

State and Race in the Brazilian Empire

Lydia M. Garner, Associate Professor, Texas State University-San Marcos

Abstract

The topic of my paper fits well into the “Racialization of the State”, since it analyses the Bragança Dynasty in Brazil and the way they dealt with the problem of race and slavery. All three of the rulers of the period, 1808-1889, Dom Pedro I, who proclaimed Brazilian independence, Dom Pedro II, who began the process of gradual abolition of slavery, and Isabel, the Princess Royal, who abolished slavery, were against slavery. The first constitution of Brazil given by Dom Pedro I made no mention of slavery or racist laws, but it had an article that declared that all persons born in Brazil were Brazilians; Dom Pedro II ruled with his Council of State that followed the Constitution of 1824 that made no distinction regarding color; and his daughter, Princess Isabel, was against slavery and abolished it in 1888. Although Dom Pedro I had been born in Portugal, he was raised in Brazil when the Royal Family moved there, where his children were born, and thus, Brazilians and Americans familiar with the culture and society of the country. Brazil is a miscegenated country to the point that many who might be thought of as colored see themselves as whites, and most accept the concept of Racial Democracy. But foreign historians, not used to miscegenation, assume that discrimination in Brazil is the same as that of countries that had racist laws, such as South Africa during Apartheid and the racist laws of the United States. The comparison between the three countries shows that in Brazil the government did not create racial laws as did South Africa and the United States. Thus, as Anthony W. Marx explain in his study “Making Race and Nation”, racist laws are created by the government. The racist laws existent in Brazil are those that forbid discrimination.

Introduction

The role of the state in the process of nation-building is now being recognized as essential at the structural level in order to understand how states are formed and organized in a reciprocal relationship with society’s socioeconomic forces. This process, that places the state in the position of an independent actor, is beginning to be recognized as essential for explaining the organization of society, and therefore, the process of state-building. States have autonomy to set and to implement goals that cannot be achieved in the context of amorphous and rudderless groups not subjected even to some degree of coercion, as in the case of enforcing laws. Thus states are needed to maintain control and order, to conduct foreign relations, to initiate reforms, to coordinate economic development, to apply constitutional rules, and even to initiate a “revolution from above” (Oszlak, 1982). And the process differs from country to country.

But the study of the role of the state in the organization of society has been neglected. One reason was the influence of the structure-functionalism model prevalent in the 1950s and 1960s that ignored the study of the state and of the mechanism of public institutions as less

relevant than social and economic history concepts more compatible with scientific principles that visualized the state as the moderator between competing groups. In addition, there was also the fear that studies of the state might degenerate into chronology and description, or, as stated by Theda Skocpol, into “dusty-formalist studies of nationally particular constitutional principles” (Skocpol, 1997). Thus the role of the state as agent and actor is only now being reintroduced through political science, not history.

Whereas the proclamation of independence is a symbolic act, the organization and consolidation of independence through institutions that ensure the political survival of the nation are cumulative acts of political and social craftsmanship within a “national plan” (Halperin-Donghi, 1997). With the process of organization in the early phase of national life, the first pillars of a national political, economic, and judicial order through legislation are erected, and become matrix blocks upon which the consolidation of independence takes place. In general terms, the pillars, erected during the genesis of the new state, determine the future character of the nation, and unless radical change occurs in the future, very seldom can it be totally eradicated. Thus the necessity to distinguish the phase of independence from that of organization, a perspective that only recently has come to the attention of scholars, (Anna, 1998).

Granting that the state is an actor in the organization of society, it follows that its role in the area of race and slavery should be examined. And, granting that states are organized differently, it follows that not all states will behave alike in the matter of race and slavery. In the nineteenth century the Empire of Brazil was subjected to the consolidation of independence and the organization of society. Thus, it offers the opportunity of examining the role of the state in the matter of racial discrimination and the discussions for the gradual abolition of slavery. This analysis is possible, not through the route of social history, but through the route of

administrative history, given the centralization of political and administrative power in the hands of the Council of State, the advisory body of the Emperors, Dom Pedro I, Dom Pedro II, and the Regencies of Princess Isabel.

Nation, Race, and Laws

In Anthony W. Marx's study *Making Race and Nation* he mentioned that "states made race: amid pervasive discrimination, official actions enforced racial distinctions or did not, with profound consequences," and that the "key is to explain *why* states so act." In the countries of the United States, South Africa, and Brazil, as Marx explains, racial discrimination was embedded, and the nation-states of South Africa and the United States "faced the threat of a potential triadic tension between white groups and blacks," that led to racial domination and exclusion to consolidate a white state. The two nations constructed their racial laws of domination represented in the national flags of South Africa and of the United States (Marx, 1998).

Dom Pedro I

But such was not the case with Brazil. At the moment when independence was proclaimed, in 1822, Brazil appeared as a unified nation in the coronation in a print by Regis DeBret that shows in the backdrop curtain, at the center, Dom Pedro I, and around his throne the entire Brazilian nation, of white soldiers, workers, and black slaves. As Marx states, "It is an image of state founding remarkable for its projection of centralized power personified in Dom Pedro, inclusive unity, and popular loyalty" (Marx). A more recent discovery of a print shows surrounding Dom

Forum on Public Policy

Pedro I, his minister José Bonifácio, and the three races, white, black, and indigenous, at the moment of the creation of the Brazilian flag” (Correia, 1994).

Dom Pedro had his own views of slavery. On 7 of September, 1822 he proclaimed the independence, and on 3 of May, 1823, he opened the Legislative Assembly, and “after summarizing recent history and reciting the accomplishments of his provisional government, he addressed the principal problem facing the assembly, that of devising a constitution for the Brazilian nation” that should be “wise, just, adequate, and practicable, dictated by reason and not caprice.” He wanted a constitution with three powers of government “to give true liberty to the people, and sufficient strength to the executive power.” But he refused to have a constitution on the French models “totally theoretical and metaphysical, and therefore, impractical, as proved by France, Spain, and, most recently, Portugal” (Macaulay, 1986).

The Emperor did not mention the topic of slavery that he had had in his mind for some time, but between April and May 1823, he wrote an antislavery article with some guidance from his minister José Bonifácio. It is not certain that he intended to read it in the Assembly, but if he did he must have changed his mind, since the article was not read. Not read, but published in a Rio de Janeiro newspaper with the signature *The Philanthropist* on 30 of May, stating that “slavery is the cancer that is gnawing away at Brazil,” and it “must be eradicated,” and he “offered a plan to end the slave trade gradually to abolish slavery in Brazil without disrupting the country’s economy,” a gradualist suggestion (Macaulay). But the constitution left in the hands of political parties after two months of debate was not what he wanted, with a total of 272 articles, of which only 24 had been by vote. He dissolved the Assembly and placed in the hands of his Council of State, with his directions, the task of writing that constitution that became the

Constitution of 1824-1889, considered the second best constitution of the Americas after the Constitution of the United States (Macaulay).

The matter of slavery, although not mentioned in the constitution, had always been in the mind of Dom Pedro I. On October 1, 1829, “in anticipation of the 13 of March 1830 effective date of the slave-trade prohibition, the emperor’s navy minister announced that no slavers would be allowed to sail for Africa from Brazilian ports after November 15, 1829” (Macaulay). But the slavocrats who controlled the Chamber of Deputies would not provide the means to enforce the order. From then on other problems began to take Dom Pedro’s attention, culminating on the most traumatic moment in the Brazilian history. That was his abdication on April 7, 1831, in favor of his son, soon proclaimed Dom Pedro II. It was left for his son, Dom Pedro II, to ameliorate the question of slavery.

Dom Pedro II

In his act of abdication and before he left Brazil, Dom Pedro I said “they don’t want me because I am Portuguese,” and to a certain extent he was right, because his son was a prince born in Brazil. The son was proclaimed Emperor when five and half years old and raised with his three sisters (Pedro I left his children in the hands of the government) by the state and ascended the throne in 1840. It was a moment of elation for the people that a Brazilian born prince would rule Brazil, which symbolically nationalized the independence. In her ethnographic essay, Judy Bieber cites the expression of a mulatto *baiano* (from the state of Bahia) that identified himself with the young emperor: Dom Pedro II, said he, “was cabra like us,” suggesting that race was based on being born and socialized in Brazil, and not by the color” (Bieber 1998). In 1867, Dom Pedro II gave the first steps for the gradual abolition of slavery in Brazil, perhaps to complete his

Forum on Public Policy

father's desire, by calling the Plenary Council of State (his counselors, conservatives and liberals) for a set of conferences. In reality, the discussion of the emancipation was conducted in a total of six conferences from April 2, 1867, to May 7, 1868 (Barman, 1999).

Each conference was designed to discuss specific questions. In the conference of April 2, the questions were these: was it necessary to abolish slavery? If yes, when? And how could it be done? In the second conference of April 9, Dom Pedro wanted to hear the opinions of his council and create a commission to prepare a project of law "based on prevalent opinion." The prevalent opinion was that the government could not expect the end of slavery through natural deaths; that it should immediately take measures; that emancipation should be gradual; that the freedom of the new born should come in first place; and that any measure should wait for the end of the War with Paraguay. In the end of this conference there was consensus that all the most important points had been discussed, and, as the councilor Nabuco de Araujo said: "it is time to legislate." The following four conferences were occupied with the discussion of the project of law for the abolition of slavery in Brazil (*Atas do Conselho de Estado, 1978*). Thus, over the span of two years and six meetings, the most momentous issue concerning the political, economic, and social order of the Empire of Brazil was discussed, and decided, by twelve councilors of state and the Emperor. During these meetings Dom Pedro simply took notes, as was his habit, but not once did he interject his opinion. Among the councilors, few were slave owners; the majority was not. Did slave owners control the government at the highest level? Naturally not, but locally, yes. Here is the difference during the Empire between central and regional government in Brazil: there was a limit to the outreach of local, provincial, and central government.

Records show that the six meetings were the first, and the last, occasions in which the Council of State discussed the plan for emancipation in Brazil. Their recommendations were accordingly carried out in several pieces of legislation. In June 1869, two proposals were unanimously approved by councilors and enacted into law: the prohibition of separating slave families and the sale of slaves in public. In March of 1870, the death of Solano Lopes, the president of Paraguay, brought the War of the Triple Alliance (War with Paraguay) to an end. On May 1871, the project of the Free Womb Law, later known as the Rio Branco Law, was introduced to the Chamber of Deputies by the Minister of Agriculture, underwent several alterations, and was approved in the Chamber and Senate. These were the two most important laws: the freedom for the newborn and the freedom for slaves of religious orders (*O Parlamento, 1979*).

The Role of Princess Isabel

“Slavery itself, being an attack against human freedom, is repugnant to me,” said Isabel de Braganza e Orleans.

Princess Isabel assumed the Regency for the third time in 1887 with the same powers of her father had on the two previous occasions, the first when Dom Pedro II visited Europe, the second when he visited the United States (Barman, 2002). But the third time it was decisive, with his health deteriorating, Dom Pedro passed the realm of government to his daughter and left for Europe, (Lyra, 1977, Vieira, 1990). Dom Pedro II had governed from 1840 to the end of 1870’s with consensus, but by the middle of the 1880’s the movement for emancipation was active, a new generation that had different visions, and for the first time the central government began to lose control of the situation. Princess Isabel was no stranger to the summits of power,

but Dom Pedro left the country at a critical moment, and she assumed the Regency with again the same powers of her father. But she had some problems: she was a woman, with a husband who took a long time to learn the Portuguese language, and above all, she was a devoted Catholic. She also handled ministers in a manner different from that of her father. He always conducted the affairs of state by established precedents, a process that Isabel was not suited to, and politicians were condescending to her. Above all, she had her views on slavery. Upon assuming the Regency, Princess Isabel had to deal with the Conservative Cotequipe Cabinet in power, at the moment the Baron of Cotequipe had gained the approval from the Parliament of the Sexagenarian Law to free the slaves in that age, but when she approached him to introduce a project of law to abolish slavery he refused and promised to “study” it (Arquivo Imperial de Petropolis, AIP).

The Moment of Emancipation

As the situation in the country deteriorated, with cities protecting fugitive slaves and the Army informing Isabel that it would no longer hunt slaves, she suggested that the Cotequipe Cabinet should resign, and, finally, she gave the ultimatum, “that the Cabinet could not continue in power unless it did something for emancipation.” The Minister wanted to stay, and she wanted the immediate abolition of slavery. For that task Isabel called João Alfredo to organize a new Cabinet, and made known to him her “desire regarding emancipation” and that the country could not “withstand two more months with the Cotequipe Cabinet” (AIP). With her power and with a constitution that did not mention slavery, the project of law was not a constitutional problem, as with the constitution of the United States; in Brazil it was a problem of economy and labor that could be introduced in the Chamber as a regular project. In March 8, João Alfredo formed the

35th Cabinet: on May 8 the project of law abolishing slavery in Brazil was introduced in the Chamber of Deputies and approved two days later, when it was sent to the Senate and approved on May 13, 1888. The galleries in the Senate were packed and flowers were showered on the senators when the law was approved. The law, named *Lei Aurea*, was short, simply declaring that slavery was extinct in Brazil and revoking all previous laws.

As heiress to the throne, if her behavior and solution of the slavery question was a measure of what her rule as Empress was to be, it is clear that her style of governing was to be different from that of her father. Dom Pedro II conceded as much, when, upon returning home and praising his daughter for the *Lei Aurea*, he confided that in his view the “solution had been precipitated” (Lyra). From a different perspective, however, it is clear that the old patterns of decision-making were no longer working, and that the problem of slavery had to be solved from a totally new approach. Princess Isabel perceived this need with clarity.

Thus, the three rulers of the Brazilian Empire were opposed to slavery, and in a more developed reading of the matter of race they never issued racial laws. Starting from independence with Dom Pedro I, to Dom Pedro II, who received the son of a slave, and Princess Isabel, who opened the ball to celebrate the *Lei Aurea* with a mulatto engineer, *mentalité* is to accept miscegenation.

Nation, State, and Race

In his study of three countries with problems of race, South Africa, United States, and Brazil, Marx examined the relationship of these topics through the organization of the state and its laws. The study offers an excellent trilateral comparison and concludes that the racial rules of these countries did not derive from the past, from their legacies of racial discrimination. The Brazilian

Forum on Public Policy

exceptionalism did not derive from a racial experience more tolerant, but from the “legacy of a strong centralized state, with established hierarchy, without significant ethical and regional antagonism” (Marx).

On the other hand, emerging nations constructed their racial laws of domination after the independence represented in their national flags. The flag of South Africa had a “miniature of the Union Jack and the flags of the two African republics over the colors of Holland; the flag of the United States had the stripes of the thirteen colony and the star of each state”, the symbol of the union of the various parts. Brazil, on the other hand, appeared on the moment of independence already united with the coronation of Dom Pedro I, in 1822, in the backdrop curtain of the painting of “Regis DeBret, that symbolized an image of Brazil in the moment of independence: in the center is Dom Pedro I, Emperor of Brazil, around him and his throne represented the Brazilian nation including black and white soldiers, workers, slaves. It is the image of the creation of a country that projects a centralized power personified in Dom Pedro, inclusive, united, and popular loyalty” (Marx). This projection will appear again at the moment of the creation of the Brazilian flag, and at the proclamation of the Republic.

But the racism of South Africa and the United States derived in part from the colonial period, but it was the independent national state that maintained, molded, and perfected through racial laws designed to maintain the racial domination. Once independent, South Africa, after the defeat of the Afrikaners by the English in the Boer War, both decided to maintain the racial domination with white unity, and at the same time created Apartheid. This separated whites from blacks, registered the population, forbade marriages of different races, sent blacks to Reserves, and excluded blacks from African citizenship (Marx).

Forum on Public Policy

The racial domination of the United States after the Civil War was to create racial limits for whites and blacks, and the rule that “one drop of black blood was defined as black, that defined mulattos and black. Racial segregation was applied in the South through the ‘Jim Crow Laws’ that denied the right of the blacks to vote with requirements such as property, alphabetization, taxes and others (Marx). But what distinguishes Brazil from the nations of South Africa and the United States is that after independence they implemented racist laws while Brazil did not. Whereas the constitution of the United States mentions the topic of slavery three times, the first constitution of Brazil had no mention of slavery, which allowed the introduction of the abolition of slavery since the constitution made no mention of slavery. During the rule of Dom Pedro II the laws introduced in the Parliament were those to diminish the wounds of slavery.

On the Matter of State and Race

The direct role of the state in the matter of race in a country with a constitution that made no reference at all to slavery or race, and with no racial laws, is difficult to trace. But, again, if one searches for sources of decision making on various areas of civil society with a careful reading of social and ethnographic history, several openings begin to appear. One of these comes from examining the correspondence at the time of independence between the central government in Rio de Janeiro, and the provisional Juntas governing the provinces until the central government could organize provincial administration. This correspondence detailed all the decisions made by the Juntas on all areas and discussed the local political situation and the struggle between those in favor of joining the Empire of Brazil and others intent on staying linked to the Portuguese Monarchy. One set of correspondence between the Province of Sergipe

and Rio de Janeiro, dated May 3, 1823, discusses a measure taken by the provincial government to solve a problem that had been developing since the proclamation of independence the previous year, September 7, 1822. The problem was the complaints, followed by many petitions, by the free blacks and mulattoes, that the provincial government should create battalions of black and mulattoes to defend the independence of Brazil being threatened by the Portuguese. Part of their complaint was that all the other provinces (a total of 15) had these battalions, except Sergipe, which was causing great unhappiness among this segment of the population because they were being denied what was granted in the other provinces. Thus, explained the Junta, the provisional government had created “two Battalions of the Second Line with the title of ‘Defensores da Patria’ (Defenders of the Motherland) in order to stop the complaints and petitions” (Juntas Governativas, 1973). Here we have a topic for research using the sources already indicated, the correspondence of the Governing Juntas at the time of independence on a matter that links the role of the state to the issue of race, a topic that has not been examined in the military history of Brazil.

That this topic, of free blacks and mulattoes serving in the military, continues to run through military history, is confirmed by the study of Eduardo da Silva on Candido da Fonseca Galvão, also known as Prince Obá II, of Africa, a Brazilian black citizen at the beginning of the War of the Triple Alliance (1865-1870) Brazil, Argentina, and Uruguay against Paraguay. His father was an African of the Yoruba Nation, brought as a slave to Bahia. Not much is known of his life, but his son, Galvão, was born in Lençóis and there in 1865 he played an important part in “recruiting volunteers for the Paraguayan War.” In those days the military service was based on conscription, and in Lençóis the majority of the conscripts were Indians, black Africans, and

mestizos: thus in the Brazilian Army and the crews of the fleet, wrote Oliveira Lima “one only sees blacks and mestizos of various shades” (Silva, 1993).

In 1865, the Province of Bahia contributed the largest number of ‘Voluntarios da Patria (Volunteers for the Motherland) and these were not conscripts. Galvão did not enlist alone but as the leader of a group of fellow freedmen he had recruited, as he wrote to the Emperor, about “30 Brazilian citizens, my neighbors, their breasts overflowing with enthusiasm and love for their homeland.” After training, Galvão was promoted to sergent and the whole contingent of 230 volunteers set off for the provincial capital, Bahia, where they were inducted in the III Volunteer Corps and officially designated the 24th Volunteer Corps. The Volunteer Corps designed their own uniforms and could be identified from a distance by their colors, but the 24th attracted attention at the front not only by their *zouavo* uniforms adapted from the French African Corps but also because even their officers were black. An officer described the uniform: “brilliant Cossack breeches, white calf-length gaiters, and a royal blue, gold-trimmed jacket cut in a wide V neckline. The ensemble was finished off with a fez, a back-pack, a forage sack on a baldrick, a wooden canteen, a sword bayonet and a Minié rifle.” The Conde d’Eu (son-in-law of the Emperor) called them “the most beautiful troop in the Brazilian Army” (Silva). On the eve of May 23, the commanders inspected their troops, all the corps formed to recite the rosary before the flag. Then they said the prayer of the Brazilian soldier and, full of contrition and faith, intoned ‘Lord God have mercy on us’ dedicated themselves to Nossa Senhora da Conceição to the accompaniment of the bands of the forty battalions present, and the service ended with the last post, “played like an anthem of farewell.” On May 24, the Battle of Tuiuti was fought, the greatest battle ever fought in South America with devastating losses especially severe for the volunteers. The 24th lost 152 men, two thirds of those who had left Lençóis. But in Rio de

Forum on Public Policy

Janeiro, the 24th had been trained by General Deodoro da Fonseca (who proclaimed the Republic in 1889) who had transformed the corps “into one of the best in the army” (Silva). Galvão, a devout monarchist, moved from Bahia to Rio de Janeiro, always visited Dom Pedro II, and in turn was always well received. Here again, we have another area for further research: government, military, and race in the Paraguayan War, which are areas yet to be examined in the military archives.

But issues of State and Race were not only in the military area, but also part of civil society, and one example is the organization of associations and brotherhoods that during the reign of Dom Pedro II had to be submitted to the Sections of the Council of State to make sure they complied with the constitution and laws of the empire before being incorporated. The councilors of the respective section would then examine all the documents to ascertain that they were in accordance with the constitution and all other laws, and eventually they would come across the articles of exclusion. That was the surest course for the government to reject the request for incorporation, as two examples will demonstrate: The bylaws of the Brotherhood of the Santissimo Sacramento da Nossa Senhora do Amparo, from the province of Espirito Santo had received the approval of the Provincial Assembly of Sergipe but still had to be examined by the Council of State. After close examination, the councilors of the Section of Empire came across Art. 1 that stated: “that the brotherhood was formed by the union of persons of any age, of both sexes, known not to have mixed blood, the members being obligated to prove the circumstances in case of doubt.” The reply of the councilors was swift: they ruled the bylaws unacceptable, and the part of Art. 1 was revoked by the Legislative General Assembly with the following decision: “that this disposition is inadmissible in the Empire of Brazil, which constitution includes in the number of its citizens all born in Brazil, slaves or freed, and admits

Forum on Public Policy

all to public positions, in administration, politics, and military, without attention to color, and without any difference, except that of their talents and virtues.” (Arquivo Nacional). Another example is the bylaws of the Veneravel Ordem Terceira de São Domingos de Gusmão that stated the Order belonged to men of black color, to which the white brothers sent a representation to the Emperor arguing that the brotherhood excluded from the most important positions the white brothers and that was against the constitution. The councilors ordered the brotherhood to change the meaning of the offending article by inserting language along the line “without exclusion of brothers of other colors” (Arquivo Nacional).

Thus the role of the state as an actor in establishing the racial policy of society needs to be taken into consideration. The state, however, can command, and it can lead. And the balance between commanding and leading seems to be society itself, for it is quite clear that the Brazilian state was not imposing rules that were completely against the desire of the majority, that in fact there was a degree of racial toleration in many areas since the time of independence, if not earlier. In the opinions of the Council of State on race, it is important to note that both sides make mention of the constitution, the councilors and the petitioners. The article, Art. 6, Title II of the Constitution of 1824 was the most commonly mentioned, that a Brazilian was one born in Brazil regardless of color, needs to be considered from the perspective of the creation of a nation-state and the development of nationality and self identity, to which all councilors and petitioners used and explain the councilors opinions that was heavily emphasized by the government.

The *Mentalité* of Racial Democracy

Above all, there was the central government. The Constitution of 1824, besides not mentioning slavery, also defined as a Brazilian citizen, all those born in Brazil. The councilors of the Council of State had to obey the constitution, consequently, the councilors were actors in molding the institutions of the state and were at the highest level of the administration, above the cabinet and below only the emperor, to guide and implement the laws on all areas, including that of race.

The question of race in Brazil has attracted the attention of researchers in establishing a parallel of racism between the United States and Brazil and to dismantle the racial democracy as defined by Weinstein, “of a function to diminish racial democracy and to liberate the elites from any blame for racial inequality” (Weinstein, 2003). Weinstein discusses the *paulista* regionalism of the Old Republic and the centralized system of unification created by Getulio Vargas. In a country with a territory the size of Europe twice over, regionalism is natural, but for the existence of a country, the question of nation identity it is essential. Thus, the constitution of 1824 preceded the concept of racial democracy by Gilberto Freyre.

The concept of racial democracy has take root in the Brazilian culture and Caulfield in her study of ‘Interracial Courtship in Rio de Janeiro Court, 1918-1940’ shows its existence in the analysis of ‘theories of racial democracy and that the population of Brazil was improving due to the results of miscegenation’ (Caulfield, 2003). In the history of Brazil since the first year of public education it mentions three races that contributed to the present Brazil: the Indigenous, the Africans, and the Portuguese that molded the language and the culture of Brazilian society. Caulfield discusses the revisionism of researchers who attack the theory of racial democracy as false but that at the same time ‘produced very little proofs of views and habits of workers’ and at the same time suggest an alternative of the conceit of Robbin Sheriff’ studies, who received from

a resident in a *favela* in Rio de Janeiro the answer that ‘there is no pure race in Brazil’ and reached the conclusion that ‘Brazilians cannot be racists but recognize that *mestisage* is the reason why they cannot be racists’ (Sheriff, 1995). Peter Fry also reached the same conclusion in the same period that ‘the ideal of racial democracy is not an illusion’ (Fry, 1996). Hebe Castro examined the question of race in Brazil in the ends of the 19th century in *Campos* and discovered that ‘the free poor did not link the history of slavery with black identity, to the contrary, they linked the history of liberty well before the Abolition’, and Sheriff, Fry, and Castro reached a conclusion “that Brazil’s racial democracy was not simply a myth disseminated from above, but also an ideal that emerged from the racially mixed lower classes’ (Castro, 1995).

There is no doubt the state has to be included in the analysis of race in Brazil. In the 20th century, Getulio Vargas reaffirmed the central authority of the state over the local and regional, and among the many changes of public education was that the children of all colors and race learned that Brazil was a country of various races, but all Brazilians. Caufield reached the conclusion that ‘Brazilians of all colors came close to Vargas with his rhetoric of national harmony’. On the other hand, in the beginning of the 20th century the state also had other interests in view. The heritage of racial discrimination in the 20th century of racism scientific and eugenics that countries with miscegenation could not reach progress or industrialization caused anxiety to elites. Thus Brazil would always be a miscegenated country and could never develop industrialization. But on the 20th century the question of race came to the front, aggravated by the influence of the Pan Americanism lead by the United States that developed in 1920 eugenic programs to control emigration, sterilization, eugenic archives, to preserve the purity of race. In a certain way, all the theories were against Brazil and Latin America, as always inferior, and as Nazi Germany came to the front, the eugenic question was discussed.

Finally, on the second Pan American Eugenic Conference in 1934 in Buenos Aires, the Argentina minister placed eugenics in terms of public health sanitation, and Uruguay presented the Children's Code: Thus two eugenic visions in the Americas existed: the Anglo-Saxon determinist, immutable, and genetic; Latin America, the genes, environment, culture, and health.

With the growth of nationalism in Latin America the question of race retracted and new models of social and political questions appeared. It was in this period that Vargas accentuated the national identity; he changed the racial pyramid and gave the final form of race in Brazil by delivering a vision that miscegenation was the destiny for all Brazilians, and at the same time he began the industrialization of Brazil. But this vision was not initiated by Vargas: it was initiated by the creation of the Empire of Brazil.

In the most recent and comprehensive up-to-date on the topic is offered by Edward E. Telles who seeks to understand the reality of race in Brazil. For the "Brazilian state in the context of scientific racism, racial democracy would become a centerpiece of consolidating national identity" and "its legacy nevertheless continued to shape social relations in the following years" (Telles, 2004). At the moment "Brazil's affirmative action has forced the issue of race on the national social agenda" and "at best racial democracy continues to be a dream for Brazil's future" (Telles). In Brazil, "race is ambiguous because there are several classification systems and several categories along the white-black continuum" since the "concepts of racial purity for whites, like those in the United States, are virtually absent in Brazil" (Telles). The Brazilian state has invested "heavily in higher education, while nearly ignoring education at the primary or secondary level" although at the present the government is investing heavily in primary and secondary education. Telles explains the self-image of *sociability* in the miscegenated intermarriages that he describes the widespread *interracial*

sociability that residence reinforces (Telles). According to Telles, “Today, Brazil’s racism is widely recognized, the black movement has become acknowledged as legitimate defenders of human rights, and research on race relations has become an important part of Brazilian academe,” and “Several Brazilian scholars believe that media efforts would be more successful in Brazil because there is a shared value of racial democracy, which gives that society better raw material for building a system of racial justice” (Telles).

The Question of Precept and Practice

When we analyze the matter of race and slavery in Brazil we notice right away the contradiction of the letter of the Constitution of 1824 and the practice of day to day. But in the creation of a country it is necessary to have an Ideal, that is, the vision of the future that with the passage of time is expected to be achieved and that teaches each new generation. The Practice, on the other hand, is what maintains society from day to day. The opinions of the councilors of state on the question of race include both: the Ideal of the Constitution and the social reality of the Practice. In creating the state and a constitution the Ideal is mentioned, but reality prevails. This is the case of Brazil, how it was, and how it is, and so it is the case of the United States and its constitution that proclaimed liberty and at the same time mention slavery. Perhaps Freyre enunciated the concept of racial democracy following the dictum of the constitution of 1824 and the vision of the councilors of state and of the Braganza Dynasty. Even today the practice maintains alive the Ideal. Vargas, in taking possession of the concept of racial democracy at the right moment reunified the center of power of the nation, as the rule of Dom Pedro II reunified the center of power in 1840 to preserve the territorial unity of Brazil. The racial democracy concept is linked to Brazilian nationalism, but it did not start with Freyre in the 20th century. The

result of the mentioned researchers shows this reality that started with Dom Pedro I, followed by Dom Pedro II, and Princess Isabel. In comparing South Africa, United States, and Brazil, Anthony W. Marx notes the pacific transitions of political systems: from colony to empire, from empire to republic, and that Brazil ‘emerged from slavery in a shower of flowers’ (Marx).

Conclusion

Thus, the three rulers of the Brazilian Empire were opposed to slavery, and in a more developed reading of the matter of race they never issued racial laws. Starting from independence with Dom Pedro I, to Dom Pedro II who received the son of a slave and who began the process of gradual abolition of slavery, and Princess Isabel, who opened the ball to celebrate the *Lei Aurea* with a mulatto engineer, *mentalité* in Brazil is accept miscegenation.

References

- Anna, Timothy E. 1998. *Forging Mexico, 1821-1835*, Lincoln: University of Nebraska Press: chp. One.
Arquivo Nacional, Rio de Janeiro, Conselho de Estado, Seção do Imperio: Caixa 513, Pacote 3, Documento 49; Caixa 538, Pacote 3, Documento 37.
- Atas do Conselho de Estado. 1978. Brasília: Centro Gráfico do Senado Federal: vols. VI, 171,-253, VII, 431-466, VIII, 3-41.
- Arquivo Imperial in Petrópolis: Maço 199, doc. 9030, notas de Isabel sobre o Gabinete Cotegipe.
- Barman, Roderick J. 1999. *Citizen Emperor, Pedro II and the Making of Brazil, 1825-91*, Stanford: Stanford University Press.
- Barman, Roderick J. 2002. *Princess Isabel of Brazil*, Wilmington: SR Books.
- Bieber, Judy. 1998. ‘Post modern Ethnographer in Backlands: An Imperial Bureaucrat’s Perspectives of Post-Independence Brazil,’ in *Latin American Research Review* vol.33, n.2, 59.
- Castro, Hebe Maria Mattos de. 1995. *Das cores do silêncio: Os significados da liberdade no sudeste escravista, Brasil, século XIX*, Rio de Janeiro: Arquivo Nacional: 167-68 em Caulfield.
- Caulfield, Sueann. 2003. ‘Interracial Courtship in Rio de Janeiro Courts, 1918-1940’ in *Race and Nation in Modern Latin America*, Chapel Hill: University of North Carolina Press: 163-168.
- Correia, Jonas. 1994. *Simbolos Nacionais na Independencia* (no publisher listed) Figure 16, 62.
- Fry, Peter. 1996. “O que a cindelera negra tem a dizer sobre a ‘politica racial’ no Brasil”, *Revista USP* 28 (Dec.1995-Feb): 122-35, em Caulfield, 167.
- Halperin-Donghi, Tulio. 1986. ‘Reforma y desolucíon de los Imperios Ibericos, 1750-1850’ in *Hispanic American Historical Review*, 60.4 (nov.86), 776.
- Juntas Governativas e a Independencia. 1973. Rio de Janeiro, Brasil: Conselho Federal de Cultura: vol. 2, 737.
- Lyra, Heitor. 1977. *Historia de Dom Pedro II, Declínio 1880-1891*, São Paulo: Editora Itatiaia: 75.
- Macaulay, Neill. 1986. *Dom Pedro, the Struggle for the Liberty in Brazil and Portugal, 1798-1834*, Durham: Duke University Press: 146, 148, 157, 223-224, 251-252.
- Marx, Anthony W. 1998. *Making Race and Nation*, New York: Cambridge University Press: 2, 16, 81, 158, 159, 167, 170, 267, 268, 274.

Forum on Public Policy

- O Parlamento e a Evolução Nacional, 1871-1889*. 1979. Brasília: Senado Federal: vol. 1.
- Oszlak, Oscar. 1982. *La Formacion del Estado Argentino*, Buenos Aires: Editorial de Bergano.
- Sheriff, Robbin E. 1995. “ ‘Negro é um apelido que os brancos deram aos pretos’: Discursos sobre cor, raça e racismo num morro carioca” Rio de Janeiro: *Instituto de Filosofia y Ciências Sociais*, Universidade Federal do Rio de Janeiro, em Caulfield, 167.
- Silva, Eduardo. 1993. *Prince of the People, the life and times of a Brazilian Free Man of Color*, New York: Verso: 19, 27, 32033.
- Skocpol, Theda. 1997. ‘Bringing the State In: Strategies of Analysis in Current Research’ in Peter Evans, Dietrich Rueschemeyer, and Theda Skocpol, eds. *Bringing the State In*, New York: Cambridge University Press: 3-37.
- Telles, Edward E. 2006. *Race In Another America*, Princeton: Princeton University Press: 45-46, 75-76, 105, 138, 192, 214, 238, 269.
- Vieira, Hermes. 1990. *Princesa Isabel, uma Vida de Luzes e Sombras*, 3rd ed, Edições GRD.
- Weinstein, Barbara. 2003. ‘Racializing Regional Difference: São Paulo versus Brazil, 1932’ in Nancy P. Appelbaum etc. ed. *Race and Nation in Modern Latin America*, Chapel Hill: University of North Carolina Press: 237-262.

Published by the Forum on Public Policy

Copyright © The Forum on Public Policy. All Rights Reserved. 2006.