidence exists in similar slave societies such as New Orleans.<sup>64</sup> In these cases, it is most likely that the bondswoman ran the brothel in lieu of her master and remitted the proceeds in a similar manner as *escravos de ganho*. It is difficult to discern the exact numbers of *casas* or brothels operating throughout the city as police could choose when to exercise their powers of arrest or regulation. Nevertheless, we can do have a general idea of the number of women working in these areas.<sup>65</sup> According to Dr. Dr. Ferraz de Macedo, of the city's 1,171 known prostitutes, 1,059 of them resided in the parish of Sacramento.<sup>66</sup> Moreover, Zephyr Frank and Whitney Berry confirm that female slaves outnumbered male slaves in the parish of Sacramento.<sup>67</sup> Certainly not every female slave residing in the area labored in the sexual economy; but it stands to reason that many of them did, either as a full time occupation or as a part-time engagement. Indeed, police arrest notices frequently listed the names of the men and women found in the *casas* followed by an

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degree of trust between Pacífica and da Costa. This relationship could have been purely transactional or something more akin to concubinage.

<sup>64</sup> See Judith Kelleher Schafer, *Brothels, Depravity, and Abandoned Women: Illegal Sex in Antebellum New Orleans* (Baton Rouge: Louisiana State University press, 2009).

<sup>65</sup> It is important to keep in mind, however, that this number is likely far from accurate as there was no way to systematically survey all women engaged in transactional sex. The women included in this count are noted as "public prostitutes," and therefore the list almost certainly excludes any enslaved women and/or women engaged in clandestine prostitution who operated out of more informal accommodations or their master's home. Ferraz de Macedo's count included foreign born women as well as local but does not further divide the local women into free or enslaved.

<sup>66</sup> Ferraz de Macedo, *Da prostituição*, 144.

<sup>67</sup> Zephyr Frank and Whitney Berry, "The Slave Market in Rio de Janeiro circa 1869: Context, Movement, and Social Experience," *Journal of Latin American Geography* 9:3 *GIS Studies on Latin America* (2010): 86.

indicator of color or status; for example, “Benedicta Mina,” “Claudia escrava,” or “Preta Theresa.”<sup>68</sup> If not explicitly listed as “escrava” or “escravo,” the lack of a surname was another reliable indicator of status. For example, the *Correio Mercantil* reported that in the freguesia Sao Jose “Felicidade, Justina, Leocádia, Serafim, Guilhermina, and Ignacia [were arrested] for being found in a lupanar.”<sup>69</sup> Some women were arrested multiple times suggesting that for them sex work was a regular activity.<sup>70</sup>

By all accounts, the parish of Sacramento was the heart of the carioca sexual economy from which the numerous tentacles of the pleasure industry unfolded, snaking their way throughout the city. As we saw in Chapter Three, those engaged in the sexual economy often consorted with one another whether in the streets, as they were running errands, or in the various *casas* and rooms where they conducted their business. Certainly those at the top of the chain—the madams and the managers—knew one another as well. Indeed, according to Corina’s lawyer, da Silva and de Castro were not only colleagues but intimate friends who did favors for each other.<sup>71</sup> The closeness of the two, he argued, was evidenced in the use of the term “querida,” (a term of endearment) by which Doña Genuina referred to da Silva. Was it not the witness herself who “confesse[d] to having constantly received favors from the defendant?”<sup>72</sup> In her testimony, Doña Genuina stated that da Silva had helped her financially; this da Silva corroborated saying

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<sup>68</sup> *Jornal do Commercio*, 16 February 1850; 15 June 1850; *Diário do Rio de Janeiro*, 21 January 1858.

<sup>69</sup> *Correio Mercantil* 23 1862.

<sup>70</sup> For example, a Preta Maria is arrested twice (10 Nov. 1857 *O Correio de Tarde* and 18 Nov. 1857 *Diário do Rio de Janeiro*). While there are several “Preta Marias,” each time her owner is named so it is clear that it is the same woman.

<sup>71</sup> Anna Valentina da Silva, 1869, fl. 71.

<sup>72</sup> *Ibid.*

she lent Corina to Doña Genuina for free.<sup>73</sup> Therefore, Menezes Filho asked, wasn't it necessary to repay these favors? Perhaps, he insinuated, Doña Genuina's testimony was just that. And, if they were such intimates, how could she legitimately deny knowing that da Silva traded in sex?

As for Doña Genuina's purported finances, Menezes Filho was not persuaded that she was "as poor as Job," like she claimed to be. Not only did she live in "a magnificent house," she had at least one employee, Jose Antonio de Oliveira Junior, the identified *gerente* of the brothel at Rua Conceição 14.<sup>74</sup> In his testimony, Francisco Antonio de Moraes also corroborated Doña Genuina's poverty; how then, Menezes Filho asked, was she able to buy slaves or conduct business?<sup>75</sup> Much of Menezes Filho's rebuttal focused on disproving Doña Genuina's poverty as well as refuting the possibility that anyone could truly be ignorant of who da Silva really was or how she earned her fabulous income.

Indeed, it would be near impossible to ignore the nature of business along Rua Conceição, the nature of da Silva's commerce, or the light-skinned young women positioned at the window of her magnificent, illuminated, *sobrado*. One author described La Barbuda's women as "beautiful...little mulatta slaves" that da Silva purchased "without haggling," implying that da Silva spared no expense in procuring young, beautiful girls.<sup>76</sup> It might be possible, Menezes Filho commented, for one to say "I do not know her [da Silva] and I never went to her house [or] I do not know in what service her slaves are employed," but for someone who admits to knowing the defendant or to having gone to her home, there is no way to "miss the

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<sup>73</sup> Ibid, fl. 48v-50.

<sup>74</sup> Ibid, fl. 71v.

<sup>75</sup> Ibid, fl. 72.

<sup>76</sup> Pires de Almieda, *Homossexualismo*, 72.

truth.”<sup>77</sup> Therefore, he intimated, the testimony of Mendes da Silva and Oliveira Junior are not trustworthy; particularly that of Oliveira Junior who managed a neighboring brothel himself and was almost certainly not blind to da Silva’s own establishment.<sup>78</sup>

Lastly, Menezes Filho pointed to Corina, herself, as evidence of da Silva’s wicked commerce. The young woman, he argued, had enjoyed “perfect” health prior to her service at the Bordel da Barbuda but now was in a state of ruination.<sup>79</sup> The bloom of health and youth of any of da Silva’s young girls was to be short-lived, if Menezes Filho is to be believed. da Silva, he stated, “[did] not buy slaves but only for that purpose, forcing them to great excesses that always resulted in serious illness for them.”<sup>80</sup> The “sad truth” was evident in the form of Corina—and many others—who “daily saw a bed of infamy in the house of their lady” that quickly turned into “a bed of pain in the health clinic!”<sup>81</sup> After a round of treatment at the hospital, he stated, the women would soon be “dragged back to the infamous Bordello.”<sup>82</sup>

As we saw in Chapter Two, the treatments for syphilis were not only ineffective but often times painful and toxic due to the frequent use of mercury. If the patient didn’t expire from the disease running its course, they could have just as likely succumbed to mercury poisoning or any of the other horrific side effects that weakened the body and immune system. After symptoms manifested, decline could be rapid and most often painful, even resulting in death. As evidenced by the extensive medical debates, women persisted in their sexual commerce long after the initial

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<sup>77</sup> Anna Valentina da Silva, 1869, fl. 70v.

<sup>78</sup> Ibid.

<sup>79</sup> Ibid, fl. 74.

<sup>80</sup> Ibid, fl. 70v.

<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

appearances of syphilitic pox. Indeed, while in the first stage of infection, the sores that develop are usually painless but the individual is highly contagious. This occurs anywhere from as early as ten days to as late as 90 days after infection. For women, in particular, the disease can be difficult to detect should the sores occur along the inside of their vagina or within the uterus. These initial sores tended to heal in between three to six weeks, and leave only a small telltale scar, as noted by Dr. Delfino dos Santos. But even after the chancre has healed, the individual can still spread the infection to others. In the second stage, a rash, lasting up to two months, spreads across the body evidenced by a series of small, raised sores that might be mistaken for any number of skin irritations. This phase, too, is highly contagious and indicates that the virus has spread throughout the body. At this stage, the infected individual would experience feelings of weakness, weight loss, hair loss, and fever as well as the swelling of lymph nodes, neck stiffness, headaches, and even paralysis. After this extremely painful stage, the disease enters its latent—or hidden—stage in which no visible symptoms are present.<sup>83</sup> Judging by the notes presented by the Dr. Delfino dos Santos, Corina evidenced the initial scars of syphilis as early as 1867. A year later a medical report suggests that she had fully transitioned into the second stage where she appeared to still be by 1869.<sup>84</sup>

From the testimony given on behalf of Corina, Menezes Filho concluded the following:

- 1: that da Silva had indeed forced Corina—as well as her other slaves—to engage in the vile commerce of prostitution;
- 2: that Corina had been healthy upon purchase, as evidenced by the testimony of Argolo Ferrão;
- 3: da Silva had agreed to sell Corina for 1:000:000 to another and therefore effectively set the terms of sale; and
- 4: Corina should, in fact, be free as she had not

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<sup>83</sup> John Frith, “Syphilis—Its early history and Treatment until Penicillin and the Debate on its Origin,” *Journal of Military and Veteran’s Health* 20:4 (November 2012): 49-58.

<sup>84</sup> Anna Valentina da Silva, 1869, fl. 17-18.



only met the 1:000:000 reis, she had paid da Silva an additional 300:000 reis as well. Lastly, he argued, that despite producing six witnesses to Corina's four, none of the six could sufficiently oppose those presented by Corina. In other words, he believed that the testimony of da Silva's witnesses "forced" and invalid.<sup>85</sup>

Like others before him, Menezes Filho drew on Roman law arguing that any master who induced their slave to engage in dishonest or dishonorable actions was obligated to grant said slave their freedom.<sup>86</sup> In fact, "not only [Corina] but also all of [da Silva's] slaves who are coerced and induced to debase themselves in the brothel on Rua da Conceição" should benefit from this law, he argued.<sup>87</sup> But in Corina's case specifically, she would then be entitled to the 1:300:000 reis she had already paid to da Silva. Considering all this as well as the fact that

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<sup>85</sup> Ibid, fl. 72v.

<sup>86</sup> Ibid, fl. 75v. This approach was adopted by several of the lawyers representing women in similar cases throughout this period. Prostitution—including that of enslaved women—was not clearly addressed by Brazilian law and so lawyers and legal jurists turned to Roman law for guidance. Roman law dictated that if a master forced their slave into either prostitution or concubinage, legal authorities could, against the master's will, seize and manumit the enslaved person. Beyond that, bondspersons could be manumitted against their masters' will in cases of severe abuse or neglect. In cases like Corina's, forced prostitution constituted the excessive abuse and neglect. The Brazilian jurist Perdigão Malheiro he concluded that very few exceptional circumstances might impinge upon a citizen's right to property, acknowledging the Roman law in regards to prostitution and concubinage, yet nevertheless he did not include either of these acts as justifiable reasons to forcibly manumit an individual. See Perdigão Malheiro, *A Escravidão no Brasil Ensaio Historico-Juridico-Social* Vol. I, Article 3, "Terminação forçada ou legal do captiveiro," 117-132. For contemporary studies of Perdigão Malheiro's influence on the laws regarding manumission, freedom, and re-enslavement see: Sidney Chalhoub, "'The Precariousness of Freedom in a Slave Society (Brazil in the Nineteenth Century.'" *International Review of Social History* 56:3 (Dec 2011), 405-439; Keila Grinberg, "Re-Escravidão, direitos e justiça no Brasil do século XIX" in *Direitos e justiça: ensaios de história social*, eds., Silvia Lara and Joseli Mendonça (Campinas: Editora da Unicamp, 2006): 101-128; Márlío Aguiar, "Direito (Romano) e (Boa) razão: uma análise do tratamento jurídico da alforria no ensaio a escravidão no Brasil de Perdigão Malheiro," *Quaestio Iuris* 12:1 (2019): 246-286.

<sup>87</sup> Anna Valentina da Silva, 1869, fl. 75v.

Brazilian practices provided for the freedom of slaves “even against their masters’ will, through indemnity or without I,” the judgment “must be in favor of freedom.”<sup>88</sup>

In turn, da Silva’s lawyer sought to discredit Corina’s witnesses. Josefina de Oliveira e Silva, Brandão remarked, was recently a slave of da Silva’s as well as a colleague of Corina’s; therefore her testimony was surely suspect and biased for “it is a fact that the individual who was a slave, man or woman, although they are free, always retains a certain latent ill will against the one who was their master and he does not miss an opportunity to favor his fellow captives.”<sup>89</sup> Notably, Brandão fails to qualify in what capacity the women labored together. Moreover, Brandão argued that Doña Genuina’s testimony directly contradicted that of Josefina, effectively nullifying its value. Likewise, Brandão suggests that the testimony of da Graça was equally suspect as he had “heard da Silva’s slaves” discussing Corina’s sale.<sup>90</sup> Therefore, it had not come from a reliable source.

With regards to the trader, Argollo Ferrão, Brandão condemned him for belonging to “that filthy wretched class of brokers and sellers of slaves for prostitution.”<sup>91</sup> “What morality can a man have who confesses in court to a similar abomination? What credit can he merit?” Brandão asked.<sup>92</sup> Moreover, he claimed, Argollo Ferrão was a known criminal who had spent time in the corrections house for theft who recently had had a falling out with da Silva over a loan and was refusing to pay it. Now, Brandão suggested, Ferrão was simply seizing on this

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<sup>88</sup> Anna Valentina da Silva, 186,9 fl. 73v. To support this statement, Menezes Filho presents several cases in which slaves were granted their freedom for serving in the military or service during war time, specifically in the War of Independence, the Paraguayan War, and during the rebellion of Rio Grande do Sul. See fl. 75v-76.

<sup>89</sup> Ibid, fl. 84v-85.

<sup>90</sup> Ibid, fl.85.

<sup>91</sup> Ibid, fl. 84v.

<sup>92</sup> Ibid.

opportunity to conspire against da Silva.<sup>93</sup> Brandão dismissed Corina's fourth witness, Jose Antonio Montinho, as simply one of Corina's lovers. It is entirely possible that the young Montinho was a paramour of Corina's but she does not clarify the nature of their relationship beyond his frequenting of the brothel. Therefore it is entirely possible that he was simply a client who sought out her services on a regular basis. The only "notorious and indisputable fact" was that da Silva never intended to sell Corina for 1:000:000 but that she had notified Corina that she could obtain her freedom for the price of 1:800:000.<sup>94</sup> This was evidenced by Corina's payment of the 1:300:000 that only stopped due to the alleged collusion with da Silva's detractors.

Brandão saved his most scathing criticisms for Menezes Filho himself who he accused of being an abolitionist who endeavored to contribute to abolitionist propaganda that could only produce a "sad, and calamitous effect, not only of attacking property...but of anarchizing the country."<sup>95</sup> At all costs, he believed, the right to property and to dispose of one's property as they saw fit must be protected and upheld; men like Menezes Filho threatened not only the institute of slavery but also the very foundations of Brazilian society. Notable, Brandão repeatedly made reference to Corina as "property" so as to strip her of her humanity. So long as "slaves are still legal property among us," he argued, "the judiciary cannot and should not sanction" such attacks on the Constitution.<sup>96</sup> In a further attempt to impugn Menezes Filho's reputation, Brandão pondered how Menezes Filho came to know that Doña Genuina owned a brothel or that Oliveira Junior was the manager. How could he be privy to the goings-on inside the brothels, to witness

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<sup>93</sup> Ibid.

<sup>94</sup> Ibid, fl. 87.

<sup>95</sup> Ibid, fl. 81; 83-83v.

<sup>96</sup> Ibid, fl. 80-80v.

the “scandal of the *lupanares*,” or know how to “detect debauchery” if he himself did not patronize such establishments?<sup>97</sup>

Despite the back and forth about the character of the witnesses and parties involved, at the heart of the case is a question about a single financial transaction: Did da Silva offer to sell Corina for 1:000:000 reis thus “opening up” an opportunity for sale? All her witnesses agreed that da Silva offered Corina to Doña Genuina at that price but, due to her illness, the sale fell through. Conversely, da Silva’s witnesses denied knowing anything about the sale while also pleading ignorance of how da Silva earned her income. Ultimately, the lower court—under Judge Tavares—sided with Corina granting her freedom. Moreover, Coria asked the court to award her a payment of 300:000 reis—essentially a refund of the additional 300:000 reis she had paid da Silva. Unsurprisingly, da Silva quickly appealed.

Unlike the initial case, the appeal focused more closely on determining the actual price of sale and the legitimacy of Corina’s claim. According to sale papers, da Silva originally purchased Corina for approximately 2:000:000.<sup>98</sup> Upon learning that Corina wanted to purchase her freedom, da Silva claimed she informed Corina that she would accept a price of 1:800:000 reis, paid in installments. Indeed, da Silva produced a document that showed the payments Corina had made, to date, listing the receipt of 1:000:000 reis as well as a payment of 500:000 reis dated March 1869.<sup>99</sup> However, there was no formal or written contract that stipulated the terms of the sale. This, da Silva’s lawyer argued, made the entire case moot: no contract meant Corina’s claim had no legal standing.<sup>100</sup> Moreover, he insinuated, the lower court exercised an

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<sup>97</sup> Ibid, fl. 80v.

<sup>98</sup> Ibid, Appendix, fl. 16-16v.

<sup>99</sup> Ibid, fl. 4.

<sup>100</sup> Ibid, fl. 102v.

arbitrary power in upholding the sale price of 1:000:000 reis, a power they should not wield so quickly. “Judiciary power,” he warned, “cannot and must not precede the legislature in adopting convenient measures to end slavery.”<sup>101</sup> Brandão expressed concern that such decisions, if upheld, would not only threaten the sanctity of property but would also create chaos within legal system. Despite Menezes Filho’s best efforts, the court ultimately sided with da Silva declining to intervene in the master-slave relationship upholding her right, as a citizen and slaveholder, to revoke Corina’s freedom on the basis of incomplete payment. The appeals court acknowledged that Corina did indeed have a right to her freedom but da Silva had the right to stipulate the price.<sup>102</sup> Therefore, Corina could have her freedom but she would have to pay. Corina and Menezes Filho attempted to appeal this decision but in June 1872, the court declined to further pursue the case. It is not clear from the case file whether Corina finally remitted the remaining 500:000 or if she was able to file another lawsuit in light of the new legislation, the Rio Branco Law. The Rio Branco Law is more commonly known as the Free Womb Law; however, the law also codified bondspersons rights to their savings and assisted in created greater access to fair, independent, third party appraisals/sale prices.<sup>103</sup> Nevertheless, the case is quite revealing as to

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<sup>101</sup> Ibid, fl. 103.

<sup>102</sup> Ibid.

<sup>103</sup> The documents referenced here were executed and argued in December of 1870. One year later, in September 1871, the Rio Branco Law, the Free Womb Law, passed in Parliament shifting the grounds on which slaves could negotiate their self-purchase. The Rio Branco law mandated that henceforth, all children born to enslaved women would be free; but it also established a slave’s legal right to accumulate savings (*peculium*), to set a fixed price for their purchase, and the maximum number of years that they had to work towards paying off their purchase price. Perhaps more importantly, the law allowed bondspersons to ask for an independent, third-party appraisal instead of allowing the slaveholder to arbitrarily fix the sale price. Such an independent appraisal may have worked in Corina’s favor. Scholars differ on the actual efficacy of the law, see: Elciene Azevedo, *O direito dos escravos: Lutas jurídicas e abolicionismo na provincial de São Paulo* (Campinas: Editora Unicamp, 2010); Robert Conrad, *The Destruction of Brazilian Slavery, 1850-1888* (Berkeley: University of California Press,

the fragile nature of freedom in nineteenth century Brazil as well as the ways in which enslaved women attempted to leverage the law to their advantage.

Prior to abolition, there were several paths to freedom for those enslaved in Brazil: *marronage*, military service, or through revolt. In Brazil, however, the majority of freedom contracts evolved out of day-to-day negotiations between slave and master.<sup>104</sup> These documents often listed good services, good behavior, obedience, and loyalty as the reasons why a master liberated a bondsperson. Until recently, historians often assumed that that high rates of female manumission could be linked to the high frequency with which slaveholding men formed intimate relationships and connections with their enslaved women. However, as historian Mary Karasch demonstrates in her study of slavery in Rio de Janeiro, the majority of slaveholders who manumitted their slaves in the first half of the nineteenth century were women.<sup>105</sup> As Camillia Cowling further illustrates, gender played a fundamental role in shaping the path to freedom, particularly in urban areas and so by the end of the eighteenth century, female slaves living in the urban centers comprised the majority of manumissions.<sup>106</sup> Indeed, it appears that one of the more common means of self-liberation was through *coartação* or self-purchase.

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1972); Eduardo Spillar Pena, *Pajens da casa imperial: Jurisconsultos, escravidão, e a Lei de 1871* (Campinas: Editora da Unicamp, 2000); Sidney Chalhoub, *Visões da Liberdade: Uma história das últimas décadas da escravidão na Corte* (Rio de Janeiro: Companhia das Letras, 1990); and Hebe Maria Mattos de Castro, *Das Cores do Silêncio: Os Significados da Liberdade no Sudeste Escravista, Brasil, século XIX* (Rio de Janeiro: Arquivo Nacional, 1995).

<sup>104</sup> Eduardo França Paiva, “Alforrias,” in Lília M. Schwarcz and Flávio Gomes, eds. *Dicionário da escravidão e liberdade* (São Paulo: Companhia das Letras, 2018): 94.

<sup>105</sup> Karasch, *Slave Life*, 342-347.

<sup>106</sup> Paiva, “Alforrias,” 97 and Camillia Cowling, *Conceiving Freedom: Women of Color, Gender, and the Abolition of Slavery in Havana and Rio de Janeiro* (Chapel Hill: University of North Carolina Press, 2013). Cowling confirms a similar pattern in Cuba, as well.

Unlike the British or Dutch who actively sought to obstruct manumission and by extension the growth of the free population of color, Iberian law stipulated that all laws should endeavor to favor and lead towards freedom. The law did not guarantee access to manumission but nonetheless laid the groundwork for the development of a certain set of practices in Cuba and the Spanish Americas that would also be adopted—although modified—in the Lusophone world as well. According to historian Alejandro de la Fuente, by the nineteenth century it was commonplace for Cuban slaves to seek freedom through self-purchase. This entailed asking that their masters agree upon a set manumission price that once established, the price could not be altered. However, this practice was not officially codified in any laws prior to 1842; but instead was a customary right left to the discretion of individual slaveholders. This lack of codification meant that *coartación* could be a highly contested process with slaves seeking the aid of municipal legal authorities. In this way, de la Fuente argues, the practice of *coartación* evolved out of the litigation initiated by enslaved persons in Cuba who were seeking to force their masters to set a fair price for their sale with the hope that they could, over time, purchase their freedom.<sup>107</sup>

In Brazil, the practice was much the same though lacking in formal institutionalization. Manumission could be either unconditional or conditional. In the former, the bondsperson was granted full freedom; however, the latter, conditional freedom, came with varying strings attached. As Sidney Chalhoub has shown, conditional freedom could prove quite perilous and

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<sup>107</sup> Alejandro de la Fuente, “Slaves and the Creation of Legal Rights in Cuba: *Coartación* and *Papel*,” *Hispanic American Historical Review* 87:4 (2007): 661. For more on the evolution of *coartación* and manumission in Cuba see Rebecca J. Scott, *Slave Emancipation in Cuba: The Transition to Free Labor, 1860-1899* (Princeton: Princeton University Press, 1985); Aline Helg, *Slave No More: Self-Liberation before Abolitionism in the Americas*, trans. By Lara Vergnaud (Chapel Hill: University of North Carolina Press, 2019); and Laird W. Bergad, et. al. *The Cuban Slave Market, 1790-1880* (Cambridge: Cambridge University Press, 1995): 122-142.

slaveholders extremely fickle.<sup>108</sup> Conditional terms often mandated a predetermined period of continued service or the death of the master.<sup>109</sup> Slaveholders could withdraw their permission for manumission at any moment for any reason at all. This, Chalhoub explains, resulted in a “structural feature...conducive to strategies for the control of workers, slave and free, based on personal dependence and paternalist ideology.”<sup>110</sup> Therefore, unlike other forms of manumission, self-purchase—once fully executed—could offer a greater sense of stability and permanence for the manumitted. But how did a bondsman or bondswoman secure the necessary funds?

One of the most prominent features of Brazilian slavery was a bondspersons ability to hire themselves out. *Escravos de ganho*, or slaves for hire, were slaves who worked for wages. By selling their own labor, the enslaved man or woman would remit a certain sum of money to their owner—on a daily, weekly, or even monthly basis—while retaining the remainder of the profit they earned for themselves. For slaves living on plantations or in more rural areas, selling excess produce from their own small garden plots, hunting, or animal husbandry allowed them to earn extra income.<sup>111</sup> Generally speaking, though, the opportunities to hire themselves out were comparably limited to those in the city where it was quite common for masters to live off the labor of their *escravos de ganho*.

In a city like Rio de Janeiro bondsmen and women often exercised a high degree of mobility as they moved with relative freedom throughout the city selling their wares or hiring

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<sup>108</sup> Chalhoub, *Visões da liberdade*,: *Uma história das últimas décadas da escravidão na Corte* (São Paulo: Companhia das Letras, 1990) and Chalhoub, “The Precariousness of Freedom in a Slave Society (Brazil in the Nineteenth Century),” *IRSH* 56 (2011): 405-439.

<sup>109</sup> Chalhoub, “Precariousness of Freedom,” 417.

<sup>110</sup> *Ibid*, 409.

<sup>111</sup> Karasch, *Slave Life*, 186.



themselves out for day labor. However, after dark, when the shops closed, the taverns opened and the streets turned into a carnival of vice, namely drinking, gambling, and gaming.<sup>112</sup> The movement and bodies of people of color became subject to heightened scrutiny and a more limited mobility. As historian Amy Chazkel illustrates in her study of nocturnal Rio de Janeiro, local authorities enacted a nightly curfew aimed at suppressing the “socializing and circulation” of enslaved persons as well as any Afro-descended individuals who might visibly be mistaken as a bondsperson.<sup>113</sup> However, this curfew, she explains, was largely ineffective as “[o]ne achieved access to the city by way of exceptions to restrictive rules.”<sup>114</sup> For the master or mistress who coerced their bondswomen into nocturnal sexual labor, the curfew could be skirted by providing a note that justified their being “*fora de horas*,” or out after hours. Despite the inefficacy of the curfew, failing to provide one’s slave with proper permission to be out after dark could result in imprisonment, fines, and the loss of labor and income. Therefore, it stands to reason that the majority of slaveholders not only sanctioned but actively enabled their bondswomen’s labor in the city’s sexual market.

For enslaved women, the city offered a broad spectrum of opportunities to better their condition through earning extra money. They could hire out as household labor to do the cooking, cleaning, laundering, and ironing. Frequently they engaged in street vending selling vegetables, sweets, and other goods. The city also presented other opportunities to engage in

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<sup>112</sup> For more on nineteenth-century nightlife in Rio de Janeiro, see Amy Chazkel, *Laws of Chance: Brazil’s Clandestine Lottery and the Making of Urban Public Life* (Durham: Duke University Press, 2011) and Chazkel, “Toward a History of Rights in the City at Night: Making and Breaking Curfew in Nineteenth-Century Rio de Janeiro,” *Comparative Studies in Society and History* 62:1 (January 2020): 106-134.

<sup>113</sup> Amy Chazkel, “Toward a History of Rights in the City at Night: Making and Breaking the Nightly Curfew in Nineteenth-Century Rio de Janeiro,” *Comparative Studies in Society and History* 62:1 (2020): 111.

<sup>114</sup> Chazkel, “Toward a History,” 116.

transactional sex—either on a part-time or full time basis. This multitude of labor opportunities could—and frequently did—translate into women successfully purchasing their freedom. It is difficult to determine to what extent prostitution helped facilitate self-purchase; however, historian Emily Owens argues that in the city of New Orleans—perhaps the most analogous city to Rio de Janeiro—brothel labor and *coartación* were directly tied together.

The cities of Rio de Janeiro and New Orleans had many characteristics in common: both were large, urban port cities integral to the slave trade and marked by a sizeable population of both free and enslaved people of color. Moreover, even after American occupation, the city of New Orleans continued to embrace social and legal practices bestowed from decades of French and Spanish control. As a result, the practice of *coartación* remained an integral aspect of the city's slaveholding practices. One of the more striking similarities, however, was the exceptional visibility of slaves and their descendants engaged in the city's sexual commerce. Like Rio, enslaved women in New Orleans not only labored in the city's brothels, they also frequently ran the operation, remitting profits to their owners.<sup>115</sup> But unlike Rio de Janeiro, the law had, at one point, legally enshrined an enslaved woman's right to freedom if she was forced to engage in

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<sup>115</sup> Judith Kelleher Schafer, *Brothels, Depravity, and Abandoned Women: Illegal Sex in Antebellum New Orleans* (Baton Rouge: Louisiana State University Press, 2009): 40-41. Enslaved women were also engaged, in large numbers, in other forms of sexual labor such as concubinage, sex partners, and companions. It is in large part to manumission practices in New Orleans that the city's free population of color grew substantially. Many of these freed women and their descendants entered into long-term arrangements with white men. Locally, this extralegal form of cohabitation—that often resulted in children and lifetime support—was referred to as *plaçage*. For more on this practice and its role in New Orleans' society see: Emily Clark, *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World* (Chapel Hill: University of North Carolina Press, 2013); Monique Guillory, "Some Enchanted Evening on the Auction Block: The Cultural Legacy of the New Orleans Quadroon Balls," (Ph.D. diss., New York University, 1999); Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans* (Durham: Duke University Press, 1997); and Alice Moore Dunbar-Nelson, "People of Color in Louisiana, Part II," *Journal of Negro History*, 2:1 (January 1917): 51-78.

sexual labor. According to the *Siete Partidas*—the Spanish legal code—“a female slave shall become free when he master puts her in a brothel that he may profit by her.”<sup>116</sup> Despite the law eventually being struck from the books, this, Owens argues, suggests that brothel labor has long been an integral aspect of sexual labor for enslaved women but also one that was directly tied to freedom, no matter how “flimsy” those promises may have been.<sup>117</sup> Corina’s experiences speak to these conclusions.

One woman’s life cannot—and should not—be taken as broadly representative of all enslaved women’s experiences. However, as Sandra Lauderdale Graham instructed us through her own legal studies of gender and slavery in Brazil, such cases as “histories write small about events seen close up...and because they are small and close up, they bring into focus surprising truths about the workings of a society and culture obscured in more encompassing and distanced views.”<sup>118</sup> Therefore, Corina’s life—or what we can discern through the lens of this legal case—can open up new questions not only about the nineteenth-century sexual economy of Rio de Janeiro but also concerning the nature of sex work, resistance, and freedom in a nineteenth-century slave society while suggesting how enslaved women could potentially leverage exploitive circumstances into a bid for freedom. We can also gain insight into the relationship between free and enslaved women beyond household management or the oft-repeated anecdotal comments on the jealousy and brutality of slaveholding women. Moreover, Coria’s case is a vivid example of how enslaved women’s sexuality and sexual labor was directly tied to market

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<sup>116</sup> Louis Moreau Lislet and Henry Carlton, eds, *The Laws of Las Siete Partidas: Which are Still in Force in the State of Louisiana*, 2 vols. (New Orleans, 1820), vol. 1: 590 cited in Emily A. Owens, “Promises: Sexual Labor in the Space Between Slavery and Freedom,” *Louisiana History: The Journal of the Louisiana Historical Society* 58:2 (Spring 2017): 181.

<sup>117</sup> Owens, “Promises,” 183.

<sup>118</sup> Sandra Lauderdale Graham, *Caetana Says No: Women’s Stories from a Brazilian Slave Society* (Cambridge: Cambridge University Press, 2002), xxii.

relations. Her life—as well as those of the other freedwomen mentioned in the case—attest to the sexual economy of slavery that undergirded the broader political economy of slavery.

The use of enslaved women as sexual objects by their owners is not a new revelation; it was a practice common to all slave regimes in the Americas. Scholars have examined the ways in which slaveholding men exploited their slaves' sexuality for profit in terms of procreation and reproduction; but we are only now beginning to understand the role of slaveholding women and how they too committed acts of sexual violence against their bondswomen for profit. Women like Ana Valentina da Silva were deeply embedded in the sexual economy of slavery and deeply invested in upholding the institution of slavery. It bears noting that she was not alone. The story of Ana Valentina and Corina mirrors that of Rachael Pringle Polgreen, an eighteenth-century Barbadian brothel owner, and her enslaved woman Joanna, who, like Corina, labored in her owner's brothel before seeking her freedom. Polgreen's life was sensationalized in a nineteenth-century novel that portrayed her as a larger than life madam who lived in rich comfort. In reality, as Fuentes illustrates, Polgreen was a far more complicated character. A former slave herself, Polgreen amassed a great fortune through her brothel as well as other financial endeavors. In addition to Joanna, Polgreen reported owned thirty-eight enslaved people as well as multiple houses, furniture, and goods.<sup>119</sup> Scholars are therefore just beginning to scratch the surface of the relationship between slaveholding women and their bondswomen. Yet despite the near-totalizing power wielded by Brazilian slaveholders, enslaved women like Corina found ways to exploit the cracks in the system and to leverage what little power they could. For a woman laboring in a profitable—if notorious—brothel, sex work offered a steady income and the promise of freedom.

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<sup>119</sup> Marisa J. Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive* (Philadelphia: University of Pennsylvania Press, 2016): 46-69.

By all accounts, sex was a profitable commodity, particularly for da Silva. In addition to peddling flesh, da Silva reportedly sold “the most varied drinks,” presumably alcoholic in nature. Between her girls and the drinks, da Silva turned a “huge,” healthy profit that that supported her well into her old age.<sup>120</sup> Additionally, from the court transcripts we learn that da Silva augmented her income by extracting certain fees or rent from her girls. According to Corina’s lawyer, da Silva expected Corina to contribute funds towards her own upkeep in addition to any payments towards her freedom.<sup>121</sup> This system, as Corina’s lawyer argued, was designed to place women like Corina at a distinct financial disadvantage that effectively served to keep them in bondage.<sup>122</sup> Remarkably, though, Corina nevertheless amassed at least 1:300:000 reis in the two years she worked for da Silva attesting to just how lucrative commercialized sex could be.

Did Corina finally obtain her freedom? While it is not immediately clear whether she produced the additional 500:000 reis, her case holds important implications for understanding the relationship between gender and freedom. Until recently, studies have tended to focus on a spectrum of sexual relationships between male slaveholders and their female slaves examining how, through these relationships, enslaved women secured promises of freedom, financial benefits, or other forms of social mobility. Historian Mariana Candido’s study of Benguela

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<sup>120</sup> Pires de Almieda, *Homossexualismo*, 72. He also relates the story that prior to her death, da Silva was overcome thinking about the women from whom she derived such great profit and as a result, in her will, she stipulated the establishment of a fund to recuse slaves. Additionally, she reportedly lobbied to change the law that forbade engraved headstones (*inscrições lapidarias*) for criminals, suicides, and prostitutes while also setting aside money to “rescue” the gravesites of prostitutes who died. To date, I have not been able to confirm these details or locate her testamentary documents. Nevertheless, these references to her wealth are, in part, supported by two separate notarial documents that list da Silva as the owner of at least two other buildings in addition to the brothel on Rua Conceição.

<sup>121</sup> Anna Valentina da Silva, 1869, fl. 78v.

<sup>122</sup> This tactic of keeping bondspersons at a financial disadvantage is a tactic still used by traffickers today. See Kevin Bales and Zoe Trodd, eds, *To Plead Our Own Cause: Personal Stories by Today’s Slaves* (Ithaca: Cornell University Press, 2010).

stands out for her attention to how some enslaved women managed to use incidences of rape to their advantage.<sup>123</sup> But Corina's experiences challenge historians to consider other ways in which gender could facilitate access to freedom. da Silva appropriated Corina's sexuality for personal economic gain; however, as uncomfortable as it may be, we must recognize that despite the exploitive and violent conditions of Corina's labor, the brothel and sex work facilitated her ability to purchase her freedom and within a relatively short timeframe. Despite da Silva's apparent avarice, the fact that Corina could produce such an amount speaks to her ability to retain a decent portion of her income. Had Corina actually been engaged in making or selling sweets, it is unlikely she could have accumulated enough money to purchase her freedom within a similar timeframe. In this way, Corina's sexual labor was tied directly to her chance at freedom. But at what cost to her own health? If, indeed, Corina produced the outstanding 500:000 reis, what would her life had been like as a freedwoman? The syphilis progressed to such a stage that it was impossible to ignore meaning she would suffer painful bouts with ulcers and sores making even non-sexual labor difficult.<sup>124</sup>

Corina's case also provides insight into the personal nature of the negotiation of freedom, illustrates what historians have referred to as "the precariousness of freedom."<sup>125</sup> In his study of

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<sup>123</sup> Mariana Candido, "Strategies for Social Mobility: Liaisons between Foreign Men and Enslaved Women in Benguela, ca. 1770-1850, in in Gwyn Campbell and Elizabeth Elbourne, eds. *Sex, Power, and Slavery* (Athens: Ohio University Press, 2014), 273.

<sup>124</sup> Some feared that if freed, the formerly enslaved prostitutes would remain in their profession but these claims are often used to defend the rights of slaveholders and uphold the institution of slavery. They are not necessarily undergirded by any concrete statistics that I am aware of.

<sup>125</sup> The term was coined by Henrique Espada Lima in his work on slavery, labor, and the meaning of freedom and later adopted by Sidney Chalhoub in his work on freedom and re-enslavement in Brazil. See Lima, "Sob o domínio da precariedade: escravidão e os significados da liberdade de trabalho no século XIX," *Topoi* (RJ) 6:11 (Dec. 2005): 289-326; Lima, "Freedom, Precariousness, and the Law: Freed Persons Contracting out their Labour in Nineteenth-Century Brazil," *International Review of Social History* 54 (2009): 391-416; and

manumission in Brazil, Chalhoub illustrates how Brazilian practices of manumission often blurred the lined between slavery and freedom particularly through the practice of conditional manumission—in which freedom was contingent upon certain criteria including good behavior, continued service, a master’s death, and payment made in full.<sup>126</sup> In all cases of manumission, the master commanded the right to alter or altogether revoke promises of freedom for whatever reason they desire. Debates over the differing nature of slavery in Brazil and the U.S. never fail to highlight the relative ease with which Brazilian slaveholders would manumit their slaves. Indeed, the Brazilian state never expressly intervened in slaveholders’ rights to manumit their slaves, instead imbuing them with an “exclusive prerogative” to determine how, when, and under what conditions a slave should be freed.<sup>127</sup> Certainly this lack of state oversight could work in the favor of many men and women; however, as Chalhoub illustrates, it could just as easily work against them should their master change their minds or the terms of sale.

Studies of manumission in Brazil demonstrate that conditional manumission was an important form of manumission throughout Brazil.<sup>128</sup> Indeed, one author suggests that all of the women in da Silva’s *conventilho* were conditionally free; although, da Silva does not actually

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Chalhoub, ““The Precariousness of Freedom in a Slave Society (Brazil in the Nineteenth Century.” *International Review of Social History* 56:3 (Dec 2011), 405-439.

<sup>126</sup> Chalhoub, “The Precariousness of Freedom,” 417.

<sup>127</sup> *Ibid*, 409.

<sup>128</sup> For studies of manumission in Brazil, see Aline Helg, *Slave No More: Self-Liberation before Abolitionism in the Americas*, trans. Lara Vergnaud (Chapel Hill: University of North Carolina Press, 2019); Herbert S. Klein and Francisco Vidal Luna, “Chapter 9: Freedmen in a Slave Society,” *Slavery in Brazil* (Cambridge: Cambridge University Press, 2010); Sheila de Castro Faria, “Aspectos demográficos da alforria no Rio de Janeiro e em São João Del Rey entre 1700-1850,” *XVI Encontro Nacional de Estudos Populacionais, ABEP* (2008); Stuart Schwartz, “The Manumission of Slaves of in Colonial Brazil: Bahia, 1684-1745,” *Hispanic American Historical Review* 54:4 (1974); Katia M. de Queirós Mattoso, “A propósito de cartas de alforria: Bahia, 1779-1850,” *Anais de História* 4 (1972).

confirm this in her testimony. Nevertheless, it is apparent that da Silva was willing to accept lump-sum payments from her women who wished to purchase their freedom. This means that throughout the process, until the payment was made in full, the bondswoman existed in a liminal, grey space somewhere between freedom and enslavement.

If we take Corina's testimony at face value, she understood her impending sale to Doña Genuina as a statement of her cash value. Moreover, it appears that she paid da Silva the 1:000:000 in good faith only to be refused her freedom papers. Due to the nature of the testimony and the lack of a notarized contract, it is not possible to establish if or when da Silva decided that she would only manumit Corina for the price of 1:800:000 reis. Corina depicts this change in terms as occurring only after da Silva realized Corina could meet the price. Out of greed—and perhaps the desire to extract further labor from her body—da Silva changed the terms of sale. This da Silva refuted on the grounds that 1:000:000 was nearly less than half of what she paid for Corina—a poor business transaction indeed. Despite the fact that custom dictated once a price was set, the terms could not be changed, the law was on da Silva's side. As her lawyer argued, there is customary practice and then there is the law.<sup>129</sup> Corina was at a distinct disadvantage despite mustering four witnesses who could attest to the sale price.

From the documents, it becomes increasingly clear that the brothel was more than the site for sexual transactions. They were spaces of sociability where men and women—free and enslaved—mingled in the front rooms, sharing drinks and gossip. Regulars inquired about their favorites; others sought out these women at different brothels. These relationships were certainly rooted in violence and exploitation, yet, as we have seen, more than one woman leveraged these relationships to her benefit whether it be through small gifts or legal testimony. On the surface,

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<sup>129</sup> Anna Valentina da Silva, 1869, fl. 102v.



the brothel is very much a space of heteronormative male sociability but they also brought women together who could, and did, form beneficial relationships and friendships. We see this in Josefina's testimony. Having already been manumitted by da Silva, Josefina would have provided critical support and guidance for Corina in her own pursuit of freedom. Corina also encountered women outside of da Silva's brothel as we know she spent time at Doña Genuina's but also, for a brief period, she worked at the notorious Hotel Pharoux—a hotel famous for “dancing, gambling, and drinking in addition to being ‘also a receptacle for whores.’”<sup>130</sup> The larger hotels like Pharoux and Hotel Ravot welcomed the city's elite. It is not clear how Corina solicited help from her lawyer, Menezes Filho, but perhaps she learned of him from other enslaved women who were also embroiled in freedom suits between the years of 1869-1871. Or perhaps she encountered the young lawyer at one of the city's finer hotels. We cannot know but what is clear is that Corina took the initiative to create crucial networks and friendships that served to aid her in her pursuit of freedom.

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<sup>130</sup> Santos Silva, “Clientes,” 385-6 and Ferraz de Macedo, *Da prostituição*, 70.

## Conclusion

Throughout all slaveholding societies in the Americas, enslaved women's lives were marked by the obligation to provide a wide spectrum of sexual and intimate labor. This was no less true in Brazil than elsewhere in the Atlantic World and is born out clearly in the scholarship concerning slavery and the family, reproduction, and childbirth. More recently, the Brazilian historiography has undergone a renewed interest in the relationship between slavery and gender focusing on wet nursing and motherhood. However, what is less understood is the extent to which slaveholders intentionally commodified and exploited the non-reproductive sexuality of their bondswomen for short-term profit and pleasure. My goal for this project, therefore, has been to provide a multifaceted history of intimate labor and slavery in nineteenth-century Rio de Janeiro. It begins at the macro level of the internal slave trade to drill down to the micro level of one enslaved woman's life and experiences to illustrate the local peculiarities of the sexual economy of slavery in Rio.

This dissertation has thus contributed to a fuller understanding of the sexual dimensions of Brazilian slavery and how enslaved women's non-generative sexual labor was deeply intertwined with not only the broader economy but also with crucial nineteenth-century debates over the regulation of bodies and the policing of sexual practices. This history calls into question the nature of women's work as well as what it meant to be an enslaved woman who lived and labored in the urban environment. It asks us to question the relationship between the public and the private and to reevaluate the relationship between race, sex, and work.

Slaveholders adroitly manipulated ideas about gender to fit their personal needs. As scholar Adrienne Davis wrote about the enslaved women, "She was male when convenient and

horrifically female when needed.”<sup>1</sup> When necessary, she could labor in the fields but, unlike her male counterpart, she was just as likely to labor in the bedroom. It was no secret that Brazilian men routinely bought young girls and women with the intention of forcing them into sexual companionship. Yet the sexual exploitation of enslaved women has historically been understood as incidental to enslaved women’s labor. As this dissertation illustrates, intimate labor was a central, lucrative, and defining feature of slavery, particularly for women in the urban environment.

As we see in Chapter One, throughout the nineteenth-century, Brazilian brokers, traders, and buyers colluded to create a specialized market for, and trade in, young girls and women intended to perform intimate labor. Whether in a brothel, at the window, or through domestic arrangements designed to cloak their labor as concubines or lovers, slaveholders found ways to extract every last ounce of profit and pleasure from the bodies of their bondswomen. With the reorganization of the internal markets in the mid-nineteenth century, the contours of this specialized traffic emerges more clearly as we see prime-aged females brought to the city while the majority of all other able-bodied slaves flowed towards the coffee growing regions in the provinces of São Paulo and Rio de Janeiro. Once in the city, these young women and girls were redistributed to brothel-keepers, parlors, and private homes where their heightened visibility soon caught the attention of medical authorities that increasingly sought to impose moral order on citizens through public health measures.

By the mid-nineteenth century, medical authorities grew increasingly concerned over the unchecked spread of syphilis throughout the city. Untreated, the disease threatened the health of

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<sup>1</sup> Adrienne Davis, ““Don’t Let Nobody Bother Yo’ Principle:” The Sexual Economy of American Slavery.” In *Sister Circle: Black Women and Work*, ed. Sharon Harley, 103-127. (New Brunswick: Rutgers University Press, 2002): 119.

the family, as it resulted in low fertility and even infant mortality. Prostitutes, they alleged, were the root of the problem. To a select few doctors, enslaved prostitutes specifically were responsible for spreading the disease. Yet local authorities remained split on how to deal with the problem of prostitution. The ensuing debates surrounding the regulation of prostitution in nineteenth-century were deeply rooted in ideas about modernity, public hygiene, and morality. However, as Chapter Two illustrates, despite the best efforts of both medical and legal authorities, the regulation of prostitution could not simply be imported wholesale from European examples such as Paris or Brussels. Instead, regulation would need to adapt to local realities—specifically, slavery. As this dissertation demonstrates, the deeply entrenched local practice of forcing enslaved women to engage in prostitution proved to be one of the insurmountable issues that stymied efforts to regulate the sexual economy and prostitution more broadly. The fear and anxieties of medical authorities did not find fertile ground with the Municipal Council that, to a large degree, was uninterested in taking up new legislation to regulation prostitution. To do so would require a significant financial investment but, more importantly, such an intervention could be viewed as impinging upon the rights of slaveholders; something that Parliament did not appear ready to do in the mid-nineteenth century.

Together, Chapters Three and Four provide a close-up look at the lives of the women forced to engage in intimate labor on varying scales. The stories of the women in these chapters are, in many ways unique; but in other ways, they are all too common and representative of a broader set of experiences that enslaved women endured throughout the four centuries of chattel slavery in the Americas. This dissertation has endeavored to show that for many women, sexual labor was their primary form of labor and one that generated enough profit for their owners to live on. Prostitution is often characterized as a means to supplement one's income or a transitory

state; yet for women like Honorata, Rita, and Corina, sexual labor was their primary, sometimes only, form of work. However, as this dissertation illustrates, this form of labor could also potentially facilitate access to freedom. Studies of gender and manumission frequently note how enslaved women could leverage their sexuality for freedom—namely that through bearing the child or children of their master, women could obtain their freedom papers. However, as we see in the cases of Honorata and Corina, women forced to prostitute could incrementally amass income through non-procreative sexual labor as well. This is not an argument about a silver lining or how prostitution might be a “beneficial” form of labor; it is simply meant to draw attention to the fact that prostitution, like other forms of *ao ganho* labor, could provide an opportunity for the women to exploit their circumstances to their own benefit and potentially obtain their freedom.

These micro histories offer exceptional insight into the sexual economy of slavery, shedding light on the unseen labor of enslaved women within the household. Judicial documents provide one of the best opportunities to recover the names and experiences of women who were considered unremarkable in their own time. From these “ordinary lives” we gain extraordinary insight into how sex and sex work shaped their day-to-day experiences. These lives reveal much about the centrality of enslaved women not only to sexual economy but to the social and cultural fabric of the city as well. For women like Honorata, Rita, and Joana, their labor encompassed both the sexual economy and the domestic economy, alternating between household labor and sex work. In this way, we not only see how enslaved women fed, clothed, and cared for their owners and their families, but also provided sexual companionship and pleasure allowing slaveholders to extract every last ounce of profit and labor from women’s bodies.

Although there are limits to the claims and conclusions that we might draw from these individual life stories, they nevertheless can serve as examples of the experiences and courage of women who otherwise would have been relegated to anonymity by their gender, status, and occupation. Further, and perhaps more importantly, these fragments of individual lives attest to the ways in which enslaved women consistently struggled against their condition to create spaces of meaning, autonomy, and freedom.

By the 1870s, the demographic makeup of Rio's sexual economy began to change as more European-born women immigrated to the city.<sup>2</sup> During this period, Brazil took several graduated steps towards eliminating slavery. In 1871, the Free Womb Law mandated that all children born to enslaved women would be considered free. In 1885, the Sexagenarian Law decreed all bondspersons free once they reached the age of sixty. However, little was done to ameliorate the condition of women forced into prostitution and other intimate, ambiguous liaisons and relationships. The exploitation of enslaved women's sexuality would persist until full, unconditional abolition in 1888. However, with the dawn of abolition, women of color would continue to struggle for bodily autonomy in the face of violence and dependency begging the question: to what extent was their coerced sexual labor a product of slavery or patriarchy?

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<sup>2</sup> See Soares, *Rameiras, Ilhoas, Polacas...A prostituição no Rio de Janeiro do século XIX* (Rio de Janeiro: Editora Ática, 1992); Lená Medeiros de Menezes, *Os estrangeiros e o comércio do prazer nas ruas do Rio de Janeiro (1890-1930)* (Rio de Janeiro: Arquivo Nacional, 1992); and Marinete dos Santos Silva, "Clientes e circuitos da prostituição no Rio de Janeiro do século XIX," *Dimensões* 29 (2012): 374-391.

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