
Hilario Congo

(fl. nineteenth century),

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Free African liberated in Brazil whose multiple efforts to secure “full freedom” led to an important diplomatic-juridical exchange between the governments of Brazil and Britain in 1853–1854, was likely born in the late 1820s or early 1830s, somewhere in the hinterlands of northern Angola. (It should be noted that the term “Free African” is a discrete proper noun applied to Africans liberated under special legal conditions of the suppression of the slave trade. It is distinct from “a free African,” which would mean any African who was not enslaved.)

Angola was a region that supplied the insatiable demands of Brazilian slave markets once the legal trade through Luanda was shut down around 1831. Through a surprisingly rich set of historical documentation related to Africans rescued from the Brazilian-flag slave ship *Cezar*, it is possible to reconstruct significant portions of Hilario’s life in Brazil during his successive transitions—from an illegally enslaved West Central African boy to a Liberated African (known in Portuguese as *africano livre*, or Free African) to a Free African in Rio de Janeiro, where he presumably lived out the remainder of his adult life working as a stonemason.

The circumstances of Hilario’s early childhood are unknown, but he was the *preto rapaz Hilario, nação Congo* (black boy Hilario of the Congo *nação*) who first appears in a register of Africans rescued from the *Cezar*, a Brazilian-flag *patacho* (patache) that had departed from Ambriz, in the north of Angola, in early 1838. Purportedly loaded to transport “free colonists” between Angola and Mozambique, stopping in the River Plate for resupply, the ship was seized by a British antitrafficking corvette near the coast of Rio de Janeiro province in mid-April 1838. Although the historical records do not agree on the number of Africans loaded in Ambriz, about 211 West Central Africans were rescued from a slaver that had been abandoned by its crew as the British patrol gave chase. Hilario was among approximately 120 children found on the *Cezar*.

Given his young age, the Christian name “Hilario” and the Congo *nação* were likely assigned without input. Hilario himself and the Brazilian and British authorities who tracked the other Africans liberated before the Anglo-Brazilian Mixed Commission installed in Rio to judge cases of suspected illegal trafficking never used any name or ethnonym other than those formally registered on a letter of emancipation issued on 17 July 1838. Technically, that letter belonged to Hilario, to be used as proof of his liberated status and irrevocable freedom. However, the letter and the freedom attached to it were turned over to a private Brazilian citizen who agreed to take in the boy in exchange for paid services, pending a promised “re-exportation.” This purportedly temporary, apprenticeship-like arrangement was one of the many cruel ironies for Africans liberated before the Mixed Commission, who faced years of compulsory labor even though they were free by international treaty and Brazilian law. Only a tiny

few of the approximately 14,000 Africans liberated in Brazil were given the opportunity to return to their African homelands, places ravaged by domestic and international slaving. The vast majority of the Free Africans of Brazil died on Brazilian soil, some having precious little time to adapt.

The intimate details of Hilario's transition from boy to adult are not available, but we do know that he lived in an urban household on Rua da Quitanda, a bustling street in central Rio. His future facility with petitioning strongly suggests that he had the opportunity to become acculturated to Brazilian life, including a decent command of Portuguese. His first guardian, Joaquim José dos Santos, was an assistant doorkeeper at the ministry of justice. Hilario was one of at least two Free Africans in the Santos household. When Santos died in 1845, Hilario's tutelage was transferred to Joaquim Martins Garrocho, a native of Portugal who held a post in the Brazilian navy until his death in 1852, at the age of 58. The Garrocho household included slaves, affording Hilario—like most Free Africans—direct knowledge of the regime of “legal” enslavement. Many Free Africans, British diplomats, and Brazilian proto-abolitionists would denounce the slave-like regime of harsh labor, frequent punishment, limited reproductive choice, and a lack of freedom of movement. However, none of the surviving petitions made in Hilario's name lodge such complaints.

In the passage from one guardian to another, Hilario picked up stonemasonry, a well-paying trade in high demand in the Rio labor market. As a mason, he appears to have enjoyed the ability to circulate widely throughout the streets of Rio. That freedom of movement enabled Hilario and a second Free African living in the Garrocho household to seek out British consul Robert Hesketh in late September 1850, a period of heightened tensions caused by the threat of a British blockade of the port of Rio in retaliation for Brazilian lassitude in enforcing anti-trafficking treaties and laws in place since 1831. Hesketh registered few details of his audience with Hilario, but the larger context in which nearly nine hundred Free Africans, over the course of twenty-one months, who made their circumstances known to the British diplomat suggests strongly a network of information and strategizing among Africans who all shared the experience of illegal enslavement, but whose origins in Africa were quite diverse and arrival in Brazil spread out over more than a decade. If Hilario did not precisely expect Hesketh to expand his rights as an *emancipado*, he certainly participated in a moment in which Africans played a direct role in engaging British interests against the perversions of the clandestine trade.

Hilario's contact with other Free Africans continued to influence his actions as the Brazilian government adopted a muscular suppression of the clandestine trade while putting off British pressure for a liberalization of rules for those Liberated Africans, like Hilario, who had spent numerous years in compulsory apprenticeships. Upon the death of the second guardian and the widow's apparent disinterest in assuming his tutelage, Hilario was sent to the House of Correction to await the disposition of his fate. From the main penal institution of the city of Rio, where he was in contact with convicts as well as numerous other Free Africans held “on deposit,” he began concerted efforts to convince Brazilian authorities to extend him the full rights of the free and to restore to him unpaid wages. The first petition came 22 February 1854. The second, dated one month later, denounced his being forced to live in a prison.

As the petitions—written with the assistance of scribes—fell on deaf ears, Hilario then moved on to seek out the top British diplomat in Rio, Henry F. Howard. Howard's record of the audience—likely conducted with the assistance of a translator—set in motion a series of exchanges between British and Brazilian officials about Hilario's case and the fate of Africans like him that would be reprinted in annual reports of the British and Brazilian foreign ministries. By August 1854 Hilario had been granted

his “full freedom” and released from the House of Correction, on the condition that he remain in Rio and earn an honest wage. Nonetheless, Brazilian juridical officials used his case to argue that the rights of the liberated should not be equal to the rights of the free. This decision not merely constrained the rights of Free Africans, who faced continued restrictions on their movement and livelihood, but also limited what was to be the regime of liberty during the long and gradual transition from slavery to freedom in the largest and most enduring slave society in the Americas.

Upon his departure from the corrections house, Hilario disappears from the historical records. But dozens of his shipmates from the *Cezar* can be tracked through the end of the legal regime over Free Africans in Brazil, abolished in 1864. Unlike many of his male shipmates on the *Cezar*, and the many other ships intercepted by British and Brazilian cruisers, Hilario left no registry of marriage or children. In this respect, his tactics for “full freedom” were quite distinct from those of his female contemporaries, such as Maria Angola, whose efforts to denounce the violation of her freedom were framed nearly entirely around the freedom of a son illegally enslaved by a maleficent guardian and his sister-in-law. Acting independently, and in gendered ways, Hilario Congo and Maria Angola, among many others, were still quite active participants in the construction of international human rights produced out of the suppression of the slave trade and the extension of freedom to the illegally enslaved in Brazil.

Bibliography

“The Broken Paths of Freedom: Free Africans in Nineteenth-Century Brazilian Slave Society.” Spatial History Project, Stanford University. <http://www.stanford.edu/group/spatialhistory/cgi-bin/site/project.php?id=1069> <<http://www.stanford.edu/group/spatialhistory/cgi-bin/site/project.php?id=1069>>.

Chalhoub, Sidney. *A força da escravidão: Ilegalidade e costume no Brasil oitocentista*. São Paulo: Companhia das Letras, 2012.

Chalhoub, Sidney. “Illegal Enslavement and the Precariousness of Freedom in Nineteenth-Century Brazil.” In *Assumed Identities: The Meanings of Race in the Atlantic World*, edited by John D. Garrigus et al., pp. 88–115. College Station: Texas A&M University Press, 2010.

Mamigonian, Beatriz Gallotti. “Conflicts over the Meanings of Freedom: The Liberated Africans’ Struggle for Emancipation in Brazil (1840s–1860s).” In *Paths to Freedom: Manumission in the Atlantic World*, edited by Rosemary Brana-Shute and Randy J. Sparks, pp. 235–264. Columbia: University of South Carolina Press, 2009.

Mamigonian, Beatriz Gallotti. “A Grã-Bretanha, o Brasil e a liberdade dos africanos na crise da abolição do tráfico atlântico de escravos (1848–1851).” In *Intelectuais e modernidades*, edited by Daniel Aarão Reis and Denis Rolland, pp. 13–29. Rio de Janeiro: Editora da FGV, 2010.

Martinez, Jenny S. *The Slave Trade and the Origins of International Human Rights Law*. New York: Oxford University Press, 2012.