

Entre a mão e os anéis: A Lei dos Sexagenários e os caminhos da abolição no Brasil.
By Joseli Maria Nunes Mendonça. Coleção Várias Histórias, vol. 2. Campinas,
Brazil: UNICAMP, 1999. Notes. Bibliography. Appendixes. 417 pp. Paper.

Three key moments have marked the areas of greatest historiographic interest related to the abolition of Brazilian slavery. These moments have been the termination of the slave trade (1831/1850), the Law of the Free Womb (1871), and final emancipation in 1888. The 1888 result is often presented with teleological inevitability, as external diplomatic forces and domestic popular demands forced leading Brazilians to recognize the incompatibility between the continuation of slavery and hopes for national progress.

Joseli M. N. Mendonça rejects such linear causality and, instead, explores the numerous tensions surrounding the parliamentary debates that led to the passage of the 1885 Saraiva-Cotegipe Law. This legislation was much more than the “Law of the Sexagenarians” — for its move to manumit slaves older than 60 — as it is often popularly remembered. The 1885 law also was intended to diminish the ranks of the enslaved slowly, by making liberation increasingly affordable to either masters or slaves. Based on her analysis of parliamentary records and contentious manumission cases, Mendonça provides a nuanced study of legislative attempts to balance the force of growing abolitionist sentiments against the perceived need for a gradual transition to a free society.

This work (based on modest revisions to the author’s 1995 master’s thesis) explores the essential elements of this gradualism. Mendonça demonstrates the ways in which abolitionists and slaveocrats within the Brazilian parliament were united by this principal. The 1885 law was not simply a victory for slaveholders, as earlier scholars have indicated. Even with slaveholder acceptance of the inevitability of abolition, both sides were concerned about the stability of the nation’s labor force and the maintenance of social order. Indeed, recovery of this sense of compromise is just one of her contributions. Although she relies on Sidney Chalhou’s *Visões de liberdade* for theoretical orientation and certain sources, Mendonça successfully shifts analytical attention away from what had become almost an exclusive focus on slave and abolitionist agency to reconsider the political force of the slaveholding opposition. She demonstrates that the final 1885 statute represents an elegant, conciliatory moment of national unity. Whatever their positions with respect to abolition, Brazilian deputies were prompted to action by mutual fears and aspirations that emphasized notions of progress, freedom, economic strength, social control, and moral authority. Moreover, they could not make decisions in elite isolation. Their choices were also informed by the actual behaviors of ex-slaves as they sought liberation.

Mendonça makes a number of compelling points in discussing the complexity of the abolition process in its ultimate years. In her reading, many legislators sought to maintain slaveholder dominance, even after emancipation. They conflated this need for social control with an interest in protecting the former slaves, whom they perceived as unprepared for freedom. Abolitionists seconded the benevolent concern when considering the liberation of the elderly and the psychologically ill-equipped masses. Further, she argues that — given the government’s inability to address the needs of the freed population

— many abolitionists agreed that former slaves would be best protected through the requirement of continued connections to their former masters. Such a requirement would have also perpetuated the bonds of seigniorial authority. Both agricultural and

elderly slaves freed under the Saraiva-Cotegipe provisions were to remain in the charge of their ex-masters.

More importantly, however, Mendonça argues that gradualism compelled Brazilian legislators to create an emancipatory system that championed both the legitimacy and legality of slaveholding to its final moment. Doing so demanded that slaveholders be compensated for the loss of their lawful property. Advocates of slavery declared that emancipation without compensation implied the illegitimacy of the entire slaveholding system and might spur for immediate abolition. They viewed any proposal of emancipation without compensation as a threat to their gradualist efforts, and they reinterpreted comparable elements in the 1871 legislation to bolster their arguments.

The author's work is commendable. For specialists, the book fills an important temporal gap in Brazilian abolition studies, revealing significant ideological transformations and continuities between the 1871 Free Womb Law and the concerns of 1885. Mendonça's style is also refreshingly honest in acknowledging those points where her argument strays into speculation. Yet problems remain. Mendonça is so intent on analyzing her parliamentary and judicial sources that she fails to contextualize them sufficiently within broader processes. We do not learn that in the early 1880s, as the Saraiva debates began, Brazil experienced an export crisis and precarious imperial finances. She does not explain the general structure of the legislative process or the political orientations and regional constituencies of many of the deputies discussed. Finally, Mendonça leaves the reader with a lingering doubt: If the Saraiva-Cotegipe legislators were representative of national concerns regarding abolition, why was the law they created overturned within three years? The book would have been more fully persuasive had the author given some attention to that question.

Karen Y. Morrison, Moravian College

Published in *The Hispanic American Historical Review* – HAHR

February 2006 – pp. 185-186

Special Issue: Immigration and Nation