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The Quilombo Brotas and the City of Itatiba:
Power, Labor and Freedom in a 200-Year Constitutional Conflict

By

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Figure 1. A Panoramic view of the city of Itatiba with a Black boy in the foreground (Foto Parodi Archive: Photographer unknown, *circa* 1910).

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Para el maestro Thomas Duve, caballero de fina estampa

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I wrote this work in approximately 60 days – or rather, in 60 nights. It was not an easy task. Even though I was already familiar with much of the history I recount in the following pages – having witnessed one of its chapters during my teenage years and read extensively about the subject – I had not imagined having to write it so quickly. Ironically, the Brazilian university bureaucracy prompted me to do so, and the former fascist government pushed me into this endeavor.

Long story short: as widely reported in the Brazilian press, in early 2019, Jair Bolsonaro's bloodthirsty government unilaterally slashed over 100,000 scholarships funded by Brazilian governmental agencies in one fell swoop. Among them was my doctoral funding. Since this funding cut occurred while I was an exchange PhD student in Germany, I was left without a scholarship to remain here or return to Brasília – to this day, the return flight stipulated in my contract has never been booked.

Fortunately, I had the steadfast support of Professor Marcelo Neves, my doctoral advisor and someone I greatly respect. With his guidance, I made the decision to move on from the doctorate whose funding had been suddenly cut and start anew – with a different focus, at another institution, and with a new advisor. In less than three years, I completed my doctorate in Legal History at Johann Wolfgang Goethe University Frankfurt am Main, earning a *summa cum laude* distinction, the Walter Kolb Prize, and the Otto Hahn Medal from the Max Planck Society.

But bureaucracy never rests, as Bartleby once said, nor does fascism, as Gramsci observed. Recently, someone well-versed in the intricacies of Brazilian university bureaucracy warned me that the agency that initially funded and then absurdly cut my scholarship would likely pursue legal action to demand repayment of the amounts disbursed. Either that or the proof of the thesis defense. As I do not have money to spare, I decided to defend this second doctorate. Once again, my advisor supported this decision. Moreover, Professor Neves sought the assistance of Professor Hauke Brunkhorst, who kindly and firmly agreed to co-supervise me. Thus, the thesis that was initially to be defended solely at the University of Brasília received the honorable institutional backing of the University of Flensburg. Today, therefore, I defend this work under a joint supervision agreement between both universities.

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As I mentioned, writing a doctoral thesis in approximately 60 days was no easy feat. But I must say it would have been far harder without the support of a friend: Ricardo Spindola Diniz. Ricardo read every single page of my work in record time and provided thoughtful, incisive feedback. But more than that, Ricardo was the one who introduced me to the works of Cornelia Vismann. As readers will see, the legal historian and media theorist Vismann is the principal theoretical inspiration for this work. I likely would not have been able to approach the subject I set out to study without encountering her ideas. And, as I said, I would not have accessed her texts if it were not for Ricardo.

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INTRODUCTION

The diptych and the triptych – for a historical sociology

How can we study a social conflict spanning over 200 years? Why should we revisit political disputes from the past and connect their legacies to present-day legal processes? How can we compare histories as distinct and intertwined as that of a quilombo (a community of formerly enslaved individuals) and a plantation (a slave-based community centered on the ultra-exploitation of enslaved labor and profit maximization)? Finally, how have these institutions, rooted in the era of slavery, reinvented themselves after abolition? These are some of the questions that guided me in writing this work.

Beyond these questions, I had two persistent insights – and if insight precedes application, as Max Planck once noted, it is best that I introduce them at the outset of this work. After all, they accompanied me throughout the writing of this thesis on the social relations between the Quilombo Brotas and the city of Itatiba. The first insight concerns the idea of the diptych in historical sociology. In essence, I began with the idea that by comparing or contrasting two social phenomena, one could reach particularly intriguing conclusions. Brazilian sociology has a long tradition of researching radically opposed or intimately complementary pairs. Prominent examples of this style of comparative sociological analysis are the classics *Casa Grande & Senzala* and *Sobrados e Mucambos* by Gilberto Freyre, *O Jardim e a Praça* by Nelson Saldanha, *A Casa e a Rua* by Roberto DaMatta, and *O Terreiro e a Cidade* by Muniz Sodré.¹

The comparison of two institutions is certainly not something unique to Brazilian analysis. However, the few studies listed above are sufficient to demonstrate its vitality within Brazilian sociology. The first insight, then, seemed promising. Why not study two historically conflicting institutions such as Quilombo Brotas and the city of Itatiba

¹ Cf. Gilberto Freyre, *Casa-grande & senzala: formação da família brasileira sob regime da economia patriarcal*. 42. ed. Rio de Janeiro: Record, 2001; Gilberto Freyre, *Sobrados e mucambos: decadência do patriarcado rural no Brasil*. 9. ed. Rio de Janeiro: Record, 1996; Nelson Saldanha, *O jardim e a praça: o privado e o público na vida social e histórica*. São Paulo: Edusp, 1993; Roberto DaMatta, *A casa e a rua: espaço, cidadania, mulher e morte no Brasil*. 5 ed. Rio de Janeiro: Rocco, 1997; and Muniz Sodré, *O terreiro e a cidade: a forma social negro-brasileira*. Rio de Janeiro: Vozes, 1988.

through their opposition? To what extent could the quilombo speak about the city and, conversely, the city about the quilombo?

The second insight refined the scope of the first. Once the idea of comparing and contrasting the quilombo and the city was established, the next step was to use certain key concepts to study both institutions. Surprisingly, the most useful concepts for this research were not found where I initially expected: fundamental works of historical sociology, legal history, or social theory. Instead, they emerged from an official symbol designed to commemorate the centenary of Itatiba's political emancipation: the city's coat of arms. The creator embedded in this seemingly innocuous laudatory emblem the triumphalism of a century of political history. Among colors, geometric shapes, and minor symbols, the artist included a motto at the base of the coat of arms – just three words in Latin, all capitalized: *vis*, *labor*, and *libertas*.

To the artist who designed the coat of arms – and to the politicians who unanimously approved it in the city council – these three words summarized local political history. To some extent, they were correct – so much so that I elevated them to the status of theoretical concepts for analyzing the city's official history and its counter-narrative, the collective memory of Quilombo Brotas. As I will discuss later, the word *vis* means “power,” *labor*, in a more creative translation, means “production,” and *libertas* translates as “freedom.” Thus, the three key concepts of this work are the well-known terms of political theory: power, production, and freedom. In my argument, these three concepts – hence the term “trptych” – illuminate the analysis of the pair of opposites, quilombo and city – referred to as the “diptych” –, thereby addressing a society born of Brazil's 19th-century slavery and its development in post-abolition at the expense of excluding an entire Black community from the local political body.

The work is organized into four chapters. Each chapter consistently opposes the quilombo with the city, therewith applying the concepts of power, production, and freedom. The first chapter explores the origins of Quilombo Brotas and the city of Itatiba. Drawing on the categories of “the power of beginning” and “the beginning of power,” both theorized by Cornelia Vismann, I investigate the initial historical narratives of both Itatiba and Quilombo Brotas.² Through a critical reading of the earliest

² Cornelia Vismann, “Die Macht des Anfangs,” In: *ZMK Zeitschrift für Medien- und Kulturforschung*, 2011, pp. 57-68, p. 59.

historiographical work on the founding of Itatiba, *Noticia Historica* by Eugenio Joly, I present the author's political interests and the social context of the work. I argue that the *Noticia Historica* paradoxically narrates the city's foundation and establishes the foundation of its historiography. This dual meaning has repercussions to this day: most local historians have followed Joly's framework without critically examining the city's history. By not questioning it, they failed to recognize the quilombo that existed "within" the city – or rather, that the quilombo predated the city and developed defensively against the plantation, the organization that founded Itatiba.

The second chapter examines how a social space for white people was constructed in Itatiba during slavery and solidified after abolition. Based on the analysis of the city's coat of arms – which undergirds the second persistent insight of this research – I introduce the three key concepts of the work. To provide empirical depth to the study – not intending an abstract or strictly theoretical discussion of the concepts – I conducted a kind of prosopography of the local ruling class. The first concept, *vis*, or "power," gains practical meaning through the trajectory of Erasmo Chrispim, a former mayor of the city. Similarly, the concept *labor* – not "work" but "production" – is understood through the experience of another figure, banker and Senator Antonio Franco de Lacerda. Finally, the concept *libertas*, which does not signify personal freedom but the freedom to exploit enslaved labor and earn wealth, follows the career of Colonel Júlio César de Cerqueira Leite, a close ally of Senator Franco de Lacerda.

I further pursue the idea of prosopography as a tool for understanding concepts in the concreteness of social facts in the third chapter. However, instead of analyzing the social space of white people, I focus on the social construction of a Black city. Through the life history of Lourenço Oliveira, a Black man enslaved for forty years who later gained his freedom, I examine the avenues of freedom available to a Black man in that slave society. I observe, for instance, that Oliveira, even while enslaved, achieved some degree of mobility and autonomy, saving money to buy his freedom. Once free, Oliveira built a family and had children. One of them, Ataliba Oliveira, attended school, graduated, and became a teacher and school principal. Moreover, the younger Oliveira became a prominent figure in São Paulo's educational bureaucracy and a leading advocate for mass literacy and child schooling in Brazil. I also highlight episodes of

resistance to racism in Itatiba. This constellation of stories fleshes out the construction of citizenship by those excluded from the white city, namely, Black residents of Itatiba.

The fourth and final chapter addresses the recent legal conflict between Quilombo Brotas and the Itatiba City Hall. In a nutshell, I argue that the struggle for territorial rights led by the Brotas community is part of a much longer fight for recognition and citizenship. As part of a larger history between the quilombo and the city, the legal process for recognition of its constitutional status as a quilombo remnant community is particularly insightful for understanding the fight for rights in a society deeply marked by the social exclusion of Black people. I contend that the quilombo reclaimed its historical narrative of territorial occupation, organized politically, and mastered the current constitutional semantics to claim ownership of the land they have traditionally inhabited. The city hall, in turn, sought to deconstitutionalize the quilombo, supporting invaders and endorsing their environmental crimes in quilombo territory. Ultimately, I argue that the quilombo won the territorial rights dispute by building local political alliances and strategically aligning its rights demands with the political moment of Lula's election as Brazil's president in 2002.

This study of Quilombo Brotas and the city of Itatiba seeks to illuminate the social history of quilombos and plantations, slavery and freedom, as well as the struggle for rights in Brazil. Equally, it aims to contribute to social theory and legal sociology.

CHAPTER 1

Frontier zone: the beginnings of quilombo Brotas and the city of Itatiba

*But one must tread carefully
for it is precisely in no man's land that an Old Paradise collapses.*

João Bosco et al³

On September 9, 1882, just a few days after the death of the Black abolitionist Luiz Gama, police and political authorities in the province of São Paulo began executing the plan for the “destruction of the quilombo of Itatiba.”⁴ The timing could not have been more cruel: at the same time as the province’s greatest abolitionist leader fell – “he fell suddenly, and the noise of his fall spread in the hearts of his companions the superstitious fear that they were being persecuted by a fatality” – at least two police chiefs from São Paulo’s interior plotted the fall of the most resilient quilombo nestled between Jundiaí and Campinas, the Quilombo Brotas.⁵

Although convinced of the “opportunity to destroy the quilombo,” the police authorities struggled to coordinate the tactical operation.⁶ When everything seemed ready for the invasion of the quilombo and the “capture of the quilombolas,” the police chief of Campinas redeployed troops back to his jurisdiction, reducing the final force for the bloody action. Paradoxically, this uncoordinated move indicates a degree of caution. The quilombolas appeared to be aware of the police's movements. As the troops from Itatiba and Campinas had been patrolling the quilombo for approximately three months, the quilombolas had time to prepare the necessary defense to repel the invasion. Fearing the worst, the police chief from Campinas seems to have retreated earlier than planned, leaving the one from Itatiba unsupported.

In any case, the near-invasion is revealing. Not only did the police chiefs exchange letters with each other, but their communications ended up in – or returned

³ João Bosco, Antonio Cícero and Waly Salomão, “Zona de Fronteira,” in: *Zona de Fronteira*, São Paulo: Columbia, 1991, track 12.

⁴ AHMJ, CJ 8327, February 13, 1883, folios 1-3, 2f.

⁵ BN, *Gazeta de Notícias* (RJ), [Sem título], José do Patrocínio, August 28, 1882, p. 2.

⁶ AHMJ, CJ 8327, February 13, 1883, folios 1-3, 3f.

to – the main public offices in the province. The provincial government secretariat and the provincial Legislative Assembly were aware of the movements of the local police chiefs. The provincial police chief, then seemed not only aware but actively coordinating his subordinates.

Judging by the coordination between the provincial police chief and lower-ranking delegates in the pursuit and “attack on the quilombo” in Louveira, next door to Itatiba, in January 1887, the police chain of command was spartan.⁷ The incursion of 10 troops into the itinerant quilombo in Louveira, which captured two individuals and killed two others, was meticulously directed by the provincial chief of police. Not only did he closely oversee the operation, but he also reported the findings of the investigation to the president of the province, who, pleased with the outcome, telegraphed the Minister of Justice – a striking demonstration of the coordination within the command system used for political repression during the Empire of Brazil.

“These quilombolas were the same ones who had been infesting the municipalities of Campinas and Jundiaí for a long time, attacking rural properties and threatening individual safety.”⁸ The editor of *Correio Paulistano* did not need to include to include Itatiba by name to reference the quilombolas from the area.⁹ The emphasis on subjects – they “were the same” – and on time – “long time” – leads back to Itatiba. After all, in late 1882, the year Luiz Gama died, São Paulo’s police attempted not only to destroy the quilombo of Itatiba and capture its quilombolas. The São Paulo police and Itatiba authorities actively worked toward the “extinction of the quilombo.”¹⁰

1. 1. The power of the beginning and the beginning of power in Itatiba’s historiography

In October 1875, the slave-owning farmer Eugenio Joly wrote the first historiographical study about the city of Itatiba, formerly Belém de Jundiaí.¹¹ A piece of political propaganda produced to convince contemporaries to invest in the newly-

⁷ BN, *Correio Paulistano* (SP), [Redação], “Quilombolas,” January 11, 1887, p. 1.

⁸ BN, *Correio Paulistano* (SP), [Redação], “Quilombolas,” January 11, 1887, p. 1.

⁹ BN, *Correio Paulistano* (SP), [Redação], “Quilombolas,” January 11, 1887, p. 1.

¹⁰ AHMJ, CJ 8327, February 13, 1883, folios 1-3, 3f.

¹¹ Even traditional historiography is unanimous on the pioneering nature of Joly’s study. See, for example, Lucimara Rasmussen Gabuardi, *Itatiba na história: 1804-1959*. Campinas: Pontes, 2004.

emancipated city, particularly for the construction of railroads, the *Notícia Histórica sobre o município de Belém de Jundiá* was transformed over the following decades into the cornerstone of Itatiba's historiography.¹² More than that, the *Noticia Historica* turned into a sort of metaphysical artifact and indispensable narrative guide for recounting the city's history.

Joly seemed to know exactly what he was doing: with one hand, he gestured to the present – particularly to his peers, the coffee-plantation slaveholders, who were the source of all political power in São Paulo – and with the other, he gestured to the future, defining what Itatiba was to mean. His son, Antônio Chateaubriand Joly, became his first disciple. He would later garner political support from local colonels – evidenced by his election as the city's first mayor – and write the *Mapa Agrícola do Município de Itatiba*, a kind of sequel to his father's literary work, especially in its defense of the city's coffee-growing and slaveholding identity.

The narrative of Joly Senior is engaging. "According to old traditions," fugitives from the police "were the first to penetrate" the "virgin woods and dark forests" of the territory that would later become Itatiba.¹³ As in a tale of a police mystery from colonial times, the outlaws touched down right there and, "exploring and cultivating the extremely fertile land," they found more than a hiding place – they found a refuge where they "lived peacefully and quietly."¹⁴

Paradise, however, was never meant for fallen angels. A police escort set off from nearby Atibaia in search of the criminal gang and their whereabouts. "After a long and painful journey along the river, which was very difficult to cross due to the large waterfalls and other obstacles that obstructed it," the militiamen arrived in Eden.¹⁵ As emissaries of Justice – led, in fact, by the *capitão do mato* (a hunter of runaway enslaved persons) Lourenço Antonio Leme –, the squares fought the "escaped criminals" with knives and machetes, guns and rifles, until they drove them out of the lost paradise.¹⁶ Thus, after "a fierce struggle, which resulted in the death of some of the resisters' and

¹² Eugenio Joly, "Noticia Historica sobre o municipio de Bethlem de Jundiahy," in: José Maria Lisboa *et al.*, *Almanach Litterario Paulista para 1876*. São Paulo: Typographia da Provincia de São Paulo, 1875, pp. 66-71.

¹³ Eugenio Joly, *op. cit.*, p. 66.

¹⁴ Eugenio Joly, *op. cit.*, p. 66.

¹⁵ Eugenio Joly, *op. cit.*, p. 66.

¹⁶ Eugenio Joly, *op. cit.*, p. 66.

the wounding of the guards,” the survivors sailed down the Atibaia River in their canoes, “going to establish a new settlement” six miles away.¹⁷

After the massacre, the messengers of Justice returned with the good news: they had come back to Atibaia “bearing the news of the richness and very fertile of the soil they had discovered.”¹⁸

It would be a mistake to underestimate the nearly idyllic narrative of the text – which, incidentally, bears traces of the Romantic Indianism of José de Alencar, the so-called father of Brazilian literature. Joly’s account reveals what legal theorist Cornelia Vismann calls “the power of the beginning.”¹⁹ For Vismann, the beginning of a narrative sets parameters for the future legal reality. The power to recount the beginning of something – a quintessentially legal activity, dating back to Justinian, as she explains – does not mean giving normative substance to the events told right away. On the contrary, the power of the beginning lies in establishing reality through language, without any immediate normative pretensions. Vismann refers to this establishment of reality as nothing less than *institutiones*. “They give name to things, defines their belonging or non-belonging to the law and the status of persons in relation to things.”²⁰ Only in the future will what was established in language in the past be revisited for new – now fully normative – institutions in the present.

Joly’s story is well crafted: those who founded Itatiba long before its political foundation were the militiamen from Atibaia led by *capitão do mato* Lourenço Antonio Leme. It was these militiamen who, in compliance with a court order, hunted down the escaped criminals and seized the land they had first cultivated. The heroic expulsion of the criminals far from there, the rightful taking of the land, and the discovery of *gold* – in this case, the exuberant richness of the soil – established Itatiba’s origin in literature and, by extension, in law. Through an apparently naïve beginning, Joly laid the groundwork for future historians and memorialists to till: the founders were virtuous crime-fighters who were rewarded with the richest land. The founders were, in essence,

¹⁷ Joly is careful to say that they formed a new settlement not far from the site of the confrontation. In the future, with the expansion of the town, the area already known as the “Lopes neighborhood” would be integrated into the same urban site of Itatiba. Cf. Eugenio Joly, *op. cit.*, p. 66.

¹⁸ Eugenio Joly, *op. cit.*, p. 66.

¹⁹ Cornelia Vismann, *op. cit.*, 2011, p. 57.

²⁰ Cornelia Vismann, *op. cit.*, 2011, p. 60.

virtuous men, and the seed planted – that is, the population nucleus that emerged from them – was destined to prosper.

Joly's account does not stop there. "Once the small settlement was established" from the equally "small stream of migration" originating first from Atibaia and then from Jundiaí – which then joined the original and brave conquerors of the foundational assault – the founding fathers of this same settlement were also established. In a process typical of systems that obscure external references to allow a new self-reference to emerge – thus concealing the fundamental aporia of law, namely its originary violence – Joly sidestepped the *capitão do mato*, Lourenço Antonio Leme, and elevated two figures to the position of founding fathers of the *Belém* settlement, which would soon become *Itatiba*. Both were military men: the first, corporal João da Assumpção, a "Black man" and literate individual, was the first "commander" of the settlement; and the second was Antonio Rodrigues da Silva, also known as *Sargentão*, a nickname given to him because of his physical stature and military rank.²¹

It is remarkable that Joly carved the name of João da Assumpção as the city's first commander into this historiographical cornerstone.²² During a decade when the inclusion of freed Blacks in the slaveholding society and the future of enslaved labor were being debated to varying degrees, Joly killed two birds with one stone. First, he deracialized the character of slavery – a critical point in dissuading future revolts – by signaling to enslaved and freed Blacks that they, like Assumpção, could ascend the social ladder, even to the point of commanding the settlement. Second, he conveyed to his contemporaries – especially the region's plantation owners – that Belém de Jundiaí could coexist with the social advancement of Black individuals while remaining wholly and intactly slaveholding. Joly's masterstroke thus targeted both the "horizon of expectations" of enslaved and freed Blacks and that of the slaveholders.²³ He foresaw the need to manage the future of slavery, even if its days were numbered.

²¹ Sargentão settled in the region in 1792. Cf. Eugenio Joly, *op. cit.*, p. 67.

²² To support the point that Assumpção was a literate Black man, Joly mentions that "forty years ago" – counting from the time of his *Notícia Histórica* – Assumpção "taught first letters in Campinas." Cf., Eugenio Joly, *op. cit.*, p. 67. Patrícia Scalli, for her part, confirmed from primary sources that João da Assumpção, his wife and their six children were all Black. Cf. Patrícia Scalli, *Relatório Técnico-Científico sobre os remanescentes da comunidade de quilombo Brotas/Itatiba-SP*. São Paulo: Instituto de Terras do Estado de São Paulo, 2004, p. 24.

²³ Reinhart Koselleck, *Futures Past: On the Semantics of Historical Time*. New York: Columbia University Press, 2004, pp. 11-34.

Historiography, however, forgot the Black João da Assumpção. Following Joly as a choirboy follows a priest, some future historians would also follow him in the specific point of choosing Sargentão – whose ethnic background we do not know but can presume – as the founding father of Itatiba. The choice was not difficult, and once again it was Joly himself who pointed the way.

In Joly's narrative, the importance of the military man Antonio Rodrigues da Silva goes beyond the rank – sergeant – he adopted as his social name. Sargentão enters history fundamentally as a man of faith. It was his and his wife property the image of Our Lady of Belém around which then-small population of the region gathered. Over time, his "private devotion" to the Virgin eventually became a collective devotion, and his "private oratory" turned into one for all.²⁴ "As this devotion grew considerably," Joly recounts, "Antonio Rodrigues decided to build a chapel dedicated to Our Lady of Belém."²⁵ The memoirist did not miss a beat: he now added a key point to his narrative, precisely the devotional aspect, without which the power of the beginning would be weakened. More than that, Joly attributed to the image of Our Lady a certain power of social cohesion that was essential to the settlement's development.

The chapel that Sargentão had built in 1814 became not only the central point of local Catholic faith, with "masses every Sunday and holy days" and a resident chaplain, but also the center of "great attendance by local residents at the annual festivities."²⁶ According to Joly, it was the growing faith among the inhabitants of the area that led to the settlement's prosperity. Within a few years, the old chapel was replaced by a new one – and later by a second. Thus, in 1827, "as the Belém chapel grew in population, its inhabitants gathered and petitioned the competent authorities to have it elevated to the status of a parish."²⁷

The line is straightforward: Joly directly links the growth of the population center to the diffusion of Catholic faith and places both at the heart of the political community's foundation. The once small settlement now aspired to become a parish. The small village of yesteryear now wanted to emancipate itself and become a parish. The then Atibaia neighborhood sought to transform itself – and in 1830, it effectively became– the parish

²⁴ Eugenio Joly, *op. cit.*, p. 67.

²⁵ Eugenio Joly, *op. cit.*, p. 67.

²⁶ Eugenio Joly, *op. cit.*, p. 67.

²⁷ Eugenio Joly, *op. cit.*, p. 67.

of *Nossa Senhora do Belém de Jundiaí*. Sargentão, simultaneously the leader of the settlement's expansion and a sort of a messenger of Our Lady, was the one who announced – if not outright name – the new parish.

The foundational elements are laid out. To the victory over fugitive criminals, the rightful land grabbing, and the subsequent reward of the most fertile soil, are now added the figures of the founding characters: the Black Assumpção and his counterpart Sargentão, the latter charged with the sacred mission of naming the land. The political community is founded: what was created *de facto* in the chapel of the Virgin of Belém de Jundiaí was presented to the Court to meet the emperor, who created the parish *de jure*. Thus, on December 9, 1830, Emperor Pedro I decreed the establishment of the parish and laid the foundations for local power – which would allow the parish to be elevated to a town in less than thirty years.

But faith alone does not fill bellies, nor does faith combined with beans and cassava from a handful of ranchers. The emperor would never deign to receive, let alone process and swiftly approve, a petition from some settlers in the remote hinterlands of Jundiaí unless there was something more. One essential element is missing from this story of the beginnings of power: wealth. Without wealth, no chapel would quickly expand to two, nor evolve into a parish church; nor would the settlers multiply across the territory, as the recent and sustained population growth attested.

It is the power of the beginning, once again, that provides the conditions for the beginning of power.²⁸ Returning to Joly's *instituições* – those innocent descriptions that, without the intention of norm-setting, would virtually establish everything that would follow – the extraordinarily fertile land was the region's greatest wealth. However, the cultivation of only potatoes and beans would not bring about the greatness seemingly sponsored by the saint. Up to that point, Joly complained, "the farmers of Belém concerned themselves only with planting foodstuffs and raising pigs, destroying the magnificent forests and devastating the exceptionally fertile soil they possessed, with no satisfactory results."²⁹

Of course, there was no environmental concern – only concern for results, or more precisely, for the lack of satisfactory results. Continuing on that path, what was

²⁸ Cornelia Vismann, *op. cit.*, 2011, pp. 57-68.

²⁹ Eugenio Joly, *op. cit.*, p. 67.

then the neighborhood of Atibaia would never progress beyond being a mere rural district.³⁰ A radical cultural shift was needed. A kind of miracle of Our Lady was required – and, believe it or not, it came. Two visionary sons of the land – let their names not be forgotten, Inácio Corrêa de Lacerda and Antonio da Silva Franco – discovered a kind of treasure: “the cultivation of coffee,” the “precious industry that was to make the province of São Paulo so rich and great.”³¹

Undeniably, Joly knew how to craft beginnings. His quick portrait of Corrêa de Lacerda is impressive – it perceptively moves from the particular, a biographical profile, to the general, the local economy. According to Joly,

It was mainly due to the industrious and intelligent citizen Corrêa de Lacerda, whose entrepreneurial and active spirit overcame all obstacles, that the first attempts to cultivate coffee in the southern part of the province and this municipality were made.

He advised several farmers in Campinas, especially Francisco Egydio de Souza Aranha, to switch from sugarcane cultivation to coffee, demonstrating the immense advantages of the new industry. His advice was better heeded and followed in that important locality than in Belém, where the esteemed citizen endured the disappointment of seeing his idea received with indifference and discouragement.³²

From Joly’s pen emerges the visionary hero who saw the Eldorado before anyone else. Endowed with extraordinary “entrepreneurial genius,” Corrêa de Lacerda saw early on that coffee was the black gold that would save agriculture, the parish of Belém de Jundiá, the province of São Paulo, and the Empire of Brazil.³³ The anecdote that he not only advised but convinced the “venerable and sympathetic elder” Francisco Egydio de Souza Aranha is remarkable.³⁴ The legendary slaveholder, remembered in literature as both an ingenious farmer and the “final holdout” in the purchase of the enslaved 10-year-old Luiz Gama, appears in Joly’s narrative as a guarantor of the story’s credibility.³⁵ According to the historian, it was only after Souza Aranha heard the wise visionary

³⁰ Regarding rural neighborhood historiography, see Antonio Candido, *Os parceiros do Rio Bonito: estudo sobre o caipira paulista e a transformação dos seus meios de vida*. São Paulo: Edusp, 2017.

³¹ Eugenio Joly, *op. cit.*, p. 68.

³² Eugenio Joly, *op. cit.*, p. 68.

³³ Eugenio Joly, *op. cit.*, p. 68.

³⁴ Luiz Gama, “Minha vida,” in: Luiz Gama, *Liberdade, 1880-1882* (ed. Bruno Rodrigues de Lima). São Paulo: Hedra, 2021b, pp. 59-68, p. 64.

³⁵ Luiz Gama, *op. cit.*, p. 64.

Corrêa de Lacerda that Campinas radically shifted its agriculture from sugar cane to coffee cultivation.

The reference to Campinas is highly instructive. By 1875, the year Joly wrote his *instituições*, Campinas was the province's second-largest city and the first in both the number of enslaved individuals and coffee production and export.³⁶ Thus, Joly pointed to a business model that he and his peers considered indisputably successful. Moreover, Joly lamented what Belém de Jundiá could have already been if it had followed Corrêa de Lacerda's advice earlier. Implicitly, Joly suggested that Belém could have rivaled Campinas – or at least kept pace with it – during the establishment of its coffee plantation slave system.

But as a household saint does not work miracles, the bells of Belém did not bend to Corrêa de Lacerda at first. Only in Campinas did he find receptive ears for his advice – and hear the tolls of the Church of Conceição blessing slavery.

“However, with so much effort and persistence” – Joly returns to mythologizing the character of the first entrepreneurial genius as a means to reinforce the power of the beginning – Corrêa de Lacerda “advocated for the idea of the new industry (...) successfully ensuring that his grand initiative was realized.”³⁷ Nevertheless, Joly emphasizes that while the initiative belonged to Corrêa de Lacerda, the realization of this idea fell to others. The author of *Notícia Histórica* recounts that “the Alves, Pires, and Franco families were the first to experiment with cultivating the profitable industry” following, albeit belatedly, the advice of Corrêa de Lacerda. Like their counterparts in Campinas, they too would reap “the finest and happiest results.”³⁸

At last, the bells of Belém tolled in favor of the pro-slavery ideas championed by the illustrious local visionary. “Thus, the tireless and hard-working *Belenista* saw his patriotic efforts crowned,” Joly summarizes, “ensuring that, in the land he so deeply loved, the precious seed was planted, which would later germinate, preparing a rich and splendid future for the then parish of Belém.”³⁹ Joly's romantic style merely embellishes

³⁶ For census and economic data on Campinas, see especially, Maria Silvia Bassanezi and Gislaïne Fonsechi, *São Paulo do passado: dados demográficos, Anexo III*. Campinas: Universidade Estadual de Campinas, 1998.

³⁷ Eugenio Joly, *op. cit.*, p. 68.

³⁸ Eugenio Joly, *op. cit.*, p. 68.

³⁹ Eugenio Joly, *op. cit.*, p. 68.

a text of profound political and economic implications – one that possesses the power to inscribe social reality into language and establish parameters for future legal reality. The *belenista* is the patriot. Coffee is the future. The development of the coffee economy – the “precious seed” that will then “germinate” – will result in prosperity, in fact, splendid prosperity.⁴⁰

The central category established at the beginning of *Noticia Historica* returns to the fore. Fertile land finds its reason for being: the coffee seed. “With the planting of coffee, it was confirmed how fertile and abundant the soil of Belém was,” Joly summarizes.⁴¹ Ultimately, Joly’s entire narrative about the exuberance of the soil had a final destination – for one of the powers of those who establish a beginning is to have a predetermined endpoint in mind. Joly envisioned the coffee boom of the third quarter of the 19th century as he wrote about the militiamen from Atibaia during the late 18th century – the era of the mythical seizure of the lands that would become Itatiba. The “richness and abundance of the soil they had discovered” – as Joly describes the discovery made by the militiamen led by the *capitão do mato* Lourenço Antonio Leme – was the great conquest that was “verified” a century later.⁴² Joly made a point of recounting this conquest both as a demand of civil justice – since it was initiated by the legitimate pursuit of criminals – and as a revelation of divine justice, given the grace of the land that was achieved as a result.

There is no doubt that Joly skillfully managed the threads of the beginning in his *Noticia Historica* and set markers for reflecting on both the beginning and the future of power. Paradoxically, the choice of coffee – or, as Joly puts it, “this type of industry” – signified both the beginning and the future of power.⁴³ The political emancipation of the parish in 1830, its elevation to a town with a municipal council and police powers in 1857, and the establishment of the civil court and jury tribunal in 1865 all directly stemmed from the development of coffee cultivation. Ultimately, fertile land existed for coffee, and coffee, in return, existed to provide personal wealth – for landowners – and political emancipation for citizens.

⁴⁰ Eugenio Joly, *op. cit.*, p. 68.

⁴¹ Eugenio Joly, *op. cit.*, p. 70.

⁴² Eugenio Joly, *op. cit.*, p. 70.

⁴³ Eugenio Joly, *op. cit.*, p. 70.

By the 1870s, the municipality named in honor of Sargentão's personal saint of devotion was exporting approximately 400,000 *arrobas* of coffee. The city was growing "at an astonishing pace."⁴⁴ The historian, once again donning the hat of a farmer, did some math and began planning for the future. On one hand, he publicly demanded that provincial authorities support the city's spectacular growth by investing in railroads in the region. On the other hand, Joly made a public appeal for the region's landowners to coordinate efforts to interconnect local coffee plantation complexes – "important clusters of landowners" – into a regional system.⁴⁵

"It should be noted that coffee production in this municipality is expected to double within a few years," Joly projected, which meant that public investments in railways would yield guaranteed returns. The landowners in the region who supported Belém de Jundiá's petition would also benefit from integrating the coffee supply chains of western São Paulo. Supporting Belém de Jundiá's request – any reader of *Notícia Historica* would quickly understand – meant supporting Julio Joly Junior, none other than the brother of the author of the celebrated essay and holder of the state-granted "privilege" to begin constructing the railroad that would connect Belém de Jundiá to the railway network in Campinas and Jundiá.⁴⁶

In a new narrative thread of the city's beginnings of power, Joly reveals how the city decided to build this railway. In an uncertain location, but this time likely outside one of the city's churches, "several influential citizens, by dint of reputé and fortune, met and petitioned the Provincial Assembly for the privilege of a railroad."⁴⁷ The Assembly swiftly approved the request of these influential citizens and granted them the right to operate the railway for the next 90 years. These citizens, now concessionaires of the province, "transferred the privilege" to Julio Joly to build the 21 km of railroad that would link Belém de Jundiá much more quickly to the port of Santos.⁴⁸

"It is an enterprise tied to the most vital interests of this municipality," Joly recounts, adding his expert forecast that the construction of the railway "will

⁴⁴ Eugenio Joly, *op. cit.*, p. 70.

⁴⁵ Eugenio Joly, *op. cit.*, p. 70.

⁴⁶ Eugenio Joly, *op. cit.*, p. 70.

⁴⁷ Eugenio Joly, *op. cit.*, pp. 69-70.

⁴⁸ Eugenio Joly, *op. cit.*, p. 70.

undoubtedly be crowned with the most fruitful results.”⁴⁹ As we already know, Joly was primarily concerned with results. Campinas had better watch out: Belém de Jundiá was just around the corner. If Joly’s predictions were correct and the city would soon double its exports to around 800,000 *arrobas* of coffee, Belém de Jundiá – which would certainly need to change its name to distance itself from any association with its neighboring competitor Jundiá – would become a much more significant player in the politics of the province of São Paulo.

Just as the extraordinarily fertile land encapsulates the narrative of Itatiba’s origins, coffee tells the story of the city’s beginning of power. Joly was remarkably successful in linking both beginnings. In doing so, he laid the groundwork for analyzing both the city’s past history and the range of possibilities open for its future. Virtually all historiography that emerged over nearly a century and a half after his *Notícia Historica* closely followed his narrative lines. In 1885, Ferraz Costa republished Joly’s seminal text in the newly launched *Almanaque de Itatiba*. In 1904, the *Gazeta de Itatiba* did the same, further consolidating Joly’s narrative as historical truth.

In 1916, a new initiative updated Joly’s ideas in the public debate: exactly 40 years after the publication of the celebrated *Notícia Historica*, the city once again turned to its stories. The new *Almanaque de Itatiba* – now edited by the newspaper *A Reacção* – brought together around ten journalists to recount various stories of the city. The newspaper’s editorial board, in turn, took charge of writing an article presenting the city’s origins. A sort of palimpsest, the new text covered Joly’s original work but reinforced all the beginnings the farmer-historian had attributed to the social and political foundations of Belém de Jundiá. The narrative pillars of Itatiba’s origins are all there: (i) the “criminals fleeing persecution by the authorities;” (ii) the rightful seizure of the land; (iii) the news of the land’s “abundancy and richness of the land,” spreading through the region like a true “good news;” and (iv) Sargentão’s “special devotion” to the saint, which soon became the devotion of “a larger number of faithful.”⁵⁰

Naturally, the palimpsest also erased some of Joly’s traces. For example, the founding father Lourenço Antonio Leme was no longer referred to as a *capitão do mato* but merely as a chief of the escort. The Black soldier João da Assumpção was no longer

⁴⁹ Eugenio Joly, *op. cit.*, p. 70.

⁵⁰ MPL, *A Reacção, Almanaque de Itatiba* (SP), 1916, pp. 23-30, p. 24.

Black, but a “colored man.”⁵¹ Even Joly himself was no longer referred to as a farmer but alternately as a historian or “major.”⁵²

Although it is true that the editors of *A Reacção* added many details absent in *Notícia Historica*, they undoubtedly followed the same interpretative scheme as Joly. Indeed, *A Reacção* seemed to have responded to every sentence of Joly, inserting information and opinions into the gaps of the *Notícia Historica*. In summary, aside from some controversies about the railway construction – which, in hindsight, does not appear to have been the best business decision – and numerous additions covering events that occurred after Joly’s writing, *A Reacção* largely mirrored the father of Itatiba’s literature while revisiting the city’s origins.

After the 1916 *Almanaque de Itatiba* and throughout the 20th century, historiography fell silent on the city’s origins, in eloquent assent to the lines drawn in the past by Joly. With the exception of sporadic and laudatory articles published during customary festive commemorations – for example, the city’s anniversary, which, not coincidentally, coincides with the Catholic feast of Nossa Senhora de Belém, and the anniversary of political emancipation – little of significance was said about the city’s foundations. Notably, there was no meaningful revisiting or critical reflection on the city’s origins as established by Joly.

Even Luís Soares Camargo’s historiographical effort to contest the *Notícia Historica* added little. In *Itatiba: das origens até a emancipação política*, Camargo promises “a new history about the foundation of our city, in a version closer to the facts that truly occurred.”⁵³ Unfortunately, however, the author delivers very little, with most of his work amounting to census data extracted from population records. Starting from an ultra-orthodox view that history is exclusively contingency, Camargo unwittingly underestimated Joly’s greatest contributions, such as his references to “ancient traditions,” while excessively and fetishistically prioritizing the “oldest document.”⁵⁴

In a sort of crusade of low empiricism against high historical speculation, Camargo presented some data on the possible first inhabitants of the region as

⁵¹ MPL, *A Reacção, Almanaque de Itatiba* (SP), 1916, pp. 23-30, p. 26.

⁵² MPL, *A Reacção, Almanaque de Itatiba* (SP), 1916, pp. 23-30, p. 26.

⁵³ Luís Soares de Camargo, *Itatiba: das origens até a emancipação política* (unpublished), 2004, pp. 1-8. I thank José Roberto Barbosa for providing me with a copy of this text.

⁵⁴ Eugenio Joly, *op. cit.*, p. 66; Luís Soares de Camargo, *op. cit.*, p. 1.

irrefutable proof that their respective arrivals in the former rural district marked the true beginning of Itatiba. “The twelve pioneering families,” Camargo claims, are the true origins of the city.⁵⁵ Their arrival in what was then the rural district of Atibaia would be the legitimate founding milestone of the city. However, even if these people were indeed the first to inhabit the hills of what is now Itatiba, this in no way challenges Joly’s narrative. The first historian’s work does not aim to define anniversaries nor bind itself to strictly factual records. *Noticia Historica* operates, in Vismann’s terms, on a dual discursive level: first as legend, and second as system. As legend, it opens pathways – another term for creating origins. As a system, it institutes these beginnings into new beginnings, means, and ends.

Yet even the well-crafted legends and systems of the *Noticia Historica* have their foundational aporia. The news that opens this chapter – or the way of beginning this story of Itatiba’s founding – is revealing: what quilombo was this that the police forces and local authorities fought with such hatred? Why did the police chiefs of Itatiba and Campinas explicitly speak of a plan to “destroy the quilombo of Itatiba?”⁵⁶ What story is this, after all, that seems absent from both Joly’s institutions and the more recent chronicles of the city’s history?

Resolving this aporia necessarily involves the work of Patrícia Scalli – which, in turn, refers back to the work of Maria Emília Gomes Barbosa.

1. 2. “Memory is an editing island:” the counter-memories of the Brotas ranch⁵⁷

At the very beginning of the *Noticia Historica*, Joly shares a few intriguing details about the origins of the “escaped criminals” who, as he clearly states, “were the first to penetrate these woods and establish the first settlement” in the area.⁵⁸ “According to ancient traditions” – let us recall the key expression of Joly’s historiography – the pioneers of the land that would become Itatiba came from a locality called “Santo Antonio da Cachoeira.”⁵⁹ Joly does not specify – and no one can say for sure – whether

⁵⁵ Luís Soares de Camargo, *op. cit.*, p. 2.

⁵⁶ AHMJ, CJ 8327, February 13, 1883, folios 1-3, 3f.

⁵⁷ Waly Salomão, *Algaravias: Câmara de ecos*. São Paulo: Editora 34, 1996.

⁵⁸ Eugenio Joly, *op. cit.*, p. 70.

⁵⁹ Eugenio Joly, *op. cit.*, p. 66.

they were originally from there or if it was merely one of the stops the group made while seeking refuge. Either way, they came from the eastern part of the province of São Paulo. If they indeed passed through the former rural district of Santo Antonio da Cachoeira – now the municipality of Piracaia – they were likely coming from either southern Minas Gerais or the Paraíba Valley.

The *Noticia Historica* also reports that after descending the Atibaia river “in small canoes,” the anonymous group “persecuted by Justice” settled on a small island where Pinheiros stream meets the Atibaia river.⁶⁰ They lived there for at least a few months. It was in this very spot that *capitão do mato* Lourenço Antonio Leme and his troop launched a bloody surprise attack, killing “some resistants” and forcing the survivors to flee “two leagues downstream from the island” where this inaugural conflict over the land occurred.⁶¹

Curiously, the surviving resistants who “managed to escape” established a new settlement just two leagues, or roughly 12 kilometers, from Itatiba’s foundational landmark.⁶² Led by a certain Salvador Lopes, they “established a small settlement there which to this day” – let us remember that Joly was writing in 1875 – “still bears the name Lopes” and, intriguingly, “some of his descendants.”⁶³

These seemingly minor details scattered throughout Joly’s famous *Noticia Historica* gain significance when considered collectively and in light of the social dynamics of the time. The figure of the *capitão do mato* “tracking down” fugitives is particularly compelling, especially given that São Paulo was a slaveholding society where *capitães do mato* ceaselessly pursued enslaved individuals.⁶⁴ It is also very telling that the fugitives most likely came from southern Minas Gerais or the Paraíba Valley – regions that, combined, housed some of the largest enslaved populations in the entire world.⁶⁵

Identifying these individuals is essential to understanding the social history of the region. Some pressing questions arise: “Who were these fugitives? What crimes did they

⁶⁰ Eugenio Joly, *op. cit.*, pp. 66-67.

⁶¹ Eugenio Joly, *op. cit.*, p. 66.

⁶² Eugenio Joly, *op. cit.*, p. 66.

⁶³ Eugenio Joly, *op. cit.*, pp. 66-67.

⁶⁴ Eugenio Joly, *op. cit.*, pp. 66-67.

⁶⁵ See, for example, Tâmis Parron, *A política da escravidão no Império do Brasil, 1826-1865*. Rio de Janeiro: Civilização Brasileira, 2011, pp. 110-155.

commit?" These were precisely the questions that, twenty years ago, the anthropologist Patricia Scalli boldly posed to historiography and the public debate. In a masterful study, she connected "these questions" to "the hypothesis that in addition to the Indigenous people who were the first inhabitants of the municipality, there were also freed and escaped Blacks who formed a quilombo in the region."⁶⁶ Testing her hypothesis in light of the historiography of quilombos in São Paulo, Scalli correctly concluded that several primary sources attested to the "existence of quilombos in the Jundiaí region since the 18th century."⁶⁷ Moreover, she accurately noted that "cases of enslaved people who revolted against the slave system and fled to form quilombos were treated by the authorities of the time as common criminals."⁶⁸

Starting with precise research questions and an inspired investigative hypothesis, Scalli reached where no scholar had ventured before: the collective identity of Itatiba's founders. Citing a communication from Itatiba's lay judge in 1840 and population records from 1786, precisely from the time of Itatiba's foundation, the anthropologist asserted that "the fugitives led by Salvador Lopes were actually escaped slaves who founded a quilombo in the backlands of Jundiaí."⁶⁹ These fugitives, therefore, were not strictly speaking common criminals: they were escaped slaves from coffee plantations.

Scalli's conclusion about Itatiba's founding caused a stir, especially among local historians who held Joly's *Notícia Histórica* as sacred, guarding it as a relic accessible only to initiates. Scalli and her research assistant, geographer Rose Giacomini, faced retaliation throughout the research process, particularly during the conclusion and publication of their findings.⁷⁰ Bursting out on the reaction prompted by investigating the city's history, Scalli revealed something quite significant about the conditions for producing historical knowledge:

⁶⁶ Patrícia Scalli, *op. cit.*, p. 20.

⁶⁷ Patrícia Scalli, *op. cit.*, p. 20. The anthropologist dialogued especially with Maria Helena P. T. Machado, *Crime e Escravidão. Trabalho, luta e resistência escrava nas lavouras paulistas, 1830-1888*, São Paulo: Brasiliense, 1987; and Flávio Gomes, João José Reis (eds.), *Liberdade por um fio: história dos quilombos no Brasil*. São Paulo: Companhia das Letras, 1996.

⁶⁸ Patrícia Scalli, *op. cit.*, p. 24.

⁶⁹ Patrícia Scalli, *op. cit.*, p. 21. Unfortunately, I was unable to consult the primary sources cited by Scalli before finishing this work.

⁷⁰ Besides being a witness to that fact, Scalli reinforced this point to me in a private conversation in November 2024.

What caught my attention from the beginning of this research was the fact that the city's historians focused their attention on the date of Itatiba's founding without concerning themselves with who the first fugitives – the city's earliest inhabitants – really were. **People in the city I spoke with about the subject were surprised by the possibility that these fugitives might have been escaped slaves. Some even admitted they had considered this hypothesis but would never dare to state it publicly due to the controversy it could generate.**⁷¹

Indeed, the historiographic discovery of the fugitives' identity caused a commotion – not so much because of the controversy it stirred among local historians but because of the impact it had on local politics.⁷² With the revelation that the true founders of the city – the fugitives – were, in fact, Black quilombolas, history ceased to be a mere contingency tied to the past and entered the realm of necessity, in the Blumenbergian sense, inventing new beginnings. In a process of re-signifying local history that had only begun in literature with Scalli's discoveries, history moved out of the hands of specialists and into the public sphere.⁷³ However, as original as Scalli's questions were, she needed a *new archive – beyond the old population records* – to test her strongest hypothesis.⁷⁴ And she found this archive precisely during her visits to the old Lopes neighborhood – a subject I will elaborate on shortly.

As Joly had noted early on, Salvador Lopes and the other survivors of the capitão do mato Lourenço Leme's attack fled six miles upstream from the confluence of the Pinheiros stream with the Atibaia river. If they continued downstream, they would soon reach Campinas – a hostile environment and virtually impossible for any quilombola group to settle, given the notorious reputation of the city's slaveholders throughout the province. If they reversed course – ascending the rapids of the steep and furious Atibaia River – they could retreat into the denser forests of the region, potentially finding refuge safe from further attacks by slaveholding militias.

And that was exactly what they did: they fled upriver to the dense forests on the left bank of the Atibaia, near two other waterways, the Jacaré stream and the Pinhais

⁷¹ Patrícia Scalli, *op. cit.*, pp. 23-24. Emphasis added.

⁷² I will explore this further in Chapter 4.

⁷³ I will also explore this topic in Chapter 4.

⁷⁴ In no way do I mean to stigmatize old papers as secondary for historical research. I merely suggest the importance of broadening our idea of archives to include files that escape canonical custody.

stream. It was there that Lopes and the other quilombolas “established a small settlement” later known as the “neighborhood of Lopes.”⁷⁵ It was also there that, according to Joly, after “seventy years or so,” there were still descendants of the first quilombolas.⁷⁶ And it was there that Scalli uncovered further irrefutable evidence corroborating her initial hypothesis that Joly’s “fugitive criminals” were, in fact, escaped Black individuals seeking to establish a quilombo.⁷⁷

Before delving into Scalli’s reasoning for directly linking the neighborhood of Lopes to the term quilombo, it is worth noting something about the territory where Lopes “and his descendants” chose to settle.⁷⁸ Even in their desperate escape, the runaway Blacks individuals did not select this location by chance. “Surrounded on both sides by tall hills densely covered by equally tall trees,” historian José Roberto Barbosa describes in detail, “the terrain of this former property had the shape of a bowl. This shape made it impossible to see what lay within the territory.”⁷⁹ Viewed from atop the hills, therefore, no one could clearly discern what was happening inside this bowl, nor would they dare venture into such an inhospitable valley. Thus, Barbosa astutely notes, “the difficulty of accessing or even spotting that region made it an excellent refuge for those who did not want to be seen or remembered.”⁸⁰ The bowl-shaped terrain, then, was exactly what the quilombolas needed to build a relatively secure refuge.

Returning to Scalli, we know that she had already astutely posed research questions about the collective identity of the group generically referred to as common criminals. She had also identified that this group’s movements mirrored those of other fugitive groups in the region. Finally, the anthropologist also knew that those fugitives from the small island in the Atibaia River “fled into the forest, guided by Salvador Lopes [and] formed a residential nucleus called neighborhood of Lopes.”⁸¹ What remained, however, was to establish a direct connection between the Bairro dos Lopes and the quilombo. And that is precisely what she did. Scalli began by recovering the lost link that

⁷⁵ Eugenio Joly, *op. cit.*, pp. 66-67.

⁷⁶ Eugenio Joly, *op. cit.*, pp. 66-67.

⁷⁷ Eugenio Joly, *op. cit.*, p. 66.

⁷⁸ Eugenio Joly, *op. cit.*, p. 66.

⁷⁹ José Roberto Barbosa, *Quilombo Brotas de Itatiba (SP): significados, interpretações, memórias e consciência quilombola*. Curitiba: Universidade Federal do Paraná (Dissertação de mestrado em Antropologia), 2020, p. 54.

⁸⁰ José Roberto Barbosa, *op. cit.*, p. 54.

⁸¹ Patrícia Scalli, *op. cit.*, p. 21.

historiography itself had already established between the neighborhood of Lopes and a quilombo in the same area.

Curiously, the lost link was a book academically considered to be of secondary importance. This book – or the lost link – is called *Conheça sua cidade: um pouco da história de Itatiba*.⁸² Published in 1969 by elementary school teacher and journalist Diloça Ferraz Sangiorgi, the book is a kind of mini-encyclopedia of the city's street and neighborhood names. It compiles some of her unpublished chronicles and others previously published in *A Tribuna*, all revisiting past events, biographical profiles of historical figures, and picturesque anecdotes about Itatiba. Far from being a trivial work, the journalist makes fundamental contributions to the study of the city's history. Much more than presenting some "material for a history of Itatiba," the author wrote an important chapter of local history, covering the late 19th century and extending into the 1960s.⁸³

Sangiorgi gathered testimonials that no one else heard – since she had "many times direct contact with the individuals themselves" – and revealed "historical information about figures" almost entirely unknown.⁸⁴ "Sometimes," as the editors insightfully noted in the book's preface, "in the name of an obscure city street lies a bit of our genealogy."⁸⁵ This was precisely the author's idea: behind a name, there is a story; or, to borrow from the Romans that Vismann often referenced, to every *nomen* there is an *omen* – or as the legal historian might freely translate, *der Name ist ein Zeichen*. A name is an *omen* – a name is a sign –, Sangiorgi would agree, as she saw in the study of the forgotten names of the city's streets and hills a promising way to learn about the city itself.

Brotas is one of these obscure names that carry "a bit of our genealogy."⁸⁶ But it might be even more than that: Brotas is likely the name that holds the most important genetic thread of this genealogy, as it speaks both to the city's foundation and its future.

⁸² Diloça Ferraz Sangiorgi, *Conheça sua cidade: um pouco da história de Itatiba*. São Paulo: Vanguarda, 1969. In a free translation, the title could be rendered as *Get to Know Your City: A Bit of Itatiba's History*.

⁸³ Os editores, in: Diloça Ferraz Sangiorgi, *op. cit.*, p. 5.

⁸⁴ Os editores, in: Diloça Ferraz Sangiorgi, *op. cit.*, p. 5.

⁸⁵ Os editores, in: Diloça Ferraz Sangiorgi, *op. cit.*, p. 5.

⁸⁶ Os editores, in: Diloça Ferraz Sangiorgi, *op. cit.*, p. 5.

The story of Brotas spans different historical periods of the city and turns mainstream narratives about its formation and development on their head.

However, Sangiorgi did not seem entirely comfortable discussing Brotas. Addressing this topic inevitably meant tackling the delicate subject of slavery. On the surface, there should have been no issue. Slavery had been abolished long ago, and bringing up the subject did not seem like reopening a raw wound. In practice, though, this was not the case. Because the legacy of slavery was still very much alive, writers employed various strategies to sidestep the topic, keeping it within the hegemonic framework of racial democracy. Sangiorgi did the same on numerous occasions in her *Conheça sua cidade*. In fact, she did much worse than sidestepping the topic: she intentionally inverted the role of many historical agents – casting slaveholders as abolitionists –, and blatantly erased the decisive contributions of Black people to the city's development.

Even so, *Conheça sua cidade* is probably the most important book on Itatiba's history. Sangiorgi undeniably deserves credit for being the first in the literature to document the existence of the Black man Brotas and the neighborhood that bears his name, the “Bairro do Brotas.”⁸⁷ And that is no small feat: Sangiorgi recalls the history of the neighborhood by touching on two key points from Joly's narrative, namely the idea of “fugitives” creating hideouts in “dense forests” and the location of one of the most famous of these hideouts, precisely “on the road to Campinas,” in the area of the old Lopes' neighborhood.⁸⁸ Let us examine her words:

Everyone knows that the liberation of the enslaved occurred on May 13, 1888; but, long before that, **the most rebellious and courageous captives hid in the dense forests that formed the refuges known as quilombos**. Given that many agricultural properties in the municipality of Itatiba housed a good number of enslaved people, especially the Pereiras, Sant'Ana, Santo Aleixo farms, and others, it is certain that there were cruel overseers. Unwilling to accept the punishments inflicted upon them, **the enslaved fled**, knowing full well that sooner or later they would be discovered. **It took only two or three enslaved individuals to form a quilombo**; they hid in **shelters concealed by shrubs**, others joined the first group, and in

⁸⁷ Diloça Ferraz Sangiorgi, *op. cit.*, p. 112.

⁸⁸ Eugenio Joly, *op. cit.*, p. 66.

this way **many fugitives created a refuge that was more or less secure.**⁸⁹

It was no coincidence that Sangiorgi detailed the process of how a quilombo formed. She then connected a specific quilombo in that region to the creation of the Brotas neighborhood. Furthermore, she stated that this quilombo, which later became an urban neighborhood, was named after a “Black man, not enslaved, called Brotas.”⁹⁰

This free Black man, Sangiorgi explains, “had a very good heart and protected the fugitive enslaved people who often arrived at the hideout covered in blood.”⁹¹ The author’s praise, however, obscures what may have been his greatest virtue: political strategy. In a time of “cruel overseers” and extreme violence against Black people, Brotas managed to make the hideout “more or less secure.”⁹² To achieve this, he “made that place a hub for escape routes from slavery.”⁹³ By building alliances with neighbors, including Francisco José Rodrigues and his wife Rita Rodrigues, Brotas consolidated control over the land likely conquered two generations before his leadership. The “semi-legendary” free Black man built a political relationship of trust with the Rodrigues couple, particularly with the “Indigenous woman Rita Rodrigues.”⁹⁴ This partially explains how he and his quilombo companions managed to construct a “shelter that hid the enslaved” on a “land that had no owner” – land that may have been both within the “waystation quilombo” or an adjacent intermediary outpost.⁹⁵

Sangiorgi continued portraying Brotas through the moralistic lens of altruism rather than political strategy. Her preference for one interpretive framework over the other becomes quite evident in a passage as brief as it is blatantly racist. “Well, let us return to Brotas,” Sangiorgi casually remarked, “who was Black in body but white in soul, treated the unfortunate and arranged services for them on the farm of Mr. Luiz Ribeiro, who was a compassionate man who sheltered the fugitive enslaved.”⁹⁶

⁸⁹ Dilocca Ferraz Sangiorgi, *op. cit.*, p. 111.

⁹⁰ Dilocca Ferraz Sangiorgi, *op. cit.*, p. 112.

⁹¹ Dilocca Ferraz Sangiorgi, *op. cit.*, p. 112.

⁹² Dilocca Ferraz Sangiorgi, *op. cit.*, p. 112.

⁹³ José Roberto Barbosa, *op. cit.*, p. 87.

⁹⁴ José Roberto Barbosa, *op. cit.*, p. 87.

⁹⁵ Barbosa gives some interesting details about the category of waystation quilombo, referring to those that served as a temporary shelter for fugitives in transit. Cf. José Roberto Barbosa, *op. cit.*, p. 87.

⁹⁶ Dilocca Ferraz Sangiorgi, *op. cit.*, p. 112.

The abhorrent expression “Black in body but white in soul” obfuscates something crucial.⁹⁷ The historically relevant information lies in the three actions of Brotas. First, Brotas “treated the unfortunate,” a task clearly linked to the earlier description of his welcoming “fugitive enslaved people who often arrived at the hideout covered in blood.”⁹⁸ Second, Brotas also “arranged services for them,” indicating that he worked to create opportunities for free labor for many formerly enslaved people.⁹⁹ Finally, Brotas forged a political relationship beyond mere neighborly goodwill with Luiz Ribeiro, which facilitated the reintegration of free Black individuals into the labor market – now through free labor.

Sangiorgi provides additional intriguing details. “In 1900,” the historian specifies the precise year, “Brotas lived in this grouping of Black people where Rita Rodrigues had built a small chapel near her house, which even hosted baptisms and weddings.”¹⁰⁰ These seemingly minor details help illustrate the transition from a quilombola territory to a Black neighborhood. The unpretentious remark about the year of 1900 confirms that Brotas lived there not only before but also after Abolition – a fact that would later become a powerful asset in proving continuous territorial occupation for the purposes of quilombola land titling. Likewise, the “primitive little chapel built by Rita Rodrigues and the Blacks” highlights another sign of the partnership between Brotas, the quilombolas, and their neighboring allies, while also revealing that they transformed the former hideout in the dense forest into a kind of collective property with its own chapel and residences.¹⁰¹

Despite the racist perversion embedded in the pages of *Conheça sua cidade* – a perversion, incidentally, shared by its readers at the time – the historiographical work of journalist Sangiorgi has many methodological merits. Her questions about the identities behind the names of streets and neighborhoods led her to uncover some of the city’s most fascinating stories. Had she not asked, “Who was Brotas?”, we would not already have, in the 1960s literature, one of the most promising research leads for reexamining the history of an important post-slavery society.

⁹⁷ Diloça Ferraz Sangiorgi, *op. cit.*, p. 112.

⁹⁸ Diloça Ferraz Sangiorgi, *op. cit.*, p. 112.

⁹⁹ Diloça Ferraz Sangiorgi, *op. cit.*, p. 112.

¹⁰⁰ Diloça Ferraz Sangiorgi, *op. cit.*, p. 113.

¹⁰¹ Diloça Ferraz Sangiorgi, *op. cit.*, p. 113.

Often, however, to answer such a question, one must delve deeply, interview even distant relatives, and open new archives. Yet Sangiorgi stopped short. She gave up on going to the quilombo when she was literally almost there. Although she got close, the historian never managed to reach the homes of the Black residents and talk to them. The access was so challenging that she and her car were stuck halfway. The conclusion to her story could not have been more anticlimactic: “Brotas died in old age. We know that some descendants of those quilombo Blacks live here, but they are young, perhaps their great-grandchildren, and therefore cannot provide any information.”¹⁰²

That was a gross mistake. The descendants of Brotas not only knew the stories of their most famous ancestor, but also the stories of that old hideout in the deep in the dense forest, tucked away in a valley shaped like bowl near one of the bends in the Atibaia River.

Approximately fifty years after Sangiorgi, Patrícia Scalli also sought to answer the same questions: “Who was Brotas?” and “What is the Brotas neighborhood?” Unlike Sangiorgi, however, Scalli worked from the premise that the “descendants of those quilombo’s Blacks,” even if “young” or “great-grandchildren,” had a lot – indeed, a great deal – to share.¹⁰³

One of the descendants who had much to tell was Maria do Carmo Barbosa, the granddaughter of a couple of “quilombo Blacks.”¹⁰⁴ Another was her sister, Ana Tereza Barbosa da Costa, also the granddaughter of quilombolas born during slavery. And finally, there was someone else with profound knowledge of the quilombo’s history – particularly as the eldest person among the residents of the Brotas’ neighborhood and the aunt of both Maria do Carmo and Ana Tereza: the daughter of quilombolas born before Abolition, Maria Emília Gomes Barbosa, also known as Tia Lula.

These three women knew the quilombo’s history so well and so intimately that Diloca Sangiorgi would have been absolutely astounded had she interviewed them. They

¹⁰² Diloca Ferraz Sangiorgi, *op. cit.*, p. 113.

¹⁰³ Three years before Scalli published her research, Claudiano Ferreira da Costa conducted a brief interview with Tia Lula for a local newspaper. By doing so, Costa joined those who, unlike Sangiorgi, believed that the descendants of the quilombo’s Black population had valuable insights to share about local history. However, Costa’s efforts were limited to this single interview. Scalli, on the other hand, delved much deeper into the study of the quilombo’s roots, making her research methodology a compelling counterpoint to Sangiorgi’s approach, while also serving as a unifying framework for other efforts in this field.

¹⁰⁴ Diloca Ferraz Sangiorgi, *op. cit.*, p. 113.

were deeply knowledgeable about their ancestors' stories because all three had spent decades closely connected with Amélia Gomes de Lima Barbosa, Tia Lula's mother and the grandmother of Maria do Carmo and Ana Tereza.

Known as Vó Amélia, she lived to the age of 98. Born in 1876, likely in the slave quarters of the São Benedito plantation during the era of the Free Womb Law (1871-1888), she arrived at the quilombo as a child and spent nearly her entire life there until her death in 1974. Over almost a century of life, Vó Amélia witnessed slavery and Abolition; saw the remote hideout evolve into an economically productive and socially influential community; observed the once-distant city encroach ever closer to the old ranch nestled in the dense forest of that valley; and finally, experienced global technological innovations, such as electricity, cars, radio, and television, reaching the old ranch.

But Vó Amélia not only witnessed almost everything – she did almost everything. As a child, she began working in the fields, and from her teenage years onward, she performed various roles: she was a laundress, midwife, wet nurse, and, above all, a seamstress. She was also highly active in the social life of Itatiba, particularly its Black community.¹⁰⁵ Vó Amélia was a regular presence at the samba celebration on May 13 – the anniversary of Abolition of slavery and, for a long time, the principal Black cultural event in Itatiba – and participated in *congadas* and *batucadas*, while also leading prayers in honor of Saint Benedict. In a felicitous description by her great-grandson, José Roberto Barbosa, “Amélia cared for people during three moments of human life: at birth, by delivering many babies; throughout life, by making remedies and treating the sick; and at death, by preparing bodies and performing the ‘funeral prayer.’”¹⁰⁶ Caring for people at all stages of life and fulfilling many social roles, Vó Amélia became a highly influential and respected leader, not only within the Brotas community but throughout Itatiba's Black community.

¹⁰⁵ I will delve further into this topic by examining it through the lens of the concept of the “Black city,” which will be thoroughly explored in Chapter 3.

¹⁰⁶ José Roberto Barbosa, op. cit., p. 195.



Figure 2. A rare photograph of Vó Amélia during a tribute at the Church of Our Lady of Belém (Quilombo Brotas Archive: Photographer unknown, *circa* 1960).

Although Vó Amélia built her leadership gradually through the virtues of her actions, a significant part of it stemmed from her role as the keeper of her ancestors' stories. With a prodigious memory and a remarkable talent for storytelling, Vó Amélia taught younger generations, including her daughter Tia Lula and her granddaughters Maria do Carmo and Ana Tereza, about the origins of the Quilombo Brotas. At a time when remembering past stories was undoubtedly painful, the matriarch of the quilombo had to be very careful about what to keep silent, what to share, and how and to whom to tell a story. In this sense, it must not have been easy to decide what to keep secret – nor to master the art of selecting what, how, and for whom to recount an old story.

Apparently, Vó Amélia did not share everything she knew about old Brotas. In what seems to have been a strategically oriented move to reframe the quilombo's occupation – likely to remove the social stigma of the place as a hideout for fugitive slaves – Vó Amélia recounted that her parents found the site abandoned. As the keeper of Vó Amélia's stories and, at that time, the quilombo's matriarch, Tia Lula offered a version of the quilombo's formation that was, at the very least, intriguing.

Let us consider:

When my grandfather bought this ranch, it was already called Brotas. I think the name came about because plants sprout very easily here. (...) During a first inspection of the ranch, my grandfather found an old shack deep in the forest. **As a former slave**, he immediately suspected that it had been **a hideout for fugitive slaves**. And wasn't he right? When they went in, they found some *jiraus* – a kind of platform made of sticks set on forked stakes in the ground. **Later we learned that many fugitive slaves from Campinas, Valinhos, Vinhedo, and even Itatiba hid there. They called it a quilombo.** Since it was very far from the road, the *capitães do mato* couldn't track it. To survive, the fugitives couldn't farm openly because they would be discovered. So at night, they stole small amounts from nearby plantations. **That quilombo lasted for a long time.** A bit farther away, there's a small chapel. **I think the slaves built it.**"¹⁰⁷

Tia Lula was not one to leave loose ends. She acknowledged the name of the quilombo as Brotas but avoided delving into the identity of the "semi-legendary Black man," even offering an alternative – and most likely unfounded – explanation for the site's name. She then confirmed several key points already well-known about the quilombo's history, such as the collective identity of the "fugitive slaves," the constant pursuit by *capitães do mato*, and the ranch's difficult access.¹⁰⁸ However, she subtly disassociated her family – and everyone involved in occupying the territory two generations before her – from any unlawful activities. Highly skillful, Tia Lula positioned two precise temporal markers: the "when" of her grandfather purchasing the ranch and the "later" when they learned about the old quilombo's history.¹⁰⁹

By drawing a sort of dividing line between the old and the new quilombo, Tia Lula was undoubtedly repeating Vó Amélia's strategy, defending the legality of the occupation while distancing herself from any criminal activities in the past. Thus, her *later* deftly absolved them of any past events that the police authorities might have deemed illegal. But the strength of the argument for peaceful land possession lies at the beginning of her response: Tia Lula unequivocally stated that her grandfather purchased the ranch that had once been the old quilombo.

¹⁰⁷ MPL, *Jornal de Itatiba* (SP), Claudiano Costa, "As mulheres e a escravidão no Brasil", May 13, 2001, pp. 14-15, p. 14. Emphasis added.

¹⁰⁸ José Roberto Barbosa, *op. cit.*, p. 104.

¹⁰⁹ MPL, *Jornal de Itatiba* (SP), Claudiano Costa, "As mulheres e a escravidão no Brasil", May 13, 2001, pp. 14-15, p. 14.

Patrícia Scalli was the first to investigate this claim historiographically – a claim she also heard directly from Tia Lula. To do so, the anthropologist employed at least four research strategies. First, she gathered all relevant documents pertaining to the origins of the Brotas ranch – the name the old quilombo had adopted in the immediate pre-Abolition period. Second, she collected testimonies from dozens of Brotas residents, particularly the eldest among them, including Tia Lula, Maria do Carmo, and Ana Tereza. Third, she reconstructed the community’s genealogical tree, impressively starting with Vó Amélia’s grandmother. Fourth, she mapped the Brotas ranch’s occupation by Vó Amélia’s family over the past century and a half.

Scalli confirmed nearly all the revelations from the Brotas site’s collective memory. Testimonies that initially seemed to lack historical relevance – recall that the author of the city’s most prominent history book declared that the descendants of the quilombo Blacks could provide no information – guided an interdisciplinary study of profound impact for ensuring constitutional rights.

Through a process of collective counter-memory that undermined Itatiba’s official historiography, the Brotas elders – transformed by Scalli into primary sources for a report that would later support a presidential political decision – voiced the stories they had learned from their “great ancestor,” Vó Amélia.¹¹⁰ By recounting who the late matriarch was, they unveiled the founders of the *second quilombo* Brotas – a quilombo that traces its entire lineage to Vó Amélia and has occupied the same ranch as the *first quilombo* since “when,” as Tia Lula remarked, “my grandfather bought this ranch.”¹¹¹

On her maternal side, Vó Amélia was the granddaughter of Maria Emília Modesto, who very likely was born in Africa during the 1830s. Vó Amélia recounted that her mother, Emília, was born enslaved on a farm in the interior of Rio de Janeiro in 1851. As very young children, Emília and her brother, Eleutério, were both separated from their mother and sold to a landowner in what was then Belém de Jundiaí. In a detail that undeniably reflects her prodigious memory, Vó Amélia shared that her mother and uncle were separated from their grandmother at a slave market in the city of Rio de Janeiro – the capital of the Brazilian Empire – because one buyer purchased their grandmother

¹¹⁰ José Roberto Barbosa, *op. cit.*, p. 196.

¹¹¹ MPL, *Jornal de Itatiba* (SP), Claudiano Costa, “As mulheres e a escravidão no Brasil”, May 13, 2001, pp. 14-15, p. 14.

but not her children. “Desperate and crying profusely,” Tia Lula recalled, “she [Emília] watched the ship sail away with her mother. She was just a little girl and could do nothing. It was very sad because she was left alone there in the market.”¹¹²

The landowner who purchased the young girl – and possibly her brother as well – was likely Antônio da Silveira Pupo or his cousin, José Pires Pupo da Silveira. In Belém de Jundiá, probably from the late 1850s onward, Emília lived enslaved on the São Benedito farm, owned by the Silveira Pupo family, where she worked as a cook and was confined for many years in the slave quarters. There, she met Isaac de Lima, whom she would later marry, and together they had nine children. “With the death of the farm’s owner,” probably around 1879, “Emília and Isaac gained their freedom,” though, of course, no land.¹¹³

Isaac, Emília, and their children left with nothing but the clothes on their backs, traveling the dirt roads around the São Benedito farm, heading either directly to the lands of the old quilombo or to the home of the abolitionist couple Francisco and Rita Rodrigues, neighbors of the quilombo. While evidence suggests that the Gomes de Lima family had a good relationship with the Rodrigues family and may have temporarily settled on their lands or nearby as squatters, Isaac and Emília decided they needed to purchase a piece of land for their family. At that time, Isaac’s four brothers – Pedro, Geraldo, Davi, and Adão – who had recently gained their freedom, joined Isaac and Emília, adding their labor to the initial family nucleus to help achieve Isaac and Emília’s goal.

Scalli recounts the beginnings of the *second quilombo* Brotas:

Amélia recounted working alongside her father in the fields from sunrise to sunset. They had only one set of clothes to wear; sometimes it rained while they worked, leaving them soaked with no dry clothes to change into. Amélia would often cry because of the situation. Her father, Isaac, tried to comfort her, saying: ‘Have patience, my daughter. This is for us to pay for the place where

¹¹²

There are slightly different accounts of where the mother and children were separated – whether in Rio de Janeiro or Santos. While the quoted passage is from Tia Lula’s interview with Costa, which identifies the Santos slave market as the site of the traumatic event, I align with Scalli, who asserts that Tia Lula stated it occurred in Rio de Janeiro. Cf. MPL, *Jornal de Itatiba* (SP), Claudiano Costa, “As mulheres e a escravidão no Brasil”, May 13, 2001, pp. 14-15, p. 14.

¹¹³ José Roberto Barbosa, *op. cit.*, p. 104.

we'll live. So it will belong to everyone. So that everyone who shares my blood will have a place to live.'¹¹⁴

Working tirelessly from sunrise to sunset, the Gomes de Lima and Lima families finally managed to buy a piece of land – specifically, part of the land of the *first* quilombo Brotas. Isaac kept his promise: all his descendants would have a place to live. His children married, had children, and so on, always relying on the Brotas ranch as a home for some time or a lifetime. Amélia, for example, lived her entire life on the Brotas ranch. She married Fabiano Bento Barbosa (1873–1923), with whom she had nine children, and remained there until the end of her nearly century-long life.



Figure 3. Vó Amélia with members of her family in the Quilombo Brotas
(Quilombo Brotas Archive: Photographer unknown, *circa* 1970).

Vó Amélia became a symbol of the families' saga that constituted the *second* quilombo Brotas – and equally an inheritor of the struggle of the *first* quilombo Brotas. Born inside a slave quarter during the time of the Free Womb Law, Vó Amélia collected countless stories of her ancestors' struggles for freedom and rights. She gave these

¹¹⁴ Patrícia Scalli, *op. cit.*, p. 39.

stories the discursive unity that would later prove crucial to transforming the purchase of the ranch at the end of the 19th century into a constitutional title for quilombola land at the beginning of the 21st century.

In the end, it was Vó Amélia's memory and the collective counter-memory of *Brotas* that dismantled the city's hegemonic historiography. It was the quilombo's *Black* memory that unraveled the narrative of Itatiba's *white* history.

1. 3 Quilombo and plantation: the first *institutions in no man's land*

The first two institutions in Itatiba were the quilombo and the plantation. Both institutions emerged from what was previously nothing more than "no man's land," fought for possession, and established boundaries for their respective spaces.¹¹⁵ They marked the territory with plow furrows in the soil and other signs of dominion, each establishing itself in the unmarked land through the sequential logic of "taking, dividing, and cultivating" the soil.¹¹⁶ Furthermore, both institutions inscribed their histories – about the origins and purposes of their land occupation – into the realms of language and law.¹¹⁷

The quilombo was the first to begin this process and faced the darkest adversities to consolidate it. It is clear that the Black fugitives who carved a path through the "virgin forests and shadowy woods" along the Atibaia River "were the first" to plow the red soil of the region.¹¹⁸ They were the first to open clearings in the dense forest, "exploring and cultivating the land, which was extremely fertile, and living off hunting, which was abundant."¹¹⁹ Likewise, they were the ones who "lived peacefully and quietly in these forests" until they were expelled by the militia of the slave hunter Lourenço Leme.¹²⁰ Even after being violently driven out of the land they had already cultivated and settled on, the Black fugitives opened new paths deeper into the forest until they reached a place where they could once again claim land and create a somewhat secure refuge. In

¹¹⁵ Cornelia Vismann, "Starting from Scratch: Concepts of Order in No Man's Land.", in: Bernd Hüppauf (ed.), *War, Violence and the Modern Condition*. Berlin, New York: De Gruyter, 1997, pp. 46-64, p. 46.

¹¹⁶ Cornelia Vismann, *op. cit.*, 1997, p. 47.

¹¹⁷ Cornelia Vismann, *op. cit.*, 1997, p. 46.

¹¹⁸ Eugenio Joly, *op. cit.*, p. 66.

¹¹⁹ Eugenio Joly, *op. cit.*, p. 67.

¹²⁰ Eugenio Joly, *op. cit.*, p. 67.

either case, whether considering their first or second settlement, they were the ones who first took the land that would eventually become Itatiba – land that, at that time, was nothing but no man’s land.

It was only after the *capitão do mato* Lourenço Leme returned to Atibaia bearing the “good news” that the “small immigrant stream” was formed, leading to the eventual settlement of the land by future coffee plantation owners.¹²¹ Thus, it is evident that the quilombo came first, followed by the settlers who, many years later, would establish coffee plantations. This timeline is crucial to understanding the constitutional land conflict between the Quilombo Brotas and the city of Itatiba. On one hand, determining when and how the land was taken sheds light on the origins of legal claims. On the other hand, revisiting how cultivation began offers insights into the nature of possession.

As Cornelia Vismann explains with brilliant precision:

The primordial scene of the *nomos* opens with a drawing of a line in the soil. This very act initiates a specific concept of law, which derives order from the notion of space. The plough draws lines – furrows in the field – to mark the space of one’s own. As such, as ownership, the demarcating plough touches the juridical sphere. The space of what is owned marks either a private or a public sphere of control, either a possession of land or a state-territory. Cultivation defines the order of ownership in space. In the language of Roman Law: *Urbare est aratro definire*.¹²²

When the quilombolas took the land in the bowl-shaped valley, they carved into the soil the lines that defined their possession of the territory. For instance, from here to there – inside the bowl – might be relatively safe to move around, while from there to beyond – outside the bowl – could be far more dangerous. Even though the quilombolas faced significant mobility limitations within the area and paradoxically often needed to move quickly to various points in it, by taking the land, they created a space where their *nomos* would prevail. It was their definitions of the space that not only established possession but also created internal order within the group and shaped their identities – “for identity is based on the order of a dividing line.”¹²³

¹²¹ Eugenio Joly, *op. cit.*, p. 66.

¹²² Cornelia Vismann, *op. cit.*, 1997, pp. 46-47.

¹²³ Cornelia Vismann, *op. cit.*, 1997, p. 54.

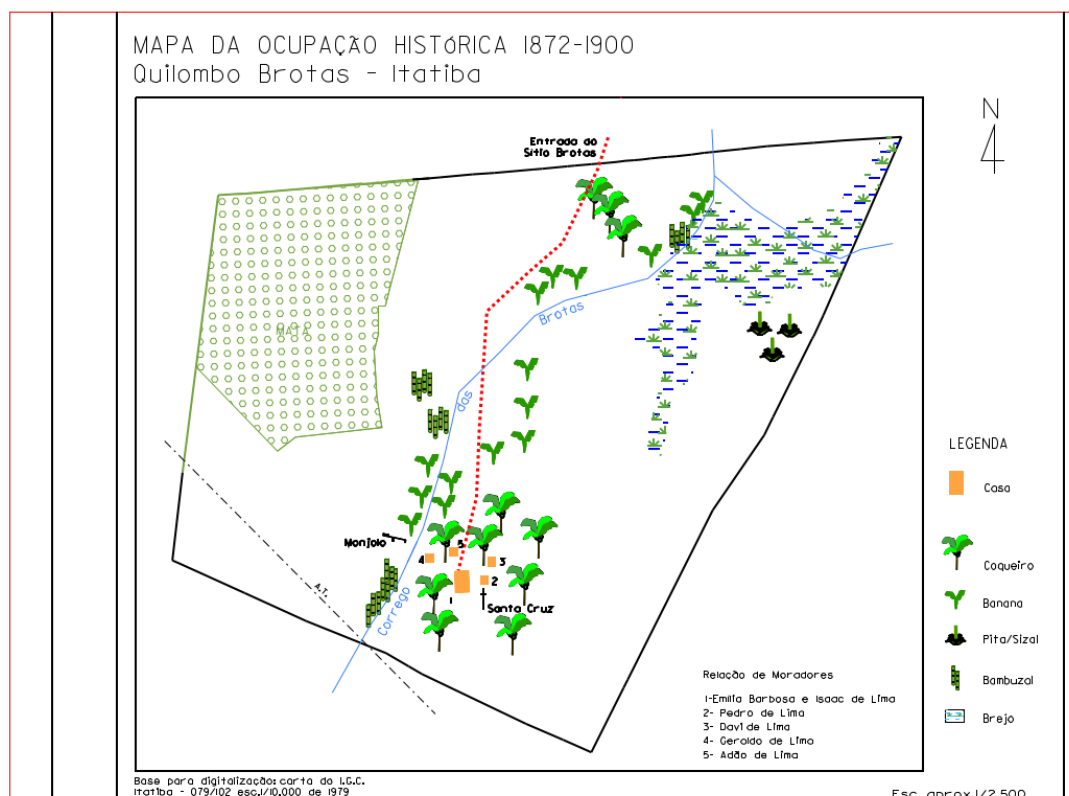


Figure 4. A graphical reconstruction of the Quilombo's settlement between 1872 and 1900, based on the testimonies of Tia Lula (Scalli, *op. cit.*, 2004a, annex 2).

However, the free Black individuals had to be especially cautious in carving their lines into the quilombo's soil. Having intimately experienced the horrors of being expelled from their land – evidenced by the raid on the small island at the confluence of the Pinheiro stream and the Atibaia River – they had to find many creative ways to mark their territory. On one hand, they could not make too deep a mark on the ground – for instance, building large huts or extensive fields that might attract the attention of slave hunters who patrolled the valley. On the other hand, they needed to draw almost imperceptible lines on the quilombo's land, invisible to the untrained eye of outsiders.

These less visible lines – such as tree markings, temporary signs made of sticks and stones, and false trails leading unwelcome intruders to dead ends – illustrated a territory so complex that it defied simpler, two-dimensional definitions. In a quilombo, the signs of effective occupation were often nearly invisible but no less identifiable. In this sense, paradoxically, the quilombola space could be simultaneously mobile and static, with its most ephemeral markers proving to be the most enduring; or its seemingly weak

borders unmistakably signaling impassable boundaries. Thus, it was not just the plow – also present in the quilombo – but knives, machetes, scythes, and small hand-sickles that marked the quilombo’s soil.

The quilombolas’ conception of space shaped their notions of law, or, as Vismann would put it, they had their “notion of law stemming from the soil.”¹²⁴ As land taken in the struggle for freedom, there was no sense of internal competition among the quilombolas to subdivide the land into smaller lots. The quilombolas likely operated under the premise that the land was communal and that their very existence as a free territory depended as much on their internal cohesion as on their tactical-military cooperation. They understood better than anyone how difficult it was to consolidate their claim to the land. Constantly facing challenges to their territory, they often had to adapt to the terrain as if they did not truly own it. Paradoxically again, this gray zone of indetermination – whether or not they were landholders – and impermanence – whether or not they could establish themselves there and for how long – left an indelible mark on the quilombola experience in the bowl-shaped valley. They undoubtedly maintained an “effective occupation” of the land, but they did so as if living in a state of war.¹²⁵

It was this state of war – indeed, a state of permanent war – that defined the dynamics of the quilombo’s territorial occupation. As a war, as exemplified by the bloody persecution of quilombolas by slaveholder militias, the territory became a war zone. Cornelia Vismann offers the most incisive analysis of the peculiarities of such a territory. “In wartime,” Vismann explains, “territory is treated like an unmarked piece of land, a *terra nullius* that has not yet been occupied.”¹²⁶ It is exactly this treatment of the terrain as unmarked that makes it possible to turn it into the primordial scene for *nomos*.¹²⁷

Because slaveholders and provincial police forces in São Paulo never recognized the legitimacy of fugitive Blacks taking land and controlling territory, the treatment of the quilombo was always as *terra nullius* – in other words, no man’s land.

¹²⁴ Cornelia Vismann, *op. cit.*, 1997, p. 49.

¹²⁵ Cornelia Vismann, *op. cit.*, 1997, p. 53.

¹²⁶ Cornelia Vismann, *op. cit.*, 1997, p. 55.

¹²⁷ Cornelia Vismann, *op. cit.*, 1997, p. 56.

No matter how “peacefully and quietly” the quilombolas occupied the land, they lived in constant alert for the possibility of a surprise attack.¹²⁸ No matter how durable their efforts to settle the land were, they were always at risk of an imminent and abrupt return not only to the primordial scene of the *nomos* but also, most likely, to a state of slavery.

The *capitães do mato* were always lurking. They acted both on behalf of private individuals, such as plantation owners, and under warrants issued by the state – Joly even notes that the first fugitives were “pursued by justice [authorities].”¹²⁹ These militias struck quickly and lethally. They captured fugitives, burned their belongings, and destroyed settlements, returning the land to its original state as no man’s land.

The *modus operandi* of these slaveholder militias led by *capitães do mato* in 19th century Brazil has some parallels with the artillery barrages of the First World War studied by Vismann. These barrages aimed to “de-cultivate, de-plough the zone for combat in order to prepare the ground for the infantry to come.”¹³⁰ While Vismann had a very specific case in mind, far removed in time and space from Brazilian slavery in the 19th century, her observations are useful for theoretically examining the formation of a war zone. When there is violent dispute over land – whether in war or during a military action to destroy a quilombo – the “structuring ‘zone’ is formed under the eyes and by the moves of infantry-men.”¹³¹ According to Vismann, these movements, or virtual lines, from one point to another produce a zone.

Vismann's reasoning is quite insightful: in a war zone, the lines are mobile. They vary with the perceptions of those fighting for the territory, and the territory itself changes according to the shifting lines as perceived by combatants within the war zone. “Thus the zone is unique,” Vismann explains, because

it differs for each fighting unit and changes with the moves this particular unit makes. This is what is so remarkable about the zone: it is an arrangement of perception in the moment of death threat, a construction of highly semiotized elements of landscape. For soldiers in the zone it becomes an order of survival. Its shape depends on the position and the situation of the battle. It is a virtual yet effective order. In the particular

¹²⁸ Eugenio Joly, *op. cit.*, p. 66.

¹²⁹ Eugenio Joly, *op. cit.*, p. 66.

¹³⁰ Cornelia Vismann, *op. cit.*, 1997, p. 59.

¹³¹ Cornelia Vismann, *op. cit.*, 1997, p. 54.

moment of action, and only in this moment, **the landscape is coded according to tactical values**, not aesthetic ones. Forests turn into strong points, bushes into clamp points.¹³²

At the banks of the Atibaia River, both quilombolas and *capitães do mato* created a war zone. Even though primarily based in the bowl-shaped valley, the quilombolas shifted the quilombo's position in response to the advances and retreats of both sides in the conflict. They frequently moved the quilombo's main location, confusing their enemies, who could no longer recognize the new set of lines the quilombolas had drawn the previous night. On the other hand, the *capitães do mato* likely sought to locate the quilombo's main hideout to attack it and thus force the quilombolas to scatter beyond the valley.

Despite the brutal inequality of arms, the quilombolas managed – “in a moment of death threat” – to assert their survival instincts on the battlefield far more effectively.¹³³ They not only drew lines on the ground – the ultimate symbol of land possession – but also modeled a “construction of highly semiotized elements of landscape.”¹³⁴ In short, the quilombolas excelled in managing the war zone because they knew how to encode the landscape tactically during critical moments of action. This highly coded landscape was nearly unintelligible to the quilombo's enemies. The free Blacks increasingly dominated the war zone because their “military-trained eyes” would “perceive a zonal order, where untrained eyes [could] see nothing.”¹³⁵ This was how the quilombolas secured the land and effectively occupied the bowl-shaped valley: they created a unique perception of the zone, decipherable only by them, and navigated its paths with precision.

Another aspect of zone formation, as studied by Vismann in the context of World War I, also appeared a century earlier in the Brazilian slavery-era war zone: the perception of the other made by soldiers in the zone. Similar to the “Sperrfeuer” and “Feuer-Walze” brigades that laid fire and destroyed landscapes to prepare for infantry's arrival during the war that engulfed Europe in the 1910s, the militias led by *capitães do mato* also operated on the logic of producing what is known as *terra arrasada* (scorched

¹³² Cornelia Vismann, *op. cit.*, 1997, p. 54. Emphasis added.

¹³³ Cornelia Vismann, *op. cit.*, 1997, p. 54.

¹³⁴ Cornelia Vismann, *op. cit.*, 1997, p. 54.

¹³⁵ Cornelia Vismann, *op. cit.*, 1997, p. 54.

earth).¹³⁶ Their raids employed highly modern techniques to occupy zones by destroying landscapes, while also preparing those lands for subsequent use by settlers or plantation owners, such as for establishing coffee plantations.

However, neither the 20th-century brigade commander nor the 19th-century *capitão do mato* aimed solely to devastate the land ahead of them in a movement to “de-cultivate, de-plough the zone.”¹³⁷ The path to achieving their shared objective was also fundamentally about annihilating the land’s occupants. Both soldiers, though separated by time and space, operated under the premise that in the war zone, the other was not merely to be defeated but to be annihilated. Occupation of the combat zone had to be carried out with “absolute hostility” toward the “absolute enemy.”¹³⁸ In summary, they pursued two main objectives: to occupy the zone, converting it into *no man’s land*, and to annihilate those in their way, turning them, if alive, into *nobodies*. “In the zone, identity is negated.”¹³⁹ In the zone, the *other* is nothing but a *nobody*. “And no man’s land precisely designates this condition. Dismemberment, destruction, disappearance.”¹⁴⁰ Ultimately, the *capitães do mato* – another name for slave hunters or hunter of free Black individuals – were experts in producing *nobodies* and *no man’s lands*. Dismembering, destroying, and making disappear were standard verbs in their vocabulary.

It was undoubtedly heroic for the quilombo to manage to settle on those lands at the fringes of the Atibaia River. Heroic, yet traumatic. The process of claiming the land and consolidating it, particularly through farming, took generations. Initially, as Tia Lula recounted, it was not even possible to clear the land in the quilombo because the *capitães do mato* were lurking and could trace the small plantations to their advantage and penetrate the war zone. Later, as Vó Amélia recalled, the families who continued the legacy of the *first* quilombo began cultivating the land from dawn to dusk as if to affirm their determination for permanent settlement or, in Vismann’s terms, as a means of “legitimation of a *jus terrendi*.”¹⁴¹

¹³⁶ Cornelia Vismann, *op. cit.*, 1997, p. 53.

¹³⁷ Cornelia Vismann, *op. cit.*, 1997, p. 53.

¹³⁸ Achille Mbembe, “Necropolitics,” in: *Public Culture*, Vol.15, No 1, 2003, pp. 11-40, p. 25.

¹³⁹ Cornelia Vismann, *op. cit.*, 1997, p. 54.

¹⁴⁰ Cornelia Vismann, *op. cit.*, 1997, p. 54.

¹⁴¹ Cornelia Vismann, *op. cit.*, 1997, p. 46.

The quilombolas' conception of space, as previously stated, permeated their notions of law, just as – viewed in reverse – their legal ideas stemmed from their relationship with the soil. However, it was previously unknown that the land's claim in today's quilombo did not occur through the traditional furrow of the plough – “*Urbare est aratro definire*” – but rather through the victorious occupation of a war zone by symbolically and materially coding the landscape with tactical-military values.¹⁴²

Over time, as the quilombo grew increasingly secluded, other land claims arose in the vicinity of the former war zone where the free Blacks of Brotas had triumphed over many assaults by *capitães do mato* militias. However, their stories of land occupation differ radically from those of the quilombolas. While the latter is a story of counter-colonization of the middle Atibaia's margins, the other would be the story of Itatiba's colonization. The reversal is indeed unusual. But if one analyzes land claims as the inaugural moment of local history, there is no other conclusion than to recognize that the quilombolas were the first to arrive in the territory of what would later become Itatiba. Only later, encouraged by the good news of fertile land brought by the prophet and *capitão do mato* Lourenço Leme, would the first wave of settlers embark on their colonial enterprise.

Thus, only after the quilombo was established in the region did the rural neighborhood of Atibaia emerge – precisely where Sargentão and the Black soldier João de Assumpção went to live – the other population nucleus that would also occupy the land. This “sparse village sketch” that was the rural neighborhood would grow exponentially over the years.¹⁴³ Clearing the forest with machetes and axes and opening plantations with hoes and ploughs, the rural neighborhood's residents gradually claimed the land. After approximately twenty years of planting exclusively subsistence crops, they began cultivating sugarcane in a more or less coordinated manner. On one hand, “sugarcane cultivation accelerated the devastation of the forest that began with the first clearings.”¹⁴⁴ On the other hand, “it marked the transition from a subsistence economy

¹⁴² Cornelia Vismann, *op. cit.*, 1997, p. 47. Original emphasis.

¹⁴³ Wanda Silveira Navarra, *O uso da terra em Itatiba e Morungaba: permanência e mudança na organização do espaço agrário, 1956-1966*. São Paulo: Universidade de São Paulo (Doctoral Thesis in Geography), 1972, p. 41.

¹⁴⁴ Wanda Silveira Navarra, *op. cit.*, p. 29.

to a market economy in the region.”¹⁴⁵ Though short-lived, the sugarcane cycle was decisive for local social formation: it intensified deforestation and “prepared Belém de Jundiá for the advent of coffee, which would shape the agrarian structure that remained unchanged for over a century in the territory.”¹⁴⁶

The transition from small subsistence plantations to sugarcane cultivation also shows that the smallholders understood well that the rural neighborhood’s economic progress required upgrading the rudimentary local agriculture: they understood that they needed to organize their production and sell it collectively in the regional market. However, sugarcane would not yield significant results. The so-called “sugar quadrilateral” already amply supplied the regional demand for sugar, and the rural neighborhood of Atibaia’s production proved insufficiently robust to access new markets.¹⁴⁷ More importantly, neither the Jundiá region nor the broader enslaved southeast exported sugarcane. Ranchers were right in their idea, but wrong in their execution. In other words, they were right in their idea of planting a single crop to compete collectively in the market but erred in their choice of crop.

Their luck changed when these smallholders found the “crop” the market desired. From smallholders, they became large landowners. From tenants, they became planters. The discovery of coffee – elevated by Joly to the status of a divine blessing – was the defining event of the 19th century in the region and, more specifically, in what would become Itatiba. “With the arrival of coffee in its lands,” explains the author of the leading academic study on Itatiba’s history, the “modest parish of Belém de Jundiá” definitively entered “an economic system geared toward external markets.”¹⁴⁸ At its core, this was the desire of Itatiba’s plantation owners: to make the modest bean that had already brought greatness to the Paraíba Valley their own source of greatness. The desire, as history would later show, was realized. Belém de Jundiá would develop a large-scale plantation system that would soon integrate into the regional coffee production chain, thereby connecting itself to the global coffee market. In just a few years, Itatiba’s coffee bean would find its way to a coffee shop in London.

¹⁴⁵ Wanda Silveira Navarra, *op. cit.*, p. 15.

¹⁴⁶ Wanda Silveira Navarra, *op. cit.*, p. 15.

¹⁴⁷ Wanda Silveira Navarra, *op. cit.*, p. 39.

¹⁴⁸ Wanda Silveira Navarra, *op. cit.*, p. 29.

But let us return to the time of the black gold discovery. At that time, the newly deforested woodlands and the freshly cleared fields for sugarcane provided ideal conditions for coffee to take root. “It was,” Navarra summarizes, “on soils merely scratched by a nascent agriculture or where the forest had just been cleared that coffee established itself, indiscriminately occupying the territory of Itatiba.”¹⁴⁹ It sounds like Vismann, but it really is Navarra. Without a doubt, the mention of “soils merely scratched” suggests a reference to the legal maxim *urbare est arato definire* discussed by Vismann.¹⁵⁰ The geographer hits the mark when she uses the phrase “soils merely scratched” to distinguish one historical period from another.¹⁵¹ The expression “merely scratched” delicately illustrates that the *plow* of the first historical period had not even furrowed the land to the point of *defining* the occupation of the space.¹⁵² She argues that before coffee, there were merely some superficial marks on the soil of an “incipient agriculture” that was therefore unsustainable for establishing a long-term settlement.¹⁵³ It was only the second plough – the coffee plough – that would truly define the land’s occupation.

Therefore, the arrival of coffee is what definitively transformed land occupation in what would first become Belém de Jundiá and later Itatiba. It sounds like Navarra, but now it is Joly. The old historian and plantation owner was more than an eyewitness to this process. He was one of its agents, both politically and historically. Politically, he was one of the leading enslaving plantation owners responsible for establishing the large-scale plantation system in the area of the former local forest – as evidenced, for example, by his prominent role in constructing the city’s first railway. He also prepared his son Chateaubriand Joly to take on positions of political leadership, as shown by the many roles, including the first mayor of the municipality, that Joly junior would later assume. Historically, Joly senior wrote the first historiographical account of the municipality, which became a mandatory reference for all subsequent historians.

In his *Noticia Historica*, Joly also distinguished between the *first* and the *second* plough (here taken not only as an object but also as a symbol of historical time). Long

¹⁴⁹ Wanda Silveira Navarra, *op. cit.*, p. 29.

¹⁵⁰ Cornelia Vismann, *op. cit.*, 1997, p. 47.

¹⁵¹ Wanda Silveira Navarra, *op. cit.*, p. 29.

¹⁵² Wanda Silveira Navarra, *op. cit.*, p. 29.

¹⁵³ Wanda Silveira Navarra, *op. cit.*, p. 29.

before Navarra, he argued that the city's history had a "before" and "after" defined by the true plough, that is, the one that genuinely defined the land's occupation. Before the "precious seed" was sown that would prepare the town's "rich and splendid future," those poor farmers "concerned themselves only with planting subsistence crops," which moreover failed to yield "any satisfactory results."¹⁵⁴ Such was the poverty of the incipient agriculture Navarra spoke of – including sugarcane – that Joly addressed the topic of sugarcane cultivation only briefly (and bitterly). To him, the decision to plant sugarcane on the lands of Belém de Jundiaí was a resounding historical error. It meant the delay of an entire generation and the loss of an opportunity that only Campinas, in São Paulo's western region, knew how to seize.

Of course, Joly often and deliberately abandoned historiographical rigor to engage in the politics of his time. The flirtation with the absurd seen in the forced comparison between two vastly different locations served more as a wake-up call to his fellow plantation owners to fully embrace the "coffee boom" in Belém de Jundiaí than as a sober analysis of São Paulo's western economic formations.¹⁵⁵ Joly was merely spreading the dubious claim that Campinas had been the first to heed the precious advice of a genius who loved Belém de Jundiaí above all but was initially discredited in his own beloved land. In his politically biased and historically fictionalized narrative, Joly describes "the tireless and hardworking" Corrêa de Lacerda as someone who not only gave the precious advice to Campinas's plantation owners "to shift from sugarcane cultivation to coffee" but also demonstrated to them "the immense advantages of the new industry."¹⁵⁶

Regardless of Corrêa de Lacerda's role in advising Campinas's political elites, Joly laments that "his [Corrêa de Lacerda's] advice was better received and observed in that important locality than in Belém [de Jundiaí], where the esteemed citizen experienced the disappointment of seeing his idea met with indifference and discouragement."¹⁵⁷ As Joly did not seem inclined to make either politics or history from resentment or lamentation, he was merely signaling that Belém de Jundiaí had missed a historical

¹⁵⁴ Eugenio Joly, *op. cit.*, pp. 68-69.

¹⁵⁵ Wanda Silveira Navarra, *op. cit.*, p. 17.

¹⁵⁶ Eugenio Joly, *op. cit.*, p. 68.

¹⁵⁷ Eugenio Joly, *op. cit.*, p. 68.

opportunity to plough its already-occupied lands a generation earlier, as well as to claim many neighboring lands, expanding the effective occupation of its then tiny area.

The most interesting aspect, however, does not lie in the false comparison that the author himself likely did not fully believe. The key insight is in the political – and not merely economic – value Joly ascribes to coffee plantations. In his *Noticia Historica*, he describes the transition from one historical period to another as both eloquent and subtle. “By planting coffee,” an apparently neutral Joly writes, “it was demonstrated how fertile and abundant Belém’s [de Jundiaí] soil was, and this industry was adopted, whose production progressed astonishingly, with nearly 200,000 *arrobas* of coffee exported within a few years.”¹⁵⁸

After reifying a complex political process as a seemingly dispassionate manifestation of natural evolution, typical of the positivism of the time, the historian reveals his agenda. Joly links the introduction of coffee and the astonishing level of production from the newly established local plantations not only to the expansion of occupied land but also to the political emancipation of the “sketch of a settlement” that began to grow as coffee exports increased.¹⁵⁹ As soon as he mentions the “export of 200,000 *arrobas* of coffee,” he immediately lists the following administrative acts:

On March 13, 1857, the parish of Belém [de Jundiaí] was elevated to the category of a town, and on September 7 of the same year, the first election for councilors was held, with the new council assuming office on January 7, 1858.

In 1865, a civil court was established in this town, along with a jury council, with the new jurisdiction annexed to Jundiaí until, by decree of August 1, 1872, a position of municipal and orphan judge was created, with an appointed judge, detaching it from Jundiaí.¹⁶⁰

Joly did not need to speak out loud to state the obvious: coffee established Itatiba as an autonomous political community. The establishment of coffee plantations resulted, as we saw with Navarra, in the creation of a local economy that quickly connected to a regional chain of production of a profoundly global commodity. But it was not just that: the establishment of coffee plantations also created a new political

¹⁵⁸ Eugenio Joly, *op. cit.*, p. 69.

¹⁵⁹ Wanda Silveira Navarra, *op. cit.*, p. 42.

¹⁶⁰ Eugenio Joly, *op. cit.*, p. 69.

community. The city of Itatiba – the name Belém de Jundiaí would adopt just one year after the imperial recognition of its political emancipation – would then become the administrative machine of its coffee plantations.

In summary, and in agreement with Joly, it was only after the coffee plantations arrived and established themselves that they instituted a city council, civil court, jury tribunal, and municipal judiciary. The economic power of coffee established constitutional powers in the newly cleared area of the Atlantic Forest. As the plantations established themselves, they also established a legislative branch, which at that time had executive functions, and a judiciary, which also held police powers. In a short time, coffee – or rather, the coffee plantations – would establish other key administrative bodies for the concentration of local political power, such as the revenue office and the police precinct. And they instituted more: schools, banks, theaters, new churches, commerce, and, in short, a new public and private infrastructure – as well as a local civil society.

As Itatiba's coffee exports grew, reaching not just 200,000 but surpassing 600,000 *arrobas*, the city grew alongside them. The demographic boom illustrates this well: the "thinly populated sketch of a settlement" that soon grew to two or three thousand inhabitants ballooned to 12,000 within half a century.¹⁶¹ At a time when the provincial capital had around 25,000 inhabitants and the all-powerful Campinas had about 18,000, Itatiba's demographic growth was far from insignificant.

What Joly does not mention, however – and what other historians also seem to avoid discussing – is that the "coffee boom" in Itatiba, as in the entire Brazilian Empire, was fueled by the blood, sweat, and tears of enslaved Africans and Afro-Brazilians. Each coffee plantation was equally a center of torture for enslaved Black individuals. The demographic boom, in turn, was especially a boom of the enslaved population. The coffee boom was, in exact proportion, also a slavery boom. From the establishment to the stabilization of Itatiba's plantations, the municipality saw a third of its population composed of enslaved individuals. Out of its 12,000 inhabitants, Itatiba infamously had 4,000 enslaved Black individuals within its territorial limits.

Having a quilombo at its frontier zone was intolerable for the all-powerful landlords of the black gold Eldorado. Moreover, it was a quilombo that had proven

¹⁶¹ Wanda Silveira Navarra, *op. cit.*, p. 42.

invincible, where every military and militia incursion had failed or retreated. At the cost of much struggle – and certainly much blood, sweat, and tears – that fortress became impenetrable. Speaking of no man’s land, Vismann borrows Jünger’s definition, calling it a “small strip in the earth, but more and more intransgressable.”¹⁶² She goes further: no man’s land is a “zone of combat” that over time “becomes impassable.”¹⁶³ That no man’s land, as the enslavers surely perceived that bowl-shaped valley for a long time, became impenetrable.

In the heart of slavery in São Paulo’s western region, there was still a vein of freedom running strong. The quilombolas of Brotas knew how to both establish and sustain the old site as the greatest symbol of Black freedom in the entire region. If the coffee plantations instituted constitutional powers – first legislative and judicial, then executive – and even a city to call their own, the quilombo also arose as an original constituent power. By taking the land and resisting on it, they established their own institutions. The plantations founded a city, and so did the quilombo.

This is the story we will explore next: the invention of a *white* city and the invention of a *Black* city. In every corner of this sometimes silent, sometimes noisy struggle, one sees these two *institutions*. There stands the plantation, in *nearly* every part of the city; and there stands the quilombo, *across the whole city*.

¹⁶² Cornelia Vismann, *op. cit.*, 1997, p. 54.

¹⁶³ Cornelia Vismann, *op. cit.*, 1997, p. 54.

CHAPTER 2

Vis labor libertas: the invention of the white city of Itatiba

We do not even believe that slaves once existed in such a noble country...

Anthem of the Proclamation of the Republic of Brazil¹⁶⁴

The first president of the Federative Republic of Brazil, Marshal Deodoro da Fonseca, instituted the Hymn of the Proclamation of the Republic by means of Decree No. 171 of January 21, 1890. The abolition of slavery was less than two years old and the republican regime just over two months. The marshal-president was in a hurry: he opened a summary competition and within days the chosen anthem was on the pages of the *Official Gazette*. Far from being a mere aesthetic artifact or a piece of political propaganda for the newly established regime, the anthem, still in force today, speaks of both the past and the future. It functions both as a piece of history and as a projection of the country's political future.

Perhaps the most relevant verse in the anthem is the one in the epigraph, evoking a kind of general disbelief at the fact that this very noble country once owned slaves. It was only 617 days after the abolition of slavery – a historical event that lasted an interminable 23,990 days out of the 24,541 days of the imperial regime – that Brazil officially addressed the most profound reason undergirding the beginning of its statehood.¹⁶⁵ “We don't even believe” – and here it is crucial to know who is the “we” in this sentence – “that slaves once existed in such a noble country.”¹⁶⁶

Paradoxically oblique and direct, the order – after all, this is an executive decree – to forget about slavery is very clear. Skillfully, the composer Medeiros e Albuquerque made the slave, the object of the sentence, disappear and left the country, the predicate of the sentence, unscathed in its nobility. Never before in the history of Brazil has slavery disappeared so quickly from one of its literary texts. Having concealed the past, it was

¹⁶⁴ Medeiros e Albuquerque, “Hino da Proclamação da República” (*Hymn of the Proclamation of the Republic*) (decree no. 171, of January 20, 1890), in: Flavio Silva, Maria José de Queiroz Ferreira (coord.), *Série Hinos do Brasil – Hino da Proclamação da República*. Rio de Janeiro: Funarte, 2008, p. viii.

¹⁶⁵ For the categorization of slavery as the most central of the reasons of state, see Tâmis Parron, *A política da escravidão no Império do Brasil, 1826-1865*. Rio de Janeiro: Civilização Brasileira, pp. 12-34.

¹⁶⁶ Medeiros e Albuquerque, *op. cit.*, p. viii.

time for Brazil, and not the poet Medeiros e Albuquerque, to talk about the future. “Today the crimson glow of dawn finds brothers, not hostile tyrants.”¹⁶⁷ As if by magic, or by the work of a miraculous sunbeam, the hostile tyrants of yesterday have become brothers. And they – precisely the *we* of the hymn's main verse – continue to sing. “We are all equal!” exclaims the country in amnesia, and “to the future we will know how to carry our august banner, pure and shining brightly, of the homeland on the altar.”¹⁶⁸

For those who seemed to suffer from amnesia, Brazil had not forgotten monarchical jargon typical of the political culture of the Empire – see the adjective “august” that adorns the pure and triumphant banner of the homeland.¹⁶⁹ The exclamation of equality, on the other hand, does not survive a single stanza. Only in the future, it should be noted, and not in the present, would the country deal with the national union of the unequal. Only then would the promise of equality be realized. In the future, and only in the future, would the enslaved and the enslavers of yesterday know how to unite and together carry the banner of the homeland to a certain altar whose nature the poet does not clearly specify. For the present, nothing but collective oblivion, a certain collective, and an empty exclamation for equality.

Between the lines, the message was quite clear: it was necessary to sow both the collective forgetfulness of slavery and the empty promise of equality in order to reap the permanence of the old slave social relations in those new times in which theoretically everyone should be equal in rights and duties. To quote Wlamyra Albuquerque, the forgetting of slavery and the undoubtedly false promise of equality were part of the same “game of dissimulation.”¹⁷⁰ Although it apparently celebrated the end of slavery, the anthem surreptitiously instilled the idea of its continuation in a new form. By proposing the collective forgetting of slavery, the republicans from a slave-owning cradle really wanted to avoid the “erasure from the grammar of social relations, along with the word slave, of the manorial condition of white men, built up for centuries with such efficiency.”¹⁷¹

¹⁶⁷ Medeiros e Albuquerque, *op. cit.*, p. viii.

¹⁶⁸ Medeiros e Albuquerque, *op. cit.*, p. viii.

¹⁶⁹ Medeiros e Albuquerque, *op. cit.*, p. viii.

¹⁷⁰ Wlamyra Albuquerque, *O jogo da dissimulação: abolição e cidadania negra no Brasil*. São Paulo: Companhia das Letras, 2009, p. 11.

¹⁷¹ Wlamyra Albuquerque, *op. cit.*, p. 125.

In this sense, the *Anthem of the Proclamation of the Republic of Brazil* is perhaps the most eloquent normative and poetic text of the play of dissimulation that was this simultaneous discursive operation of symbolic republicanization and practical de-republicanization.¹⁷² It disguises, and disguises very well, that the Republic was based on the principle that whatever the positivist rhetoric cost, the real structures of power had to adapt in order to continue the inequalities founded on the slave order.

The city of Itatiba and its many societies and sects, until recently deeply involved with slavery, very quickly understood the message of the anthem – which is, in short, the message of the Republic itself in its origins. A few decades later, Itatiba would also write its first anthem, which, like the national one, would appear in the form of both a normative decree and a poetic work. Released in 1957 precisely to commemorate the centenary of the city's political emancipation, *Itatiba's Centenary Anthem* praised the fearlessness of its elites who “didn't wait for the Golden Law” to abolish slavery.¹⁷³ The anthem does not mention, however, that Itatiba's elites were only 14 days ahead of Rio de Janeiro.

In 2004, Itatiba would once again rely on Eugenio Joly's *Noticia Historica*, now to celebrate the probable 200th anniversary of the land grab carried out by Lourenço Leme, a *capitão do mato* and prophet of Itatiba's fertile lands, as well as the subsequent arrival of Antonio Rodrigues da Silva, the Sargentão, and João da Assumpção, also a military man, and finally to establish its definitive anthem. More than a century after the abolition of slavery, the city would revisit categories central to both the *Anthem of the Proclamation of the Republic* and the anthem of its first centenary. It would touch on the very same point as the previous anthem, that in Itatiba “freedom soon dawned before the Golden Law was signed.”¹⁷⁴ However, as in 1957, this *before* implicitly suggests a much longer time span than the paltry two weeks between the local and

¹⁷² I read the political phenomenon of the advent of the First Republic inspired by Marcelo Neves' reading of the modern constitutional phenomenon. In this sense, I adapt the original expression “symbolic constitutionalization and practical deconstitutionalization” to this “symbolic republicanization and practical de-republicanization” in order to argue, like the legal theorist, about the “permanence of real power structures.” Cf. Marcelo Neves, “Constitucionalização simbólica e desconstitucionalização fática: mudança simbólica da Constituição e permanência das estruturas reais de poder,” in: *Revista de Informação Legislativa*, vol. 33., nº 132, 1996, pp. 321-330, especially p. 321.

¹⁷³ Fiorindo Cogni, Mário Barreto and Norberto Carride, “Hino do Centenário de Itatiba (1857-1957),” in: *O Progresso de Itatiba* (SP), November 1, 1957, p. 2.

¹⁷⁴ Adriano de Palma, “Hino oficial de Itatiba,” in: <https://www.itatiba.sp.gov.br/cidade/hino-oficial> (accessed on October 11, 2024).

national acts. Furthermore, the new anthem would also emphasize the theme of equality, like the 1890 anthem, but perhaps in an unsurpassable mockery, that it was not the Republic, but the “peoples of courage and valor” who “freed the slaves, uniting the races with joy.”¹⁷⁵ It was not even the Republic, but the city that ended slavery.

Written after Joly's *Noticia Historica*, both hymns follow it closely and update it. On the one hand, they follow him very closely when they emphasize platitudes such as the manifest destiny of the promised land, which is finally fulfilled with the miraculous discovery of coffee, as well as its unsurpassable entrepreneurial geniuses and its unstoppable thirst for progress. On the other hand, both hymns bring Joly up to date when they claim unbridled local political protagonism or even a kind of independence from the national abolitionist process. As *Noticia Historica* predates Abolition, updating it would be of fundamental importance for the survival of the mythical narrative of the city's origins, especially its unshakeable power to build the future. The triple political, normative and poetic nature of the hymns would then be responsible for giving life not only to the historical text, but above all to the historical fabric of the city's social relations.

Noticia Historica was more alive than ever. The power of its beginnings would have to be commonly revived so that self-reference became hyper-reference and the real power structures were religiously maintained and perfected. Because it is power, after all, that *Noticia Historica* is talking about. It is the power of domination. It is the power that would impose slavery on labor relations, as well as on other social relations. It is the power that would make freedom function as the functional equivalent of property. It is the power that would transport the civil status of slave to the free black man. It is the power, in short, of the institution of slavery. A power so powerful that it would continue to be instituted even in the historical time of freedom.

2. 1 *Vís*: the City Council and the City Hall

On December 5, 1956, on the eve of the city's first centenary celebrations, the City Council discussed and unanimously decreed the creation of the municipality's

¹⁷⁵ Adriano de Palma, *op. cit.*

symbol and coat of arms. Four days later, on December 9, 1956, municipal mayor Erasmo Chispim promulgated the legislative decree as a municipal law, making it compulsory to use the coat of arms on “official papers, acts and documents of the city council and the town hall.”¹⁷⁶ Joly’s *Noticia Historica* gained its insignia, and it bore a single motto: “VIS LABOR LIBERTAS.”¹⁷⁷



Figure 5. Itatiba coat of arms (Wikipedia: João Teixeira Araújo, 1956).

The city council decree sanctioned by Mayor Erasmo Chispim explains in minute detail the apparent meanings of each feature of the design. The normative text goes from the most elementary meanings, such as the yellow referring to the “wealth of the municipality,” and the “mantel (hill) in green, indicating that Itatiba is situated on a hill,” to others that are less obvious, such as the red background of the upper rectangle on the shield representing “the struggles waged for the abolition of slavery.”¹⁷⁸ Were it not for the decree explaining it, no one would know that the abolition of slavery “is also symbolized by the broken shackles on the eagle’s feet.”¹⁷⁹ And the feet of the eagle, says the decree-law, are nothing less than the feet of the saint, after all, “the eagle represents

¹⁷⁶ ACMI, Erasmo Chispim, *Law no. 169 of December 9, 1956*, folios 1-2, folio 1.

¹⁷⁷ ACMI, Erasmo Chispim, *op. cit.*, fl. 1. Capitalized spelling as in the original.

¹⁷⁸ ACMI, Erasmo Chispim, *op. cit.*, fl. 1.

¹⁷⁹ ACMI, Erasmo Chispim, *op. cit.*, fl. 1.

the power of Our Lady, patron saint of Itatiba.”¹⁸⁰ In the play of signifiers that does not seem at first glance to be profound or puerile, the saint of Sargentão hovers over the top of the hill with her feet spread apart as if she had just broken the shackles of captivity. In this reading, Our Lady is the one who ends slavery.

However, it is in the coffee, the “golden wheel” and the motto that the symbol displays its most powerful communicative force.¹⁸¹ “In symmetry on the sides,” explains the decree-law, “the main products, coffee and grapes, are intertwined.”¹⁸² It is coffee, however, that encircles the shield, expanding its boundaries and serving as a balustrade for the golden gear that symbolizes “the industrial power of the municipality.”¹⁸³ It is coffee, then, that forms the whole symbol and projects industry. Likewise, it is the “fruitful branches of coffee” – the decree-law certainly did not forget to emphasize the exuberance of the soil's fertility in the adjective that accompanies the symbol's main noun – that are the main support for the motto engraved on a banner as red as the coffee blossom: “VIS LABOR LIBERTAS.”¹⁸⁴

When explaining the meaning of the legend that ends the coffee-colored banner on their feet, the councilors and mayors were excellent politicians. If the ancient Roman adage that to translate is to betray and the no less Roman adage that politics hates the betrayer but loves betrayal are to be found between the lines of politics and literature, the councilors and the mayor betrayed language for the sake of politics. In the translation of the Italian foxes, the Latin *vis labor libertas* would only mean the simple “strength, work, freedom.”¹⁸⁵

Cornelia Vismann would most likely suggest another translation for the first word of the motto.¹⁸⁶ Instead of *force*, the most appropriate would be *power*.¹⁸⁷ This is not the place to open up an undoubtedly interesting philological discussion between

¹⁸⁰ ACMI, Erasmo Crispim, *op. cit.*, fl. 1.

¹⁸¹ ACMI, Erasmo Crispim, *op. cit.*, fl. 1.

¹⁸² ACMI, Erasmo Crispim, *op. cit.*, fl. 1.

¹⁸³ ACMI, Erasmo Crispim, *op. cit.*, fl. 1-2.

¹⁸⁴ ACMI, Erasmo Crispim, *op. cit.*, fl. 1.

¹⁸⁵ ACMI, Erasmo Crispim, *op. cit.*, fl. 1.

¹⁸⁶ On the Latin locution *nomen est omen*, which, in free translation, can be read as “the name is a sign,” or even as “the name is an omen,” see Anatoli Bauer, *Was bedeutet Nomen est omen? – Übersetzung & Erklärung*, in: <https://fachwort24.com/was-bedeutet-nomen-est-omen-uebersetzung-erklarung-tz14/> (Accessed on October 11, 2024).

¹⁸⁷ For the translation of “vis” from Latin to English, see P. G. W. Glare (ed.), *Oxford Latin Dictionary*. Oxford: Oxford University Press, 1968, pp. 2074-2076.

ordinary Latinists. What matters for the moment is deciphering the motto that for more than sixty years has been passed over as being as bland as it is imprecise. In the very important context of the inscription of the famous *Noticia Historica* on the city's official emblem, and precisely at the time of the celebrations for the centenary of the political emancipation of the local community, the words could not be empty. The explanations, yes, they could and should sound empty, as Mayor Chispim might agree. But the words themselves had to carry meanings that would last forever.

Strength, in this context, means little compared to *power*. Having read the story that Joly immortalized, the concept that gives it narrative unity is not merely force. The seizure of the land, the expulsion of the criminals “persecuted by Justice,” the taking of possession, the creation of superb plantations – against Campinas and Jundiaí, against everyone, after all – is not just a story of force, but a story of power.¹⁸⁸ *Vis* is a word. Its translation, however, is nothing other than power. Once the translation has been rectified, it becomes clearer what *labor* means and what *libertas* means. Power institutes labor force and defines what freedom is.

Mayor Erasmo Chispim was the greatest statesman of the small and obsessively self-effacing town of Itatiba. No one other than him was elected to the position of mayor of the city so many times. Having been mayor five different times between the 1930s, 1940s, 1950s and 1960s, Chispim knew both his hometown and the local political class in depth. The son of Itatiba's Colonel Benedito da Silveira Franco Chispim and Francisca Pires de Camargo, the historical record holder for terms as mayor of Itatiba was initiated at a very young age into the mysteries of *VIS LABOR LIBERTAS*. A reader of Joly, Chispim knew that the author of the *Noticia Historica* himself had recognized in his paternal and maternal ancestors, both Francos and Pires, the pioneering role in planting coffee when everything was still scrubland in Belém de Jundiaí.¹⁸⁹ A man bred for power and cut out

¹⁸⁸ Eugenio Joly, *op. cit.*, p. 66.

¹⁸⁹ In the words of Eugenio Joly, “the Alves, Pires and Francos families were the first to try their hand at cultivating the rich industry [coffee], reaping the most beautiful and happy results.” As you can read in the body of the text, the famous mayor *Chispim* was also “Franco” on his father's side, and “Camargo” on his mother's side, so he was the direct heir of two of the pioneering families in coffee production in Itatiba. In an important study on the history of Itatiba, Marin Chispim explains that Chispim was not originally a surname, but the prename of a famous ancestor of the mayor (and also of himself). Thus, says Marin Chispim, his grandfather Erasmo's surname was a name originating from the “Silveira Franco” branch. The author, however, did not identify exactly who was the first Chispim to whom Erasmo owed his surname. According to Gustavo Pereira da Silva, “Chispim da Silva Franco, one of the captains of ordinances from Atibaia and a large rural slave owner” was the patriarch of many families, including the

for it, Chrispim was a local councilor and mayor for the anti-war Constitutionalist Party, shortly before taking on the role of municipal interventor representing nothing less than the Vargas regime.¹⁹⁰ Later, and already in the midst of the regime's closure in 1937, he broke with Vargas, asked to be “removed from office” and would only return to electoral politics after almost a decade of political ostracism.¹⁹¹

Whether it is because of his golden cradle studded with coffee, the richest commodity in the Brazilian Empire, or because of both his private and political choices, Chrispim's trajectory serves as an excellent unit of observation for analyzing the concept of *vis* (power) in a post-slavery society with an ultra-slavery past.¹⁹² In other words, both his private life and his political life shed light on private institutions, such as coffee plantations and business associations, and public institutions, such as the city council and the town hall. Moreover, his life and his choices bear witness to the political times of virtually the entire brief 20th century, including regime changes, social revolutions and world wars, even though his personal century paradoxically carried within it the deepest marks of the long 19th century in Itatiba.¹⁹³

With the exception of a few years living in the city of São Paulo, where he attended high school, Erasmo Chrispim lived his entire life in Itatiba. And for him, as for his classmates, Itatiba was divided between the *casa grande* [rural big house] at the plantation and the *sobrado* [mansion] in the city. Heir to two of the main plantation-owning families in the area – the Francos and the Pires – Chrispim spent a lot of time at the Cachoeira farm, in the Pires neighborhood, and knew the family's other properties very well, such as the Santo Antônio, Ramalhada and Maria Leopoldina coffee

famous Lacerda Franco, which we will see later. See, respectively, Eugenio Joly, *op. cit.*, p. 68; Fabio Eduardo Chrispim Marin, *A história e a política do prefeito Erasmo Chrispim*. São Paulo: Universidade de São Paulo (Specialization Monograph), 2009, p. 14; and Gustavo Pereira da Silva, “A dinâmica do enriquecimento paulista no século XIX: das origens à diversificação do capital da família Lacerda Franco,” in: *Estudos Econômicos*, vol. 45, n. 2, pp. 347-376, 2015, p. 351.

¹⁹⁰ On party dynamics in the First Republic, especially in the context of the Vargas revolution of 1930 and the São Paulo barracks of 1932, see Cláudia Viscardi, *O teatro das oligarquias: uma revisão da ‘política do café com leite.’* Belo Horizonte: Fino Traço, 2012.

¹⁹¹ The public request for his resignation can be read in BN, *Correio Paulistano* (SP), “Prefeitura Municipal de Itatiba,” [Redação], May 18, 1938, p. 6.

¹⁹² On the conceptual entanglement between the unit of observation and the unit of analysis, as well as their respective “scales,” see Rebecca Scott, “Small-Scale Dynamics of Large-Scale Processes,” in: *The American Historical Review*, No. 105, 2000, pp. 472-479.

¹⁹³ Erasmo Chrispim was born in 1901 and died in 1987. Therefore, his entire political career takes place over the course of the 20th century. The most complete work available on Chrispim's political career is undoubtedly Fabio Eduardo Chrispim Marin, *op. cit.*, pp. 1-105.

plantations, as well as the mansion on the corner of Rua Aguiar Pupo with Rua Francisco Glicério.¹⁹⁴ At the age of 26, he married Alzira da Silveira Pupo, daughter of Crescêncio da Silveira Pupo and Ana Castanher da Silveira Pupo, also belonging to one of the city's wealthiest slave-owning families. Chispim's already considerable fortune thus grew through the very traditional route of marriage. Without having completed his academic studies in São Paulo, Chispim dedicated a few years exclusively to managing the family farms, which now included at least part of the Pupo da Silveira family's crown jewel, the Santa Luzia coffee plantation.

However, Chispim seemed to understand the game of power well enough to see that managing the town's *public assets* would, to some extent, be strategic in order to better manage his *private* assets and another share of many other assets. In reality, he was not creating anything new: he was simply following the path blazed by his father, Colonel Benedito Chispim, who, far beyond being just a “wealthy landowner in this municipality,” had a political life that spanned several local civil associations.¹⁹⁵ Chispim, the father, dedicated himself to many social activities, having been president of both the Asilo São Vicente de Paula – an important philanthropic work in the city – and the Grêmio Cívico e Recreativo Itatibense, “one of the most traditional clubs in Itatiba.”¹⁹⁶ As “one of Itatiba's most active political leaders,” he was also a justice of the peace, a party leader and, of course, a councilor and mayor.¹⁹⁷ Fabio Marin is therefore right in asserting that “Colonel Benedito Chispim was Erasmo's political mirror.”¹⁹⁸

In many ways, the young Erasmo's political construction would emulate that of his father. He would also be a patron of social works, such as the aforementioned asylum for the elderly, and a benefactor of social clubs, such as Itatiba Esporte Clube and Operário Esporte Clube. He would also forge strategic alliances with old local clans whose political strength came heavily from the coffee economy. However, unlike his father, Erasmo would face a much more complex world to navigate. Since he would only gain political prominence precisely after his father's death on Christmas Eve 1930, the

¹⁹⁴ Fabio Eduardo Chispim Marin, *op. cit.*, p. 64.

¹⁹⁵ Diloca Sangiorgi, *op. cit.*, p. 18.

¹⁹⁶ Fabio Eduardo Chispim Marin, *op. cit.*, p. 59.

¹⁹⁷ Fabio Eduardo Chispim Marin, *op. cit.*, p. 59.

¹⁹⁸ Fabio Eduardo Chispim Marin, *op. cit.*, p. 59.

political world he would come to know would be that of the Vargas' revolution of October 1930. A radically new world, therefore.

In a matter of months, much of the political construction of the last 40 years of the Republic would fall apart. The political strength of the state of São Paulo in the national political concert, for example, would be swept away by the winds of revolution. By seizing central power, the young lieutenant and lawyer from Rio Grande do Sul, Getúlio Vargas, not only broke in half the old constitutional order of 1889, or rather that of 1891, but also dismantled the two strongest oligarchic representations of the federative regime and restarted the Republic's political clock. If São Paulo lost a lot, Itatiba lost even more: the city would face the hardest loss of political power in its history.

And since little is nothing, the political *debacle* was deepened by economic ruin. The effects of the New York Stock Exchange crash in October 1929 worsened day by day and the year of Colonel Benedito Chrispim's death would perhaps sum up the worst year for Brazilian coffee in over a century. The global economic depression, which suppressed demand for coffee from São Paulo, Rio de Janeiro and Minas Gerais, ended up bankrupting hundreds of coffee farmers and traders. Never before had Itatiba faced such a serious political and economic crisis. Never before had Erasmo had so many problems to deal with. At the same time, he was losing his father, his city was losing its economy and his state was losing its institutions. The crisis was so profound that even coffee was losing its land, that is, even plantations were breaking up into sharecropping, farms and other territorial fragmentations.

Both the economic (global) and political (national) crises represented a kind of death of (local) power as Erasmo Chrispim knew it. And to make matters worse, he could no longer count on his political mirror. The young manager of his family's coffee plantations had to quickly prove himself as a skilled politician and find ways to rebuild the *vis itatibense*. In 1935, he ran for the city council. Like his father, who had been a councilor between 1926 and 1930 and would soon occupy the local executive in the final year of his term – a year that would also tragically mark the end of his life –, Erasmo would be elected and would immediately find ways to rise from the council to the mayor's office.

In the first session of the newly elected legislature, in July 1936, Chrispim was elected for the first time as mayor of Itatiba with the vote of only five councilors.¹⁹⁹ The contrast between the general demographic data and the proportion of local representatives should be enough to show the extent of the representative crisis typical of the First Republic and still in force in the first decade of the 1930s. In 1936, Itatiba had around 22,000 inhabitants, of whom only around 4,000 were eligible to vote. This electoral college of no more than a quarter of the city's adult population elected the city's seven councilors. In turn, the conciliatory of seven formed a new electoral college to now handpick the head of the Executive. That's how the election for mayor took place. Given the gulf between population and voters, and between voters and representatives, it is clear that the city was a citadel and that its *vile* was in its city council – which ultimately decided virtually everything, including who would be the city's mayor.

However, the power did not fall there by chance. On the contrary, the same *vis* that appears in the legend of the city's symbol was carefully positioned within the chamber as early as the municipality's political emancipation. This can be seen by studying the composition of each legislature. If we go back legislature by legislature, we will see how not only the electoral patterns of the small electoral college were followed, but also how the interests of families that were sometimes personally disaffected with each other were concerted internally in the chamber.

In the 1936 legislature, for example, almost all of the seven councilors were umbilically linked to the local plantations. Romeu Bueno de Aguiar represented, in particular, the interests of his family's Santa Júlia plantation, and those of the slave-owning coffee growers of the Barra Mansa district, in the northern limits of the municipality, in general. Celso Pupo represented the Pupos' interests, including of course those of the Santa Luzia farm. Pupo was none other than the best man who took young Erasmo Chrispim's request to the patriarch Crescêncio Pupo to woo his daughter Alzira Pupo. The other councilors were also there *for the* coffee and by dint of the coffee. Instead of taking a closer look at each of the others – an exercise that would detail the composition of this legislature but potentially lose sight of the power game established

¹⁹⁹ Fabio Eduardo Chrispim Marin, *op. cit.*, pp. 24-26.

in previous legislatures – it is worth going back a little further in time and observing the *vis* of coffee in the chamber's power.

On November 1, 1857, All Saints' Day, the mayor of Jundiaí, Manoel Nóbrega de Oliveira, went to the then village of Belém de Jundiaí to celebrate its political emancipation. Gathered in the consistory of the parish church, as in 1827 the first petitioners for emancipation from a parish to a town had done, the mayor of Jundiaí performed the religious service of local political autonomy. In front of Mayor Oliveira, the first seven councilors in the city's history took a solemn oath “on a book of the Holy Gospels, according to the formula prescribed by article 17 of the Law of October 1, 1828” and, most likely without elections, took office in their respective representative positions.²⁰⁰

The next day, the Day of the Dead, the seven councilors began to deliberate the fate of the newly emancipated political community. Although the first mayor, Francisco de Assis Passos, said that it would not be a place to “pursue political opinions, but rather impartiality, good order, the execution of laws and prosperity,” he skillfully established, in what would be the only transcribed speech of the founding act, the particular political opinion of that group as general signifiers of impartiality, order, compliance with the law and economic progress.²⁰¹ Following this, the mayor and the other six councilors who allegedly did not want to play politics took a series of administrative measures relating to the appointment of officials and the construction of public buildings. They were obviously starting to play politics. And a lot of politics.

In addition to its president, Assis Passos, the new council was made up of councilors João Baptista Lacerda, Antonio Soares Muniz, Francisco Antonio de Paula Viana, Eugenio Joly, Antonio Franco de Godoy Pompeu and José Pires de Godoy. This is the cream of the coffee political representation in Itatiba. Of the “vast majority of farmers” on the list of the first councilors in Itatiba's history, Joly is the one we talk about the most, but not the one with the greatest political power.²⁰² In a list with a Franco de Godoy and another Pires de Godoy, it would be foolhardy to put Joly as the most powerful of them all. Both Godoy cousins each owned over a hundred thousand coffee

²⁰⁰ MPL, A Reação [editorial], *Almanaque de Itatiba* (SP), 1916, pp. 23-30, p. 24.

²⁰¹ MPL, A Reação [editorial], *Almanaque de Itatiba* (SP), 1916, pp. 23-30, p. 24.

²⁰² Wanda Silveira Navarra, *op. cit.*, p. 82.

trees on their plantations. Pires de Godoy's São Bento farm alone had more than 350 bushels. Franco de Godoy's Sant'ana plantation, on the other hand, did not leave its cousin behind, rivaling São Bento in size and production. The historian Joly was right on this point: in Itatiba, coffee did indeed begin with “the Alves, Pires and Francos families,” precisely “the first to try their hand at cultivating the rich industry.”²⁰³

Surnames, however, do not *tell* the whole story. Next door to the Sant'ana plantation was Chapéu do Sol, owned by the family of Antonio Soares Muniz, also one of the founding councilors of the local political council. According to Sangiorgi, “Captain Antonio Soares Muniz belonged to an old Itatibense family, whose relatives” had a very active political life in the city.²⁰⁴ Among these relatives were other farmers and at least two judges, most likely his brother, Florencio Muniz Soares. The latter, in September 1869, was the same municipal judge of the city whom the black abolitionist Luiz Gama had accused of criminally ordering the re-enslavement of an already free ex-slave. In his historic open letter, Gama described the “serious attack” as “unworthy and scandalous” and denounced the judge as an “ignorant authority” who lacked the “most basic rudiments of law.”²⁰⁵

Surnames, however, do not *hide* everything. Another founding father of Itatiba's legislature, João Baptista de Lacerda, did not bear any of the surnames of the first coffee farmers – Alves, Pires or Franco – but he was without a doubt someone belonging to the lineage of Itatiba's first clans. Also a farmer, heir to the lands of Bocaina, he was most likely the brother of Ignacio Correa de Lacerda, whom Joly credited as the genius who brought the coffee bean to Belém de Jundiá, and the son of Antonio de Lacerda Guimarães and Maria Franco, one of the Itatiba branches of perhaps the largest coffee genealogical trunk in western São Paulo, the “Lacerda Franco.”²⁰⁶ In any case, son of this or that, Baptista de Lacerda was from the great Lacerda Franco tree.

And not just him, of course. Even Eugenio Joly would also be a Lacerda Franco, if not by birth, then by marriage. His wife, Maria Carolina da Silveira Franco, who gave

²⁰³ Eugenio Joly, *op. cit.*, p. 68.

²⁰⁴ Diloa Ferraz Sangiorgi, *op. cit.*, p. 56.

²⁰⁵ Luiz Gama, *Democracia, 1866-1869* (ed. Bruno Rodrigues de Lima). São Paulo: Hedra, 2021a, pp. 433-435, especially pp. 433-434.

²⁰⁶ Gustavo Pereira da Silva, *Uma dinastia do capital nacional: a formação da riqueza dos Lacerda Franco e a diversificação na economia cafeeira paulista (1803-1897)*. Campinas: State University of Campinas (Doctoral thesis in Economic History), 2011, pp. 79-83.

birth to Antônio Chateaubriand Joly – the first mayor in the history of Itatiba, elected in 1908 – was the daughter of Joaquim da Silva Franco and Escolástica da Silveira Franco. Chateaubriand, as mentioned earlier, was his father Eugênio Joly's first disciple.²⁰⁷ Like his father, he became a farmer, councilman, and a sort of local historian – more specifically, a land surveyor and author of the *Agricultural Map of the Municipality of Itatiba* – and rose socially by further strengthening the familial ties of the coffee clans. Joly the son would also follow in the footsteps of Joly the father: he married a Franco. More precisely, he married his cousin and near-namesake of his mother, Maria da Silva Franco, the daughter of the half-siblings Joaquim da Silva Franco – known as Comendador Franco – and Gertrudes Maria de Oliveira Franco.²⁰⁸

The purpose of this brief genealogical prosopography of Itatiba's first city council is certainly not to delve into the psychoanalytical or anecdotal details of the private lives of some of its most prominent actors. Fundamentally, the aim is to demonstrate that in Itatiba the power of coffee was a family power.²⁰⁹ The reproduction of coffee's power first unfolded within familial confines before becoming a quilt visible to the outside world. It was not just Joly who understood this game of bed and table that would now also be played out in new halls, such as the town hall. It was not just him who brought the closed game of coffee into open politics. Like Eugênio Joly, other council members also sought to be elected and re-elected, and they paved the way for their children to follow the same path into the politics of coffee.

From the seven pioneering councilmen emerged political lineages directly tied to their respective households. From the Franco de Godoy and Pires de Godoy cousins alone, for instance, came Pedro Elias de Godoy, who served three terms as mayor during the 1910s and 1920s, and Benedito Franco de Godoy, the last mayor of the First Republic – preceding the governing junta that included, among others, the father of Erasmo

²⁰⁷ Reference the exact page.

²⁰⁸ For information on Joly's genealogy, see the excellent online database available on www.familysearch.com (Accessed on October 15, 2024).

²⁰⁹ See, respectively, three valuable works on the sociology of power and the family in the context of coffee in 19th century Brazil: Stanley Stein, *Grandeza e decadência do café no Vale do Paraíba*. São Paulo: Brasiliense, 1961; Paula Chaves Teixeira, *Negócios entre mineiros e cariocas: família, estratégias e redes mercantis no caso Gervásio Pereira Alvim (1850-1880)*. Niterói: Universidade Federal Fluminense (Master's thesis in History), 2009; and Andréa Christina da Silva Panaro Caldas, "À sombra de um cafezal: estratégias sociais, familiares, produtivas e políticas de barões do café na Zona da Mata Mineira (1830-1890)," in: *Anais do XVI Encontro Regional de História da Anpuh-Rio: saberes e práticas científicas*, 2014, pp. 1-31.

Chrispim. Additionally, as an illustration, Baptista Lacerda's lineage would include what was likely his younger cousin, Antonio de Lacerda Franco, who would become the most nationally prominent politician in his clan's history.

If it is accurate to say that Erasmo Chrispim managed to embody the political power rooted in the slavery of his homeland even during the uncertain times of freedom, it is equally correct to assert that he emulated not only his "political mirror," Colonel Benedito Chrispim; or, rather, Colonel Benedito da Silveira Franco Chrispim, as was his full name.²¹⁰ Erasmo emulated his father, it is true, but he truly emulated his grandfather – and his great-grandfather – just as Chateaubriand Joly, Antonio Franco de Godoy Pompeu, and Antonio de Lacerda Franco did.

At this point, it is best that we know once and for all: Chateaubriand Joly, Antonio Franco de Godoy Pompeu, José Pires de Godoy, João Baptista de Lacerda, Antonio de Lacerda Franco, and Erasmo Chrispim were all cousins.

Slavery, in the end, was always a family.

2. 2. Labor: credit, infrastructure and slave smuggling

The *vis* of slavery was money. "Man is man, the slave is money, and the issue is essentially economic!" philosophized a sharp-minded abolitionist social theorist during one of coffee's economic peaks in the context of the post-smuggling era's slavery policies.²¹¹ There would have been no emancipation, neither from village to parish in 1828 nor from parish to municipality in 1857, without money – lots of money – involved and circulating. However, as the capitalist adage goes, money does not like borders. Thus, to better understand the dynamics of wealth accumulation in Itatiba, one must step beyond its territorial boundaries – even to understand it more accurately. In this sense, leaving Itatiba also means gaining a better understanding of the deeply global regional chain of the coffee business and its triad of "farmer, intermediary, and exporter," taking into account the circularity between credit, infrastructure, and the

²¹⁰ Fabio Eduardo Chrispim Marin, *op. cit.*, p. 59.

²¹¹ Luiz Gama, "O homem é o escravo e o escravo é o dinheiro," in: Luiz Gama, *Direito, 1870-1875* (ed. Bruno Rodrigues de Lima). São Paulo: Hedra, 2023a, pp. 77-80, especially p. 78. On the nuances of the politics of slavery in the post-smuggling era, see Tâmis Parron, *op. cit.*, 2011, pp. 156-188.

smuggling of enslaved people – and conversely, the reverse flow between slave smuggling, infrastructure, and credit.²¹²

The shift away from Itatiba, however, will be brief. We will spend almost the entire time at the seat of vis in Itatiba – its municipal council. And when we do shift focus – paradoxically – Itatiba will come along, as we closely follow Antonio de Lacerda Franco. Even far from his homeland, he would be remembered – not without some exaggeration – as the “supreme director of Itatibense politics.”²¹³ He would go on to become one of the country's leading textile entrepreneurs and bankers – as well as a senator of the Republic.²¹⁴

On February 1, 1878, during a regular session of the Itatiba Municipal Council held in its own building, the council president at the time, Franco Godoy, swore in his distant cousin Antonio de Lacerda Franco as an alternate councilman. His appointment as an alternate might seem insignificant – but it is not. A kind of baptismal rite, this position marked his “first political office” at the age of 23, in his hometown, as a clear sign that he was one of Itatiba's “most cherished sons.”²¹⁵ The son, however, was destined for the world. Three years later, in 1881, Antonio de Lacerda Franco was in the city of Araras, where his parents lived and where he himself had also lived. Now, however, he was no longer an alternate councilman – he was the president of the local Municipal Council, undoubtedly supported by his first cousin José Franco de Lacerda and his distant cousin Joaquim Franco de Camargo, both also part of the select group of seven councilmen of Araras for the 1881-1884 term.²¹⁶

²¹² Cf. Gustavo Pereira da Silva, *op. cit.*, 2011, p. 195; and, on the circularity between credit, infrastructure and slave smuggling, Tâmis Parron, *op. cit.*, 2011, pp. 87-93, and Clemente Gentil Penna, *Economias urbanas: capital, créditos e escravidão na cidade do Rio de Janeiro, c.1820- 1860*. São Paulo: Hucitec, 2023, pp. 65-92.

²¹³ MPL, A Reacção [editorial], *Almanaque de Itatiba (SP)*, 1916, p. 86.

²¹⁴ MPL, A Reacção [editorial], *Almanaque de Itatiba (SP)*, 1916, p. 86.

²¹⁵ MPL, A Reacção [editorial], *Almanaque de Itatiba (SP)*, 1916, p. 86.

²¹⁶ Silva sums up the spread of the Lacerda Franco family's political power in Araras quite eloquently. In his words, “The presence of the Lacerda Franco family in Araras' political and legal circles was vigorous. Bento de Lacerda Guimarães was mayor; his son Antonio de Lacerda Franco followed the same path; José de Lacerda Guimarães was justice of the peace; his son José Franco de Lacerda and his son-in-law João Soares do Amaral were councilors; Father Joaquim Franco de Camargo, son of Alferes Franco and brother-in-law of the Lacerda Guimarães brothers, became a councilor; as well as Justice of the Peace Joaquim Alves Franco, son of Albino Alves Cardoso and Carolina Amélia de Camargo - daughter of Alferes Franco - and therefore nephew of the Bento and José de Lacerda Guimarães brothers. With a large part of the family in control of the politics of the municipality of Araras, the decisions of the Municipal Council were unlikely to go against the interests of its members.” Cf. Gustavo Pereira da Silva, *op. cit.*, 2011, pp. 154-155.

Antonio de Lacerda Franco would not settle in Araras – he had other horizons to reach, other projects to pursue. He moved from the forefront of coffee cultivation to the practically uncharted and undoubtedly challenging field of exportation. In 1883, he left Araras for Santos, where he joined another cousin, Joaquim Franco de Lacerda, to reformulate a family business – or rather, to completely reshape a “*family capital association*.”²¹⁷ That same year, in 1883, both cousins were already living in the province's largest port city and began managing million-dollar operations together in the Brazilian coffee trade's equivalent of *Wall Street*.²¹⁸

The young Lacerda Franco's learning – both political and entrepreneurial – initially gained in Itatiba and solidified in Araras would now be put into practice in the largest commercial hub for coffee in the southern part of the Empire of Brazil. In western São Paulo, he had closely observed many poor transactions between slaveholding farmers, middlemen, and exporters. His own family likely had a history of significant financial losses due to poorly executed agreements. In a business “subject to the most varied external interventions,” as Silva explains, whether due to climatic causes such as “rains, frosts, pests,” or for strictly economic reasons, such as “overproduction itself” and the often-sudden oscillation between supply and demand, Silva continues, “affected the performance of the harvests and, consequently, the price of coffee on the domestic and foreign markets.”²¹⁹

In this context, it became absolutely essential to train someone who was both of utmost trust to the clan and recognized for their entrepreneurial and political skill. This person would need to shield the plantations of Itatiba and Araras from exploitative clauses and exorbitant interest rates imposed by middlemen from the big city. In short, it was imperative that the clan groom someone to represent them in the challenging negotiations with export trading houses based in Santos and Rio de Janeiro. This is why, even at a very young age, Lacerda Franco emerged as a councilman in two municipal chambers in the interior of São Paulo and soon after took on an extraordinary entrepreneurial role in Santos and São Paulo.

²¹⁷ Gustavo Pereira da Silva, *op. cit.*, 2011, p. 189. Original emphasis.

²¹⁸ For more on the term “coffee's Wall Street,” see Leandro Machado, “Como Luiz Gama desvendou ‘roubo do século’ na ‘Wall Street brasileira,’” in: *BBC News Brasil*, June 20, 2023. Available at: <https://www.bbc.com/portuguese/articles/c1vznpx024o>. Accessed on October 17, 2024.

²¹⁹ Gustavo Pereira da Silva, *op. cit.*, 2011, p. 3.

With his cousin Joaquim Franco de Lacerda by his side – and two uncles as minority partners – Lacerda Franco led a “limited partnership (...) aimed at general commission trade, buying and selling coffee in the markets of Santos and Rio de Janeiro, and exporting to foreign markets on their own behalf or on behalf of others.”²²⁰ The goal could not have been clearer – the clan, which had spent the past several decades fundamentally dedicated to coffee production, now aimed to dominate the coffee trade, handling commissions, buying and selling from other producers within Brazil, and exporting coffee to Europe and the United States.

Together, the cousins took a significant step toward diversifying the Lacerda Franco clan's business interests in the coffee market. Initially, they operated as a commission house, managing virtually the entire logistical process of transporting coffee from a plantation to the port of Santos and, in the reverse direction, delivering supplies, food, enslaved workers, and equipment to a given plantation. This was a highly profitable activity with minimal risk of insolvency, as land and enslaved labor were typically mortgaged. The commission agents would purchase tons of coffee on consignment and only after negotiating with exporters at the port would they return to the interior with payment for the consigned purchase. Frequently, they encountered farmers grappling with various shortages and setbacks – whether due to the loss of enslaved labor or the devastation of part of their crops by a severe pest infestation.²²¹

In this context, the farmers were, in many ways, vulnerable, unable to challenge the agreements made between the commission agents and the exporters in Santos, and often inclined to accept even worse terms for a new consignment sale agreement. A commission house, after all, was never a charitable institution, and as the adage goes, *friends are friends, but business is business*. The Lacerda Franco cousins pushed the business to its limits, amassing wealth at astonishing levels.

On the other hand, the Lacerda Franco family would not be satisfied with remaining merely middlemen in the lucrative triad of planter-commission agent-exporter – especially since they had yet to partake in the most profitable end of the business. As Wilson Cano explained, “external capital practically controlled coffee exports,” leaving Brazilian commission agents with little opportunity to compete in this

²²⁰ Gustavo Pereira da Silva, *op. cit.*, 2011, p. 191.

²²¹ Gustavo Pereira da Silva, *op. cit.*, 2011, pp. 195-210.

segment of the trade.²²² The competition was heavily skewed: with abundant access to credit from international banks, foreign companies – such as the renowned German firm Theodor Wille & Co. – dominated the import and export markets. In contrast, Brazilian firms depended on extraordinary arrangements involving private wealth, particularly from family members, to even dream of competing for a share of the coffee export business in Santos.

The Lacerda Franco cousins, however, managed to enlist the support of their wealthier relatives to establish an extraordinary family capital arrangement. Starting with a substantial 600 *contos de réis* – roughly equivalent to 60 million reais today – they quickly set up headquarters in Rio de Janeiro and opened a branch in the French port city of Le Havre. In an extraordinary leap, the Lacerda Franco cousins began trading on the world's first coffee exchange, the Havre Exchange, strategically located on the French side of the English Channel. Historian Maria Luiza Melo Moraes underscored the significance of an export house establishing itself in Le Havre. In doing so:

Merchants could hedge their purchases by partially or fully selling in the futures market, against coffee shipment contracts made overseas, thereby avoiding significant risks from price fluctuations. This practice had the considerable advantage of allowing sales at any time, based on their expectations of the market's near future, for the coffee arriving in the port or still in the interior. They could then settle the contracts at the corresponding term.²²³

It was not merely a market expansion – or the internationalization of a local business. In a masterstroke, the Lacerda Franco family began to control decisive post-sale stages at the port in Santos. Coffee under their stewardship would acquire a kind of passport – landing in Europe or the United States relatively safe from the locust plague of speculation. Smaller farmers and commission agents – seeking more stable prices, or simply hoping to avoid seeing previously negotiated prices collapse under the whims of

²²² Wilson Cano, *Raízes da Concentração Industrial em São Paulo*. 5 ed. Campinas: Universidade Estadual de Campinas, 2007, p. 78.

²²³ Maria Luiza de Paiva Melo Moraes, *Atuação da firma Theodor Wille & Cia. no mercado cafeeiro do Brasil, 1844-1918*. São Paulo: Universidade de São Paulo (Doctoral thesis in History), 1989, p. 66.

speculation – turned to the Lacerda Franco family to export their shares of the *black gold*. Equally significant, the cousins now dealt directly with European and North American *sharks* – amplifying their profit margins with each transaction.

In 1886, the Lacerda Franco commercial and export house reached the “pinnacle of the coffee sector,” becoming the largest export house in Santos. As Silva noted, it was simply “present in all phases of the São Paulo coffee economic circuit – from production to trade – reaping the full spectrum of profits during the great expansion of São Paulo's coffee capital (1885–1896).”²²⁴

The entire business strategy of the Lacerda Franco family can be summarized in one word: diversification. They somehow foresaw that the survival of coffee plantations: those same ones they had witnessed up close in Itatiba and Araras, depended on controlling not only production, but also stages following the sale of the harvest. Skillfully, they realized that they needed to first dominate the commissions between production and exportation, and then move on to handling exportation directly. However, mastering the coffee circuit required diversifying their portfolio as well. Managing different stages of production and trade was essential: as the cousins had already demonstrated, but it was equally important to understand the coffee business in all its complexity and actively participate in other ventures tied to the plantations.

If the Lacerda Franco family had already developed a dynamic credit machine that successfully controlled various stages of the coffee production chain, they also created another credit mechanism aimed at infrastructure investment. Recognizing that the expansion of the coffee complex required railways, machinery industries, power plants, and public works companies, they designed a series of new enterprises to drive investments in all these areas.

One of the most important of these – alongside Lacerda, Camargo & Co. and the Banco do Comércio e Indústria de São Paulo – was undoubtedly the Banco União de São Paulo. Founded in April 1890 and presided over from its inception by our familiar Itatibense, Antonio de Lacerda Franco, the União became the only universal bank authorized to issue banknotes in São Paulo. But it was much more than that. Its activities extended across commercial, mortgage, agricultural, industrial, and construction

²²⁴ Gustavo Pereira da Silva, *op. cit.*, 2011, p. 199.

sectors. With initial assets exceeding 112,000 contos de réis, the Banco União had the authorization to engage in a wide range of activities, including

commercial credit activities, such as the provision of short-term loans, discounts and foreign exchange; agricultural credit and mortgage activities, such as the granting of long-term financing, secured by rural or urban real estate, and advances against future harvests; industrial credit for the construction of buildings, railroads, docks, port improvements, communications and administrative activities, such as the ownership and operation of industrial interests.²²⁵

The bank's activities touched virtually every sector of São Paulo's economy. However, it was, above all, an industrial bank. "The Banco União was the only investment bank with any real investment in industrial pursuits," Hanley summarized, going on to outline some of its many initiatives.²²⁶ As a sort of central engine for the burgeoning São Paulo industry, the União de São Paulo played a key role in the creation of companies providing specific services such as trams, lighting, and gas; it financed the construction of buildings and the installation of machinery, speculated on houses and urban land, and directly engaged in "purchase, subdivision and sale of land, colonization of large areas, topographical surveys and the opening of roads."²²⁷ The União de São Paulo founded cities and worker towns, developed São Paulo's textile sector, established a flour mill, built power plants, "formed a shoe factory and acquired a factory for the production of cotton and wool fabrics."²²⁸

It is no exaggeration to say that the industrial development policy of Banco União originated from the expertise of the coffee barons of western São Paulo – particularly its president, Lacerda Franco. In line with a notable historiographical approach, São Paulo's emerging industrial complex had far deeper roots in the old slave-based coffee economy of western São Paulo than in any new model of capital enterprise.²²⁹ Lacerda

²²⁵ Gustavo Pereira da Silva, *op. cit.*, 2011, pp. 230-231.

²²⁶ Anne Hanley, *Native Capital: Financial Institutions and Economic Development in São Paulo, Brazil, 1850–1920*. Stanford: Stanford University Press, 2005, p. 151.

²²⁷ Gustavo Pereira da Silva, *op. cit.*, 2011, p. 233.

²²⁸ Gustavo Pereira da Silva, *op. cit.*, 2011, p. 233.

²²⁹ See, for example, Wilson Cano, *op. cit.*, pp. 27-100; and Caio Prado Junior, *História econômica do Brasil*. 12. ed. São Paulo: Brasiliense, 1970.

Franco understood the business: having an insider's knowledge of coffee farming, the tricks of middlemen, and the speculative nature of the sharks of Brazil's Wall Street, he was well-equipped to facilitate the transition from a less diversified economic model focused solely on production and export to a more diversified business model encompassing investments in other commercial and industrial sectors. Ultimately, Lacerda Franco grasped the shift from one historical era to another, or more precisely, the transformation from a purely agrarian capitalism to one that remained fundamentally agrarian but with strong industrial connections.

The former alternate councilman of Itatiba and later president of the Araras Municipal Council rose to immense entrepreneurial prominence, always supported by the Lacerda Franco clan. As previously noted, his commission house, later the export house J. F. Lacerda & Co., was initially structured to represent the productive interests of the clan's plantations. However, as a visionary businessman, Lacerda Franco knew even this required diversification. When he founded the bank União de São Paulo in April 1890, he not only expanded his business portfolio and diversified investments previously concentrated in coffee production and export but also redirected them toward an impressive array of industrial and commercial ventures. Now fundamentally a banker, Lacerda Franco also diversified the partnership structure of his firm, creating a sort of coalition of coffee clans under the banner of profit maximization for its shareholders.

The União de São Paulo was, essentially, a coalition of São Paulo's coffee-growing slaveholding clans, united by a shared strategic business vision focused on diversifying their ventures to multiply their wealth. This coalition of clans – or more precisely, their pooled capital – proposed and led by president Lacerda Franco, represents the application of economic diversification principles to business organization. It was this alliance of sometimes competing yet converging clan interests that provided the União de São Paulo with both significant investment power and an extensive operational reach. Within a few years, the bank had its headquarters in São Paulo and branches, agencies, and correspondents in numerous cities, including Curitiba, Santos, Campinas, Rio Claro, Rio de Janeiro, Sorocaba, Lorena, Jaboticabal, and, of course, Itatiba.

The composition of its founding shareholders eloquently reflects both this business strategy and its extensive reach: alongside Lacerda Franco, the son of the Baron of Araras, were Antonio Paes de Barros, son of the Baron of Piracicaba; João Baptista

Mello Oliveira, son of the Viscount of Rio Claro; João Tobias de Aguiar e Castro, son of the Marquise of Santos and the former provincial president of São Paulo, Rafael Tobias de Aguiar; and Joaquim Lopes Chaves, son of the Baron of Santa Branca. As an illustration of how clan power heavily influenced institutional Republican politics, just two years after the União de São Paulo was founded – in 1892 – three of its founders (Oliveira, Chaves, and Castro) were elected state senators in São Paulo.

Anne Hanley, then, was right when he observed that the greatness of this bank “was probably due to the high profile of their founders, men of great stature in the São Paulo business community who promised the ability to generate credible connections between the bank and non-bank business.”²³⁰ The historian's caution in emphasizing the adverb “probably” is welcome, but somewhat dispensable.²³¹ After all, this coalition of coffee baron families was not only the engine of a new stage of economic development during the transition from enslaved to free labor – both still dependent on the coffee production-export cycle – but also represented the hinge connecting the world of *private* business to that of *public* policy.

The União de São Paulo, therefore, aimed to unite São Paulo – the rural coffee complex with urban institutional politics. The bank was the medium – and Lacerda Franco the interpreter of both worlds. Ultimately, his interpretation – or, rather, his political actions as a businessman – was less an individual achievement and more a portrait of a class and a historical moment. It led São Paulo's slaveholding plantation elites to transform into the “social matrix of Brazil's industrial bourgeoisie.”²³² This is because – and closely following Mello's conclusions – “industrial capital was born as an offshoot of the coffee capital employed both in the productive core of the export complex (coffee production and processing) and in its urban segment (commercial activities, including imports, financial services and transportation).”²³³

In São Paulo – and again, without reducing a complex social process that speaks more to class and time than to isolated individuals – this newly born industrial capital had a name: Antonio de Lacerda Franco. Or, from another perspective, this “capital that

²³⁰ Anne Hanley, *op. cit.*, p. 127.

²³¹ Anne Hanley, *op. cit.*, p. 127.

²³² João Manuel Cardoso de Mello, *O capitalismo tardio. Contribuição à revisão crítica da formação e do desenvolvimento da economia brasileira*. Campinas: Universidade Estadual de Campinas, 1998, p. 104.

²³³ João Manuel Cardoso de Mello, *op. cit.*, p. 104.

originates in agriculture and gradually metamorphoses into industrial, banking, and commercial capital” – diversified, in a word – had, undeniably, in Lacerda Franco, one of its principal architects.²³⁴

No one, however, diversifies from nothing. The social matrix of industry was the coffee-export complex. It was this complex that “generated the monetary capital that transformed into industrial capital and created the necessary conditions for this transformation” of businesses, which would lead to a massive boom in the supply of labor and commodities, driving both the importation of dozens of materials previously unavailable in Brazil and the production of other consumer goods.”²³⁵ Since in economics one matrix replicates another, it is necessary to return to the matrix of the coffee complex itself to better understand not only the origins of the wealth underpinning São Paulo’s industry – or, by metonymy, the União de São Paulo – but also the resilience it would demonstrate.

It is a half-truth to say that the wealth of Lacerda Franco, Paes de Barros, or Lopes Chaves – just to name three founders of the União de São Paulo – came exclusively from coffee production. All of São Paulo’s coffee clans, whether from the old Paraíba Valley or the new western frontier, built their plantations by investing heavily in the trafficking of Africans. In a self-reinforcing economic cycle, slaveholding farmers purchased free Africans on credit from smuggling intermediaries, enslaved them on their plantations, cultivated coffee with aggressive techniques that depleted the soil, and sold the harvest to the same commercial agents – often on consignment – for export to Europe. If we include the constant variable of steep interest rates on credit purchases, as well as defaults or breaches of agreements by rapacious commissioners on farmers who were often ignorant of the content of the contract, we can see that the production-smuggling-export circle had breaking points that were almost always exposed on the production side.

To patch these frequent ruptures, slaveholding farmers aggressively expanded production, destroying new forest areas to establish plantations and purchasing even more enslaved Africans to work them to death. In doing so, they further entangled themselves in the web of credit and debt driven by international smuggling. Many coffee

²³⁴ Gustavo Pereira da Silva, *op. cit.*, 2011, p. 244.

²³⁵ João Manuel Cardoso de Mello, *op. cit.*, p. 105.

growers collapsed in this ultramodern interplay of production, credit, speculation, and exportation. Others managed to survive, primarily through political-institutional arrangements that created defenses against non-productive speculators.

The Lacerda Franco family – as well as the other founding clans of the União de São Paulo, like the Paes de Barros and Lopes Chaves – managed to survive for generations in this complex global coffee economy. Originating in Atibaia, the Lacerda Franco lineage spread first to Jundiaí, then Itatiba, eventually reaching Araras and Limeira. Through a pattern of intermarriage consolidating interests, amassing land, and passing wealth within the family, the Lacerda Franco clan unified their power while expanding regionally, transforming their familial influence into what could be described in modern terms as political power. At one point in their third generation, their expansion focused primarily on grabbing new lands and turning them into coffee plantations. Since setting up plantations required large numbers of enslaved workers, they became voracious buyers of free Africans.

Each new plantation, therefore, implied a slave-smuggling operation. And since acquiring land and establishing plantations was the *profissão de fé* (profession of faith) of the Lacerda Franco family, smuggling free Africans also became integral to their way of life. However, the global human trafficking market could not always supply thousands of Africans to São Paulo's plantations. The geopolitics were complex, as were the agreements between private international smugglers, and building the coffee complex also depended on internal resources, which were sometimes scarce.

Yet there was a time when the infamous trade in enslaved people between Africa and Brazil gained such widespread social and political support that it effectively became state policy. Between the 1830s and 1850s alone, the Brazilian state introduced approximately 738,000 enslaved Africans into its territories, particularly on the coffee plantations of the Paraíba Valley and western São Paulo.²³⁶

If buying and selling slaves was already part of the *profissão de fé* of São Paulo's slaveholding coffee baron families. Now, this duty – another term for *profissão de fé* – was elevated to something akin to a categorical imperative. Purchasing enslaved

²³⁶ Tâmis Parron, *op. cit.*, pp. 16-67.

Africans meant establishing the coffee complex on what was once unclaimed land, and this “system of large-scale plantation” became synonymous with wealth in the region. Enslaving Africans in the Americas simultaneously meant conquering paradise and civilizing the New World.²³⁷ “Africa will civilize Brazil,” exclaimed the champion of slavery and senator of the Empire, Bernardo Pereira de Vasconcellos.²³⁸ This was not said out of any admiration for African cultures, but purely out of adoration for the wealth and capital accumulation that the trafficking of Africans represented in the country’s trade balance and the fortunes of individuals like himself.

Using the same profoundly pro-slavery logic, Africa would also civilize São Paulo. After all, the years of smuggling (1825–1850) and even the policies implemented in the post-smuggling era (1850–1865) coincide with the construction of the coffee complex in Itatiba, Araras, Limeira, and Itu, as well as Campinas, Botucatu, and Rio Claro. The international slave trade was the matrix of the coffee complex, which was rapidly emerging and growing exponentially in western São Paulo.²³⁹ It was precisely during the political era of smuggling and its immediate aftermath, between 1825 and 1865, that Itatiba rose from a parish to a village and from a village to a municipality. The *vis* of Itatiba depended on *labor*, which, in a less conventional and more creatively stimulating interpretation, would not be translated simply as “work” but rather as “production.”²⁴⁰

This concept more directly conveys the sense of building the plantation in a *no man’s land*. In the international division of commodity markets, Brazil – particularly the Paraíba Valley and western São Paulo – was tasked with setting up large-scale plantation systems and producing coffee on a massive scale to supply markets in the United States and Europe. In terms of both scale and profitability, this production model could only exist if founded on enslaved labor. That is why, in the context of various global and local productions, “labor” conveys much less than “production.” Labor force was slavery – something no Erasmo Chispim would ever boast of inscribing on a municipal coat of arms. Production was slavery-based agrarianism, the model responsible for building the greatness of Itatiba.

²³⁷ Warren Dean, *Rio Claro: um sistema brasileiro de grande lavoura*, 1820-1920. São Paulo: Paz e Terra, 1977, p. 12.

²³⁸ See a brief discussion on this sentence in Tâmis Parron, *op. cit.*, pp. 121-122.

²³⁹ Warren Dean, *op. cit.*, pp. 22-42.

²⁴⁰ For the translation of “labor” from Latin to English, see P. G. W. Glare (ed.), *op. cit.*, pp. 990-991.

By the 1850s, smuggling had ended. Slavery itself would not last much longer. “There are already signs in the air of a territory that is about to explode,” would sing the poet who opens this work’s first chapter.²⁴¹ Yet it was necessary to save, if not the entire model, then at least significant elements of the slavery-based production system.

Once again, Lacerda Franco proved himself the right man for the right task. He not only understood coffee production from the inside, the tricks of middlemen, and the speculative mindset of coffee auctioneers; he also grasped his historical moment and the necessity of business diversification to extend the lifespan of São Paulo-style slavery and adapt it to a likely future – one that was soon realized – of an economy formally without slavery. It is no coincidence that he founded the União de São Paulo Bank a mere 23 months after the abolition of slavery. Nor is it coincidental that he called upon other São Paulo clans to join forces with him in the fight to diversify São Paulo’s economy – and, of course, their own.

His public appeal to the Paes de Barros and others was, in essence, to diversify economic production. Privately, however, it was likely a call to join forces in preserving slavery in its most entrenched forms: maximizing and concentrating profits in the hands of the few São Paulo coffee baron families who were direct beneficiaries of smuggling policies and the brutal exploitation of Africans and their descendants.

“The slave is money and the question is essentially economic!,” Luiz Gama brilliantly summed up.²⁴² And “money,” as Ferdinand Braudel brilliantly framed this essentially economic issue, “is the freedom to have more money.”²⁴³

2. 3 *Libertas*: black as half of white

Itatiba owes a lot to the president of Banco União de São Paulo and senator of the Republic Antonio de Lacerda Franco. “With his influence with the provincial government,” the editors of the *Almanaque* recall, “the noble parliamentarian obtained many favors for the city of Itatiba, among them the creation of the Colonel Júlio César

²⁴¹ João Bosco, Antonio Cícero and Waly Salomão, *op. cit.*

²⁴² Luiz Gama, *op. cit.*, 2021, pp. 77-80, p. 78.

²⁴³ Fernand Braudel, *Civilização material, economia e capitalismo, séculos XV-XVIII*, vol. 2, *Os jogos das trocas*. São Paulo: Martins Fontes, 1996, p. 338.

de Cerqueira Leite School Group.”²⁴⁴ These many favors even constituted, in essence, a kind of political debt between debtor and creditor. “To his political influence with the appropriate authorities,” now noted in a public administration report, “we owe the beautiful building of the School Group and many other key developments for the municipality’s well-being.”²⁴⁵

The money of the banker and businessman Lacerda Franco flowed through many public and private ventures in Itatiba, as did the political influence of the “noble parliamentarian.”²⁴⁶ Even while residing in Santos, Lacerda Franco was regarded as the “supreme director of Itatiba’s politics,” particularly because his political influence – and the influence of his money – transcended municipal squabbles and coordinated supra-partisan interests tied to coffee plantations.²⁴⁷ Lacerda Franco and his bank were behind nearly all the investments in public works and the financing of crops and machinery for coffee farms in Itatiba. During the period of greatest prosperity for the União de São Paulo, between 1890 and 1910, Itatiba saw numerous improvements. The city established a small 22-kilometer railway connecting it to the country’s main railroad, the Santos-Campinas line; installed a telegraph line linking Itatiba to Bragança Paulista; improved roads, including the route connecting Itatiba to Jundiaí; built a small hydroelectric plant on the rapids of the Atibaia River; inaugurated urban public lighting, a sewage system, a gas supply network, a slaughterhouse, and constructed significant public buildings, including the City Hall and the jail.

These many urban improvements – alongside the establishment of a local press and several private enterprises typical of modern city life – required both funding and political support. In a word, urban development needed a patron in both the business and political worlds. And Lacerda Franco was that person. By providing “many favors” for Itatiba, he sponsored the development of his hometown.²⁴⁸ Itatiba, then, had a

²⁴⁴ MPL, *A Reação, Almanaque de Itatiba* (SP), 1916, p. 85.

²⁴⁵ SEC, Conselho de Defesa do Patrimônio Histórico, Arqueológico, Artístico e Turístico, “Processo no. 24.520,” p. 100.

²⁴⁶ MPL, *A Reação, Almanaque de Itatiba* (SP), 1916, p. 85.

²⁴⁷ MPL, *A Reação, Almanaque de Itatiba* (SP), 1916, p. 85.

²⁴⁸ MPL, *A Reação, Almanaque de Itatiba* (SP), 1916, p. 85.

patron: someone to whom the city owed not only the “beautiful building of the School Group” but also “many other key developments for the municipality’s well-being.”²⁴⁹

Although Lacerda Franco’s favors to Itatiba were numerous, the establishment of the School Group consistently tops the list. It is often cited as indisputable proof of the philanthropist businessman’s benevolence. After all, that would serve as undeniable proof that he cared not only for investments with guaranteed financial returns but also about the education of children in his hometown. Of course, this narrative is politically oriented and reinforces stereotypes that are as simplistic as they are exaggerated – such as the trope of the philanthropic banker who never forgot his roots and helped the poor rise through education. However, the mention of the School Group remains revealing. First, because of its name: Coronel Júlio César de Cerqueira Leite. And second, because of the school’s role in the cultural landscape of the city.

To each name its *omen* – or, as the German saying goes, *Name ist ein Zeichen*. The name of the city’s first and main school was a living tribute to the then-colonel with the name of an ancient Roman general. More than a colonel, just as the ancient Roman emperor was more than a general, Júlio César de Cerqueira Leite, the patron of Itatiba’s main school, had deep ties to coffee plantations and was, in short, a child of its slaveholding culture. His biography sums up very well how a son of a coffee plantation would rise from private power to political power. More importantly, it eloquently illustrates how a Black man could represent white politics in a slaveholding society – and even pass into history as a white man.²⁵⁰

The son of a white farmer and a Black mucama (housemaid), Júlio César de Cerqueira Leite – hereafter simply Júlio César – was born on the Pau D’Alho plantation in Campinas, one of the oldest and most profitable coffee plantations in Brazil.²⁵¹ In 1845, the year Júlio César was born, the Pau D’Alho plantation was a sort of management model – both in terms of torturing enslaved Blacks people and in maximizing profits – for coffee plantations in nearby Belém de Jundiá. It was on this

²⁴⁹ SEC, Conselho de Defesa do Patrimônio Histórico, Arqueológico, Artístico e Turístico, “Processo no. 24520,” p. 100.

²⁵⁰ Despite his Black heritage, Júlio César de Cerqueira Leite is never portrayed as Black in historical accounts.

²⁵¹ Júlio César’s father was Antônio Benedito de Cerqueira Leite and his mother was Maria Zelinda da Conceição Cerqueira.

model plantation that Júlio César and his brothers – including Francisco Glicério, who would go on to become a general in the Brazilian Army and Minister of Agriculture – grew up. Shortly after marrying Francisca de Paula Andrade in 1871, Júlio César moved to Itatiba – the city where he would live until his death in May 1922. For more than half a century, then, Júlio César was a constant presence in local social life, so that in 1894, the year the Itatiba School Group was named after him, he was already one of the city's leading political figures.

The secret of his political leadership, however, takes us back to Antonio de Lacerda Franco. Although nearly ten years younger than Júlio César, the future banker and senator of the Republic – undoubtedly acting as a representative of the Itatiba branch of the Lacerda Franco clan – provided decisive support for establishing the Campineiro in Itatiba. On June 24, 1873, Lacerda Franco and Júlio César were together at the founding of the Paulista Republican Party in Itatiba. Together, they built the party machine that would become, from the 1880s through the 1920s, one of the primary associations representing coffee plantation owners in local, provincial, and national legislatures.

In 1878, precisely when Lacerda Franco assumed the position of alternate councilman in Itatiba, Júlio César also emerged as a councilman in the same political forum. In an eloquent sign of their political partnership, that same year Júlio César, already a councilman, chaired the Municipal Council's public works committee and appointed both himself and Antonio de Lacerda Franco to represent the city in signing a contract with the "Globe Gaz Lighting Company."²⁵² The contract was signed – and so they took their first steps together in their political careers.

However, the business interests of the Lacerda Franco family would soon take the young Antonio first to Araras, where he served as president of the Municipal Council, and later to Santos, where he established the headquarters of his business and political empire. Those same family interests, however, anchored Júlio César in Itatiba. He became, in essence, a representative of the Lacerda Franco clan in Itatiba, or more specifically, an agent of Antonio de Lacerda Franco in his hometown. While one soared

²⁵² MPL, *A Reacção, Almanaque de Itatiba* (SP), 1916, p. 44; Andréia Cristina Borges Rela Zattoni, *O professor Ataliba de Oliveira, filho de Mestre Lourenço, um ex-escravo, e o Grupo Escolar Coronel Júlio César de Itatiba* (SP). *Memórias e histórias entrecruzadas, 1889-1920*. Itatiba: Universidade São Francisco (Master's thesis in Education), p. 62.

to greater heights, bringing the plantations of western São Paulo to the Coffee Exchange in Le Havre, the other managed the political affairs of the Lacerda Franco clan in modest Itatiba. Both, however, played together – on the same team.

As Lacerda Franco consolidated his political power in the province of São Paulo and expanded his business interests in Santos, Rio de Janeiro, and Le Havre, Júlio César *pari passu* took control not only of the Paulista Republican Party in Itatiba but also, virtually, of Itatiba's politics as a whole. Throughout the 1880s and 1890s, the patron of the School Group was unquestionably the leading political figure of the new party in Itatiba and, through this position, a local arm of the national politics that managed the transition from a slaveholding regime to one of free labor.

Two examples vividly illustrate this social shift in political and economic regimes, as well as Júlio César's individual actions in local politics. Both examples deal with the theme of freedom or, more specifically, the debates surrounding the transition from slavery to freedom. At the same time, they shed light on the abolitionist process in Itatiba – or rather, on the construction of an abolition that was, above all, symbolic. Let us examine the first example: six months before the abolition of slavery, in November 1887, Júlio César and Tobias Franco – a cousin, incidentally, Antonio de Lacerda Franco – publicly announced that they would free all the people they enslaved. This collective manumission would benefit more than 60 enslaved individuals. The press reported the news in an oblique way: “Mr. Júlio César de Cerqueira Leite and Mr. Tobias Franco de Oliveira Cardoso, from the municipality of Itatiba, who had freed their slaves – numbering more than 60 – under the condition that they provide services until December 1889, have since renounced this requirement, thus granting full freedom.”²⁵³

Although it is unclear when exactly they freed those they had enslaved, it is notable that they initially imposed a two-year period of obligatory service before later rescinding this condition of manumission. It seems that the uncertainty regarding the future of slavery was so great that both enslavers initially sought to maintain some control over the situation through a time-limited measure – a brief period, incidentally – but the plan seemed unworkable, forcing them to backtrack and recognize the full freedom of more than 60 formerly enslaved individuals. Some details of this impasse,

²⁵³ BN, *Correio Paulistano* (SP), [Unsigned], “Movimento emancipador,” November 10, 1887, p. 2.

however, were publicly debated. Tobias Franco came to the press – undoubtedly also representing Júlio César’s views – and offered a different account of the collective manumission. In this version, he shared some important insights into what was at stake. “To clarify a piece of news I read today in your newspaper regarding myself,” Franco wrote:

I take the liberty of informing you that more or less a month ago, **realizing the great advantages that could come to me from employing my enslaved people as settlers**, I placed them under the regime of complete freedom, making them responsible for the service that each one judged himself capable of rendering, **receiving for this service half of what is ordinarily paid to a settler**, and this until December 31, 1889, when emancipation will become absolute.²⁵⁴

According to Tobias Franco, cousin of the powerful Antonio de Lacerda Franco, he decided to grant “complete freedom” to the individuals he had enslaved because he realized it would bring him significant economic advantages.²⁵⁵ The transition from slave to settler, he explained, would prove highly profitable. Without any pretense, Franco publicly revealed that his formerly enslaved workers would each receive “half of what is ordinarily paid to a settler” for the next two years, by which time abolition would inevitably become law.²⁵⁶

Franco's account is less interesting as a personal testimony – or, at most, as an extension of Júlio César – than as a general warning to the slaveowners of Itatiba. What matters in this declaration is not the supposed abolitionist vanguardism of a slaveholding farmer, but the public message he was sending to his peers. Because, in the end, that is precisely what Franco was cleverly doing: signaling to slaveholding elites that the abolitionist process in late 1887 was indeed irreversible – a correct assessment, as it turned out – but more importantly, showing them how to navigate this transition from enslaved labor to free labor. Franco’s message to the coffee plantation owners was

²⁵⁴ BN, *Correio Paulistano* (SP), [Untitled], Tobias Franco de Oliveira Cardoso, November 12, 1887, p. 2. Emphasis added.

²⁵⁵ BN, *Correio Paulistano* (SP), [Untitled], Tobias Franco de Oliveira Cardoso, November 12, 1887, p. 2.

²⁵⁶ BN, *Correio Paulistano* (SP), [Untitled], Tobias Franco de Oliveira Cardoso, November 12, 1887, p. 2.

clear: they could free their enslaved workers without fear and immediately employ them as settlers at half the cost of hiring immigrant workers. He vouched for and endorsed this method, recommending it as an economically viable way to transform enslaved labor into free labor.

What happened the following week is particularly noteworthy. Three equally influential figures in local politics – Francisco Alves Cardoso, José Manoel Leite, and José Soares de Camargo – convened a supra-partisan meeting with other slaveholding planters. The sole agenda item was to collectively devise solutions for the post-Abolition world of plantation owners.

The meeting's summons speaks for itself:

To the farmers:

The undersigned, farmers of this municipality, **convinced of the urgent need to take immediate measures regarding the uncertain state of the servile question in this province, and believing it prudent to determine a short deadline for the extinction of slavery**, hereby invite their colleagues in Itatiba, as well as all others who own slaves, to attend a meeting to be held on the 20th of this month, at one o'clock in the afternoon, in the Municipal Council of this city. They ask and count on the attendance of all those interested in the matter.²⁵⁷

Only a few days passed between the declaration of Tobias Franco and Júlio César and the issuance of this summons. These were two acts of the same initiative. The private act of two planters granting collective manumission to 60 enslaved individuals prepared the public act of a group of slaveowners discussing the manumission of all the enslaved people in Itatiba. In the first act, Tobias Franco and Júlio César freed 60 individuals. In the second act, a trio of Itatiba's farmers called upon their peers to address the emancipation of more than 2,000 enslaved individuals. Both acts rested on identical premises: that the abolition of slavery would soon be an accomplished fact and that slaveholding farmers needed to preempt the spark of abolition and, ultimately, take control of the abolitionist movement in its final stages.

²⁵⁷ BN, *Correio Paulistano* (SP), Francisco Alves Cardoso, José Manoel Leite, José Soares de Camargo, "Itatiba," November 20, 1887, p. 3.

The slave-owning farmers were “convinced of the urgent need to take immediate measures regarding the uncertain state of the servile question in this province” and understood the necessity of acting quickly.²⁵⁸ Once again, at the seat of Itatiba's *vis*, its Municipal Council, “several citizens influential for their position and wealth gathered” to decide on the future of Itatiba's *labor* force.²⁵⁹ “The slave” was “money,” as we have seen, and the “issue” was “essentially economic.”²⁶⁰ How, then, could they avoid losing money – or even profit from the regime change? How could they replace Black labor force with white labor force? And, finally, how could they emancipate all the enslaved individuals yet still maintain violent control over them and exploit their blood, sweat, and tears to the last drop?

At least 39 landowners attended the public summons to discuss the “urgent need” for “immediate measures” to put an end to the “uncertain state” of slavery in São Paulo.²⁶¹ The *crème de la crème* of Itatiba's political and economic elite was present in the Municipal Council that afternoon of November 20, 1887. Júlio César and Tobias Franco, proponents of the private collective manumission that had shaken the capital's press the previous week, were there. Many other Francos, including José Luiz Franco, Rodrigo Franco de Godoy, Joaquim Silveira Franco, and his near-namesake Joaquim da Silva Franco – the Comendador Franco – also attended the meeting. The Puppos, such as Herculano Pupo Nogueira, Antonio da Silveira Pupo, and José Pupo Silveira, as well as the Alves, like Lourenço Alves Cardoso, João Alves Cardoso, and Francisco Alves Cardoso, were also present. Other prominent clans, including the Bueno de Aguiar, the Camargo, the Godoy, and the Soares Muniz families, heeded the public call to explore profitable paths for the end of slavery.²⁶²

The Jolys were also in attendance. Júlio Joly Neto, his cousin Chateaubriand Joly, and his father Eugenio Joly participated in this supra-partisan political effort, united by a shared interest in turning the crisis of regime change into an opportunity to strengthen the political power of coffee plantations. The task would be extremely difficult. In the

²⁵⁸ BN, *Correio Paulistano* (SP), Francisco Alves Cardoso, José Manoel Leite, José Soares de Camargo, “Itatiba,” November 20, 1887, p. 3.

²⁵⁹ Eugenio Joly, *op. cit.*, pp. 69-70.

²⁶⁰ Luiz Gama, *op. cit.*, 2023, p. 78.

²⁶¹ BN, *Correio Paulistano* (SP), Francisco Alves Cardoso, José Manoel Leite, José Soares de Camargo, “Itatiba,” November 20, 1887, p. 3.

²⁶² BN, *Correio Paulistano* (SP), [Unauthored], “Movimento emancipador,” December 25, 1887, p. 2.

short term, they needed to tighten control over the enslaved to prevent the circulation of abolitionist rumors in the slave quarters and avoid mass escapes from the plantations. In the medium term, they would need to bring wave upon wave of immigrants – both to replace part of the labor force in the coffee fields and to allocate the labor of the soon-to-be freed individuals with greater arbitrariness and discretion.

The declaration by Tobias Franco – undoubtedly shared by Júlio César – pointed to solutions for both tasks. By proposing the hiring of settlers, Franco indicated that the labor substitution would replace the “*slave*” with the “*settler*.”²⁶³ As the Brazilian state and many private associations began promoting the arrival of thousands of European immigrants – particularly Italians – the settler to which Franco referred was neither the free Brazilian white nor, much less, the freed Brazilian Black. The ideal settler was the white European. Franco also supported this idea, which was, incidentally, quite popular among farmers in other towns of western São Paulo. However, the replacement of labor would not be immediate. It would take some time – a political time frame, in fact, dependent on the abolition calendar, for the longer abolition was delayed, the longer it would take to implement the mass immigration demanded by the plantations.

While abolition had yet to be enacted, and political decisions about the mass immigration of Italians remained pending, Itatiba’s planters – by now, it is clear that Franco was not speaking only for himself – advocated a provisional solution: emancipating the enslaved and paying them “half of what is ordinarily paid to a settler” for their work on the coffee plantations. By acting in this way, the slaveholding planters would preempt the impending economic crisis, exert some degree of control over the political transition, and continue to exploit enslaved labor at nearly its highest level – after all, paying half of what was paid to a settler, without any land in exchange, amounted to little more than a daily ration and some coarse clothing.

The proposals by Júlio César and Tobias Franco were undoubtedly discussed at the meeting of slave-owning farmers in Itatiba's Municipal Council. If both measures that Franco touted as yielding “great economic advantages” were adopted – namely, collective manumission followed by employing freed individuals as paid settlers at half wages – Itatiba could emerge relatively unscathed from its greatest crisis since its

²⁶³ BN, *Correio Paulistano* (SP), [Untitled], Tobias Franco de Oliveira Cardoso, November 12, 1887, p. 2. Emphasis added.

founding.²⁶⁴ The move, however, carried significant costs. It immediately meant that landowners would relinquish a form of property that, in some cases, had been established decades earlier, and they would likely forego any compensation. Furthermore, it involved additional production costs, as the freed individuals would now receive a minimal – albeit starvation-level – wage. Although this would not necessarily increase production costs significantly, it would certainly reduce the already substantial profit margins of the coffee growers. It was, therefore, expected that they would resist taking such a step. Yet something needed to be done, and the proposals on the table were economically reasonable. They might reduce plantation profits, but at least they offered a path to overcoming the crisis.

The proposals by Júlio César and Franco resonated among Itatiba's coffee growers. On December 25, 1887, José Manoel de Castro gave a compelling public signal that it would not be only Júlio César or Franco emancipating their enslaved people before it became legally obligatory – Castro would do so as well. As one of the largest slaveholding planters in the municipality, he freed no fewer than 100 individuals. Undoubtedly, Castro's private act reflected the public coordination established among the town's planters.

Far from being a philanthropic gesture, it echoed the economic concerns previously raised by Júlio César and Franco. For instance, when declaring the freedom of the 100 enslaved individuals, Castro first emphasized that their liberty would only take effect "after the 1888 harvest was completed" and second that it would only apply to those "who do not abandon the plantation."²⁶⁵ Apart from the half-pay provision for white settlers, Castro adopted two of the measures suggested by his peers in Itatiba: setting a future date for freedom to take effect – in this case, after the following year's harvest – and imposing an obligation not to leave the plantation.

Although it had become relatively common in many parts of the country for enslavers to grant freedom to their enslaved people on the eve of abolition, this type of action gained particular momentum in Itatiba in 1887. It was in that year that Júlio César, Tobias Franco, and José Manoel de Castro freed their enslaved workers. It was also the year that Antonio de Lacerda Franco's father, Bento de Lacerda Guimarães, reportedly

²⁶⁴ BN, *Correio Paulistano* (SP), [Untitled], Tobias Franco de Oliveira Cardoso, November 12, 1887, p. 2.

²⁶⁵ BN, *Correio Paulistano* (SP), [Unsigned], "Movimento emancipador," December 25, 1887, p. 2.

emancipated all the people he enslaved. In May 1887, the patriarch of the Lacerda Franco clan, received a visit from none other than Emperor Pedro II. On this occasion, and most probably in the presence of his son Antonio and all his close and distant relatives, Emperor Pedro II conferred on Bento Lacerda Guimarães the title of Baron of Araras (which would later pass to his son Antonio), and upon his brother and son-in-law José Lacerda Guimarães the title of Baron of Arari.

In a gesture that was less a display of chivalrous magnanimity and more a calculated political move, Antonio Lacerda Franco's father reportedly freed all his enslaved people in the presence of Emperor Pedro II. Such an act was bound to resonate. An act of this nature, carried out by the patriarch of the most important political clan of the city and in the presence of the emperor, resonated even more. Júlio César and Tobias Franco – the former a figure of utmost political trust within the Lacerda Franco clan, and the latter an ally from within their own extended family – were undoubtedly aware of, and may even have witnessed, the manumission granted by Lacerda Guimarães, the first Baron of Araras. In any case, the wave of manumissions granted by Itatiba's slaveholders appeared to have been directly influenced by the actions of the Lacerda Franco patriarch and the father of its most prominent political leader and businessman, Antonio de Lacerda Franco. And this wave was still in the making.

In February 1888, the São Paulo press reported an intriguing piece of information that revealed how the wave of manumissions granted by prominent slaveholders at the end of 1887 was on the brink of breaking in the new year. "In Itatiba," stated *Correio Paulistano*, the leading liberal publication of the province, "there are only eight or ten slaves remaining, so it is expected that total emancipation in that city will occur very soon."²⁶⁶ Four days later, *Correio Paulistano* issued a correction: "In Itatiba, there are only eight slaves left."²⁶⁷

The wave was at point break. All the city's slaveholders had freed their more than 2,000 enslaved individuals. However, many of them likely remained enslaved in practice for some time. This was because the solution proposed by Júlio César and Tobias Franco – requiring a period of forced labor before full manumission – seems to have been strictly followed, as evidenced by the conditional manumission granted by José Manoel

²⁶⁶ BN, *Correio Paulistano* (SP), [Unsigned], "Movimento emancipador," February 18, 1888, p. 3.

²⁶⁷ BN, *Correio Paulistano* (SP), [Unsigned], "Movimento emancipador," February 22, 1888, p. 3.

de Castro. For the same reasons, no formerly enslaved person could leave the coffee plantations where many had spent their entire lives enslaved. In this case, everything seemed to change, yet nothing, in fact, had changed at all.

As a sign of the times, tragedy had to manifest as farce. Or, rather, the then-forming wave of cynical manumissions culminated in a sadistically symbolic abolition. On April 29, 1888, Itatiba's Municipal Council staged a curious abolition ceremony, framing it as the emancipation of the municipality. Ufanist historiography would later record the constitutional moment as "one of the most brilliant pages in the history of our land."²⁶⁸ On that page, the president of the Municipal Council, João Pedro de Campos, opened the session at the council's hall and led it "in procession" to the front of the Main Church, where he proclaimed "the total emancipation of the municipality" from the Empire of Brazil.²⁶⁹

This emancipation, of course, never truly occurred. However, Itatiba would use this page of history to craft another narrative, claiming that its elites "did not wait for the Golden Law" to abolish slavery.²⁷⁰ In Itatiba, this version of history cynically tells us, "freedom soon dawned before the Golden Law was signed."²⁷¹ What it does not recount, however, is that only 14 days separated April 29, 1888, from May 13, 1888. Nor does it mention that the individuals freed before Itatiba's symbolic Emancipation Day remained bound by mandatory labor obligations – yet another euphemism for pure and simple slavery – that would last at least until the next coffee harvest.

In practice, all the formerly enslaved individuals remained enslaved *de facto* for some time longer. And Itatiba, *de jure*, invented a *sui generis* adaptation of slavery for the era of freedom: the idea that the labor of a freed Black person was valued at only half that of a white settler.

Soon enough, almost no one would believe that slaves had ever existed in such a noble city.²⁷²

²⁶⁸ MPL, A Reação [editorial], *Almanaque de Itatiba* (SP), 1916, p. 52.

²⁶⁹ MPL, A Reação [editorial], *Almanaque de Itatiba* (SP), 1916, p. 52.

²⁷⁰ Fiorindo Cogni, Mário Barreto and Norberto Carride, "Hino do Centenário de Itatiba (1857-1957)," in: MPL, *O Progresso de Itatiba* (SP), November 1, 1957, p. 3.

²⁷¹ Adriano de Palma, "Hino oficial de Itatiba," available at: <https://www.itatiba.sp.gov.br/cidade/hino-oficial> (accessed on October 11, 2024).

²⁷² Medeiros e Albuquerque, *op. cit.*, p. viii.

CHAPTER 3

Libertas labor vis: the invention of the Black city of Itatiba

Have you ever seen a street named after a black man?

[Dita Maranhão]²⁷³

Few stories illustrate the convergence of the *two cities* of Itatiba better than the tale of the installation of the bells in its Main Church. In 1880, after six years of construction, the tower of the Church of *Nossa Senhora de Belém* was finally complete. It was now time to hoist the bells up to the belfry at the top of the tower and carefully install them on the pedestals where they would ring every hour for decades to come. Naturally, it was no small feat to lift nearly six tons of bronze to a height of 42 meters. And as one might expect in an entirely slaveholding city – after all, it was the year 1880 – it was the enslaved or recently freed Black workers who lifted the four bells and the tower clock to the highest point in the city, atop one of the region's tallest hills.

The Herculean task turned into a Sisyphean ordeal. This was because the Black workers were forced to redo the work, purely out of whim – not to say cruelty.

Each of the four bells, as well as the tower clock, bore inscriptions of their respective donors. The clock, for example, was donated by José Manoel de Castro, the same man who, in 1887, would grant collective manumission to 100 of his enslaved individuals. One of the two large bells was donated by João Batista de Paiva Baracho, a slaveholding planter who also participated in the famous 1887 meeting where Itatiba's slaveholders organized to discuss joint measures to preempt the imperial abolition decree.²⁷⁴ The other three bells – one large, weighing three tons, and two smaller, weighing 200 kilograms each – were donated by the family of the slaveholding planter and colonel, Camilo Pires. It was he who took issue with the enslaved workers and

²⁷³ Diloça Ferraz Sangiorgi, *op. cit.*, p. 62.

²⁷⁴ BN, *Correio Paulistano* (SP), [Unsigned], "Movimento emancipador," December 25, 1887, p. 2.

capriciously ordered them to redo the herculean and Sisyphean task: first, to lower the tons of bronze they had already hoisted, only to lift the same tons back up again, 42 meters into the air.

Both written accounts and oral histories report that Colonel Camilo Pires was enraged when he learned that the bells he had donated had already been installed at the top of the Main Church tower before he had given his permission for them to be raised. He immediately rode to the Main Church square and, without dismounting his horse, demanded to know who had authorized the raising of the bells. Faced with a possibly evasive response – or even a substantive one confirming that someone in charge of the work had granted permission – the colonel “ordered the bells to be brought down, placed on the ground, and, still on horseback, said: ‘You may now raise the bells.’”²⁷⁵

And so it was done.

One of the individuals who endured the herculean and Sisyphean labor of lowering the bells from the top of the church, only to raise them again to the tower, was the recently freed Black master builder, Lourenço Antonio de Oliveira. It was he who “devised the hoisting system and, with his own hands, installed the two large and valuable bells at the top of the tower of our majestic Matriz, where they rest on strong pedestals that have gallantly resisted the ravages of time and weather.”²⁷⁶ Mestre Lourenço had long been familiar with Colonel Camilo Pires’s temperament. By the time he engineered the system to hoist the bells to the church tower, he had already built “dozens of buildings in the city and important plantation houses, among them the headquarters of Fazenda Paraíso,” none other than the estate of Colonel Camilo Pires.²⁷⁷

Mestre Lourenço was not the only one who knew Colonel Camilo Pires well. The descendants of Vó Amélia, for instance, were all too familiar with the man and the hell on earth that was his Fazenda Paraíso.²⁷⁸ The heirs of the quilombo Brotas quilombo

²⁷⁵ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço e os sinos da Igreja Matriz,” December 19, 1957, p. 4.

²⁷⁶ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço e os sinos da Igreja Matriz,” December 19, 1957, p. 4.

²⁷⁷ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço e os sinos da Igreja Matriz,” December 19, 1957, p. 4.

²⁷⁸ Patrícia Scalli, “Interview with Tia Lula, Tia Aninha, and Tia Maria.” São Paulo: Instituto de Terras do Estado de São Paulo, 2004b.

likely also knew of Mestre Lourenço. After all, his story has always been a fundamental part of Black Itatiba's history. Just like the inhuman labor to which he was subjected by the whims of the slaveholding colonel, the life of Mestre Lourenço contains many other episodes reminiscent of Hercules, a great deal of Sisyphus, and perhaps even a touch of Brotas.

Mestre Lourenço is the key that unlocks one of the most fascinating chapters in Itatiba's history – a door that leads to a Black enclave in the midst of the so-called white city and introduces us to Dita Maranhão: a *sambista*, percussionist, healer, and unparalleled keeper of Itatiba's secrets. Mestre Lourenço was not only the man who raised the bells to the top of Itatiba's Main Church; he was also, and above all, one of the *humble in spirit* for whom the bells of Belém first tolled.

3. 1. *Libertas*: mestre Lourenço, “Black, slave, profession: masonry”²⁷⁹

There is a popular samba song that, in just a single verse, manages to vividly capture the life of a historical figure from 18th-century São Paulo. Written by the Black poet and intellectual Geraldo Filme, the samba became the theme of the Paulistano da Glória samba school's carnival parade in 1974, winning the people's admiration. Its lyrics skillfully summarize the complex phenomenon of transitioning from enslaved to freed status through the payment of manumission. “Tebas, Black, enslaved, profession: masonry, built the old Sé in exchange for his letter of manumission,” the samba states, blending poetic simplicity with the precision of a historical chronicle or a legal writ.²⁸⁰

In a single stroke, Geraldo Filme provides the character's name, racial identity, legal status and occupation, while also narrating a legal transaction: the construction of something in exchange for something. “Thirty thousand ducats given to him by Father Justino,” Filme adds another detail of the intricate legal deal, “made his dream come true, and from there came the old Cathedral, which today is the city's ground zero.”²⁸¹ The legal history in “Tebas, the slave who became São Paulo's first architect” sheds light on the process of manumission in slave-owning São Paulo, particularly in cases where

²⁷⁹ Geraldo Filme, “Praça da Sé: sua lenda, seu passado, seu presente (Tebas, o escravo),” in: *Escola de Samba Paulistano da Glória*, 1974, fls 1-7, fl. 2.

²⁸⁰ Geraldo Filme, *op. cit.*, fl. 2.

²⁸¹ Geraldo Filme, *op. cit.*, fl. 2.

freedom was purchased.²⁸² Meanwhile, the city's social history links the dream of manumission to the construction of a central landmark, in this case, São Paulo's Sé Church.

Filme's poetry tells a remarkable story that also offers insight into the equally extraordinary story of Lourenço Antônio de Oliveira, known as Master Lourenço, who was also "Black, enslaved, profession: masonry" and built something in exchange for something – in his case, one or more works "in exchange for his letter of manumission."²⁸³ In his research on the archives of São Paulo's Catholic Church, which served as the inspiration for his acclaimed samba, Filme confirmed that Tebas was indeed responsible for building the first tower of the Sé Church in São Paulo. Additionally, Tebas designed, planned, and executed numerous architectural and urban projects in the city, including the Chafariz da Misericórdia and its first water supply systems. Ultimately, the poet recounts how Tebas secured his manumission through one of these works, gaining public recognition for his remarkable achievements and leaving a lasting legacy as a legend in São Paulo.²⁸⁴

The journey of Mestre Tebas sheds light on that of Mestre Lourenço – whether because it precedes his by a century or because it also took place in the province of São Paulo. The two stories share notable parallels. Joaquim Pinto de Oliveira, known as Tebas, was born enslaved in Santos in 1733 and died free in São Paulo in 1811. Lourenço Antônio de Oliveira, on the other hand, was also born enslaved – in Atibaia, in 1831 – and also died free, in Itatiba in 1911. Both lived long, impactful lives, mastered the same trade, and purchased their freedom through hard-earned savings. Despite the century separating them, their shared strategy – working as freelance master builders – eventually led to emancipation. Tragically and ironically, Tebas achieved his manumission at the age of 44, while Lourenço secured his at 45.

²⁸² See *Escola de Samba Paulistano da Glória*, 1974, fls 1-7, fl. 1.

²⁸³ I quote key expressions from the samba Tebas, by Geraldo Filme, to reinforce the common threads between one story and another. For the lyrics of the samba, see Geraldo Filme, *op. cit.*, fl. 2.

²⁸⁴ After Filme, the historiography on Tebas has increased considerably. For two fundamental works, cf. Abílio Ferreira *et al* (ed.), *Tebas: um negro arquiteto na São Paulo escravocrata (abordagens)*. São Paulo: Idea, 2018; and Luis Gustavo Reis, *A trajetória de Joaquim Pinto de Oliveira, o Tebas: trabalho, escravidão, autonomia e liberdade em São Paulo colonial (1733-1811)*. São Paulo: Universidade Federal de São Paulo (Master's thesis in History), 2021.

At a very young age, Tebas learned various building techniques, including *pilão de taipa* (rammed earth construction) and stone masonry, and applied them to construct houses, facades, and buildings. Over the course of more than 50 years as a master stonemason, he built dozens of towers and frontispieces for churches, convents, gates and crosses, and renovated countless other works. Some of his most creative constructions remain standing in São Paulo, such as the facade of the Church of São Gonçalo and the towers of the churches of the Ordem Terceira do Carmo and São Francisco. “A master of the art and technique of carving and setting stones, imprinting his work with the personal and non-transferable mark of his identity,” Tebas was one of the most sought-after master builders in 18th-century São Paulo.²⁸⁵

However, virtually all of his earnings went directly to his owners. They were well aware of the immense value of owning an enslaved expert in construction – whose services could be hired out, with all profits reverting to them – and they did everything possible to avoid selling or freeing him. As a Black architect, Tebas faced significant challenges in achieving his freedom. His margin for negotiation was minimal, and for many years, his only option was to use Sundays and holy days to work for himself and save what little he could. After many years of labor, he finally seized a unique opportunity to pay the exorbitant price of his manumission. This occurred only in 1777, when Mestre Tebas was already 44 years old.

As previously noted, Mestre Lourenço's story bears striking similarities to that of his older colleague, both in trade and in the struggle for freedom. Although their lifetimes were separated by a century, slavery in São Paulo was a total institution in both eras – in the 18th and 19th centuries, the slave regime permeated every social institution, underpinned all economic activity, and imbued all legal relationships. Thus, Tebas's São Paulo was not so different from Lourenço's São Paulo. And their trajectories, as emphasized, shared many parallels. Both Mestre Tebas and Mestre Lourenço had to overcome their masters – and break through the rigid social hierarchies of slavery that virtually barred any enslaved Black person from becoming not only free but also the ruler of their own destiny.

²⁸⁵ Abílio Ferreira *et al* (ed.), *op. cit.*, p. 7.

At heart, and like Tebas, Lourenço defied his fate. Born enslaved in Atibaia in 1831, as we have seen, he seemed destined to spend his entire life in bondage. But he did not. “He had the misfortune of being born a slave and remained one for 45 years,” but he overcame this misfortune – along with all its euphemisms – to become a freed Black man from 1876 onwards.²⁸⁶ The road was tortuous, on “a narrow path through a somber jungle.”²⁸⁷ From the start of his laboring life, which likely began not long after he learned to walk, Lourenço do Taboão appeared to have been drawn into working with builders and artisans in the region.

“At first, Lourenço do Taboão was simply a wood sawyer and woodworker, but then he became a carpenter, in whose craft he proved to be skillful, earning him the status of a highly skilled master.”²⁸⁸ Beyond explaining how the humble sawyer became a renowned master carpenter, the early part of this statement reveals his initial trades: sawing wood and crafting furniture. Only later did he begin designing and constructing entire structures. He developed a wide range of skills for working with wood, adeptly “handling measuring tools, drawing and interpreting building plans,” as well as “accurately estimating costs and executing construction projects with masterful precision and security.”²⁸⁹ In short, Mestre Lourenço oversaw every stage of a project, from initial planning to finishing touches, including the construction itself.

Mestre Lourenço's work generated such significant profits for his owners that they had to grant him certain favors. Unlike most enslaved individuals, the talented master mason gained “the liberty to travel wherever and whenever he wished and to contract and execute projects in various locations.”²⁹⁰ And even more than that. Literate enough to read and sign his name, Mestre Lourenço was allowed to “draft service contracts under his sole responsibility, regardless of the amounts involved.”²⁹¹ As he

²⁸⁶ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁸⁷ Mano Brown *et al*, “Vida Loka – Parte II”, in: Racionais MC's, *Nada como um dia após o outro dia*. São Paulo: Cosa Nostra, 2002.

²⁸⁸ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁸⁹ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁹⁰ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁹¹ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

delivered commissioned works and construction projects, Mestre Lourenço became “widely known not only in his hometown but also in Amparo and Itatiba.”²⁹²

His projects were numerous, and some were quite significant – in cost, scale, and complexity. To manage multiple tasks and oversee several projects simultaneously, Mestre Lourenço began leading teams of more than 20 workers at times. Simultaneously, he trained apprentices in carpentry. Mastering various business, educational, and managerial roles, he became one of the foremost master builders in São Paulo, undoubtedly the most important in Atibaia, Itatiba, and Amparo. “Leading teams of woodworkers and carpenters, among whom were young men entrusted by their parents to learn carpentry under his guidance,” Mestre Lourenço spent “many years in those municipalities executing extensive and time-consuming projects, initially as a sawyer and woodworker and later as a builder of coffee plantation structures in the hinterlands of Itatiba and Amparo.”²⁹³

Mestre Lourenço's ability to excel in multiple roles was reflected in the enduring quality of his constructions. A century after their completion – when his biographer chronicled his life – a significant portion of his works still stood, well-preserved.

Even today, defying the test of time in the solidity of their structure and causing admiration for the comfort of their facilities, the manor houses, coffee machinery houses and settlers’ residences built by Mestre Lourenço between 1845 and 1886 still stand on old farms in Amparo and Itatiba.²⁹⁴

In just over 40 years of activity – it is now clear that Mestre Lourenço, born in 1831, began working on projects outside Atibaia at the age of 13 – the Black builder left his artistic signature on numerous “manor houses,” “coffee machinery houses,” “settlers’ residences,” among other works.²⁹⁵ Of his 41 years as a carpenter and mason, however, 31 were spent in slavery. Thus, nearly all the money he earned – except for a

²⁹² AMI, *A Tribuna* (SP), [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁹³ AMI, *A Tribuna* (SP), [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁹⁴ AMI, *A Tribuna* (SP), [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁹⁵ AMI, *A Tribuna* (SP), [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

minimal portion from work on Sundays and holy days – went directly to his owners. Although he had the autonomy to travel and negotiate contracts, he regularly returned to Taboão, in Atibaia, to deliver, or, in his biographer's sadly poetic expression, “carry to his masters’ coffers the earnings from his agreed-upon labor.”²⁹⁶ After all, this was “the salary or tribute of slavery that the enslaved, with absolute fidelity, punctually delivered to his masters.”²⁹⁷

Certainly, his owners could not imagine a scenario in which they would willingly forgo this immense “tribute of slavery” extracted from him.²⁹⁸ Yet, such a possibility occupied Mestre Lourenço’s thoughts repeatedly. He made numerous attempts to negotiate his manumission, but he always encountered resistance – or rather, the “cunning” of his masters, who “astutely” managed to entangle him in the web of slavery, “enmeshing him” so thoroughly that he could not break free from its oppressive threads.²⁹⁹

Eventually, however, the fabric would tear. And indeed, the fabric of slavery unraveled with the death of Master Lourenço’s owner. In a biographical twist reminiscent of Tebas – who could only negotiate his manumission after the death of his owner – Lourenço gained the strength to sever the ties that bound him to the Taboão estate only after the death of the woman who had enslaved him from birth.

During the judicial succession, Mestre Lourenço, “whom everyone in Atibaia knew,” went to the city registry office:

There, he presented himself to the clerk of justice, into whose hands he placed a substantial bundle of national currency. Protected by laws favorable to the manumission of enslaved people, he sought to purchase his freedom, which cost him 3:000\$000. On that occasion, he also purchased the freedom of his mother for 400\$000, his sister Benedita for 800\$000, his brother Luiz for 1:500\$000, and his niece Leocádia for an equal amount. Additionally, he contributed to the manumission of

²⁹⁶ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁹⁷ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁹⁸ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

²⁹⁹ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

relatives by donating 50\$000 for Emília and 100\$000 for Antonia.³⁰⁰

The story becomes even more powerful: Mestre Lourenço, who paid for his own freedom “at the price of gold,” also paid an immense sum to secure the freedom of his mother, sister, brother, and niece, as well as intervening on behalf of two other relatives.³⁰¹ Setting aside the revisionism of the biographer who credits pro-freedom laws in a case where they likely played no role, the description of the scene is deeply striking. At the local judicial office, an enslaved man appeared before judicial authorities and handed over a sum so large it was likely the highest ever deposited in that jurisdiction for the manumission of enslaved people.

Thus, in 1876, at the age of 45, Mestre Lourenço transitioned from enslaved to free, bringing with him six family members from slavery to freedom: his mother, his sister Benedita, his brother Luiz, his niece Leocádia, and two other relatives, Emília and Antonia. “It was a glorious day in 1876 for Lourenço do Taboão,” but not just for him and his family – it was also a day that the city of Atibaia “trembled with admiration and surprise” and paused to applaud and honor his “D’Artagnan-like” act.³⁰²

The almost novelistic biographer was, once again, on target. Indeed, Mestre Lourenço’s patient strategy to secure his freedom, waiting decades for the opportune moment to succeed – and extending that victory to others – recalls the intelligence of D’Artagnan, the character popularized by Alexandre Dumas in *The Three Musketeers*. After all, if the heroic French musketeer declared the famous one for all and all for one!, Mestre Lourenço, whose “unyielding will” and “irreproachable character” were recognized by all, embodied a sentiment remarkably similar, if not identical, to the life motto of Athos, Porthos, Aramis, and D’Artagnan.³⁰³ In a clear act of loyalty, the master stonemason left behind neither his mother nor his siblings or closest relatives. In his own

³⁰⁰ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³⁰¹ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³⁰² AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³⁰³ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

way, and in circumstances the musketeers and Dumas could hardly have imagined, he demonstrated in practice the true meaning of *one for all and all for one*.

Finally freed, Mestre Lourenço moved permanently to Itatiba. Thus, by the time he raised the bells to the tower of the Church of *Nossa Senhora do Belém* in 1880, he was already a resident of the city and working at full steam as a master builder. In no time, “he managed to amass a good fortune” and began purchasing many properties, including “five good houses in the city of Itatiba and one in Atibaia, intended for his mother, siblings, and nephews.”³⁰⁴ In addition to these six houses in the urban areas of Itatiba and Atibaia, Mestre Lourenço also owned “a large and coveted estate in the Ponte district of Itatiba.”³⁰⁵ In the same area, the master carpenter “owned three good plots of land, located on the right bank of the Atibaia River, which runs through the municipality of Itatiba.”³⁰⁶ And that was not all. Mestre Lourenço also owned a plot of land near the Church of Rosário in the city center, which he had likely received as payment for one of his works.

As a clear sign of his popularity, the square next to this land and in front of Itatiba’s first church came to be informally known as *Praça Capitão Lourenço* – Captain Lourenço Square – a title he earned after being appointed Captain of the National Guard by none other than the President of the State of São Paulo, Bernardino de Campos, a prominent figure in Amparo. This rank demonstrates that the freed Black man undoubtedly had good connections with some of the powerful figures in local politics, particularly within the Paulista Republican Party in Itatiba, which had direct access to President Campos. However, despite his connections and prestige among local politicians, Mestre Lourenço was never allowed to vote or run for any office, showing that even the most esteemed freed Black man in the city was denied fundamental political rights.

Yet nothing prevented him from voicing opinions on political matters. One such instance involved his plot of land near the old Church of Itatiba. In a gesture of

³⁰⁴ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³⁰⁵ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³⁰⁶ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

unmistakable political significance, he “offered a large area of his property to the Council, free of charge,” for the construction of the city’s first school.³⁰⁷ He donated this land on the condition that it be used for the “installation of the [School] Group,” meaning the establishment of Itatiba’s first public school.³⁰⁸

The City Council rejected his offer. Under the pretext that the land was not central enough, the councilors opted for another location, even though it required expropriating and demolishing several buildings and paying substantial compensation to the property owners. The school was ultimately built at this new site. However, many residents viewed Mestre Lourenço’s attempt to donate the land as another welcome “D’Artagnan-like” gesture.³⁰⁹ After all, he was offering a personal asset for a public benefit that would primarily serve the city’s children.

Mestre Lourenço’s decision does not seem to have been motivated by political calculation or any commercial interest. On the contrary, it appears to have been a genuinely generous act. In any case, it also reflects the understanding of a formerly enslaved, semi-literate man of the importance of investing in education. Another example better illustrates how much Mestre Lourenço valued education. Looking closely at his family, it becomes evident that education was a priority for him. A few years after arriving in Itatiba – or more precisely, in 1880, the same year he raised the bells to the new Church of *Nossa Senhora do Belém* – the region’s most renowned master builder married Joana Soares de Oliveira, likely a white woman from the traditional Soares family of Itatiba. Over the following years, all six of their children were born. However, only three survived to adulthood: David dos Santos de Oliveira, Ataliba de Oliveira, and Maria Joana de Oliveira, all born in the 1880s.

The educational achievements of Mestre Lourenço’s three children speak volumes about his commitment to education – or rather, about the value he placed on learning, even as a semi-literate man and one of the foremost educators in his field. Mestre Lourenço prepared them for elite professional careers: he financed “an

³⁰⁷ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³⁰⁸ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³⁰⁹ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

expensive secondary education” for all of them, “after which he enrolled his eldest son in the Military School of Realengo, his second son in the São Paulo Normal School, and his youngest daughter in the Campinas Normal School.”³¹⁰ The man who had tried to donate “a large area of land near the old *Largo do Rosário*, then called ‘*Praça Capitão Lourenço*,’” for the construction of the city’s first school was practicing what he preached by providing his children with the best education available.³¹¹

“By giving his direct descendants the means to educate themselves and succeed in the world,” the biographer romantically muses, “the Taboão slave, with the fervor of a vengeful god, defied fate, driven by an irrepressible desire to claim belated yet comforting compensation for the burdens imposed on him.”³¹² Indeed, his children thrived: David became an amanuensis in the 1st Cavalry Regiment in Manaus, Maria Joana became a teacher in Campinas, and Ataliba became the first Itatiba-born principal of the Júlio César School Group and later the first Black director of the General Directorate of Education in the State of São Paulo. Each, in their own way and time, carried forward Mestre Lourenço’s strategy of social ascent – bending white systems and personal circumstances – and his belief in education as a means to change one’s life. Among them, however, Ataliba most strongly represents the continuation of his father’s struggle, particularly for taking the helm of the very school Mestre Lourenço had so desperately wished to build.

3. 2. Labor: Mestre Ataliba, Black, free, profession: educator

Born on his father's ranch in *Bairro da Ponte* on July 17, 1884, still during the time of slavery, the Black boy Ataliba Antonio de Oliveira grew up in the countryside of post-Abolition Itatiba. As a child, his father took him from Itatiba, leading him by the hand to the Salesian College, a prestigious school in São Paulo, to prepare him for the future. “When I left Itatiba at the age of twelve,” Ataliba recalled, “to enroll as a student at the

³¹⁰ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³¹¹ AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³¹² AMI, *A Tribuna (SP)*, [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

Salesian College, first in São Paulo and then in Lorena, the course of my life took a direction from which I would never retreat. The journey I made in 1896 with my father was a predestination.”³¹³

Ataliba found his destiny in a school. The carpenter-educator, Mestre Lourenço, seemed to know exactly what he was doing – hence his son described the unforgettable 1896 journey as a kind of point of no return and a predestination of what was to come. His life truly would never be the same after experiencing a top-tier school firsthand. Young Ataliba studied for four years at the boarding school run by the Salesian priests – first at the Sacred Heart of Jesus High School in São Paulo, then at the São Joaquim Gymnasium in Lorena – and subsequently entered the Normal School at *Praça da República*, the oldest and most prestigious teacher training center in the state of São Paulo. After another four-year cycle of study, from the ages of 16 to 20, Ataliba graduated in the Normal School and became “the first teacher from Itatiba.”³¹⁴

With diploma in hand, Ataliba was quickly appointed to teach at a rural school in his hometown. As a young teacher of 20 years old, Ataliba began educating children in the Tapera Grande neighborhood, at a school that served poor children living near the Paraíso plantation. This farm’s grand house had been built by his father, Mestre Lourenço, and its coffee plantations employed hundreds of Black workers, paradoxically almost enslaved *de facto* and almost free *de jure*. “At that time, the young schoolmaster from Tapera Grande was already beloved by all his countrymen,” certainly because he was the first native son to teach in his hometown, but especially because, like his father, he was an example of a Black man who had acquired the means to “educate himself and succeed in society.”³¹⁵

This time, Ataliba did not stay long in Itatiba. Two years later, in 1907, he was transferred to another city, now to an urban school in São Vicente – the first colonial settlement in Portuguese America. “And Ataliba left, saddened to leave his hometown,

³¹³ BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Páginas de um mestre-escola – Evocação do passado, XII,” October 16, 1938, p. 4.

³¹⁴ AMI, *A Tribuna* (SP), Evaristo Silva, “De relance,” March 9, 1961, p. 3. For the argument of public recognition of the first professor from Itatiba, see Andréia Cristina Borges Rela Zattoni, *op. cit.*, pp. 124-125.

³¹⁵ AMI, *A Tribuna* (SP), Evaristo Silva, “De relance,” March 9, 1961, p. 3; AMI, *A Tribuna* (SP), [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

his people, and his friends. How many, on that foggy morning, came to see him off!”³¹⁶ We do not know whether Ataliba was sad or happy, but the chronicle once again recorded his prestige among the local population. The presence of a large group at the city's train station – most likely the old Mestre Lourenço was there too – is an unmistakable sign that, if he wanted to, the doors would be open for him to teach again in Itatiba.

But he would not stay in São Vicente either, nor would he stay in Leme, or Atibaia, Ribeirão Bonito, São Carlos, Mogi das Cruzes, Santos, São Paulo, and so many other cities where he worked as a teacher and inspector of education. Ataliba seemed to understand that to truly grasp education in São Paulo, he needed to explore every corner of the state's vast territory. He needed to talk to teachers, students, and local politicians, understand the specificities of various schools – whether urban or rural, in small towns or large cities – and gather *in loco* solutions to problems that the state education department had no idea how to address. In short, Mestre Ataliba dedicated himself to understanding “the inner workings and mechanisms of the school machinery” that made up São Paulo's network of schools and public education system.³¹⁷

Mestre Ataliba's dedication to getting to know the São Paulo school system spanned more than five decades and led him to visit many places, “exploring many cities and numerous neighborhoods, ranches and farms.”³¹⁸ As he recounted: “I traveled extensively throughout my state, reaching the rivers that mark its borders and the sea where its beaches are located. I tried every means of transportation. I exchanged ideas with thousands of people. I sat at frugal and copious tables. I slept under both rich and poor roofs.”³¹⁹

But this knowledge was far from being merely geographical or sociological – quite the contrary. Ataliba became deeply entrenched in the world of school administration. From his entry into teaching in January 1905 until his retirement in

³¹⁶ AMI, *A Tribuna* (SP), Evaristo Silva, “De relance,” March 9, 1961, p. 3.

³¹⁷ Vera Teresa Valdemarin and Marcus Aldenison de Oliveira, ““O fracasso da reforma escolanovista:’ Ataliba de Oliveira interpretando a renovação escolar paulista (décadas de 1930 e 1940),” *Educação em Revista*, vol. 39, 2023, pp. 1-24, p. 3.

³¹⁸ The count of five decades of activities encompasses both the 30 years he spent as a teacher and administrator in the São Paulo education system, and the time he spent as a columnist specializing in education issues for *Correio Paulistano*. For the excerpt quoted, see BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Páginas de um mestre-escola – Evocação do passado, XII,” October 16, 1938, p. 4.

³¹⁹ BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Páginas de um mestre-escola – Evocação do passado, XII,” October 16, 1938, p. 4.

January 1935, he held multiple administrative roles. Beyond being a classroom teacher, Ataliba served as a school inspector and delegate and even became the all-powerful Director General of Public Instruction in São Paulo.

In this regard, the summary by historians Vera Valdemarin and Marcus Oliveira is particularly accurate:

From schoolmaster to general Director of General Public Instruction for the state, he worked his way up the professional ladder and moved from the lowest to the highest administrative, normative and directive positions in education. During his 30 years as a public teacher, he took on the tasks of teaching, educating, inspecting, guiding, examining and supervising the teaching done in primary and normal schools in the state of São Paulo. He was therefore a true “school worker” – as it was called at the time – with a high level of culture, who understood the didactic and pedagogical value of São Paulo's public schools, both in their systemic nature and in their day-to-day dynamism. In short, he was a teaching professional who worked for a long time in the field of school practice in São Paulo.³²⁰

Mestre Ataliba was, to put it with the memoirist Evaristo Silva, “a complete educator.”³²¹ Looking closely at the many verbs that Valdemarin and Oliveira meticulously placed in the excerpt above to talk about Teacher Ataliba's tasks, namely *teaching, educating, inspecting, guiding, examining and supervising*, it is clear that Silva had not exaggerated. Ataliba really was a complete educator. On the one hand, he was a “school worker” who used the classroom and the often dirt-floored school as a laboratory for thinking about state reforms in public education.³²² On the other hand, a scholar with “a high level of culture” who rationally organized a disorganized educational space. Fundamentally, however, he was an empiricist who despised abstract discussions disconnected from school dynamics.³²³

Once, in a press debate, Ataliba assaulted this type of intellectual who was completely unaware of the material conditions of the school environment. Addressing to partisans of the New School movement in São Paulo, who, according to Ataliba, lacked

³²⁰ Vera Teresa Valdemarin and Marcus Aldenison de Oliveira, *op. cit.*, p. 3.

³²¹ BN, *Correio Paulistano* (SP), Evaristo Silva, “Professor Ataliba de Oliveira,” December 26, 1920, p. 6.

³²² Vera Teresa Valdemarin and Marcus Aldenison de Oliveira, *op. cit.*, p. 3.

³²³ Vera Teresa Valdemarin and Marcus Aldenison de Oliveira, *op. cit.*, p. 3.

a basic understanding of how São Paulo schools worked, the Black teacher left no stone unturned. In his words:

If the theorists of the new doctrine decided to descend from Sirius to Earth; if they decided to leave the cold world of the *in folios* for a while in order to get closer to the objective world of reality; if they exchanged the quiet atmosphere of libraries, where they talk to educational philosophers, for the noisy atmosphere of schools, where the dynamic work of educating children takes place; if they went up, or down (as they wish) from the abstract to the concrete, exchanging the icy landscape of theory for the tropical landscape of reality, full of verdant vitality, then they would realize with astonishment how counterproductive their work as indoctrinators has been and how negative their proselytizing task!³²⁴

Without delving into the reasons of either side – that is, the arguments for or against the New School movement – it is worth noting how Ataliba structured his worldview around the dynamics of social practice. This does not in any way mean disdain for theory. On the contrary, it means that Ataliba grounded his understanding of the foundations of education less in the “quiet atmosphere of libraries” and more in the “noisy atmosphere of schools.”³²⁵ In other words, the preferred *locus* for producing a reflection on what a school was and what a child's learning process was, was amidst the noise of a school falling apart. At a time of uncritical and unregulated importation of foreign ideas, advocating for the development of local solutions to local problems inevitably involved theorizing about those very problems.

Ataliba's idea, therefore, was to move from the concrete to the abstract – not the other way around – in order to address the complexity of combating illiteracy in a society with an overwhelming majority of illiterate people. For Ataliba, it made no sense to import ideas designed for a society with entirely different expectations, such as New School's ideas for early 20th-century Switzerland, into a society with radically different expectations, like Brazil, which had only recently abolished slavery and faced

³²⁴ BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Proselitismo negativo,” November 22, 1936, p. 30.

³²⁵ BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Proselitismo negativo,” November 22, 1936, p. 30.

educational challenges unimaginable in any Swiss canton. Insisting on such imports was akin to grafting a plant unsuited to the local soil, which would ultimately result in the failure of the idea and the unresolved problem.

It was urgent, therefore, to exchange the “icy landscape of theory for the tropical landscape of reality” to rethink education in Brazil.³²⁶ For Ataliba, this reality – “full of verdant vitality” – provided the nourishment for his ideas and responses to social problems.³²⁷

And this reality, for Ataliba, begins in Itatiba. Not only because it was where he was born and spent his early childhood, or because it was at the rural school of Tapera Grande, near the Paraíso farm, that he began his teaching career in February 1905. His observation of the reality of children's education in São Paulo – this was the “reality” that interested him – was truly shaped in Itatiba upon his return to his hometown after four years teaching in schools in São Vicente, Leme and Atibaia.

In 1909, he finally returned to Itatiba, this time no longer as a teacher at a makeshift rural school in some landowner's house, but as an “assistant teacher” at the city's School Group – the very one his father wanted to sponsor by donating one of his plots of land.³²⁸ Ataliba's return to Itatiba also marked his reunion with his father. At that time, the elderly Mestre Lourenço was 78 years old. As far as is known, he was lucid and was able to witness Ataliba being appointed as a teacher at the city's first public school. “A friend of education, the benefits of which slavery deprived him of,” Mestre Lourenço must have the profound significance of his son teaching at a school that quickly became a symbol of Itatiba and a cornerstone of its *vis*, particularly the symbolic capital of literacy.³²⁹

Mestre Lourenço saw his son Ataliba become a school principal, but not for long. On October 15, 1911, the heroic former enslaved person who fought for his freedom and that of his family in true D'Artagnan style, passed away at the age of 80 from natural causes. The Giuseppe Garibaldi Society of Itatiba paid tribute to him with the highest honors, “with its banner draped in mourning,” in a funeral procession that brought the

³²⁶ BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Proselitismo negativo,” November 22, 1936, p. 30.

³²⁷ BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Proselitismo negativo,” November 22, 1936, p. 30.

³²⁸ Andréia Cristina Borges Rela Zattoni, *op. cit.*, p. 119.

³²⁹ AMI, *A Tribuna* (SP), [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

city to a standstill.³³⁰ And Itatiba could not help but come to a halt. For Mestre Lourenço had passed away, one of the rare Brazilians of his time who had much of the heroism not only of D'Artagnan, but also of Garibaldi, and – why not recall? – of the Black Brotas himself, the greatest symbol of the struggle for freedom in the sea of hills that rises on the banks of the Atibaia.

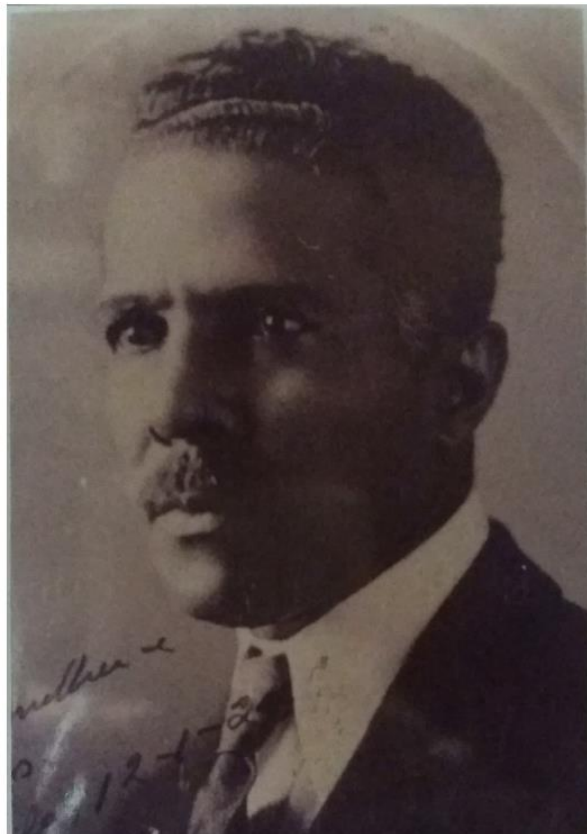


Figure 6. Ataliba Antonio de Oliveira (Júlio César School Historical Archive: Photographer unknown, *circa* 1920).

Mestre Ataliba settled in Itatiba for a good number of years, from 1909 to 1920. In 1913, two years after the death of the old Mestre Lourenço, Ataliba's sister and youngest child of the late benefactor of the Giuseppe Garibaldi Society, Maria Joana de Oliveira, a recent graduate of the Campinas Normal School, also became a teacher at the Itatiba School Group. The first Black teacher in the history of the School Group, Ataliba de Oliveira, was joined by the first Black woman teacher in the history of the

³³⁰ AMI, *A Reacção* (SP), [Evaristo Silva], “Cap. Lourenço Antonio de Oliveira,” October 19, 1911, p. 4.

same School Group, Maria Joana de Oliveira. Both siblings were already making history – they undoubtedly took after their father.

In that same year, 1913, another historic milestone occurred, institutionally for the School Group and personally for Ataliba: he was appointed by the state government as the school's new principal. In this role, he gained an even deeper understanding of the “tropical landscape of reality,” this metaphor for the generalized and frightening institutional chaos of a school filled with children hungry not just for knowledge, but also for food itself, and lacking the most basic resources.³³¹ “In the direction of the school group,” educational historians recount:

Ataliba de Oliveira taught, mentored and encouraged his colleagues and welcomed education authorities inspecting the school. One of these authorities was Professor Júlio Pinto Marcondes Pestana, who, in 1913, while serving as a school inspector, visited the school and praised its didactic, pedagogical and hygienic organization.³³²

Ataliba served as director of the Júlio César School until 1920. Over his eight years of management, he implemented a series of local reforms. Together with his sister, he gave the school a fresh identity. As principal, Ataliba standardized schedules, organized administration, developed curricula, supervised other teachers, and continually fought for more resources. But he did not stop there. Convinced that the “greatest national problem” was “the literacy of the Brazilian people,” Principal Ataliba attacked illiteracy at its root: child labor.³³³

On January 14, 1919, Ataliba sent a historical letter to the Itatiba City Council. He denounced child labor as one of the causes of illiteracy. His math was simple: if fewer parents enrolled their children in school, it was because they took them elsewhere, namely to the factories and commercial houses that then hired children as young as eight or nine without any shame or restraint. Principal Ataliba was indignant – although he made a rather cold critical analysis of the very tropical reality. Given the originality of the primary source, let us read, in two long excerpts, the entirety of the historic petition:

³³¹ BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Proselitismo negativo,” November 22, 1936, p. 30.

³³² Vera Teresa Valdemarin and Marcus Aldenison de Oliveira, *op. cit.*, p. 6.

³³³ BN, *Correio Paulistano* (SP), Ataliba de Oliveira, “Escola de luxo, mas inoportuna,” April 1, 1936, p. 5.

Colonel Júlio César Scholar Group.

Itatiba, January 14, 1919 [letter number three].

Honorable Members of the City Council,

Your Excellencies' patriotism authorizes me to hope that this distinguished Council will take good note of the considerations that I will have the honor of making to it.

The enrollment of new students conducted this year by this administration has seen a meager number of girls and a slightly larger number of boys. While the number of illiterate students enrolling in the first grade is insignificant, students from more advanced grades also fail to enroll, and few complete the full course and leave the school after graduation.

Why is it, Honorable Members, that so few new students enroll, with girls enrolling even less than boys? Furthermore, why does the majority of students fail to graduate, completing the four years of the preliminary course?

These questions suggest only the following answers: the neglect of some parents and the financial interest of others who profit from their children's labor explain the absence of children from school. Certainly, Honorable Members, a considerable number of children, deprived of the benefits of education, languish idly at home and in the streets, while many others, in factories, workshops, or commercial establishments, spend their childhoods performing exhausting tasks inappropriate for their age, ruining their health and jeopardizing their very existence.³³⁴

Principal Ataliba's diagnosis is crystal clear: first, the school was receiving very few first-grade enrollments – “the number of illiterate students enrolling in the first grade is insignificant;” and second, school dropouts were removing students from classrooms year by year – “few complete the full course and leave the school after graduation.”³³⁵ What was the cause of these phenomena of low demand for literacy and school dropout? He answered: some parents, partly out of “neglect,” but mainly out of “pecuniary interest,” over-exploited their children's labor power, forcing them into “exhausting tasks inappropriate for their age, ruining their health and jeopardizing their very existence.”³³⁶ In other words, many parents did not allow their children to study or

³³⁴ ACMI, *Ata de sessão ordinária*, February 3, 1919, pp. 56-60, p. 57. Emphasis added.

³³⁵ ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, p. 57.

³³⁶ ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, pp. 57-58.

took them out of school in the middle of their studies so that they could work and bring money into the household. Some likely did so out of parental negligence – inferred from the term “neglect.”³³⁷ Many others, however, acted out of sheer survival necessity.³³⁸

But that was only part of the story. On the other end were “factory owners and managers” recruiting children under the age of 12 to work more than 12 hours a day in weaving textile mills and tanneries.³³⁹ Ataliba understood that there were significant reasons behind illiteracy and school dropout. While he did not absolve parents, especially those “who profit from their children’s labor,” the root causes of school dropout lay primarily in the blatant and nearly irresistible recruitment of children as labor for local industry and commerce. In the continuation of his petition, Principal Ataliba addressed these points and proposed political solutions for state intervention in this social problem.

Appealing to the republican conscience of the councilmembers, Ataliba continued:

Your Excellencies, citizens of a very young Republic, understand perfectly well the urgent need for the widespread dissemination of primary education among the popular classes. The progress of our country and the security of our future depend on this – that is, on the education of the people.

There are no reasons, no matter how strong they may seem, to justify keeping children away from school. What is needed is an end to the dark reign of illiteracy that has plagued our land and places Brazilians in a position of inferiority compared to hard-working, economical, intelligent and cultured foreigners. **In order to achieve this goal, I have come to ask Your Excellencies’ to enforce the known Law no. 26, voted by this illustrious Council on October 31, 1916, which institutes mandatory primary education in the city and municipality of Itatiba.**

Article 9 of this law prohibits forced labor for children under the age of 12 and article 3 obliges parents, guardians and employers to give instruction to their children, wards or employees. To facilitate compliance with this beneficial law, Your Excellencies could **authorize the mayor to obtain commitments from factories owners and managers not to**

³³⁷ ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, p. 58.

³³⁸ On the need for child labor, see the account of Maria do Carmo Barbosa, granddaughter of Vó Amélia, about her entry into the world of work. Cf. Patrícia Scalli, “Interview,” 2004.

³³⁹ ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, p. 58.

employ minors who do not present them with a certificate of completion of the elementary course. An identical measure has been put into practice with excellent results in several cities in the state, such as Atibaia, Taubaté and others.

Forgive me, Your Excellencies, for the lengths to which these remarks have gone, dictated by the duty of my position and the great love I have for the land of my birth. I am sure that Your Excellencies, weighing up the arguments I have just put forward, will put an end to the distressing situation of education in Itatiba, which jeopardizes the future of our land.

Please accept my warmest regards.

Ataliba de Oliveira.³⁴⁰

For someone who started off talking about education in more abstract terms, such as the “progress of our country and the security of our future,” Ataliba changed his approach and became highly pragmatic. After diagnosing the reasons behind the low demand for literacy and school dropouts, the principal of the city’s primary school shifted the discussion to the effectiveness of the recent mandatory primary education law. Since this law dated back to 1916, when Ataliba was already principal of Júlio César School, it is possible that he was familiar with it firsthand. Judging by the ease with which he discussed on it, this possibility sounds even more plausible. In any case, Ataliba invoked Article 9 of the aforementioned law and got to the heart of the problem: the prohibition of “forced labor for children under the age of 12.”³⁴¹ Moreover, Ataliba combined Article 9 with Article 3, which obliged “parents, guardians and employers to give instruction to their children, wards or employees.”³⁴²

For educator Ataliba – undoubtedly well versed in the legal semantics of the right to education and the political strategies to enforce it – the mandatory primary education law both prohibited forced labor for children under 12 and obliged not only parents, but also guardians and employers, to ensure that their children, wards or employees, respectively, attended school.

Ataliba urged local authorities to act. The City Council and the City hall had a duty to hold factory owners and shopkeepers accountable under the law. Businessmen who

³⁴⁰ ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, pp. 60-62. Emphasis added.

³⁴¹ ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, p. 61.

³⁴² ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, p. 61.

profited from child labor had to stop this practice immediately. In this sense, the mayor, prompted by the City Council, had to negotiate with local business owners to ensure they did not employ minors without a “certificate of completion of the preliminary course.” By adopting these measures – already provided for by law – child labor, the primary obstacle to children’s literacy and educational development in Itatiba, could be eradicated.

Ataliba’s historic petition found some resonance in the City Council. In its wake, councilmembers approved several measures to strengthen mandatory primary education. However, these measures visibly lacked normative force. For the most part, they were merely requests and recommendations. There was no significant enforcement of the law against employers profiting from child labor – employers who not only failed to fulfill their obligation to guarantee children’s access to education but also deliberately ignored the legal prohibition of hiring children under 12 in their factories and commercial establishments.

The Municipal Council limited itself to:

Requesting the government to provision the schools already established in the municipality, through the mayor's office and the political directory [of the Republican Party];

Organizing statistics on school-aged children, from 7 to 12 years old, in both the city and rural areas, to strengthen their case to the government with this data;

Requesting the immediate creation of schools in the neighborhoods of Pereiras, Barreiro, Pintos Pires, Pedreira, dos Silva and Ponte;

Asking factory and commercial managers not to employ school-aged children unless they present a diploma from the preliminary course, as well as families employing children;

Proposing the reform of Law No. 26 to harmonize private and public interests;

Allocating funds in this and future budgets for the School Fund to support underprivileged students;

Urging factory and commercial managers, as well as families, to require their employees aged over 13 years to attend evening school.”³⁴³

³⁴³ ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, p. 62.

Many requests, but little action. Perhaps the only concrete action was the decision to organize statistics on school-aged children “in both the city and rural areas, to strengthen their case to the government with this data.”³⁴⁴ At the end of the day, the City Council responded evasively to the principal of the Júlio César School. Ataliba wanted the City Council to urge the City Hall and both institutions to enforce the law on mandatory primary education. A strict interpretation of Articles 9 and 3 of the 1916 law would simultaneously combat child labor, illiteracy among children, and school dropout rates. What he received, however, were merely empty promises.

A few months later, Mestre Ataliba left Itatiba – this time, never to return to reside there again. On December 15, 1920, he was appointed as a school inspector in São Carlos, tasked with supervising and guiding teachers and school principals in São Paulo’s central region. With over seven years of experience as a school principal and another eight as a classroom teacher in various schools, Mestre Ataliba had acquired expertise in diverse aspects of schooling and was ready to climb to new positions in the state's education administration. Career-wise, staying in Itatiba, where he might have faced stronger political resistance to his demands and had already reached the pinnacle of the local school system, seemed less advantageous. The move to São Carlos, then, was not just welcome—it was a clear promotion.

And one promotion led to another. From São Carlos, where he worked between 1921 and 1923, Ataliba moved to Itapetininga to serve as a regional education delegate. In 1925, he was once again appointed as a school inspector, this time in Mogi das Cruzes. Four years later, he experienced yet another shift—not just in location, but also in his responsibilities within the public school administration system.

On May 12, 1929, Ataliba de Oliveira was promoted to inspector general of the state's Free Normal Schools – primary teacher training institutions maintained by municipalities or private individuals. The promotion came from the hands of the then director of education Amadeu Mendes, for which he received a tribute from the primary school teachers of the municipality of Mogi das Cruzes. **Newspapers at the time reported on the balance sheet of the São Paulo State Court of Auditors, referring, among other things, to Professor Ataliba de Oliveira's**

³⁴⁴ ACMI, *Ata de sessão ordinária da Câmara Municipal de Itatiba*, February 3, 1919, pp. 56-62, p. 62.

good conduct in the use of public money, documented in his accounts as a school inspector.³⁴⁵

With increasing expertise in regional school administration, Ataliba eventually made his way to the state capital. From 1930 to 1935, the year of his retirement, the son of a modest ex-enslaved man held some of the highest positions in São Paulo's educational bureaucracy. Among other roles, he served as district school inspector in the capital, president of the School Buildings Commission, vice-director, and acting director of the General Directorate of Education for the State of São Paulo. Few teachers had as much insider knowledge of the public education system as Ataliba de Oliveira. Conversely, few bureaucrats in the State Education Secretariat had as much classroom experience as this same Ataliba de Oliveira.

Leveraging this unique expertise, which granted him dual perspectives on São Paulo's public education, Ataliba decided to open a new chapter after what seemed to be the conclusion of his career—retirement. In 1935, he left the classroom and the public office, only to immediately step into a new role in journalism. In 1936, Mestre Ataliba became a regular columnist for the *Correio Paulistano*. Over the next five years, he published more than 200 articles on various topics, including educational policy, the history of education, teaching and learning theories, and challenges in public schooling.

Mestre Ataliba left a profound legacy for Brazilian education: he educated thousands, fought tirelessly against illiteracy, and consistently championed mandatory, secular, and high-quality primary education. Likewise, he contributed significantly to São Paulo's public education system by training thousands of teachers, responsibly managing public resources, and expanding the school network to reach remote rural areas and underserved urban peripheries. Similarly, he left an indelible mark on the history of his hometown: he was the first Itatiba native to earn a teaching diploma and teach in the city, the first Black principal of Júlio César School, and the organizer of its primary school curriculum.

But fundamentally, Mestre Ataliba's greatest legacy was to follow worthily in the footsteps of the old Mestre Lourenço do Taboão. His father fought tirelessly and patiently for many years for the freedom of himself and his family. In his turn, Mestre

³⁴⁵ Vera Teresa Valdemarin and Marcus Aldenison de Oliveira, *op. cit.*, p. 7.

Ataliba put the same obstinacy for freedom as his father into his fight for the right to education for all. After all, for both Mestre Lourenço and Mestre Ataliba, the path to freedom was called education.

3. 3. *Vis: resist to samba, samba to resist*

Vó Amélia wanted her children and grandchildren to have the opportunity to study too. “A woman ahead of her time,” as local memory describes her, she undoubtedly shared the belief of other two visionary educators – *mestres* Lourenço and Ataliba – that education was the path to freedom.³⁴⁶ Like Mestre Lourenço, who “cooperated in the creation of the Júlio César School in 1896 by offering the public authorities a beautiful and large plot of land that he owned next to the Rosário Church,” the matriarch of the quilombo also contributed to the construction of the city's first public school.³⁴⁷ In 1906, Vó Amélia sent sand from the quilombo for the construction of the new Júlio César School building. While the donation may not seem like much, for someone with so little to give and for those who greatly needed it, the contribution was undeniably significant. According to Tia Aninha, Vó Amélia’s granddaughter, this sand from the quilombo became the mortar for the walls of the Júlio César School.

Tia Aninha shared more. One time, a cousin of hers, and also grandson of Vó Amélia, went with his parents to enroll at Júlio César School. It did not work out. He was barred at the entrance. According to Tia Aninha, “they barred him from the school (...) and then my grandmother thought it was an insult because to build this school they used sand from our ranch. Then my grandmother said, how could [he] not? [It was] like that song, what do you call it? (...) ‘You see that school, young man?’”³⁴⁸ Tia Aninha was recalling from memory the lyrics of the famous song sung by Zé Ramalho to portray the event that happened “because of prejudice” many years ago, likely in the 1930s, a decade after Mestre Ataliba had left the city.³⁴⁹

³⁴⁶ José Roberto Oliveira, *op. cit.*, p. 197.

³⁴⁷ AMI, *A Tribuna* (SP), [Editorial], “Mestre Lourenço – Uma grande vida... Um belíssimo exemplo,” December 23, 1973, p. 4.

³⁴⁸ Patrícia Scalli, *op. cit.*, 2004b.

³⁴⁹ Tia Aninha had no doubt as to why her cousin's enrollment had been banned. Her testimony about this can be found in: Patrícia Scalli, *op. cit.*, 2004b.

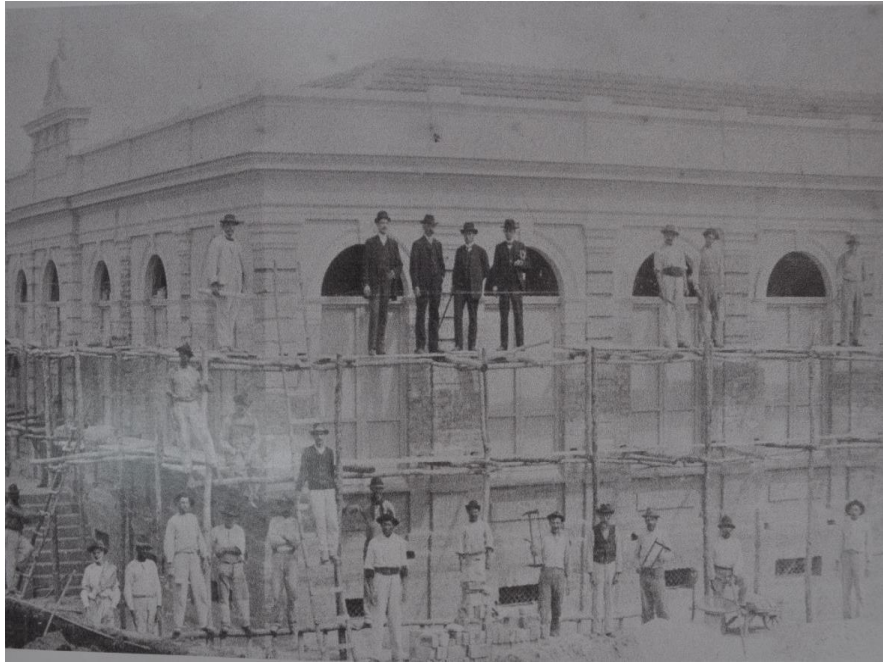


Figure 7. Construction of the School Group in 1907
(Júlio César School Historical Archive: Photographer unknown, *circa* 1920).

The song performed both by Zé Ramalho and Zé Geraldo, among many others, helps to piece together the quilombola elder's narrative. Let us take a look at an excerpt of the lyrics, starting precisely with the passage that Tia Aninha hummed from memory:

You see that school, young man?
I worked there too.
There, I nearly broke myself,
Mixed the mortar, made the cement,
Helped plaster the walls.

My innocent daughter
She comes to me all happy,
“Dad, I’m going to enroll.”
But a citizen tells me:
“A barefoot child
Can’t study here.”³⁵⁰

The poetic voice in the song is that of a bricklayer who tirelessly constructs buildings – like a school and a church – and does not get the slightest recognition for his

³⁵⁰ Although the song is widely known through the performances of Zé Ramalho and Zé Geraldo, its composer is Lucio Barbosa. See Lucio Barbosa, “Cidadão”, in: Zé Ramalho, *Frevoador*, Rio de Janeiro: Columbia/Sony Music, 1992.

work. In this stanza, the poetic-self points to an interlocutor – like the song’s listener – and recounts how he nearly broke himself working to build the school. He also describes how his “happy” daughter would not only love to study at such a school, but urged him to say “I’m going to enroll.”³⁵¹ However, because she was poor, a “barefoot child,” she would never get to study there.³⁵² Symptomatically, the person who barred her entry was a “citizen,” the word that gives the song its title.³⁵³

It was precisely this verse of the song that came to Tia Aninha's mind when she recalled her late cousin being denied enrollment at the Júlio César School. This was no coincidence. In a sense, the *citizen* who denied the mason’s daughter in the song was of the same kind as the *citizen* who barred similar children from entering similar schools. Tia Aninha read between the lines of the story: not only Vó Amélia’s grandchildren – descendants of the woman who donated sand for the school’s construction – but also the descendants of Black workers who laid its floors, raised its walls, and built the roof of Itatiba’s most important school, such as those visible in the photograph above, were routinely subjected to insults and humiliations that barred them from entering or continuing their studies at the school.

That cousin of Tia Aninha was not the only one to face rejection at the Júlio César School “due to prejudice.”³⁵⁴ Another grandson of Vó Amélia experienced the sting of racism firsthand within the school. What might initially seem like a mere racially motivated disagreement between children became much more serious the moment a teacher endorsed the white student’s racist insult against the Black student. This incident, which likely occurred in the 1930s, revealed yet another affront faced by a descendant of the families that built the school. “I had a cousin there,” Tia Aninha recalled of the Júlio César School, “and a [white] boy called him a little nigger.”³⁵⁵ He told the teacher, and she replied, “Well, aren’t you a little nigger?” – perhaps to the laughter of the other white children.³⁵⁶ “And then he replied, because she was of black descent, ‘I’m Black through and through, you’re white, but you have Black features.’”³⁵⁷

³⁵¹ Lucio Barbosa, *op. cit.*

³⁵² Lucio Barbosa, *op. cit.*

³⁵³ Lucio Barbosa, *op. cit.*

³⁵⁴ Patrícia Scalli, *op. cit.*, 2004b.

³⁵⁵ Patrícia Scalli, *op. cit.*, 2004b.

³⁵⁶ Patrícia Scalli, *op. cit.*, 2004b.

³⁵⁷ Patrícia Scalli, *op. cit.*, 2004b.

Both the teacher's racist insult against one of Vó Amélia's grandsons and the refusal to enroll another left Vó Amélia furious. These were not isolated incidents. Tia Aninha remarked that "since my grandmother's time," meaning since the founding of the Júlio César School in 1896, there had been racial prejudice against Black students, particularly those described as "barefoot."³⁵⁸ It is likely, however, that racism within the Júlio César school space was slightly concealed during the years of Principal Ataliba. But even though he could do a lot, the principal could not do everything. White parents, teachers, and students might have respected his individual authority as principal while maintaining the daily reproduction of covert and overt racism, particularly against barefoot Black children.

Vó Amélia was intimately familiar with the insults and the ever-present insulters. She knew Itatiba all too well. Likewise, she understood the importance of educating her descendants in the language of resistance. This is why the matriarch of the Brotas quilombo celebrated the boldness of her grandson, barely 10 years old, in standing up to both his classmate and the teacher who insulted him, even though this likely led to further harassment. The story of Vó Amélia's grandson became etched in the collective memory of the Brotas community. Tia Aninha passed it down, preserving her cousin's example as morally exemplary.

Just as the racism experienced by Tia Aninha's cousins was not isolated, neither was the example of resistance from the black child at the increasingly white Júlio César school. "There's always been" racism against Black people in Itatiba, said the elderly Aninha between the lines.³⁵⁹ "We, our group," she emphasized, "never accepted it."³⁶⁰ Her emphasis on the adverb of time clearly recalls a distant past, undoubtedly tracing back to the matriarch of matriarchs, the African "madrinha Emília," who was herself Vó Amélia's grandmother.³⁶¹ However, starting with Vó Amélia, the enunciation of "never accepted" by the "group" of quilombo Brotas becomes more pronounced.³⁶² The story of her marriage vividly illustrates this and the various forms that this motto of never accepting racism has taken over time.

³⁵⁸ Patrícia Scalli, *op. cit.*, 2004b; Lucio Barbosa, *op. cit.*

³⁵⁹ Patrícia Scalli, *op. cit.*, 2004b.

³⁶⁰ Patrícia Scalli, *op. cit.*, 2004b.

³⁶¹ Patrícia Scalli, *op. cit.*, 2004b.

³⁶² Patrícia Scalli, *op. cit.*, 2004b.

Around the age of 20, Amélia began considering marriage – or rather, her father began considering it for her. The elderly Isaac arranged a suitor, but she promptly refused. The matter caused quite a stir. Deeply upset with his daughter’s defiance, Isaac “stopped speaking to her and giving her his blessing for a time, which was very important back then.”³⁶³ Shortly afterwards, at the age of 21, she married the man she had chosen to be the father of her twelve children, the Black Fabiano Bento Barbosa from Atibaia.

However, months before the wedding, Amélia made a simple decision: she would marry in shoes. For today’s reader, Amélia’s wish may seem puzzling – how could she not marry in shoes? – but in Itatiba, even after Abolition, this remained the local custom. “A custom,” Barbosa noted, “that originated during slavery, when enslaved people were forbidden to marry in shoes.”³⁶⁴ A deeply sordid tradition that persisted beyond 1888 as if nothing had changed. “This rule,” again according to Barbosa, “often extended to Blacks in general,” meaning what was once imposed on *enslaved individuals* insidiously became a restriction for all *Black people*.³⁶⁵ “Even with the end of slavery, many cities would have insisted on the custom for some years. And this was the case in Itatiba,” concludes the historian.³⁶⁶

The fact is that young Amélia chose whom to marry, decided to marry in shoes, and insisted to marry in Itatiba, at a time when “it was still considered an affront for a Black person to marry in shoes.”³⁶⁷ And shoes, at that time, were both a luxury item and a symbol of status – luxury and status denied to Black people. Before long, rumors began to circulate that young Amélia had decided to marry in shoes, and not just any shoes, but “parade shoes,” with “little heels and little buttons.”³⁶⁸ As Amélia had always wanted to “become a fashion designer,” she certainly looked closely at the party clothes of the city’s wealthy whites.³⁶⁹

Eventually, she was approached to explain—or rather, to abandon—her plan to marry in shoes. Tia Aninha recounts this part of her grandmother’s story. “There were a lot of landowners here, and they told her [Amélia]: ‘You’re not *inhá moça* [young rich

³⁶³ José Roberto Barbosa, *op. cit.*, p. 121.

³⁶⁴ José Roberto Barbosa, *op. cit.*, pp. 123-124.

³⁶⁵ José Roberto Barbosa, *op. cit.*, p. 124.

³⁶⁶ José Roberto Barbosa, *op. cit.*, p. 124.

³⁶⁷ José Roberto Barbosa, *op. cit.*, p. 123.

³⁶⁸ Patrícia Scalli, *op. cit.*, 2004b; and José Roberto Barbosa, *op. cit.*, p. 123.

³⁶⁹ José Roberto Barbosa, *op. cit.*, p. 192.

lady] Pupo to marry in shoes.’ She replied: ‘I’m not *inhá moça* Pupo, but I’ll marry in shoes.’”³⁷⁰ The concise yet charged dialogue reveals the tension between the landowner and the washerwoman Amélia. Tia Aninha, perhaps out of discretion, did not name the landowner—referring instead to “landowners” in the plural to maintain anonymity—but she did not entirely conceal his identity.

Since the landowner who questions Amélia directly mentions the surname Pupo – one of Itatiba’s most powerful clans – it is reasonable to speculate that he himself may have been a Pupo. This hypothesis gains weight upon examining Fabiano and Amélia’s marriage certificate. Among the two witnesses listed in the document, one is a Pupo—and not just any Pupo: this witness was a prominent coffee plantation owner in the region and had even participated in the famed November 1887 meeting where dozens of slaveholding landowners debated preemptively ending slavery in Itatiba.

On December 20, 1897, Amélia married Fabiano. The certificate obviously does not mention shoes – but it steps on another equally revealing point.

Nº 189 - Fabiano Bento and Amélia Lima

On the 20th of December, 1897, in this parish church, after all the arrangements for the afflicted had been made, in my presence and that of the witnesses **Major José Pupo da Silveira** and Santoro Garcia, in the words of the present, Fabiano Bento and Amélia de Lima, the children of Bento and Clara, **freedmen**, and the natural daughter of Emília, born and baptized, he in the province of Atibaia and she in this province, where they are both parishioners.³⁷¹

Even nearly 10 years after the abolition of slavery, Fabiano’s parents were described as “‘freedpeople.’”³⁷² If they were alive at the time of their son’s marriage – which seems likely given the verb tense used by the clerk drafting the certificate – the legal document refers to them as if they were still living under the Empire, not in the Republic of Brazil. At heart, as we see, there was still very little of the Republic. It was

³⁷⁰ Patrícia Scalli, *op. cit.*, 2004b.

³⁷¹ CHL, Marriages, 1871-1914, Itatiba, Book 05, sheet 31 of book 98, Registration Number 189. I learned about this document from Barbosa, who was the first to find Amélia and Fabiano’s marriage certificate. Emphasis added.

³⁷² Barbosa also discusses this point in his work. For his reading of this topic in particular, see José Roberto Barbosa, *op. cit.*, pp. 124-125.

gestures like Amélia's that, in the end, republicanized the Republic. "She married the way she wanted: she did not marry barefoot."³⁷³ Amélia responded to the Pupo landowner as an equal. Just as her grandson defiantly responded to the racist insult of the schoolteacher, Amélia retorted to Pupo without hesitation. "You're not *inhá moça* Pupo to marry in shoes," he insisted, convinced he was standing on one of his farms.³⁷⁴ To which she heroically replied – now in a slightly different version –, "I'm not *inhá moça* Pupo, I'm Amélia, and I'll marry in shoes."³⁷⁵

And Amélia married in shoes. After Amélia – this Rosa Parks of her time and place – Black people were allowed to enter the church wearing shoes and to marry wearing shoes. As a young woman, Vó Amélia entered Itatiba's history as someone who broke a sordid tradition of reproducing racial inequalities and inaugurated a new one: republican and democratic. In the future, her grandson would do something similar, albeit in a school context and in a different dimension. Both, however, were part of the same repertoire of everyday resistance against racism and inequality.

Amélia's own granddaughters, *tias* Aninha and Maria, would echo the same "we never accepted it".³⁷⁶ "We always fought, we didn't have much power, but always, from young age, we tried to do something, to gain space."³⁷⁷ And they provide a very concrete example of this. "I remember when we were young, there was a club here [in Itatiba] that wouldn't let Black people in," Tia Aninha recounts, with her sister Maria by her side.³⁷⁸ "When a Black person went in, they would say, 'Oh, it smells bad because there's a Black person here.'"³⁷⁹

One day, the two sisters and some cousins and friends decided to test the social limits of this club. With Aninha and Maria around 20 and 21 years old – the same age, incidentally, that Vó Amélia was when she defied a vile local custom – the group of friends went together to the front of the club. "When we went to go in," Tia Aninha sighed at the memory, "the man said, 'You can't come in.'"³⁸⁰ Maria stepped forward,

³⁷³ José Roberto Barbosa, *op. cit.*, pp. 124.

³⁷⁴ Patrícia Scalli, *op. cit.*, 2004b.

³⁷⁵ For this slightly modified version of the original account discussed in the text and narrated on tape by Tia Aninha, see José Roberto Barbosa, *op. cit.*, p. 192. Emphasis added.

³⁷⁶ Patrícia Scalli, *op. cit.*, 2004b.

³⁷⁷ Patrícia Scalli, *op. cit.*, 2004b.

³⁷⁸ Patrícia Scalli, *op. cit.*, 2004b.

³⁷⁹ Patrícia Scalli, *op. cit.*, 2004b.

³⁸⁰ Patrícia Scalli, *op. cit.*, 2004b.

raised her voice, and said: “Why can’t we come in?!” The doorman, startled by the audacity of the young woman, “didn’t know how to explain” the reason for the prohibition, which was supposed to be so obvious to everyone, including her, because that place was neither for nor had it ever been for Black people.³⁸¹

At that moment, a soldier “well known” to Maria recognized her in the commotion at the club entrance and asked what was going on.³⁸² Seeing the soldier’s friendly demeanor toward the Black young woman, the doorman hurriedly joined the conversation and asked the soldier if he knew her. “He said, ‘Oh, she’s a great cook, for the judge and the prosecutor, she only works for those people.’”³⁸³ Embarrassed, the doorman backed down and allowed only the judge and prosecutor’s cook to enter. Maria stepped forward again and said: “Now I won’t go in.”³⁸⁴ The group cheered Maria’s response – and yet, the cousins and friends were so outraged by the entire situation that they considered hitting the doorman and anyone else who dared to bar them from the party. Deep down, though, they knew they would be barred. “We went there just to see if we would be allowed in.”³⁸⁵

The group’s boldness lay in deliberately testing the limits of the white city. It was not that they did not know those limits. On the contrary, the group of Black individuals challenged these boundaries from the moment they appeared in front of the club. Their subsequent actions, culminating in the refusal to enter the white space – which they never really intended to enter – was the *grand finale* of this *avant-garde* protest. They tested the limits and, victorious, ended up widening them. A few years later, as we will see below, they founded a Black club.

One of *tias* Aninha and Maria’s cousins was José de Oliveira. A worker at the town’s tannery, a samba enthusiast at every Carnival parade, and a footballer on every pitch, Zé Totico, as he was popularly known, was a son of Dita Maranhão and a great-nephew of Vó Amélia. He may have been part of the protest with his cousins and friends at the entrance of the Itatiba elite’s white club. Whether he was or not, it is certain that Totico shared his cousins’ understanding of the racism of white clubs. “Here [in Itatiba],

³⁸¹ Patrícia Scalli, *op. cit.*, 2004b.

³⁸² Patrícia Scalli, *op. cit.*, 2004b.

³⁸³ Patrícia Scalli, *op. cit.*, 2004b.

³⁸⁴ Patrícia Scalli, *op. cit.*, 2004b.

³⁸⁵ Patrícia Scalli, *op. cit.*, 2004b.

there was always this system of racism. Black people couldn't enter the [Grêmio Recreativo Itatibense]. Black people couldn't enter the Itatiba [Esporte Clube]."³⁸⁶ Totico pointed to one of the two most likely clubs that barred *tias* Aninha and Maria and their friends from the party. Either the scene took place at the Grêmio Recreativo Itatibense or at the Itatiba Esporte Clube. According to Totico, both clubs had a racist admission policy. Barring Black people from the party was one of the most visible faces of what Totico aptly called a "system of racism."³⁸⁷

The segregation of Black people from spaces of power or social interaction in Itatiba operated across many areas. Excluded from institutional politics, Itatiba's Black community would only gain representation in the City Council nearly 120 years after its founding, and this milestone came with Zé Totico, an alternate councilman who briefly assumed office in the late 1970s. Similarly barred from free and unhindered access to education, Black children faced tremendous challenges to complete primary school. Excluded from the best lands in rural areas and plots in urban spaces, Black residents of Itatiba often lived in the worst housing conditions, on hillside slopes and the bases of ravines. Denied access to healthcare, frequently deprived of quality resources and treatments, Black residents endured endless queues and were often treated as second-class citizens. As a rule, they were excluded from the best jobs, including those in commerce and public service, forcing them to settle for low-wage and unskilled labor on coffee farms or in fledgling industries.³⁸⁸

This, in a nutshell, was the "system of racism" that Zé Totico had in mind.³⁸⁹ A system full of "cultural techniques for canceling out" the Black population.³⁹⁰ It was a system so carefully designed by Itatiba's white elite that Black people were systematically barred from entering their clubs, studying peacefully in their schools, living in their neighborhoods, or competing in elections to influence local governance.

However, the exclusion of Black people from various spaces of power and social life was not unique to Itatiba. For instance, the forms of excluding Black children from

³⁸⁶ Patrícia Scalli, *op. cit.*, 2004a, p. 31.

³⁸⁷ Patrícia Scalli, *op. cit.*, 2004a, p. 31.

³⁸⁸ For a critical reading of the segregation of Black communities in São Paulo, see George Reid Andrews, *Blacks and Whites in São Paulo, Brazil, 1888-1988*. Madison: University of Wisconsin Press, 1991.

³⁸⁹ Patrícia Scalli, *op. cit.*, 2004a, p. 31.

³⁹⁰ Cornelia Vismann, *Files: Law and Media Technology*. Stanford: Stanford University Press, 2008, pp. 25-29, p. 28.

schools, as seen in the case of Tia Aninha's first cousin, or preventing them from studying without racial discrimination, as in the case of her second cousin, were not confined to the city that claims to have anticipated the Golden Law. Other towns in São Paulo's interior also developed numerous cultural techniques to exclude the Black population, not just in primary schools but also in other spaces of power and sociability.³⁹¹

Like Itatiba, Black communities in neighboring towns such as Campinas, Bragança Paulista, and Jundiaí had to overcome numerous barriers to gain minimal access to a range of rights, including access to healthcare, land ownership, and political rights like voting and being elected. In response to systemic barriers to these and other rights, Black communities in these – and many other – towns began organizing around so-called Black clubs. More than spaces for entertainment and leisure, though they certainly were that too, these clubs became hubs for promoting literacy, union organizing, and political meetings.³⁹² This was a true social phenomenon: over roughly half a century, more than one hundred Black clubs were founded in Brazil.³⁹³

To begin with the towns near Itatiba mentioned above: in Jundiaí, the Black community created the Clube Beneficente Cultural e Recreativo 28 de Setembro in 1897, the first Black club in São Paulo state; in Bragança Paulista, they founded the Clube Recreativo Beneficente 13 de Maio in 1934; and in Campinas, the Centro Cultural

³⁹¹ See, for example, Petronio José Domingues, *Uma História não contada: negro, racismo e trabalho no pós-abolição em São Paulo (1889-1930)*. São Paulo: Universidade de São Paulo (Master's thesis in History), 2001; Olívia Maria Gomes da Cunha and Flávio dos Santos Gomes (eds.), *Quase-cidadão: histórias e antropologias da pós-emancipação no Brasil*. Rio de Janeiro: Editora FGV, 2007; Ramatis Jacino, *O negro no mercado de trabalho em São Paulo pós-abolição (1912-1920)*. São Paulo: Universidade de São Paulo (Doctoral thesis in Economic History), 2012; Álvaro Nascimento, "Trabalhadores negros e o 'paradigma da ausência': contribuições à história social do trabalho no Brasil," *Estudos Históricos*, vol. 29, no. 59, 2016, pp. 607-626, p. 612; Rebecca Scott, "Fronteiras móveis, 'linhas de cor' e divisões partidárias," in: Frederick Cooper, Thomas Holt, and Rebecca Scott, *Além da escravidão: investigações sobre raça, trabalho e cidadania em sociedades pós-emancipação*. Rio de Janeiro: Civilização Brasileira, 2005, pp. 131-200; Hebe Maria Mattos de Castro, "Raça e cidadania no crepúsculo da modernidade escravista no Brasil," in: Keila Grinberg and Ricardo Salles (eds.), *O Brasil Imperial, Vol. III (1870-1889)*. Rio de Janeiro: Civilização Brasileira, 2009, pp. 301-328.

³⁹² For a critical analysis of Black clubs in São Paulo, see Willian Lucindo, *Clubes negros no estado de São Paulo: práticas de lazer, cultura e resistência (1888–1937)*. São Paulo: Alameda, 2019. For an overview of the topic across Brazil, see Flávio Gomes, *Histórias do pós-abolição no Brasil: institutos, clubes e outras associações de negros libertos (1888–1930)*, São Paulo: Unesp, 2011.

³⁹³ See, for example, Giane Vargas Escobar, *Clubes Sociais Negros: lugares de memória, resistência negra, patrimônio e potencial*. Santa Maria: Universidade Federal de Santa Maria (Master's dissertation in Cultural Heritage Studies), 2010; Fernanda de Oliveira Silva, *As lutas políticas nos clubes negros: culturas negras, racialização e cidadania na fronteira Brasil-Uruguai no pós-Abolição (1870-1960)*. Porto Alegre: Universidade Federal do Rio Grande do Sul (Doctoral thesis in History), 2017.

Recreativo Benedito Carlos Machado was established in 1945.³⁹⁴ This phenomenon of founding Black clubs spread across many cities in central and western São Paulo. Black communities in towns such as Bauru, Bebedouro, Limeira, Piracicaba, Rio Claro, Tietê, and São Carlos also established their own Black clubs. These clubs were catalyzed by earlier political struggles and, after their establishment, became platforms for new political battles, typically for rights, citizenship, and institutional representation.

It is certain that there was always a cause behind the founding of a Black club. Likewise, every movement to establish a Black club was preceded by some specific immediate trigger. Among many possibilities, a Black club or association could arise from the mobilization of a particular professional category seeking better working conditions or from a gathering of Black poets aiming to launch a literary magazine.

In many cases, the immediate reason for founding a Black club was directly tied to the right to leisure. “In Sorocaba, for instance,” historian Cavalheiro notes, “there is a common story that the Clube 28 de Setembro was founded because Black people could not attend dances at other clubs. The same happened in Porto Feliz, where the Black community built the Clube Luiz Gama, also known as Sedinha.”³⁹⁵ The inspiration drawn by Porto Feliz’s Black residents could not have been better. In June 1881, Luiz Gama wrote an open letter to São Paulo’s chief of police explicitly addressing the right to leisure. Denouncing police violence against Africans hosting a party in their home – a party, it should be noted, authorized by the police – Gama coined a phrase that could easily serve as the motto for any Black club fighting for the right to enjoy leisure. “It is no small thing,” Gama ironized, “that in this so-called classical land of freedom, Black people are not allowed to enjoy themselves in their homes without police permission!”³⁹⁶

The reasons behind the foundation of Black clubs in Sorocaba and Porto Feliz could not have been more similar – or even identical – to those that motivated the foundation of Itatiba’s Black club, 7 de Setembro. If we recall the words of its founder and first president – none other than the worker and samba musician Zé Totico – we will

³⁹⁴ See Willian Lucindo, *op. cit.*, pp. 34-78.

³⁹⁵ Carlos Carvalho Cavalheiro, “Considerações sobre o etnocentrismo e o preconceito em Sorocaba e Médio Tietê,” in: *Revista Histórica*, São Paulo, nº 21, 2007.

³⁹⁶ Luiz Gama, *Liberdade, 1880-1882* (ed. Bruno Rodrigues de Lima). São Paulo: Hedra, 2021b, pp. 107-108, especially p. 107.

see that Itatiba's situation was very similar to those of Sorocaba and Porto Feliz as described by Cavalheiro. "Here [in Itatiba], there was always this system of racism. Black people couldn't enter the [Grêmio Recreativo Itatibense]. Black people couldn't enter the Itatiba [Esporte Clube]." ³⁹⁷ To which he immediately added, revealing the mission of the new club: "7 de Setembro was created to protect the Black race. So that Black people could have fun." ³⁹⁸

In a country where Black people faced severe restrictions on their right to gather – as evidenced by Gama's denunciation of a police invasion during a party in a Black household – founding a Black club was an act of cultural resistance and political struggle. Totico seemed to echo Gama's words: "7 de Setembro was created to protect the Black race" – the same reason Gama wrote his public letter to the chief of police. ³⁹⁹ Conversely, given that 7 de Setembro was established to give Black people a place "to enjoy themselves," Gama's public letter sought to foster a minimal consensus in the public sphere that the right to leisure was not "only for white people" and should, as soon as possible, be recognized for Black people as well. ⁴⁰⁰

Totico and his football and samba friends founded 7 de Setembro in 1958 – one or two years, therefore, after the racist episode of the group of young Black people being prohibited from entering either the Grêmio Itatibense or the Itatiba Esporte Clube. If Totico was not present on that day with his cousins Aninha and Maria, he certainly heard about the incident. In either case, it is very likely that the worker-musician drew at least part of his motivation to found the Black club from this episode. *Part* and not *all* of the motivation because the steps leading to 7 de Setembro went back a long way.

The motivation to establish a Black association "so that Black people could have fun" was undoubtedly longstanding. ⁴⁰¹ And somehow, it had existed uninterruptedly at least since the 1920s. Thus, other initiatives of Black associations – including those involving Zé Totico – preceded the new Black club 7 de Setembro. Two of these are fundamental to understanding Totico's initiative: the samba of 13 de Maio and the samba school 12 de Outubro. Strictly speaking, these are the roots of the Black club. And

³⁹⁷ Patrícia Scalli, *op. cit.*, 2004a, p. 31.

³⁹⁸ Patrícia Scalli, *op. cit.*, 2004a, p. 31.

³⁹⁹ Patrícia Scalli, *op. cit.*, 2004a, p. 31.

⁴⁰⁰ Luiz Gama, *op. cit.*, 2004b, pp. 107-108.

⁴⁰¹ Patrícia Scalli, *op. cit.*, 2004a, p. 31.

when discussing the roots of Itatiba's Black city, even for an association headquartered in the city center, one always goes back to the Quilombo Brotas.

Once again, the words of Tia Lula are enlightening:

Every May 13th, Black people in Itatiba held a big celebration in front of the Church of Saint Benedict, which is now the Church of the Rosary. **Right in the middle of the square, they lit a big bonfire.** Black people performed **samba presentation [roda de samba] with drumming [batucada] and everything else.** For this reason, some people called that celebration the Samba de São Benedito. **It was there that the first Samba School in Itatiba was created, called 12 de Outubro,** and it even had a queen: Dita Maranhão.⁴⁰²

There are many details in this short excerpt from Tia Lula's account to historian Claudiano Ferreira. First, the intriguing statement that the Church of the Rosary was known by Itatiba's Black community as the Church of Saint Benedict. If this holds true – which seems to be the strongest hypothesis given the testimony of the matriarch of the Quilombo Brotas – it could open new interpretations about a deliberate connection between devotion to Our Lady of the Rosary and devotion to Saint Benedict. Far from being a minor topic, the link between these devotions sheds light on otherwise hard-to-explore aspects of the syncretism of African faiths with Catholicism, giving a unique shape to Afro-Catholic faith in São Paulo at the end of the 19th century.

Second, Tia Lula states that the celebration took place every May 13 in the square right in front of the Church of Saint Benedict, featuring a bonfire, samba circle, and drumming. At that time, in the early 20th century, the Rosário square was also known as Captain Lourenço's square. Thus, previously disconnected threads start to come together. The region's most famous constructor and owner of a plot next to the church certainly knew about the Black celebration and, perhaps, participated in it as well.

Third, Tia Lula declares that it was in during a "Saint Benedict Samba" that the first Samba School of Itatiba – the 12 de Outubro – was created.⁴⁰³ José Roberto Barbosa

⁴⁰² MPL, *Jornal de Itatiba* (SP), Claudiano Costa, "As mulheres e a escravidão no Brasil", May 13, 2001, pp. 14-15, p. 15. Emphasis added.

⁴⁰³ MPL, *Jornal de Itatiba* (SP), Claudiano Costa, "As mulheres e a escravidão no Brasil", May 13, 2001, pp. 14-15, p. 15.

accurately argues that both the Samba of Saint Benedict itself and the samba of the 12 de Outubro school – which later evolved into a carnival group – had other rhythmic elements in their formation. The term “batucada” and even the phrase “and everything else” qualify the noun “samba.”⁴⁰⁴ Thus, Tia Lula very likely included in her definition of the Samba of Saint Benedict other artistic and musical expressions such as “jongo, batuque de umbigada,” and even “congada, samba de bumbo, cururus, catiras, cateretês” and so on.⁴⁰⁵

Fourth – and finally – the samba school 12 de Outubro had a queen: Dita Maranhão, none other than Zé Totico’s mother. Following Tia Lula’s reasoning, it becomes clear that the Black club 7 de Setembro is the offspring of the samba school 12 de Outubro. Both, in turn, descend from the mythical Samba of Saint Benedict. “My mother was a great supporter of samba and carnival in Itatiba,” Totico declared, adding that “at the Saint Benedict celebrations, her presence was remarkable, even as an organizer.”⁴⁰⁶ However, by the late 1930s, the celebration lost momentum. Police persecution – as noted by Barbosa – and a violent crime put an end to the joy of Saint Benedict’s devotees. Zé Totico found another way to continue the devotion – not just to the saint and Our Lady but also, and fundamentally, to the abolition of slavery.⁴⁰⁷

“Later,” Totico recalls, probably referring to the 1940s and 1950s, “I myself promoted for several years a Saint Benedict Prayer at the Church of the Rosary, which gathered a large number of people every May 13 and was a tribute to Itatiba’s Black race.”⁴⁰⁸ As we see, the prayer was to the Black saint who lived and overcame the hardships of slavery, but the homage was to Itatiba’s Black community. Out went the Samba of Saint Benedict, and in came the Saint Benedict Prayer. Originating from Zé Totico and Dita Maranhão – the greatest samba artists of Itatiba’s Black city – the prayer inevitably turned back into samba. For if “when the song is prayer” – as samba artists

⁴⁰⁴ MPL, *Jornal de Itatiba* (SP), Claudiano Costa, “As mulheres e a escravidão no Brasil”, May 13, 2001, pp. 14-15, p. 15.

⁴⁰⁵ As I found no parallels in English, I kept the rhythmic and percussive expressions in their original form. José Roberto Barbosa, *op. cit.*, p. 121.

⁴⁰⁶ MPL, *Jornal de Itatiba* (SP), Claudiano Costa, “As mulheres e a escravidão no Brasil”, May 13, 2001, pp. 14-15, p. 15.

⁴⁰⁷ José Roberto Barbosa, *op. cit.*, pp. 149-150.

⁴⁰⁸ MPL, *Jornal de Itatiba* (SP), Claudiano Costa, “As mulheres e a escravidão no Brasil”, May 13, 2001, pp. 14-15, p. 15.

would agree – “good samba is a form of prayer,” then when the prayer sings, even the prayer sambas.⁴⁰⁹

By dancing samba and praying, all of them – Vó Amélia, Tia Lula, Tia Aninha, Tia Maria, Dita Maranhão, and Zé Totico – resisted. They resisted through samba and danced samba to resist – thus inventing Itatiba’s Black city.

⁴⁰⁹ Cf., respectively, Roque Ferreira, “Água Doce,” in: Roberta Sá e Trio Madeira Brasil, *Quando o canto é reza*. Rio de Janeiro: MP,B Discos/Universal Music, 2010; Vinícius de Moraes, “Samba da benção,” in: Vinícius de Moraes e Baden Powell, *Os Afro-Sambas*. Rio de Janeiro: Forma/Philips, 1966.

CHAPTER 4

Vis-à-vis: the Quilombo Brotas against Itatiba City Hall

*I want the law to be a truth that is respected in the city of Belém
[later known as Itatiba], and not a pernicious plaything placed
haphazardly in the hands of imbecility.*

Luiz Gama⁴¹⁰

On the night of October 27, 2002, Brazil learned that its new president – starting January 1 of the following year – would be the former metalworker and union leader Luiz Inácio Lula da Silva. After three electoral defeats—in 1989, 1994, and 1998—Lula finally won his first presidential election. It marked the first time the Workers’ Party (Partido dos Trabalhadores, PT) would govern Brazil. In Itatiba, where Lula had never ranked higher than a distant fourth in any previous elections, he also emerged victorious. It was – and remains – the Workers’ Party’s most significant electoral victory in the town’s history. Undoubtedly, the local campaign mirrored the national one and, to some extent, replicated on a micro-scale what was then referred to as the *red wave* – a popular mobilization strategy designed to mimic the sweeping motion of a wave and persuade undecided voters that Lula’s moment had arrived.

However, the unprecedented and victorious electoral result in Itatiba was primarily tied to the political strategy of the local Workers’ Party Municipal Directorate. The local PT focused on grassroots policy-building in the city’s outskirts, working every weekend alongside neighborhood associations, local church communities, art and music groups, environmental organizations, and housing rights movements. In its efforts to strengthen grassroots support for Lula’s presidential candidacy, PT-Itatiba transferred the leadership role in organizing popular struggles for public policies to a newly-founded, nonpartisan NGO called the Fórum Pró-Cidadania [Pro-Citizenship Forum]. This decision aimed to broaden the scope of its political actions. For legal reasons and to

⁴¹⁰ Luiz Gama, *Liberdade, 1880-1882* (ed. Bruno Rodrigues de Lima). São Paulo: Hedra, 2021b, pp. 107-108, especially p. 107.

address the biases that political parties sometimes face in the press and among segments of the population, the most effective tool for significant parts of the political effort at the time was a nonpartisan organization like the Pro-Citizenship Forum.

The dual structure of the party and the NGO worked symbiotically. The Pro-Citizenship Forum undertook political actions normally unsuited to a political party, such as fostering nonpartisan local organizations and proposing popular-initiative legislation, while the local PT handled the electoral strategy to boost support for Lula and Workers' Party candidates in the town. The two groups openly intertwined without reservation. It was public knowledge that one person, Elaine Aparecida Rodrigues, led both grassroots efforts – serving as president of the Itatiba Municipal PT Directorate and the newly founded Pro-Citizenship Forum of Itatiba. A longtime activist and one of the Workers' Party's founders in February 1980, Rodrigues had moved to Itatiba only recently, in December 2000. As the presidential campaign approached, she reorganized the practically dormant local PT, was elected its president in May 2001, and outlined the political and electoral strategy for the coming years.

In 2001, PT-Itatiba made a pragmatic decision: to open a headquarters in the city center. By coincidence, the chosen location on Campos Sales Street was on the same block and sidewalk – practically next door – to Zé Totico's house, which also housed the Black club 7 de Setembro in its back rooms. As good neighbors, members of the local PT began frequenting Zé Totico's home and the Black club's events, while Zé Totico and some of his grandchildren visited the PT-Itatiba headquarters and participated in its gatherings. This friendly relationship soon brought the two worker-rooted political institutions together to organize activities celebrating the history of Black and working-class political struggles in Itatiba.

Before this collaboration could take full shape, however, there was a presidential campaign to run and a political agenda to build. To this end, PT-Itatiba and the Pro-Citizenship Forum adopted a staunchly oppositional stance against the administration of Mayor José Roberto Fumach, who supported José Serra for president and whose policies the PT viewed as harmful to the middle class and the city's poorest residents. On one hand, the PT focused on the strictly electoral battle, organizing leaflet distributions, meetings, and marches across the city. On the other hand, the NGO addressed broader social mobilizations beyond the electoral agenda, such as

environmental campaigns to clean streams, reports of water shortages in impoverished neighborhoods, and petitions – which would later become popular-initiative bills – opposing disproportionate tax increases.

Rarely had the city witnessed such political fervor. In April 2002, the Pro-Citizenship Forum brought over a thousand people to the front of the Itatiba City Council during the vote on one of its popular-initiative bills. Between June and October 2002, the local PT organized more than 100 campaign activities supporting Lula's election. Both PT-Itatiba and the Pro-Citizenship Forum – and their president, Elaine Rodrigues – quickly gained recognition as local symbols of the new political era unfolding across the country. They became local reflections of this national transformation.

With Lula's election as Brazil's president—securing first place in Itatiba as well—the local PT headquarters became a hub for activists, artists, workers, union members, and students. Located next to Zé Totico's Black Club, it hosted daily discussions about the future of the left in Brazil and Latin America and energized the local political scene. Shortly after the election, an idea emerged – one cannot pinpoint who exactly brought it up for debate – to commemorate for the first time in Itatiba the most significant date in Brazil's Black movement, November 20, honoring the legacy of Zumbi, the legendary leader of the Quilombo dos Palmares and a symbol of resistance to slavery in Brazil.

Three short weeks after Lula's election triumph, PT-Itatiba and the Fórum Pró-Cidadania impressively demonstrated their grassroots strength by bringing together the Unidos da Santa Cruz Samba School, the Navegantes Capoeira Group, and the emerging hip-hop movement for the first-ever Valeu Zumbi celebration, marking Itatiba's inaugural Black Consciousness Day. More than 150 people, including leaders from three different expressions of Black culture – samba, capoeira and hip-hop – came together to pay tribute to Zumbi's legacy. PT-Itatiba and the Pro-Citizenship Forum cemented their place in the fight for racial equality in a city with a legacy of slavery – paradoxically established by quilombolas.

Less than a week later, Vó Amélia's heirs approached PT-Itatiba and the Pro-Citizenship Forum. They turned to Elaine Aparecida Rodrigues with a tale to tell and a claim to safeguard.

4. 1. The three *constitutions* of Quilombo Brotas: historical narrative, political organization and constitutional semantics

In late November 2002, Elaine Rodrigues and three other members of the Pro-Citizenship Forum visited the Brotas ranch for the first time.⁴¹¹ On this occasion, local residents reported that the Itatiba municipality had informed them that the Brotas ranch would be expropriated and the families living there would be relocated to a public housing complex. In reality, the municipality had not only informed them but had also initiated the expropriation process, silting up the stream running through the ranch by interfering with its springs and positioning tractors and stormwater pipes around the area – clear signs that the expropriation, a euphemism for eviction, was imminent.

There was a lot of uncertainty in the air. Some viewed expropriation as inevitable, believing the best solution was to accept the municipality's imposition and, at best, negotiate financial compensation. Others found the very idea intolerable. For this second group, it was essential to challenge the expropriation project and fight at all costs to remain on the land. About twenty people participated in this meeting to discuss the community's future. However, the uncertainty was perhaps surpassed by the tension in the room. Some participants were not even on speaking terms due to old disputes and deep disagreements. Alongside uncertainty and tension, distrust ran high among those present.

The Pro-Citizenship Forum members listened to the differing, often conflicting, viewpoints before making any proposals. Speaking on behalf of the NGO, Rodrigues stated that the group would support the community if they chose to resist the expropriation. Otherwise, the Pro-Citizenship Forum could not assist, as it made no sense for the NGO to endorse an urbanization project that would expel long-standing residents. No financial compensation could justify such social violence. Additionally, the ongoing environmental damage required immediate redress by the municipality.

Rodrigues then proposed the following: the NGO members would temporarily leave the meeting to allow the Brotas residents to deliberate on the two proposals. In essence, they would decide whether to leave or stay – whether to accept expropriation

⁴¹¹ The group also included Diva Maria Martins de Oliveira, Helio Martins de Lima and myself, Bruno Rodrigues de Lima.

and negotiate compensation or resist the municipality's intentions, which clearly aligned with the adjacent Nova Itatiba II developers.

After approximately 30 minutes, the NGO members returned to hear the decision: the residents chose to resist. The Pro-Citizenship Forum then had two new commitments: to help outline the resistance strategy and to actively support it. The word *quilombo* would soon surface, as would Lula's incoming administration – neither would take long to arrive.

In a subsequent meeting in December 2002, Rodrigues inquired about the history of the land's occupation. She learned that all 33 Black families living at the Brotas ranch descended from a single family tree that had occupied the land for more than 120 years. Calculating backward from 2002, this placed the initial settlement slightly before 1888, the year slavery was abolished in Brazil.

It became clear that all the families were not only Black but also shared familial ties. Rodrigues asked if they knew whether they were descendants of formerly enslaved individuals and under what circumstances they had come to live at the Brotas ranch. She recalls that this was when the term *quilombo* spontaneously entered the political vocabulary of the grassroots movement – though still vaguely. The younger members of the Brotas community present at the meeting knew little about the details of their land's history. They were aware of their family's settlement dating more than 120 years earlier and were somewhat familiar with the term *quilombo*, but they did not know much more than that. They did not know, but they knew who knew.

Thus, they brought the Pro-Citizenship Forum to meet the elder matriarchs of the community: Tia Lula, Tia Aninha, and Tia Maria – guardians of their quilombola traditions.

The following month, now with Lula inaugurated as President, Pro-Citizenship Forum members visited the Brotas ranch more regularly. In addition to engaging with the community's youth – such as Manoel Roberto Barbosa, Rosemeire Barbosa, Ana Maria Barbosa, and Cristiano Barbosa – the NGO began consulting with the Brotas elders. It was from them that the historical foundations of the land's occupation and the pivotal word that unified and gave meaning to their struggle, *quilombo*, emerged. This *magic word* soon evolved into both a symbol of their political struggle and a legal framework for recognizing the Brotas ranch as a quilombo remnant community.

Although the elders' accounts converged, it was Aunt Lula's version that solidified the narrative of the Barbosa family's arrival at what was once a quilombo – and, because their ancestors had settled there before 1888, remained a quilombo in both fact and law. As previously noted, Tia Lula's narrative established: i) that her mother, Vó Amélia, and her maternal grandparents, Isaac Lima and Emília Lima, arrived at the Brotas ranch in 1879; ii) that her grandparents then bought the ranch from a landowner in the region; iii) that before their arrival at the ranch, it had already been a well-known quilombo throughout the region; iv) and that, finally, a Black man called Brotas had lived in this quilombo.

The Pro-Citizenship Forum meticulously documented the Brotas ranch's historical origins. They understood there was no doubt that Vó Amélia, as a child, had arrived with her parents in the “bowl-shaped valley” before May 13, 1888, the date of abolition of slavery in Brazil.⁴¹² Proving this timeline could establish not only possession and ownership but also constitutional preservation of the Brotas ranch by federal decree. After all, the constitutional text of 1988 had always been clear in determining that “all documents and sites with historical reminiscences of the ancient quilombos” would be listed.”⁴¹³

With consensus on the Brotas ranch's origins established, the community's active members and the Pro-Citizenship Forum devised a political and legal strategy.

Politically, the strategy unfolded in three dimensions: educating the community through discussion groups about their origins, engaging with external communities – both in Itatiba and the broader region – about the quilombo's historical existence, and creating a new institution to represent their political interests. Concurrently, the Pro-Citizenship Forum and Vó Amélia's heirs began transforming residents and external allies into activists for the quilombo cause and proclaiming that the Brotas ranch was, in fact, Quilombo Brotas. Soon, news of a quilombo in the urban area of a regionally renowned municipality reached major media outlets such as *Folha de S. Paulo*, TV TEM (a TV Globo affiliate), and the Jundiaí press. At the same time, the new quilombola activists began forming an association to represent their rights.

⁴¹² José Roberto Barbosa, *op. cit.*, p. 86.

⁴¹³ Brasil, *Constituição da República Federativa do Brasil*. Brasília: Presidência da República, 1988a, Article 216, para. 1.

Legally, the first priority was to inscribe the term quilombo in an official document. Since the new quilombola association had not yet been established, the Pro-Citizenship Forum filed the inaugural petition for “quilombo preservation” in Itatiba.”⁴¹⁴ On February 3, 2003, Elaine Rodrigues—on her birthday—drafted the petition and submitted it days later to the São Paulo State Public Prosecutor's Office. Despite typographical errors and a simplistic legal foundation, Rodrigues, lacking formal legal or academic training, produced a historic legal petition. Its language may have been rudimentary, but it struck the essential chord: “the preservation of the quilombo as well as the environment intrinsic to the defense of Afro-Brazilian culture and traditions.”⁴¹⁵

In grassroots movements without legal counsel or professional advocacy, polished arguments are rare. These groups write as they can, with the literacy they possess and the resources at hand – all while navigating a language they do not master and often facing unresponsive authorities. However, the first petition’s merits extended beyond its initial mention of quilombo in post-1988 local jurisdiction. Its legal strength lay in linking the site’s recognition to environmental preservation and demanding constitutional protection for a community newly asserting its quilombo heritage. In just four paragraphs – all emphasizing the term quilombo – alongside two pages of raw citations from the Constitution and related legislation, the Pro-Citizenship Forum presented its case and denounced the neighboring subdivision for causing environmental damage to the historic site.

It is worth quoting the petition’s introduction, especially up to the environmental crime denunciation:

⁴¹⁴ ACQB v. PMI, Elaine Aparecida Rodrigues, “Petição ao Ministério Público na Comarca de Itatiba,” February 3, 2003, fls. 318–326, fl. 321. The Quilombo Brotas case against the Itatiba City Hall (*Associação Cultural Quilombo Brotas versus Prefeitura Municipal de Itatiba*, ACQB v. PMI) spans more than a thousand pages. Beyond its enormous size, the case encompasses dozens of different actions – both administrative and judicial – compiled in a largely disorganized and often illogical manner. Many documents are duplicated, mutilated, torn, or illegible, making it exceedingly difficult to navigate this contradictory and frequently incoherent file. For instance, the case lacks a single unifying title. Thus, the designation *Associação Cultural Quilombo Brotas versus Prefeitura Municipal de Itatiba* is a provisional attempt to provide some cohesion to this sprawling case, whose central focus is the conflict between the quilombola association and the Itatiba City Hall.

⁴¹⁵ ACQB v. PMI, Elaine Aparecida Rodrigues, *op. cit.*, fls. 318–326, fl. 321.

There is a **quilombo** in Itatiba, in the region called Brotas, in the Santa Filomena neighborhood, which resists regardless of any government “support” for the preservation of its culture and traditions.

This quilombo, which is known as Brotas, is suffering from urban expansion over its area, which amounts to around five *alqueires*.

The development called Nova Itatiba II, through deforestation and land leveling, caused the silting of the pond, where fish and crustaceans once lived. Residents even used to swim in it, as it was a leisure area. The development installed a rainwater outlet and also cut off the watercourse that served **the quilombo**.⁴¹⁶

To support the representation, the Pro-Citizenship Forum attached nine photographs clearly showing the development’s invasion in the quilombo area and the environmental damage it caused. The NGO then requested the Public Prosecutor’s Office to: first, investigate the environmental crime report; and second – in what was undoubtedly the main legal argument of the representation and would constitute a nightmare for local political authorities – classify the Brotas quilombo under paragraph 5 of article 216 of the Federal Constitution, that is, as a ranch holding historical remnants of an ancient quilombo.⁴¹⁷

The Public Prosecutor’s Office did not take long to respond. In a typically negligent move, Prosecutor Fabíola Sucasas Negrão Scroback demanded that the Pro-Citizenship Forum present, within five days, “the name, qualifications, and address of the person responsible for the Nova Itatiba II condominium.”⁴¹⁸ This practically impossible task was not fulfilled – how, after all, could one identify the owner of a semi-phantom condominium, barely off the drawing board? “The environmental damage is evident,” the Pro-Citizenship Forum countered, further urging the Public Prosecutor’s Office, as the entity with inspection powers, to fulfill “its functions” of investigating the crime that was occurring openly and in plain sight.⁴¹⁹ Fabíola Scroback was back at it again. Now, however, she would show a little more of what she had come for. Laconic,

⁴¹⁶ ACQB v. PMI, Elaine Aparecida Rodrigues, “Petição ao Ministério Público na Comarca de Itatiba,” February 3, 2003, fls. 318–326, fl. 321. Emphasis added.

⁴¹⁷ Brasil, *op. cit.*, 1988a, Article 216, para. 5.

⁴¹⁸ ACQB v. PMI, Fabíola Sucasas Negrão Scroback, “Conclusão,” March 20, 2003, fls. 265–268, fl. 265.

⁴¹⁹ ACQB v. PMI, Elaine Aparecida Rodrigues, “Crime ambiental no Quilombo Brotas,” March 18, 2003, fls. 411–412, fl. 411.

she summarily dismissed the case, not without first placing “quilombo” in quotation marks, in clear disdain for its content and the claim presented.⁴²⁰

Although the first legal battle was lost, others would follow. And this time through a new legal entity: the Quilombo Brotas Cultural Association. Founded three days after the initial representation was dismissed, this new association assumed responsibility for this and other actions that would soon follow. It would circumvent the *state-level* Public Prosecutor’s Office and file a new claim with the *federal-level* Public Prosecutor’s Office, thus initiating an entirely new approach to the case. Likewise, it would be this quilombola association that would request the opening of an administrative suit with the São Paulo State Land Institute (ITESP), claiming recognition of its over-century-long history of land occupation and demanding its corresponding land regularization. However, before moving forward with this front – the demand for rights through administrative and judicial bodies – it is worth briefly examining how the quilombola association was founded.

On Sunday, March 23, 2003 – approximately 40 days after the start of the legal battle – more than 500 people gathered at the quilombo’s football pitch to witness that historic moment. The first board of the quilombola association was elected and sworn in. Acting as a kind of parent entity, the Pro-Citizenship Forum presided over the founding assembly of the new association. In the presence of Tia Lula, Tia Aninha and Tia Maria – all members of the newly established “Council of Elders” (according to the association’s bylaws, the highest deliberative body after the general assembly) – Manoel Roberto Barbosa was unanimously elected president.⁴²¹ In addition to nearly the entire Brotas community, the founding assembly of the quilombola association was attended by members of the Black community from other Itatiba neighborhoods, representatives of other quilombos in the region, such as the Kalunga quilombo in Sorocaba, as well as capoeira groups and samba schools from the city.

Others less connected to the quilombo were also present. The mayor of Itatiba, José Roberto Fumach – a staunch ally of the neighboring development’s businessmen and likely implicated up to his neck in the still-fresh dismissal issued by Prosecutor

⁴²⁰ ACQB v. PMI, Fabíola Sucasas Negrão Scroback, “Conclusão,” March 20, 2003, fls. 265-268, fl. 265.

⁴²¹ ACQB v. PMI, Elaine Aparecida Rodrigues *et al.*, “Estatuto da Associação Cultural Quilombo Brotas,” March 23, 2003, fls. 457-461, fl. 461.

Scroback – attended the quilombo and participated in the assembly. There was much debate over whether the brand-new quilombola association should allow his participation and even permit him to speak at the event. Certain of the magnitude of the conflict and uncertain about the consequences of publicly triggering such a confrontation, the association decided to allow both his attendance and speech. For his part, he was so sure he would win the performative tug-of-war that he had already prepared – and, of course, displayed – a banner with supposed congratulations to the association, which primarily served to self-promote his administration.

The mayor's visit to the founding assembly of the quilombola association was yet another attempt to co-opt the social movement – or at least to cool down its radicalism. Mayor Fumach knew what it meant for that Black community in the heart of a white city to demand recognition. He knew so well that he tried to suppress the movement and continue pushing forward with the construction of the Nova Itatiba II development – truly deserving of all his recognition and support.⁴²²

Sleeping next to the enemy, the grassroots movement – the Pro-Citizenship Forum and the Quilombo Brotas Cultural Association – could not rest. Both its political and legal constructions had to be very solid. For example, the bylaws of the unprecedented quilombola association had to express both the community's political strength and compliance with not only the constitutional order but also alignment with its contemporary constitutional framework. And it achieves these three objectives. Already in Article 1, the bylaws claim the legacy of Vó Amélia – “a living legend of an entire historical period” – and establish 1879 as the temporal marker of her arrival at the ranch.⁴²³ In Article 2 of its bylaws, the Cultural Association of the Quilombo Brotas outlines its main objectives:

the promotion, defense, and preservation of Afro-Brazilian Black culture and consciousness, as heirs to the history of ancestors who were enslaved on the plantations of Itatiba; denouncing and combating any form of discrimination based on differences in color, race, religious creed, social class, regional origin, political-party or philosophical views; in addition to

⁴²² I will discuss the mayor's role in the legal struggle for Quilombo Brotas' recognition in greater detail in the upcoming section.

⁴²³ ACQB v. PMI, Elaine Aparecida Rodrigues et al, “Estatuto da Associação Cultural Quilombo Brotas,” March 23, 2003, fls. 457-461, fl. 461.

promoting the defense of social, collective, and diffuse goods and rights related to the environment, cultural heritage, human rights, and the rights of peoples; encouraging the enhancement and enforcement of legislation that facilitates the achievement of these objectives; the promotion of ethics, peace, citizenship, democracy, and other universal values; **promoting projects and actions aimed at preserving and recovering degraded areas in urban and rural environments,** as well as protecting the physical, social, and cultural identity of urban groups, using its own resources or those derived from agreements or other possible legal means; encouraging partnerships, local dialogue, and solidarity among different social segments, participating alongside other entities and activities aimed at common interests.⁴²⁴

Although no specific article of the Constitution is explicitly cited, this excerpt from the bylaws – like many of its other articles – echoes several principles found in the constitutional text. For example, the mention of preserving Afro-Brazilian culture, reinforced by the rallying cry “Black consciousness,” aligns with §1, Article 215, which declares that “the State shall protect the manifestations of popular cultures,” including “Afro-Brazilian” ones.⁴²⁵ Similarly, the statutory goal of “combating any form of discrimination based on differences in color, race, religious creed, social class, or regional origin” seems almost a carbon copy of the constitutional text, given that one of the “fundamental objectives of the Federative Republic of Brazil” is the promotion of the common good “without prejudice based on origin, race, gender, skin color, age, or any other forms of discrimination.”⁴²⁶

In the same vein, and certainly reflecting the ongoing battle against the São Paulo State Public Prosecutor’s Office, the objective of “promoting the defense of social, collective, and diffuse rights related to the environment, cultural heritage, human rights, and the rights of peoples” resonates with one of the constitutional roles of the Public Prosecutor’s Office, which is to “promote civil inquiries and public civil actions to protect public and social assets, the environment, and other diffuse and collective interests.”⁴²⁷

⁴²⁴ ACQB v. PMI, Elaine Aparecida Rodrigues et al, “Estatuto da Associação Cultural Quilombo Brotas,” March 23, 2003, fls. 457-461, fl. 461. Emphasis added.

⁴²⁵ Brasil, *op. cit.*, 1988a, Article 215, para. 1.

⁴²⁶ Brasil, *op. cit.*, 1988a, Article 3, item 4.

⁴²⁷ Brasil, *op. cit.*, 1988a, Article 129, item 3.

The bylaws of the Quilombo Brotas are built upon the 1988 Constitution – or, rather, they use it as a foundation. The way they intertwine the preservation of historical heritage, the protection of the environment, and the promotion of Black culture practically reads as a transversal interpretation of the constitutional text, connecting seemingly unrelated parts and creating a new understanding of the Constitution itself. In a *sui generis* manner, the Quilombo Brotas linked the “fundamental principles” of the Constitution (Article 3, item 4) with the section on Culture (Article 215, para. 1) and the chapter on the “essential functions of Justice” (Article 129, item 3).⁴²⁸

One of its main innovations, however – beyond the semantic stitching of constitutional values that seem dispersed but gain unity of meaning – is the act of civil society claiming one of the roles of justice for itself. Perhaps seeing itself as an auxiliary to Justice – or perhaps skeptical of the institutional strength of the Public Prosecutor’s Office – the Quilombo Brotas included in its bylaws something that strongly resembles one of this very institution’s roles.

The Quilombo Brotas Cultural Association not only declared it would “monitor, oversee, and report situations” involving “the exploitation of natural resources or environmental and human rights damage” but also determined in its bylaws that it would propose “any legal actions or administrative measures aimed at protecting, recovering, or seeking reparations for harmful activities to the environment and human rights, citizenship, including all aspects, among them historical and cultural heritage.”⁴²⁹ As if rhetorically repeating itself in order to reinforce its institutional mission, the Quilombo Brotas emphasized once more its statutory duty to “file legal actions of any nature before the competent authority to ensure the preservation of the environment and historical and cultural heritage or to halt any ongoing damage.”⁴³⁰

More explicit than this would be virtually impossible.

The newly-founded quilombola association had *three constitutions*. The *first constitution* was the historical account of Vó Amélia’s family and their settlement on the

⁴²⁸ Brasil, *op. cit.*, 1988a, Title 1.

⁴²⁹ This reflects a combined interpretation of Articles 4 and 5 of the quilombola association’s statute. Cf. ACQB v. PMI, Elaine Aparecida Rodrigues et al, “Estatuto da Associação Cultural Quilombo Brotas,” March 23, 2003, fls. 457-461, fls. 458-460.

⁴³⁰ ACQB v. PMI, Elaine Aparecida Rodrigues et al, “Estatuto da Associação Cultural Quilombo Brotas,” March 23, 2003, fls. 457-461, fl. 460.

land in 1879. This is the primary *raison d'être* of the unprecedented quilombola association.⁴³¹ The *second constitution* was the very tangible social facts of their community and its surroundings. Both the “ongoing environmental damage” and the imminent eviction from their ancestral lands – undoubtedly the “harmful activities to the environment and human rights” mentioned in the bylaws – *constituted* the new association.⁴³² Finally, the *third constitution* was the 1988 Constitution itself. However, this was not the theoretical constitution of legal scholars or the symbolic constitution of judges and prosecutors who fail to grasp the fundamental distinction between the democratic constitutional regime of 1988 and the previous, oppressive dictatorship. This third constitution was a kind of republican constitution in motion, as if the persistent constituent power of the *Diretas Já* movement (the massive protest in favor of direct and democratic elections following Brazil's military dictatorship) and other democratic struggles continued to make itself seen, heard, and felt – to the dismay of complacent established powers.

As a testament to the failure or inaction of certain auxiliary organs of Justice, particularly in moments of urgent and uncompromising necessity to defend the most socially vulnerable groups, and in places where the Executive captures and subjugates other State bodies, the Quilombo Brotas assumed some functions of promoting and defending rights. The ongoing “environmental damage” needed to be stopped.”⁴³³ The imminent eviction from their ancestral lands needed to be prevented. The quilombola association would use all legal means to fulfill both tasks. In the terms of its bylaws, it would – reiterating itself – propose “any legal actions or administrative measures aimed at protecting, recovering, or seeking reparations for harmful activities to the environment and human rights.”⁴³⁴

As we have seen, three days before the foundation of the quilombola association, the São Paulo State Public Prosecutor's Office refused to recognize the

⁴³¹ I address this theme in Chapter 1, precisely in the section “Memory is an editing island:” the counter-memories of the Brotas ranch.

⁴³² ACQB v. PMI, Elaine Aparecida Rodrigues et al, “Estatuto da Associação Cultural Quilombo Brotas,” March 23, 2003, fls. 457-461, fl. 460.

⁴³³ ACQB v. PMI, Elaine Aparecida Rodrigues, “Crime ambiental no Quilombo Brotas,” March 18, 2003, fls. 411-412, fl. 411.

⁴³⁴ ACQB v. PMI, Elaine Aparecida Rodrigues et al, “Estatuto da Associação Cultural Quilombo Brotas,” March 23, 2003, fls. 457-461, fls. 460.

existence of the “quilombo” – written in quotation marks – and failed to see any third-party environmental damage on its lands.⁴³⁵ Fundamentally, it failed because it chose not to see. It was up to the quilombo to make them see – even if they had to open the authorities’ eyes by force.

On March 29, 2003, less than a week after the historic assembly that founded the quilombola association, its president Manoel Barbosa, went to the Federal Prosecutor’s Office in São Paulo. On the same trip, accompanied by Elaine Rodrigues and Helio Lima from the Pro-Citizenship Forum, Barbosa also visited the São Paulo State Land Institute (Itesp). In summary, the petitions requested that these two entities – one part of the federal justice system and the other of state public administration – intervene in the conflict, which was both environmental and related to the preservation of historical heritage. Titled in uppercase as “Environmental Damage in the Quilombo Brotas,” the petitions attached a copy of the “representation submitted by the Pro-Citizenship Forum of Itatiba to the Public Prosecutor’s Office of the Itatiba District” and concluded by stating, “confident in your commitment to enforcing the legislation that protects quilombos, we remain available for any necessary clarifications.”⁴³⁶

The fate of the first representation of the Pro-Citizenship Forum to the Public Prosecutor’s Office in Itatiba began to change. Both institutions – the Federal Public Prosecutor’s Office and the São Paulo State Land Institute – got involved. Federal prosecutor Walter Rothemburg from São Paulo’s Federal Prosecutor’s Office and Itesp technical advisor Carlos Henrique Gomes recognized the glaring environmental crime and the existence of the quilombo – without quotation marks. Rothemburg followed up on the quilombola representation, visited the quilombo, and concluded that the matter was constitutional and thus within the jurisdiction of the Federal Prosecutor’s Office. Gomes, who also visited the quilombo, initiated the administrative process and assigned two Itesp researchers to prepare a technical-scientific report to determine whether the community met the criteria for recognition as a quilombo remnant.

The process was as swift as it was intense. Over a year and a half, anthropologist Patrícia Scalli and geographer Rose Giacomini visited the quilombo dozens of times,

⁴³⁵ ACQB v. PMI, Fabíola Sucasas Negrão Scroback, “Conclusão,” March 20, 2003, fls. 265-268, fl. 265.

⁴³⁶ ACQB v. PMI, Manoel Roberto Barbosa, “Dano ambiental no Quilombo Brotas,” March 29, 2003, fls. 433-434, fl. 433.

interviewed its residents, recorded testimonies, walked through its forests, and observed firsthand the environmental damage caused by the neighboring development. They conducted extensive archival research, constructed the first genealogical tree of the Gomes, Lima, and Barbosa families – Vó Amélia's lineage – and sifted through hundreds of old photographs and thousands of documents. In a truly exhaustive investigation – always in collaboration with the community and closely followed by the Pro-Citizenship Forum – they carried out “the reconstruction of the community's history and the recovery of its ethnic origins and group identity, the latter based on the kinship networks and symbolic and work relations that the group maintains with the area they occupy.”⁴³⁷

Considering the scope of the research, a year and a half was remarkably brief. However, the quilombo was in a hurry, and its survival as a community demanded maximum urgency from Itesp. Thus, in under two years, Scalli and Giacomini completed their report. Itesp acknowledged both the origin of the request for the quilombola community's recognition and the merits of the request itself. Paradoxically, the first acknowledgment illuminated the second. According to Itesp:

The request for recognition of this group as a quilombo reached the Itesp Foundation through the NGO Pro-Citizenship Forum. Its members are residents of Itatiba who are concerned about the city's disorderly growth. The case of Quilombo Brotas came to the attention of the NGO due to the destruction of a water source area that exists within the quilombo's territory. ⁴³⁸

For the Itesp technicians, the environmental crime complaint formed the basis for the request to recognize the quilombola land. After all, they suggested, without this issue, the Pro-Citizenship Forum might never have become aware of the quilombo's existence. This version is partially accurate. As noted, a broader local political context led Vó Amélia's family to seek out the Pro-Citizenship Forum. However, this interpretation is also reasonable, as without the environmental crime, the residents of the Brotas ranch might never have approached the outspoken NGO whose president also headed the local chapter of the recently victorious Workers' Party. In any case, the

⁴³⁷ Patrícia Scalli, *op. cit.*, 2004a, p. 4.

⁴³⁸ Patrícia Scalli, *op. cit.*, 2004a, p. 4. Emphasis added.

conclusions of the report recognizing the Quilombo Brotas – grounded in Article 68 of the Transitory Provisions of the Constitution and Articles 215 and 216 of the 1988 Constitution – were undeniably a historic ruling. In two succinct statements, Scalli concluded:

That the members of the group called Quilombo Brotas are remnants of a quilombola communities, according to the definitions that underpin the official recognition criteria adopted by the state of São Paulo, and they should enjoy the rights conferred by such identification.

There is an urgent need for the regularization of the quilombola territory demonstrated here, covering an area of 12.4839 ha [alqueires].⁴³⁹

Both conclusions were obviously preceded by rigorous historical, anthropological, geographical and sociological studies. They also had far-reaching political consequences. Local powers reacted. Their agents may have thought the first point was a lost cause, but not the second. In any case, the second would remain the central point of contention, not only in the years immediately following but also in the two decades after the historic recognition of Brazil's first urban quilombo.

4. 2. How can a quilombo be *deconstitutionalized*?

The historical Brotas ranch established its constitutional identity as a quilombo through the reconstruction of its memory and its transformation into history. “Wow, pulling from memory, we remember!” marveled Tia Aninha once, as she recounted her ancestors’ story to Patrícia Scalli’s attentive listening.⁴⁴⁰ Once the memory of the elders of the Brotas ranch was turned into history – first officially with the publication of the Itesp Technical-Scientific Report – it also became a legal basis for a constitutional right. However, merely transforming memory into history was not enough to secure such a symbolic constitutional right.⁴⁴¹ It was therefore the constitution of a grassroots political

⁴³⁹ Patrícia Scalli, *op. cit.*, 2004a, pp. 53-54.

⁴⁴⁰ Patrícia Scalli, *op. cit.*, 2004b.

⁴⁴¹ For an in-depth view of the theory of symbolic constitutionalization, see Marcelo Neves, *A Constitucionalização Simbólica*. São Paulo: Editora WMF Martins Fontes, 2011.

organization articulated around this ancient memory recently turned into history that would claim the previously inaccessible constitutional right. So, if the first constitution of Quilombo Brotas is the transformation of its memory into history, its second constitution would be the political organization of the Quilombo Brotas Cultural Association as the holder of the rights of the oldest community in the history of Itatiba.

Now endowed with an official history and a legal political association, the quilombola community grounded its demands for land recognition and titling in the 1988 Constitution. This is Quilombo Brotas' third *constitution*. Unlike the previous two, this is not a constitution in the sense of historical knowledge or political organization but rather a constitution that assigns new meanings to the 1988 Constitution in order to realize one of its foundational promises. The Itesp Technical-Scientific Report bridges these three constitutional dimensions: it uncovers the quilombo's history, acknowledges its political association, and supports its claim to constitutional rights.

The Itesp report begins by clearly outlining the constitutional rights at issue. Starting with the research question “whether the population group called Brotas ranch (...) *constitutes* a remnant of a quilombo community,” Scalli affirmed that, if this were the case, not only the State of São Paulo but also the Brazilian state must “adjudicate the right provided in Article 68 of the Transitional Constitutional Provisions of the 1988 Federal Constitution (...) as well as those [provided in] Articles 215 and 216 of the Federal Constitution, Federal Decree No. 4887/2003 and also [in] state legislation, Law No. 9757/97, and Decrees No. 41,774/97 and No. 42,839/98.”⁴⁴²

For now, let us set aside infraconstitutional legislation to highlight two constitutional promises central to Brazil's *New Republic*. The first is inscribed in the Transitional Constitutional Provisions of the Federal Constitution (ADCT), and the second in the 1988 Constitution itself. Although the former is transitory in nature, it holds the same constitutional status. Its text is foundational for the recognition of quilombola lands. It reads: “To the remnants of quilombo communities occupying their lands, the definitive ownership is recognized, and the State shall issue the respective titles to them.”⁴⁴³

⁴⁴² Patrícia Scalli, *op. cit.*, 2004a, p. 3.

⁴⁴³ Brasil, *Ato das Disposições Constitucionais Transitórias (ADCT)*. Brasília: Presidência da República, 1988b, Article 68.

Article 68 of the ADCT gains particular significance when read alongside Article 215, especially its first paragraph, which states that the State must protect cultural manifestations such as “indigenous and Afro-Brazilian” ones, and Article 216, paragraph five, which provides for the preservation of “all documents and sites bearing historical remnants of former quilombos.”⁴⁴⁴ This combination of constitutional provisions formed the legal foundation for the Quilombo Brotas’s claims to territorial and cultural preservation rights – and these are the very provisions referenced at the opening of the Itesp Report. They underpin the “official recognition criteria adopted by the State of São Paulo” and, by extension, Itesp’s conclusion that the residents of the Brotas ranch were quilombolas and therefore “should enjoy the rights conferred by such identification.”⁴⁴⁵

For quilombos – including Quilombo Brotas – the two most concrete constitutional promises of 1988 are the recognition of the “definitive ownership” of “their lands” and the State’s “duty” to “issue the respective titles.”⁴⁴⁶ In the case of Itatiba’s quilombo – which, as a specific example, can carefully be generalized to understand a national constitutional issue – “enjoying the rights conferred by such identification” meant not just enjoying the quilombola identity but also the newly identified quilombola land. In other words, the identification was not solely about group identity. The rights arising from identification were, fundamentally, territorial rights to the newly recognized quilombola land.⁴⁴⁷

And here lies the greatest challenge to the effective constitutionalization of the Quilombo Brotas – or, viewed differently, the focal point of the strategy to deconstitutionalize Quilombo Brotas. What, after all, were the lands of Quilombo Brotas? Was it merely the land surrounding the houses where its residents had lived for decades, or were “their lands” those they had originally occupied for over a century and a half?⁴⁴⁸ The Itesp report is conclusive on this matter: “There is an urgent need for the regularization of the quilombola territory demonstrated here, covering an area of

⁴⁴⁴ Brasil, *op. cit.*, 1988a, Article 215, para. 1, and Article 216, para. 5; and Brasil, *op. cit.*, 1988b, Article 68.

⁴⁴⁵ Patrícia Scalli, *op. cit.*, 2004a, pp. 53-54.

⁴⁴⁶ Brasil, *op. cit.*, 1988b, Article 68.

⁴⁴⁷ An important theoretical discussion about identity and territory will be addressed in greater depth when the thesis is published as a book. For now, I will focus on what I describe as the partially successful attempt to undermine the constitutional recognition of Quilombo Brotas.

⁴⁴⁸ Brasil, *op. cit.*, 1988b, Article 68.

12.4839 ha [alqueires].”⁴⁴⁹ Scalli arrived at this total area by reconstructing the territorial occupation by the first quilombolas. For instance, the anthropologist substantiates that the Brotas stream’s springs originally belonged to the quilombo. This was confirmed by the religious use – including rituals for spiritual entities in specific areas of the springs and watercourses – that residents had long associated with that territory. Thus, while certain parts of the land were not ordinarily occupied, they were intrinsically part of the quilombola territory.

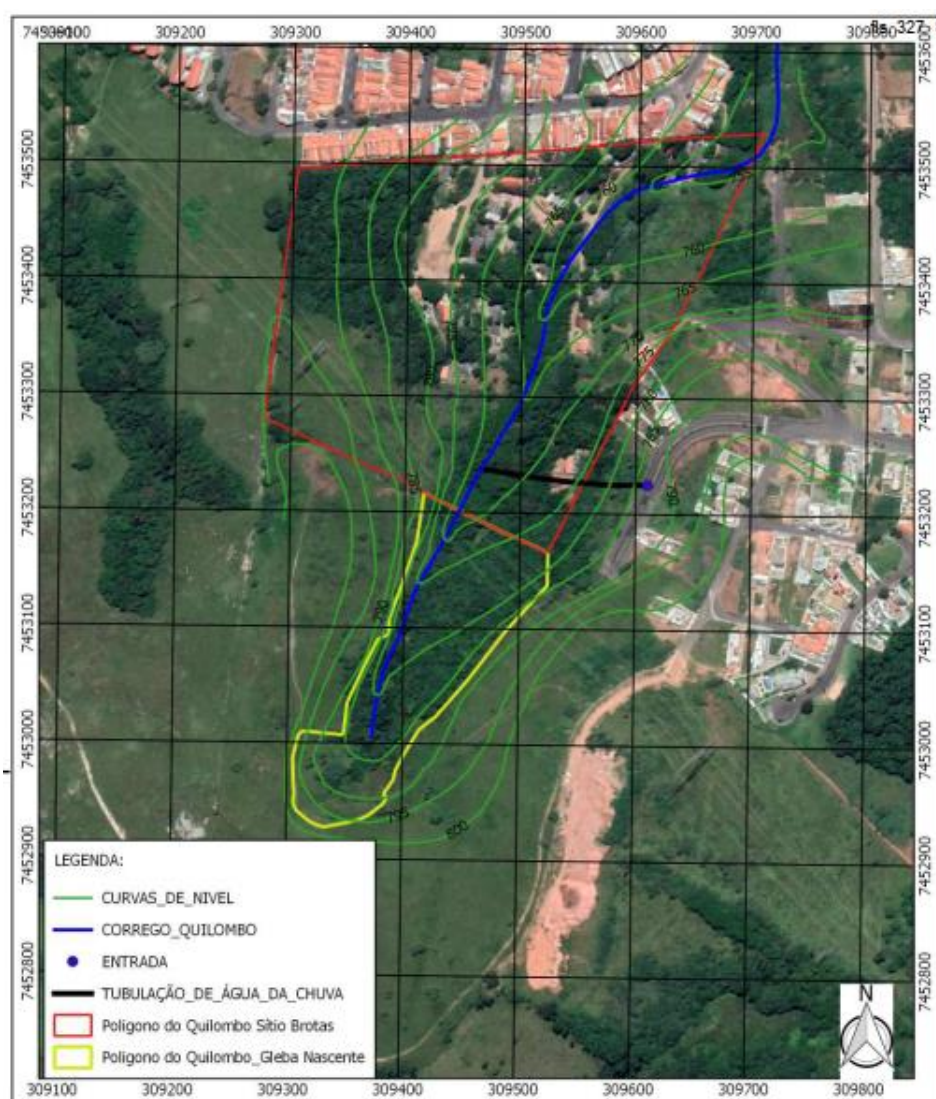


Figure 8. Recent satellite image of the Quilombo Brotas area. The red lines mark the space currently occupied by the residents, while the yellow lines outline the stream’s spring area, represented by the blue line (São Paulo State Public Prosecutor’s Office, 2022, in: ACQB v. PMI, p. 221).

⁴⁴⁹ Patrícia Scalli, *op. cit.*, 2004a, p. 54.

Scalli's argument is both anthropologically well-grounded and politically bold. From a technical perspective, it was accepted and supported by other professionals at Itesp. Politically – aside from the support of the quilombola association and the Pro-Citizenship Forum – it became a point of contention with the Itatiba city hall. The mayor, who was unwilling even to consider halting his plan to expropriate the quilombo area, was alarmed by the mere possibility of expropriating part of the Nova Itatiba II development, which – according to Itesp – had already illegitimately occupied a part of the quilombo's land, particularly the springs of the Brotas stream.

The dispute would be intense – and protracted. One decisive round, occurring before the publication of Itesp's historic report, played out in the pages of Brazil's largest newspaper. On July 20, 2003, *Folha de S. Paulo* featured a full-page article titled: "Development Threatens Quilombo Area in São Paulo."⁴⁵⁰ The subheading captured the crux of the conflict: "Group May Have Lost 8 Alqueires."⁴⁵¹ Both the headline and the subheading encapsulate the constitutional debate. Moreover, the report accurately identified the perpetrator and the victim: it was the housing development that threatened the quilombo, and it was the housing development – an implied but unstated subject in the subheading – that had allegedly caused the quilombo to lose eight alqueires of land.

Although implied in the subheading and report, journalist Carolina Farias left enough clues to identify the perpetrator of the environmental crime, which months earlier the state-level Public Prosecutor's Office had refused to investigate. As *Folha de S. Paulo* pointed out, "Real estate speculation poses a threat to the 124 years of resistance and tradition (...) of Quilombo Brotas."⁴⁵² Or that "the quilombola community is suffering the consequences of being bordered by a high-end housing development. It further highlighted that "the quilombola community suffers the consequences of bordering a high-end development."⁴⁵³ For an attentive reader, the message was clear:

⁴⁵⁰ AFSP, *Folha de S. Paulo* (SP), Carolina Farias, "Loteamento ameaça área de quilombo em SP," July 20, 2003, p. 24.

⁴⁵¹ AFSP, *Folha de S. Paulo* (SP), Carolina Farias, "Loteamento ameaça área de quilombo em SP," July 20, 2003, p. 24.

⁴⁵² AFSP, *Folha de S. Paulo* (SP), Carolina Farias, "Loteamento ameaça área de quilombo em SP," July 20, 2003, p. 24.

⁴⁵³ AFSP, *Folha de S. Paulo* (SP), Carolina Farias, "Loteamento ameaça área de quilombo em SP," July 20, 2003, p. 24.

the high-end development was Nova Itatiba II. Farias also detailed Itesp's work, revealing further aspects of the conflict.

According to Itesp (the São Paulo State Land Institute), which is carrying out a detailed documentary and on-site survey as part of the recognition process, **the community may have lost eight alqueires of land.**

"This development is at the boundary of the [quilombo] area. **If we can prove that the quilombolas' land, by right, is larger than these seven alqueires, the area has been invaded by the development,**" stated Itesp anthropologist Patrícia Scalli dos Santos, 33.

The owners of the development claim that the plot has existed since 1976 and that they are unaware that they may be invading part of the quilombo. They also claim to have the city hall's approval.

The Itatiba City Hall reported that there is an approved project and that it was unaware of any encroachment, but it will inspect the boundary.⁴⁵⁴

This was the first – and only – public statement by Nova Itatiba II's developers regarding the matter. Even under anonymity, they revealed the key detail: they "claim to have the city hall's approval."⁴⁵⁵ Following this statement, the journalist turned the spotlight onto Itatiba's city hall. According to Farias, the city hall stated that "a project had been approved" and that it was "unaware of any encroachment" but would "inspect the boundary."⁴⁵⁶ In three concise acts, we know a significant part of the Itatiba city hall's strategy during the recognition process of Quilombo Brotas. It relied on an authorization for the development while denying knowledge of any wrongdoing and promising to investigate any allegations.

The development authorization mentioned by the city hall was tied to administrative process no. 3204 from 1974, which was approved on March 26, 1975,

⁴⁵⁴ AFSP, *Folha de S. Paulo* (SP), Carolina Farias, "Loteamento ameaça área de quilombo em SP", July 20, 2003, p. 24. Emphasis added.

⁴⁵⁵ AFSP, *Folha de S. Paulo* (SP), Carolina Farias, "Loteamento ameaça área de quilombo em SP", July 20, 2003, p. 24.

⁴⁵⁶ AFSP, *Folha de S. Paulo* (SP), Carolina Farias, "Loteamento ameaça área de quilombo em SP", July 20, 2003, p. 24.

permitting the establishment of the “Jardim Nova Itatiba housing development.”⁴⁵⁷ By the 1990s, the developers had constructed the first part of the project, using two-thirds of the land – equivalent to Nova Itatiba I – and decided in late 2001 to develop the remaining third. This would become Nova Itatiba II. When construction on this second phase began in September 2002, the developers effectively invaded the quilombo’s central territory and committed the notorious environmental crime that made headlines in *Folha de S. Paulo*. Even excluding the quilombola territory already encroached upon – an invasion previously condoned by Itatiba’s city hall – the developers pressed into the heart of the territory, citing the need to install drainage pipes for Nova Itatiba II’s stormwater runoff.

This justification appeared disingenuous, at least from the perspective of the quilombola community, its allied social movements, and Itesp. The Nova Itatiba II developers seemed intent on claiming all the land belonging to Vó Amélia’s descendants. However, a politically organized quilombo now stood in their way. Indeed, it was the perpetration of this environmental crime, coupled with the well-founded suspicion that Nova Itatiba II’s owners aimed to expropriate the land, that prompted Brotas’s Black community to approach the Pro-Citizenship Forum. The NGO and the newly self-identified quilombo together turned to Itesp, the state and federal Public Prosecutor’s Offices, the Federal Secretariat for Policies to Promote Racial Equality (SEPPIR), the National Institute for Colonization and Agrarian Reform (INCRA), among other social and state organizations.⁴⁵⁸

In any case – whether it was the environmental crime, involving the alleged encroachment on Brotas lands under the pretext of stormwater drainage, or the violation of human rights through the intent to displace the Brotas community – the Nova Itatiba II developers enjoyed the support of Itatiba’s city hall. “They also claimed to have city hall’s approval,” *Folha de S. Paulo* reported.⁴⁵⁹ And they did. Or, to put it another way, and judging by city hall’s administrative documents, the developers not

⁴⁵⁷ ACQB v. PMI, Secretaria Municipal de Obras, “Aprovação de projeto,” March 26, 1975, fls. 566-572, fl. 566.

⁴⁵⁸ See, for example, ACQB v. PMI, Manoel Roberto Barbosa, “Ofício ao procurador da República,” May 27, 2003, fls. 441-442.

⁴⁵⁹ AFSP, *Folha de S. Paulo* (SP), Carolina Farias, “Loteamento ameaça área de quilombo em SP,” July 20, 2003, p. 24.

only had approval but also its full support. This is why the developers so confidently shifted responsibility to city hall, which publicly backed them – “there is an approved project” – while blatantly lying by stating in July 2003 that it was “unaware of any encroachment.”⁴⁶⁰ By that time, as noted, city hall had already received dozens of complaints and petitions from both the Pro-Citizenship Forum and the newly established Quilombo Brotas Cultural Association.⁴⁶¹

The city hall was fully aware of the issue. First, in the 1970s, it legitimized the purchase of an area that would later be proven to belong to Quilombo Brotas. Then, in the early 2000s, it provided full support to the owners of Nova Itatiba II in committing environmental crimes against the quilombola community. Ultimately, the city hall itself was the problem – not merely as a bureaucratic apparatus but as the locus of power that had once been concentrated solely in the City Council and, with the strengthening of the Executive Branch in the post-Vargas constitutional order, became largely established in city halls. If the city hall was the problem, or at least deeply familiar with it, it was only fair for it to lead its resolution.

Instead of inspecting the boundary, as it had promised *Folha de S. Paulo*, the city hall chose to deconstitutionalize Quilombo Brotas.⁴⁶² Since deconstitutionalizing the quilombola community’s history would be relatively intangible and would have limited immediate political repercussions for the ongoing land conflict, the city hall targeted the quilombo’s other *two constitutions*: its political organization and its constitutional interpretations. Like two legs of the same body, *these constitutions* moved rhythmically in parallel. On the one hand, the political organization – both the quilombola association and its early ally, the Pro-Citizenship Forum – reflected a particular type of political-constitutional agenda and engaged in a certain style of struggles for constitutional rights. On the other hand, this political organization made specific uses of the Constitution, emphasizing provisions often overlooked or marginalized by constitutional theory and state institutions.

⁴⁶⁰ AFSP, *Folha de S. Paulo* (SP), Carolina Farias, “Loteamento ameaça área de quilombo em SP,” July 20, 2003, p. 24.

⁴⁶¹ For example, the representation made by the Pro-Citizenship Forum to the Public Prosecutor’s Office in February 2003 was officially forwarded to Itatiba City Hall in February 2003. See ACQB v. PMI, Fabíola Sucasas Negrão Scroback, “Conclusão,” March 20, 2003, fls. 265-268, fl. 265.

⁴⁶² AFSP, *Folha de S. Paulo* (SP), Carolina Farias, “Loteamento ameaça área de quilombo em SP,” July 20, 2003, p. 24.

Given the interdependence of political organization and constitutional interpretation, attacking one meant attacking the other. Or, using the metaphor of the body and its legs – striking one leg meant inevitably hitting the other. The city hall decided to target one of these legs. Knowing that Itesp was crucial to the quilombo's three constitutions – the historical, the political and the claim for constitutional rights – the city hall sought to distance Itesp from the Quilombo Brotas Cultural Association. Numerous attempts were made to sever the public administration body from the quilombola association.

Scalli and Giacomini reported various forms of pressure while investigating the historical formation of the quilombo. Baseless complaints were made to their superiors, and both suspected that they were clandestinely recorded while staying at the Hotel Colonial in downtown Itatiba. They also reported several instances of obstruction in their work, particularly when investigating the environmental crime involving the neighboring development's owners and attempting to access city hall documents. Moreover, the Itesp Technical-Scientific Report was mysteriously deleted from Itesp's computers twice, and its final version only survived because Scalli had archived a secret copy on a personal USB drive.⁴⁶³

Similarly, there were many attempts to sever the connection between the quilombola association and its sister NGO. Members of the Pro-Citizenship Forum reported severe political persecution by city hall agents. Elaine Rodrigues became the target of several lawsuits employing lawfare tactics. Diva Martins de Oliveira, a career city hall employee, former president of the local Public Servants' Union, and the city's leading Black activist, faced political persecution that removed her from institutional roles she previously held. Other NGO members also faced police inquiries and lawsuits that were unmistakably part of the lawfare arising from the quilombola political struggle. Within three years, the Pro-Citizenship Forum ceased operations, and Rodrigues, along with other members, hurriedly left Itatiba for a city over 2,000 kilometers away – taking nearly a dozen ongoing lawsuits with them.⁴⁶⁴ Among the

⁴⁶³ I obtained this information confidentially during a private conversation with a member of the Itesp technical team involved in the research on the history of the Quilombo Brotas.

⁴⁶⁴ I personally responded to an inquiry from the Federal Police and a criminal charge filed by the São Paulo Public Prosecutor's Office just months after the publication of the Technical-Scientific Report.

quilombolas, the persecution was more veiled but equally virulent; their president, Manoel Barbosa, reported fearing for his life during his term.⁴⁶⁵

The strongest blow to the quilombola association was yet to come. The city hall had time. Even if Itesp recognized Quilombo Brotas's title to its entire territory, two debates remained unresolved: first, the existence and accountability for the environmental crime, and second, the extent of the quilombola lands. These were – and still are – the axes of the dispute over the constitutionalization and/or deconstitutionalization of Quilombo Brotas. The city hall seemed to understand that merely hindering Itesp's work, morally harassing quilombolas, and waging lawfare against the Pro-Citizenship Forum would not suffice to deconstitutionalize the quilombola association. It needed to target those two axes: the environment and territory. In summary, it needed to nullify the environmental crime and divide the quilombola land, preventing it from being restored to its original size as indicated in Itesp's study.

And this is precisely what the city hall began to do. Engaging in blatant administrative advocacy for the Nova Itatiba II developers, the city's Public Affairs and Environment Department and Legal Affairs Department collaborated to give a technical veneer to the political decision clearly made long ago by Mayor Fumach to declare that no environmental crime had occurred and to attest to the full legality of the development. This collaboration, in fact, amounted to a collusion involving three public bodies: the two aforementioned city hall departments and the local Public Prosecutor's Office – which by this point had become an evident extension of the executive branch.

Once again, the Itatiba Public Prosecutor's Office played the ignoble role of paving the way for the city hall's attempt to block quilombo land rights claims. Responding to an appeal filed by the Pro-Citizenship Forum with the São Paulo Public Prosecutor's Superior Council following the dismissal of its historic February 2003 representation, the Itatiba prosecutor's office stated that “no obligations should be imposed on the developer” for any work or reparations.”⁴⁶⁶ Relying exclusively on the city hall's opinion – provided in response to a Public Prosecutor's Office inquiry –

⁴⁶⁵ This information was also shared with me in confidence during a private conversation with former president Barbosa.

⁴⁶⁶ ACQB v. PMI, Flávia Alice Cherubini Fogaça Braga “Promoção de arquivamento,” July 14, 2005, fls. 200-202, fl. 201.

Prosecutor Flávia Braga admitted that “environmental problems were identified,” but since the “city hall informed that the interested party [the Nova Itatiba II developer] would be providing” the necessary repairs, there was no need for further intervention.⁴⁶⁷ Ultimately, Braga requested that the Public Prosecutor’s Council archive the matter – which was promptly done.



Figure 9. Discharge of stormwater from the Nova Itatiba II development into the stream of Quilombo Brotas (São Paulo State Public Prosecutor's Office, 2022, in: ACQB v. PMI, p. 223).

The Itatiba Public Prosecutor’s Office did not stop there. In response to a request from the Nova Itatiba II developers, three engineers appointed by the local Public Prosecutor’s Office prepared a technical report subtly dismissing the environmental crime. Although they acknowledged “environmental impacts (earthworks causing sedimentation, excessive stormwater drainage, [and] disruption of the watercourse serving the quilombo) resulting from the Nova Itatiba II development,” they asserted that the developers had followed all legal procedures and possessed the required

⁴⁶⁷ ACQB v. PMI, Flávia Alice Cherubini Fogaça Braga “Promoção de arquivamento,” July 14, 2005, fls. 200-202, folio 200.

environmental licenses for their infrastructure works.⁴⁶⁸ In other words, while there was undeniable environmental harm – a degraded water source affecting the quilombo and damage to the community – it was concluded that the actions were carried out in compliance with the law. Therefore, no criminal liability was assigned for the environmental damage.⁴⁶⁹



Figure 10. Heavily silted stream in Quilombo Brotas (São Paulo State Public Prosecutor's Office, 2022, in: ACQB v. PMI, p. 224).

Following the local Public Prosecutor's Office's report endorsing all actions by the Nova Itatiba II developers – "all applicable legal standards were met" – the city hall endorsed these conclusions.⁴⁷⁰ On May 11, 2006, Luciano Consolini Filho, one of the Nova Itatiba II owners and the proprietor of one of the city's wealthiest historic coffee plantations, went to city hall to request "construction permits" to regularize his control

⁴⁶⁸ ACQB v. PMI, Lucilena Whitaker de Melo Bastos, Luiz César Ribas, Miguel Garcia Sobrinho, "Laudo de vistoria técnica: impactos ambientais e culturais em área de quilombo acarretados em face da implantação do loteamento Nova Itatiba II (fase 2)," May 5, 2006, fls. 368-375, fl. 368.

⁴⁶⁹ ACQB v. PMI, Lucilena Whitaker de Melo Bastos, Luiz César Ribas, Miguel Garcia Sobrinho, "Laudo de vistoria técnica: impactos ambientais e culturais em área de quilombo acarretados em face da implantação do loteamento Nova Itatiba II (fase 2)," May 5, 2006, fls. 368-375, fl. 369.

⁴⁷⁰ See, respectively, ACQB v. PMI, Flávia Alice Cherubini Fogaça Braga "Promoção de arquivamento," July 14, 2005, In: AAA, folios 200-202, fl. 200.

over part of the quilombola land.⁴⁷¹ His plan was simple: to accelerate the development's construction and prevent the quilombola association from reclaiming the area recently identified by Itesp as part of the historic quilombo. Implicitly, Consolini argued that any reparations for the environmental crime within the quilombo should be subordinated to the consolidation of his land appropriation *outside* the quilombo.

Five days after Consolini's action, on May 16, 2006, the Secretary of Legal Affairs accepted *ipsis litteris* all the demands made by the owner of Nova Itatiba II, stating that it was "absolutely coherent" for the city hall to allow the "approval for construction, one of the most expressive rights inherent to property."⁴⁷² In fact, the city hall acted coherently – its coherence, if we consider the *long-term perspective*, was in treating the quilombo as its enemy. Armed with the opinion of its secretary, as well as the endorsement of the Public Prosecutor's Office, the city hall worked to authorize construction at Nova Itatiba II. "Indeed, the solution pointed out by the Legal Affairs Department (...) is the one most aligned with the principle of reasonableness, which must also guide public administration," wrote Mayor Fumach, because "all infrastructure works (...) were satisfactorily completed by the developer."⁴⁷³ The solution in question, however, was none other than the one proposed by Consolini: proceed immediately with the construction of Nova Itatiba II and only later, if at all, discuss repairing environmental damage *within* the quilombo.

To give legal shape to this new phase of land dispossession, the city hall then signed a "commitment agreement" with Consolini and the construction company Jofege – another owner of Nova Itatiba II.⁴⁷⁴ In June 2006, the city hall and the agents of "real estate speculation" orchestrated an "amendment to the development plan," which, without consulting the quilombola association or Itesp, legalized the seizure of part of the quilombola land.⁴⁷⁵ Consolini and Jofege were now secure—the city hall shielded them regarding the stabilization of the land bordering the heart of the quilombo. As the

⁴⁷¹ ACQB v. PMI, Liamara de Britto, "Petição em representação de Luciano Consolini Filho," May 11, 2006, fls. 360-361, fl. 361.

⁴⁷² ACQB v. PMI, Estevan Sartoratto, "Aprovação de loteamento," May 17, 2006, fls. 362-364, fl. 364.

⁴⁷³ ACQB v. PMI, José Roberto Fumach, "Decisão," May 26, 2006, fl. 365.

⁴⁷⁴ ACQB v. PMI, Jofege Pavimentação e Construção Ltda., and Luciano Consolini Filho, "Termo de compromisso," June 9, 2006, fl. 366.

⁴⁷⁵ See, respectively, AFSP, *Folha de S. Paulo* (SP), Carolina Farias, "Loteamento ameaça área de quilombo em SP", July 20, 2003, p. 24; ACQB v. PMI, Jofege Pavimentação e Construção Ltda., and Luciano Consolini Filho, "Termo de compromisso," June 9, 2006, fl. 366.

saying goes, *those with friends have everything*. The city hall not only covered Consolini and Jofege concerning the contested land but also personally acted on behalf of the Nova Itatiba II owners regarding the environmental crime.

In July 2007, after strategically leaving the case idle for over a year, the mayor officially spoke again about the city's most significant ongoing territorial dispute. In a new alignment with the local Public Prosecutor's Office, Mayor Fumach declared that even after a year following the commitment agreement, he still did not have a conclusive response regarding the materiality of the environmental crime, arguing that "its complexity does not allow practical solutions to be identified within such an immediate timeframe."⁴⁷⁶ However, even while allegedly lacking "practical solutions" to address the environmental issue, he cunningly preempted his position, stating that he was still analyzing the "resolution of problems arising from stormwater runoff (...) which, *by natural force*, can only be directed to the stream bordering the quilombola property."⁴⁷⁷

The way the mayor framed the issue left no doubt about his conclusion. Although Fumach claimed to still be analyzing "plausible technical solutions," he cleverly argued that the environmental damage caused by Nova Itatiba II – "problems arising from stormwater runoff" – was inevitable, as "by natural force," that water had to flow into the stream "bordering the quilombola property."⁴⁷⁸ Every word served his political intent: the mayor even recognized quilombola property, but only in a diminished, fragmented form, excluding the stream – which, in his calculated expression, was positioned on an imaginary boundary rather than within the quilombo, as confirmed in Itesp's report.

Ultimately, his strategy was to buy time and exhaust the quilombolas. By absolving the Nova Itatiba II developers of any responsibility to repair the environmental damage, Fumach also absolved himself of any legal accountability. He stated that several "complex works would be necessary, and if not carried out by the developers of the adjacent development, *whose obligation is debatable* (...), it would certainly fall to the

⁴⁷⁶ ACQB v. PMI, José Roberto Fumach, "Ofício a promotora de Justiça de Itatiba," July 5, 2007, in: AAA folios 690-692, folio 690.

⁴⁷⁷ ACQB v. PMI, José Roberto Fumach, "Ofício a promotora de Justiça de Itatiba," July 5, 2007, in: AAA folios 690-692, folio 690. Emphasis added.

⁴⁷⁸ ACQB v. PMI, José Roberto Fumach, "Ofício a promotora de Justiça de Itatiba," July 5, 2007, in: AAA folios 690-692, folio 690.

State (*generically considered*) to resolve them.”⁴⁷⁹ This “State” obviously did not include the city hall. Fumach argued that “due to the high cost of implementing such works,” it would be practically impossible for the city hall to shoulder such obligations. Any solution, therefore, would only be viable “if funds were made available by other spheres of public administration, as we understand,” he revealed, “that they also have responsibilities in resolving the issue, especially given the peculiarities of this particular case.”⁴⁸⁰

For Mayor Fumach, the problem was no longer just the quilombo but also the institutions that recognized this Black community as a quilombo. After all, if political institutions from outside the city intervened in the local power dynamics and identified a social issue that he neither saw—nor wanted to see—that issue became fundamentally theirs to address. In other words, if Itesp wanted to recognize the quilombo and the environmental damage caused by third parties on its land, then Itesp itself should resolve the problem. To the mayor, it was irrelevant who caused the environmental damage. Once the state agency intervened in the municipality and acknowledged the rights claims of a new political group – one he himself did not recognize – that issue became the responsibility of those who intervened in local politics and disrupted the existing problem-solving framework. After all, there is only an *environmental* issue if one acknowledges a *political* problem. For the mayor, there would be no political problem if the quilombo were not recognized as a quilombo.

However, Itesp’s recognition was already a political fact. The mayor could, however, dilute its political effects. That is precisely what he did by failing to hold the Nova Itatiba owners accountable for repairing the environmental damage and refusing to take any action to restore the degraded area. “Thus, the solution currently adopted by this administration,” the mayor decided, “is to seek financial resources potentially available from other spheres of public administration, such as Iphan (Institute of National Historical and Artistic Heritage), Itesp, and the Ministry of Cities.”⁴⁸¹ And he

⁴⁷⁹ ACQB v. PMI, José Roberto Fumach, “Ofício a promotora de Justiça de Itatiba,” July 5, 2007, fls. 399-401, fls. 399-400. Emphasis added.

⁴⁸⁰ ACQB v. PMI, José Roberto Fumach, “Ofício a promotora de Justiça de Itatiba,” July 5, 2007, fls. 399-401, fl. 400.

⁴⁸¹ ACQB v. PMI, José Roberto Fumach, “Ofício a promotora de Justiça de Itatiba,” July 5, 2007, fls. 399-401, fl. 400.

continues, as if laughing at the situation: “it will certainly be with great joy that we hope to obtain such funds soon, with the aim of solving the problems experienced in that *distinctive property* in the shortest possible time.”⁴⁸²

In short, the mayor decided that everything would remain as it was – the criminal “land leveling that caused silting” and the “disruption of the watercourse that served the quilombo” would remain unaddressed.⁴⁸³ At best, Fumach would seek external funding to mitigate the environmental damage. Like a loyal dog following its master, the Public Prosecutor’s Office aligned with the mayor of Itatiba and left the Nova Itatiba II owners immune to any criminal accountability.

The quilombo would continue without its main source of water – the Brotas stream. Not only did dozens of families lose access to water in their homes, but also Tia Lula’s *Umbanda* spiritual center – one of the oldest Black institutions in Itatiba – lost one of its most important sources for religious rituals. As Scalli noted, “The silting of this stream also had a profound impact on the religious practices of this community,” as Tia Lula and her spiritual followers used the watercourse “to carry out rituals for water spirits, including maintaining an altar for these deities along its banks.”⁴⁸⁴ The mayor knew all of this – he himself had previously sought Tia Lula’s spiritual guidance – and cared nothing.⁴⁸⁵ His political position was to defeat the quilombolas through exhaustion. His political stance was to wear down the quilombolas. Without water, they would have to leave the land; without land, there would be no quilombo. Without the quilombo, the problem outlined in Itesp’s report would vanish.

The mayor’s goal was to deconstitutionalize the quilombo – that is, to diminish the effects of its constitutional recognition. His political decision to absolve the developers and the city hall from repairing the environmental damage meant letting the environmental crime go unpunished. Furthermore, it further weakened the quilombo. After all, if the quilombolas could not reverse the silting of their stream at the heart of

⁴⁸² ACQB v. PMI, José Roberto Fumach, “Ofício a promotora de Justiça de Itatiba,” July 5, 2007, fls. 399-401, fl. 401. Emphasis added.

⁴⁸³ ACQB v. PMI, Lucilena Whitaker de Melo Bastos, Luiz César Ribas, Miguel Garcia Sobrinho, “Laudo de vistoria técnica: impactos ambientais e culturais em área de quilombo acarretados em face da implantação do loteamento Nova Itatiba II (fase 2),” May 5, 2006, fls. 368-375, fl. 368.

⁴⁸⁴ Patrícia Scalli, *op. cit.*, 2004a, p. 43. Original emphasis.

⁴⁸⁵ This information was somewhat widespread, and I personally recall Tia Lula telling me about Fumach’s interest in her spiritual work.

their land, even with Itesp's support, they would not be able to reclaim the land surrounding the stream's spring. The fight for constitutionalizing or deconstitutionalizing the quilombo was fundamentally a struggle over territory. The mayor had made his intentions clear. And the Brotas community? How would the quilombolas respond to the city hall? In a single word: by further constitutionalizing their demand for justice.

4. 3. From Lula to Lula: constituent power and constitutional recognition

By irony or perhaps coincidence, the name "Lula" grants dual access to the concept of constituent power in Brazil – one at the *local* level and the other at the *national* level. In the feminine form, it refers to Maria Emília Gomes Barbosa, known as Tia Lula, who encapsulates the history of constituent power within the Brotas community and represents, to some extent, the constitutional history of quilombos in Brazil. In the masculine form, it refers to Luiz Inácio Lula da Silva, the renowned statesman and the only president in Brazil's history with a background in labor and union organizing. His name also evokes a very specific social class within Brazil's constitutional history. Both tell something of the story of constituent power. Tia Lula symbolizes various moments of constituent power in the post-abolition era (1888–1988), beginning with the abolition of slavery and spanning the 20th century. President Lula, meanwhile, particularly evokes the constituent power forged during the military dictatorship (1964–1985), culminating in the post-dictatorship period (1986–1988), although he also represents a constitutional tradition rooted in the republican movements of the late 19th century.

At this point in the discussion, it is clear how pivotal Tia Lula was in transforming a clandestine collective memory into official history. Her *Notícia Histórica* was the key piece underpinning the Itesp Technical-Scientific Report. Moreover, her constituent narrative set boundaries for future demands for constitutional rights by her community – certainly not of minor constitutional dimension.

Paradoxically, much like Joly's idea, Tia Lula's *Notícia Histórica* wields the power of a beginning that establishes the beginning of power. In other words, it represents the

constituent power of her community.⁴⁸⁶ By recounting the arrival of her grandparents, her mother, and her uncles to the Brotas ranch – situating this beginning before the abolition of slavery – Tia Lula performed what Vismann categorizes as a “basic operation of law.”⁴⁸⁷ She established what the past was and laid the foundation for everything that would follow. All of this is profoundly legal, for “the central activity of a beginning is foundation, and this is a legal activity.”⁴⁸⁸ By recalling the past and giving it a narrative structure, Tia Lula founded the Quilombo Brotas. She gave literary form to the original constituent power and directed it toward the establishment of a political organization. In doing so, and still following Vismann, she created rights.

In a distinct but equally collective and intergenerational dimension, Luiz Inácio Lula da Silva also embodies a form of original constituent power in 20th-century Brazil. Whether through his union activism during the military dictatorship or by representing – along with the labor movement of the late 1970s – the working class in Brazil’s republican struggles, Lula sheds light on the often-abstract concept of constituent power. Historical rallying cries for constituent processes, such as the fight against illiteracy, the demand for a dignified minimum wage, and civil rights for all, were embraced and even updated for new contexts by Lula and his political party as they entered the public sphere. Much of what characterized Brazil’s constituent process in the 1980s, for instance, reflects earlier historical struggles, reimagined for the political challenges of the time.

In this sense, one of the historical constituent struggles championed by the Workers’ Party (PT) and personally by Lula is the recognition of the Brazilian state’s role in constructing slavery and the necessity of historical reparations for its victims. While such recognition and reparations have been modest or even merely symbolic, PT’s constituent deputies – including Lula – fought to include Article 68 of the Transitional Constitutional Provisions (ADCT) in the 1988 Constitution. This is the only constitutional article explicitly addressing quilombola territorial rights. It forms the normative basis for thousands of requests to recognize quilombola communities in Brazil, including the demand of the Quilombo Brotas. Without this simple article in the Constitution’s most

⁴⁸⁶ I engage with Vismann’s notion of the power of beginnings to reflect on the foundations of the category of constituent power. For Vismann’s formulation, see Cornelia Vismann, *op. cit.*, 2011, pp. 57-68.

⁴⁸⁷ Cornelia Vismann, *op. cit.*, 2011, p. 59.

⁴⁸⁸ Cornelia Vismann, *op. cit.*, 2011, pp. 58-59.

critical paratext, there would be no solid normative foundation for the constitutional recognition of one of the oldest post-abolitionist constituent demands: the right to land for the descendants of enslaved Black people.

However, Article 68 of the ADCT remained a symbolic constitutional text throughout the 1990s. Despite being based on the Constitution, thousands of quilombola communities waited years in line for state institutions to recognize the legal grounds of their territorial rights demands. Only after Lula assumed the presidency did Article 68 of the ADCT gain more significant normative force. On Black Consciousness Day in 2003, President Lula issued a decree to regulate the “procedures for the identification, recognition, delimitation, demarcation, and titling of lands occupied by remnants of quilombo communities.”⁴⁸⁹ In doing so, Lula finally regulated Article 68 of the ADCT. In some ways, it was as if the constituent power of the 1988 Constitution had been revived by the same actors who now held positions of power within the state apparatus. In other words, the constituent power (1986-1987) that became constitutionalism (1988) was renewed through a presidential decree (2003) to fulfill its original purposes.

This is precisely where the two “Lulas” intersect – where the two constituent powers intertwine. The Cultural Association Quilombo Brotas began its strategic litigation in March 2003, shortly after the Pro-Citizenship Forum filed its historic petition in February 2003. The association quickly incorporated the presidential decree as a legal basis for its territorial claims. Similarly, Itesp’s technical team relied heavily on Presidential Decree No. 4887/2003 to justify its arguments in favor of recognizing the Brotas community as a quilombo remnant. In short, the decree came into effect at the most opportune moment for the heirs of Vó Amélia to seek recognition.

The opportune timing worked both ways. The newly established Secretariat for Policies to Promote Racial Equality (SEPPIR), created by President Lula, received the Brotas community’s request at an excellent moment. The community was politically well-organized and had recovered evidence of its historical territorial occupation. Its political alliance with a similarly well-organized NGO and the institutional support of

⁴⁸⁹ Brasil, *Decreto nº 4.887, de 20 de novembro de 2003. Regulamenta o procedimento para identificação, reconhecimento, delimitação, demarcação e titulação das terras ocupadas por remanescentes das comunidades dos quilombos*. Brasília: Presidência da República, 2003. Available at: https://www.planalto.gov.br/ccivil_03/decreto/2003/d4887.htm.

Itesp further bolstered the quilombola association's case. The association demonstrated that its political structure was robust and ready to be embraced at the federal level. Within five years – a relatively short time for such complex cases – President Lula himself granted the constitutional title recognizing the quilombola property of the Brotas community, now officially recognized by the Brazilian government as the Quilombo Brotas.

In the meantime, however, a lot was happening. The city hall attempted to deconstitutionalize Quilombo Brotas by legitimizing the environmental crime and shielding its perpetrators. Meanwhile, the quilombola association deepened its engagement with the language of quilombola constitutional rights, newly reinforced by the decree issued by the former constituent deputy and then-president, Luiz Inácio Lula da Silva.

To better understand how Quilombo Brotas and Itesp used the decree – and how the decree synchronously reflected the constitutionalization process of the Brotas community itself – it is worth examining some of the definitions this normative text brought to Brazilian constitutionalism. First, the decree defined what a quilombo is. Second, it assigned responsibilities to various public administration entities in the process of recognizing a quilombola community. Third, it guaranteed quilombolas the right to “participate in all phases of the administrative procedure, directly or through representatives of their choosing.”⁴⁹⁰ Undoubtedly, the definition of quilombo is the most critical aspect for understanding this new constitutional phenomenon – a legal product of a constituent power rooted in the immediate post-abolition period. In two distinct passages, the decree asserted that a quilombo is, above all, an ethno-racial group that defines itself as such. A quilombo, therefore, is established through “criteria of self-identification” (Article 2, *caput*) and comes into being “through the self-definition of the community itself” (Article 2, para. 1).⁴⁹¹

However, the decree did not limit the definition of quilombo to self-definition. The legal text emphasized that these “ethno-racial groups” must possess a “distinct historical trajectory” and be “characterized by specific territorial relations, presumed to

⁴⁹⁰ Brasil, *op. cit.*, 2003, Article 6.

⁴⁹¹ Brasil, *op. cit.*, 2003, Article 2, *caput*, and para. 1.

involve Black ancestry linked to resistance against historical oppression.”⁴⁹² Quilombola lands, in turn, were those “used to ensure their physical, social, economic, and cultural reproduction.”⁴⁹³ Even a first reading of the selected excerpts from Article 2 shows how this legal definition of quilombo perfectly aligned with the demands of the Brotas community. Not even the mayor of Itatiba would dare deny that the descendants of Vó Amélia constituted an “ethno-racial group” with a “distinct historical trajectory,” “specific territorial relations,” and “Black ancestry linked to historical oppression” during the era of slavery.⁴⁹⁴ All the defining criteria of a quilombo – alongside the community’s self-definition – were present in the specific case of the Brotas community, led by Tia Lula.

Thus, as the Brotas community recognized itself as a quilombo and began claiming territorial rights based on the Constitution during the first half of 2003, it was soon bolstered by the decree, published in the second half of 2003, whose text seemed tailor-made for its needs. Not only the Brotas community but also hundreds of quilombos across Brazil celebrated this new constitutional moment. Finally, one historical constituent power met another. The leftist republican tradition led by Lula in post-dictatorship Brazil began to incorporate earlier historical constituent demands, which had been, at the very least, dormant in recent political debates. The Brazilian state was finally giving a legal definition to the nearly symbolic concept of quilombo in Article 68 of the ADCT. Moreover, the state now required federal agencies to initiate “administrative procedures for the identification, recognition, delimitation, demarcation, and titling of the definitive property of lands occupied by remnants of quilombo communities.”⁴⁹⁵

For the Brotas community, this constitutional moment of recovering post-abolition constituent power gained further normative strength with a new decree, also signed by President Lula. If the first decree – No. 4887/2003 – seemed tailor-made for Quilombo Brotas, the second decree was definitively so. On November 20, 2009, exactly five years after Decree No. 4887/2003, President Lula declared “of social interest, for

⁴⁹² Brasil, *op. cit.*, 2003, Article 2, *caput*.

⁴⁹³ Brasil, *op. cit.*, 2003, Article 2, *caput*, and para. 2.

⁴⁹⁴ Brasil, *op. cit.*, 2003, Article 2, *caput*, and para. 2.

⁴⁹⁵ Brasil, *op. cit.*, 2003, Article 1, *caput*.

purposes of expropriation, the properties encompassed by the 'Quilombola Territory of Brotas,' located in the municipality of Itatiba, state of São Paulo."⁴⁹⁶

This marked the end of a long struggle for quilombola territorial rights. From then on, neither the city hall of Itatiba nor the developers of Nova Itatiba II could obstruct the quilombo's territorial claim. The president's decree amounted to constitutional titling with immediate legal effects. The normative force that the Itesp report lacked was abundant in the presidential decree. The former, however, provided the foundation for the latter. And the Itesp report existed only because the constituent power of Aunt Lula's Historical Notice had established the beginnings of Quilombo Brotas.

Two constituent powers finally converged, and from their union emerged the constitutional titling of Brazil's first urban quilombo – Quilombo Brotas.

⁴⁹⁶ Brasil, *Decreto nº 12.309, de 20 de novembro de 2009. Declara de interesse social, para fins de desapropriação, os imóveis abrangidos pelo 'Território Quilombola Brotas,' situado no Município de Itatiba, Estado de São Paulo.* Brasília: Presidência da República, 2009. Available at: https://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2009/Dnn/Dnn12309.htm.

CONCLUDING REMARKS

It is not easy to recount the history of a highly complex social conflict spanning over two centuries. The task proved even more challenging because this conflict traversed distinctly different political eras, such as the era of enslaved labor and that of free labor, as well as the monarchy and the republic. To thoroughly grasp the conflict between the two communities, Quilombo Brotas and the city of Itatiba, I pursued two persistent insights – and only afterward sought theoretical concepts that might be useful for studying the case. First, I examined the social problem through the diptych “quilombo” and “city.” Second, I studied this diptych by later employing a triptych, that is, three key concepts to provide mental access to the historical and sociological foundations of these two communities.

These concepts – power, labor, and freedom – shed light on the Quilombo Brotas-city diptych and its equally diptych unfolding, namely, the “white city” and the “Black city.” I then demonstrated how the two institutions, the Quilombo Brotas and the city of Itatiba, also created two other social forms within the same territory, albeit in constant dispute: a white city (exemplified, for instance, by the municipal council and city hall) and a Black city (represented, for example, by the samba school and a Black club 7 de Setembro).

Both institutions – the quilombo and the city – clashed for a long time. Reconstructing the origins of this conflict was one of the challenges I undertook. Using Cornelia Vismann's categories of “power of the beginning” and “beginning of power,” I deconstructed the foundational narrative of the city – Eugenio Joly's *Notícia Histórica* – and reconstructed the collective memory of the Brotas quilombola community.⁴⁹⁷ Even though I agreed with Vismann that “beginnings are not observable,” I sought as much as possible to observe the beginning of the official history of Itatiba as a fundamental part of the beginning of the city's official power.⁴⁹⁸ As I argued, history (the power of the beginning) and politics (the beginning of power) were deeply intertwined in Itatiba. Not only the trajectory of Eugenio Joly and his son Chateaubriand Joly but also that of Senator Lacerda Franco and his distant cousin Erasmo Chrispim illustrate how the

⁴⁹⁷ Vismann, *op. cit.*, 2011, p. 57-68.

⁴⁹⁸ Vismann, *op. cit.*, 2011, p. 57.

making of history and politics intertwined as a “legal activity” of creating beginnings – another term for, for instance, constituent power.⁴⁹⁹ After all, “the beginning resides in the sphere of law right from the start.”⁵⁰⁰

In contrast to the official history and the power of the white city of Itatiba, I also listened to the clandestine memory of quilombola elders and other marginal narratives in Itatiba’s history – arriving at the history of Itatiba’s Black city. On the one hand, the stories of Mestre Lourenço Oliveira and his son, the teacher and school principal Ataliba de Oliveira, clearly illustrate how the Black city integrated itself – amid disputes and negotiations – into the white city. On the other hand, the story of Vó Amélia and her daughter Tia Lula exemplify how part of the Black city resisted integration with the white city. Instead of seeking integration, this Black city reinforced the divide between the quilombo and the city.

It was this resistant Black city that founded and sustained the quilombo for more than a century and a half. At the beginning of the 21st century, when the city hall and the owners of a large upscale ranch decided to attack the Brotas ranch and dismantle that centuries-old social form, the quilombolas reconstructed their memory, transformed it into history, and organized politically around it to claim constitutional rights. The Quilombo Brotas appropriated the semantics of the 1988 Constitution and began to confront the persecution by the city hall and local businessmen by leveraging the constitutional text in their favor.

Once politically organized, the constituent power of the quilombo timely aligned with the constituent power of the unionist working class, newly empowered in the country’s federal government. From this convergence of constituent powers, new constitutional rights emerged – not merely symbolic or inaccessible in the daily lives of the population but concrete and achievable. The realization of the quilombo’s constituent power thus revealed itself in fulfilling the constitutional promise of political and territorial rights for the disenfranchised population since the post-Abolition period. The realization of the quilombola constituent power, then, fulfills the very Abolition lost in a not-so-distant past.

⁴⁹⁹ Vismann, *op. cit.*, 2011, pp. 58-59.

⁵⁰⁰ Vismann, *op. cit.*, 2011, p. 58.

LIST OF ARCHIVES

Acervo da Folha de S. Paulo (Folha de S. Paulo Newspaper Archive)

ACMI – Arquivo da Câmara Municipal de Itatiba (Itatiba City Council Archive)

AHMJ – Arquivo Histórico do Ministério da Justiça (Historical Archive of the Ministry of Justice)

Arquivo da Igreja de Jesus Cristo dos Santos dos Últimos Dias (Archive of the Church of Jesus Christ of Latter-day Saints)

BN – Biblioteca Nacional (National Library)

MPL – Museu Padre Lima (Padre Lima Museum)

MPSP – Ministério Público de São Paulo (São Paulo Public Prosecutor's Office)

SEC, CONDEPHAAT – Conselho de Defesa do Patrimônio Histórico Arqueológico, Artístico e Turístico (Council for the Defence of Historical, Archaeological, Artistic and Tourist Heritage)

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