

### 3 Written Records and Gendered Strategies to Secure Property

---

By the mid-nineteenth century, the existence of physical paper created ownership – a “papereality,” or “a world of symbols or written representations, that take precedence over the things and events represented.”<sup>1</sup> The existence of the written register created the idea that land use and occupation could be proven, that ownership, being a farmer and a respectable colonial resident, was anchored on written evidence. In contrast to poor or enslaved urban residents, those who made use of the colonial administration had written documents recording their legal identity and inserting them as official subjects. Encoded in these documents were expressions that legitimated a narrative about the past: These were free people with Catholic names, vassals of the Portuguese Crown, and hardworking individuals who understood the importance of agriculture. Missing from these documents was any reference to skin color or a past that could jeopardize social standing or threaten someone’s prestige.<sup>2</sup> Recording was selective, yet these documents are rich and allow historians to reconstruct the lives of West Central African men and women and their claims to property.

Written documents were more than symbolic: They were a weapon of control for colonizers and tools in the hands of the colonized, who tapped into the power of government to assert their rights. Colonial conquest

<sup>1</sup> David Dery, “‘Papereality’ and Learning in Bureaucratic Organizations,” *Administration & Society* 29, no. 6 (1998): 678; and Bhavani Raman, *Document Raj: Writing and Scribes in Early Colonial South India* (Chicago: University of Chicago Press, 2012).

<sup>2</sup> Rebecca J. Scott and Michael Zeuske, “Property in Writing, Property on the Ground: Pigs, Horses, Land, and Citizenship in the Aftermath of Slavery, Cuba, 1880-1909,” *Comparative Studies in Society and History* 44, no. 4 (2002): 669–99; Ann Laura Stoler, “Colonial Archives and the Arts of Governance,” *Archival Science* 2 (2002): 87–109. Selective recording also took place in other locations in Atlantic Africa. See, for example, Ademide Adelusi-Adeluyi, “To Be Female & Free. Mapping Mobility & Emancipation in Lagos, Badagry & Abeokuta 1853-1865,” in *African Women in the Atlantic World. Property, Vulnerability and Mobility, 1680-1880*, ed. Mariana P. Candido and Adam Jones (Woodbridge: James Currey, 2019), 131–47; Suzanne Schwarz, “Reconstructing the Life Histories of Liberated Africans: Sierra Leone in the Early Nineteenth Century,” *History in Africa* 39 (2012): 175–207.

and occupation in West Central Africa were a victory of paper over memory and of writing over oral claims.<sup>3</sup> Written records became tools for the colonized to assert their rights and property ownership, particularly with respect to African women. Colonial records for the nineteenth century suggest that West Central African women enjoyed a series of rights and made extensive use of the colonial courts to protect their assets. In official lists of traders or owners or in traveler accounts, African women were not recognized as such, but their activities and actions determined their ability to claim rights. African women relied on the colonial bureaucracy to register their belongings, demonstrating how written records could prove ownership and conserve any disputes or negotiations behind property acquisition and transmission. The will or the land record gained new meaning, representing people, events, desires, and networks. In fact, petitions, land records, wills, and inventories reveal colonial subjects' ability to navigate the colonial legal system and pass on their possessions to relatives and friends.<sup>4</sup> These records legitimated women as property owners, which bolstered their status and power in the colonial urban center. Women are not invisible or hard to find in legal cases or ecclesiastical records. In fact, they are everywhere, and it is hard to write about the Angolan past without mentioning the key roles women have played, including registering claims over things, people, and land.

Colonial authorities in Angola were accustomed, by the mid-nineteenth century, to tallying people, taxing residents, and accounting for the sale, transport, and export of human beings shipped as captives. Although earlier attempts to legislate and intervene in local practices of ownership existed, during the late eighteenth and early nineteenth centuries there was a rush to survey land, people, and customs in order to facilitate colonial seizure and control. The introduction of new forms of registers, such as land registrations, indicates how notions of land use

<sup>3</sup> For more on this, see Walter D. Mignolo, *The Darker Side of the Renaissance: Literacy, Territoriality, and Colonization* (Ann Arbor: University of Michigan Press, 1995); Frederick Cooper and Ann Laura Stoler, eds., "Between Metropole and Colony. Rethinking a Research Agenda" (Berkeley: University of California Press, 1997), 1–56; Hawkins, *Writing and Colonialism in Northern Ghana*; Catarina Madeira Santos, "Escrever o poder. Os autos de vassalagem e a vulgarização da escrita entre as elites africanas Ndembu," *Revista de História* no. 155 (2006): 81–95; Rachel Jean-Baptiste, *Conjugal Rights: Marriage, Sexuality, and Urban Life in Colonial Libreville, Gabon* (Athens: Ohio University Press, 2014), 114–122.

<sup>4</sup> Dery, "'Papereality'," 682–3; Karen B. Graubart, *With Our Labor and Sweat: Indigenous Women and the Formation of Colonial Society in Peru, 1550-1700* (Stanford, CA: Stanford University Press, 2007), 80–84; Eugénia Rodrigues, "Chiponda, a Senhora que tudo pisa com os pés. Estratégias de poder das donas dos prazos do Zambeze no século XVIII," *Anais de História de Além-Mar I* (2000): 110.

and occupation had changed and become associated with written registration. Paper records were integral to the Portuguese Empire. Only when land registration and wills were recorded by the official colonial scribe and not by local Africans did the Portuguese accept the documents as authentic and legitimate.<sup>5</sup> Once land occupation recognition was subject to formal colonial validation and moved away from local chiefs' control, the local population was pushed to use the colonial bureaucracy to defend and acquire new rights.<sup>6</sup>

West Central African rulers did keep land records orally, but by the early eighteenth century, several rulers began to register their territory in written documents aware of colonial changes regarding occupation and legitimacy. Record keeping about land registration indicated that Portuguese officials felt the necessity and the authority to claim land and categorize its use. In this context, West Central African rulers struggled to establish their rights; however, some Ndembu authorities created their own state's archives, such as Caculo Cahahenda, embracing the idea that written evidence proved ownership claims.<sup>7</sup> In urban areas, individuals were required to identify the piece of land they intended to use, explain their plan for its use, and pay for it. Colonial bureaucrats sent agents to verify the size of the terrain and produced documents related to land possession. These pieces of paper legitimated the use of property, consolidated power over the population living in the colonial urban center, and took precedent over any other form of proving occupation.

The creation of land registries and the regulation of plots responded to changes in perceptions of governance and commodification in the nineteenth century. The local population, including West Central African

<sup>5</sup> Éve Sebestyén, "Legitimation through Landcharters in Ambundo Villages, Angola," in *Perspektiven Afrikanistischer Forschung*, eds. Thomas Bearth, Wilhelm Mohlig, Beat Sottas and Edgar Suter (Cologne, Germany: Rudiger Koppe Verlag, 1994), 368.

<sup>6</sup> James C. Scott, John Tehranian, and Jeremy Mathias, "The Production of Legal Identities Proper to States: The Case of the Permanent Family Surname," *Comparative Studies in Society and History* 44, no. 01 (2002): 4–44; Amrita Malhi, "Making Spaces, Making Subjects: Land, Enclosure and Islam in Colonial Malaya," *The Journal of Peasant Studies* 38, no. 4 (2011): 727–46; Bhavani Raman, "The Duplicity of Paper: Counterfeit, Discretion, and Bureaucratic Authority in Early Colonial Madras," *Comparative Studies in Society & History* 54, no. 2 (2012): 229–50; Karen B. Graubart, "Shifting Landscape. Heterogenous Conceptions of Land Use and Tenure in the Lima Valley," *Colonial Latin American Review* 26, no. 1 (2017): 62–84.

<sup>7</sup> For more on the Caculo Cahahenda's state archive, see Ana Paula Tavares and Catarina Madeira Santos, eds., *Africa Monumenta: Arquivo Caculo Cahahenda* (Lisbon: Instituto de Investigação Científica Tropical, 2002). It is important to notice that documents from other West Central African state archives exist, but their access was not available to the public until very recently.

rulers, articulated their own understandings of land rights and the importance of the documents they needed to maintain their social standing. Ndembu rulers, identified as *Dembos* in Portuguese records, Ilamba lords, Kakonda sobas, and other West Central Africans, including Luso-Africans<sup>8</sup> and Portuguese officers, reinforced paper's power through the creation of records whose existence served as proof of ownership. Community ownership or the power of neighbors and peers to recognize occupation and use rights over land, people, and cattle was no longer enough, a clear disadvantage for those who had no access to literacy or a scribe. From the perspective of the Portuguese empire at large, there was an effort to expand knowledge about conquered people, including their jurisprudence and land regimes. Although customs, referred to as *usos e costumes*, collected in West Central Africa in the nineteenth century were not as detailed and rich as the local jurisprudence codified in Mozambique, Guiné, or Goa, they inform us about local ideas on right and wrong, what constituted crime, and local land regimes.<sup>9</sup> Setting down local laws in writing was part of the effort to define rights and citizenship in Portugal and its overseas empire. They defined who qualified as a Portuguese citizen in Angola, Mozambique, and Goa and indicated how the metropolitan law was applied over non-Catholic subjects.

Colonial administrators were committed to recording information that confirmed European claims, stereotypes, and political demands. As a result, there is an abundance of written documents in Portuguese about the economic, political, and social lives of the colonized. Jurists went to the colonies to collect ethnographic information in order to construct colonial knowledge. Much of the information collected was used in the

<sup>8</sup> For a discussion of Luso-African identity, see Mariana P. Candido, *An African Slaving Port and the Atlantic World: Benguela and Its Hinterland* (New York: Cambridge University Press, 2013), 122–39.

<sup>9</sup> For more on the problematic approach to *usos e costumes* in colonial jurisprudence, see Cristina Nogueira da Silva, *Constitucionalismo e Império. A cidadania no ultramar português* (Lisbon: Almedina, 2009), 212–29. There is a vast scholarship in English on the limitations and inventions associated with customary law. See, among others, Sara Berry, “Debating the Land Question in Africa,” *Comparative Studies in Society and History* 44, no. 4 (2002): 638–68; Martin Chanock, *Law, Custom, and Social Order: The Colonial Experience in Malawi and Zambia* (New York: Cambridge University Press, 1985); Kristin Mann, “African and European Initiatives in the Transformation of Land Tenure in Colonial Lagos (West Africa), 1840–1920,” in *Native Claims: Indigenous Law against Empire, 1500–1920*, ed. Saliha Belmessous (Oxford; New York: Oxford University Press, 2012), 223–58; Kristin Mann and Richard L. Roberts, eds., *Law in Colonial Africa* (Portsmouth, NH: Heinemann, 1991); Richard L. Roberts, *Litigants and Households: African Disputes and Colonial Courts in the French Sudan, 1895–1912* (Portsmouth, NH: Heinemann, 2005).

“civilizing mission” projects.<sup>10</sup> Produced in a context of evolutionist theories in which African populations were portrayed as uncivilized and barbaric, *usos e costumes* still reflect local jurisprudence, although they likely remained fluid until they were crystallized in the written codes of the nineteenth century. Not surprisingly, West Central African populations apprehended the importance of the written document and began to organize their own archives to document rights and debts that could legitimize later claims.<sup>11</sup> Many property records are mixed in the bundled books available at the Arquivo Nacional de Angola, and in the wills, deeds, and inventories available at the Tribunal da Comarca de Benguela. In these records, Africans claimed property, which allows an understanding on the dynamics of access to resources in the colonial centers and elsewhere. Local people, including several women, made use of multiple strategies to protect their rights, calling on local norms in conjunction with the colonial system of property recognition.

These records reveal that West Central Africans acquired real estate and material goods, which allowed accumulation and consolidation of wealth. The governor of Angola in the late eighteenth century, Francisco Inocêncio de Sousa Coutinho, remarked that the Luandan elite lived luxurious lives, surrounded by “an excessive number of Black and mixed race women that follow them anywhere, dressed in expensive outfits, adorned with gold, silver, and precious stones jewelry, carried in little chairs or hammocks around town.”<sup>12</sup> While there was a recognition that colonial elites and African subjects accumulated property in the form of enslaved people, clothes, and luxurious items, registering these items in writing and extending claims to land became a concern. Besides material items, West Central Africans claimed landed properties, as can be seen in “Termo de Terreno,” available at the *Biblioteca da Província Benguela* (Library of the Benguela Province). This document lists the individuals who requested land in Benguela from 1843 to 1894 (see Table 3.5, Granted Land in Benguela). Although property records were not introduced to protect the rights of colonial subjects, many of these individuals, including a surprising number of women, were able to access the colonial bureaucracy and claim rights.<sup>13</sup>

<sup>10</sup> Maria Paula D. Meneses, “O Indígena ‘africano’ e o colono ‘europeu’: A construção da diferença por processos legais,” *E-Cadernos CES*, <http://hdl.handle.net/10316/36165>.

<sup>11</sup> This is very clear in the case of the Caculo Cahahenda archives. See Tavares and Santos, *África Monumenta*; Sebestyén, “Legitimation through Landcharter.”

<sup>12</sup> Arquivo Nacional da Torre do Tombo (ANTT), Condes de Linhares, mç. 44, doc. 2 “Memórias do Reino de Angola e suas conquistas escritas por D. Francisco Inocêncio de Sousa Coutinho, governador e capitão general do Reino de Angola,” 1773–1775.

<sup>13</sup> Rodrigues, “Chiponda,” 108; Mariana P. Candido and Eugénia Rodrigues, “African Women’s Access and Rights to Property in the Portuguese Empire,” *African Economic History* 43, no. 1 (2015): 1–18.

Property claims in the nineteenth-century colonial records should not be taken as representative of the condition of every West Central African, but they do suggest the complexities of ownership negotiations. In addition, they reveal how, long before the Berlin Conference, European colonial violence resulted in local people losing access to land and movable property. West Central African women addressed questions of dispossession and made new appeals, employing colonial tools to advance their claims.<sup>14</sup>

### **The Population under Control: Property, Law, and Its Limits**

In most places, colonizing powers sought to extend their jurisdiction over territories and populations that they knew very little about. In West Central Africa, the colonial administration erected jurisdictional boundaries that gave the illusion of clear and precise control, such as labeling West Central Africans as vassals or heathens, yet these boundaries were inherently unstable and constantly under renegotiation, as attested in several cases of local rulers who challenged the Portuguese claims.<sup>15</sup> While during the late nineteenth and early twentieth centuries there was a concern of European agents elsewhere in Africa to record customary laws as if they were immutable, the same cannot be said about the Portuguese colonies. Portuguese agents appropriated some elements of local jurisdiction such as the *mucano* tribunal, in the case of West Central African societies, but also sought to impose Portuguese law on its subjects.<sup>16</sup> A multi normative system of local and colonial laws coexisted for three centuries, which included some recognition of West Central

<sup>14</sup> Saliha Belmessous, "Introduction: The Problem of Indigenous Claim Making in Colonial History," in *Native Claims: Indigenous Law against Empire, 1500-1920*, ed. Saliha Belmessous (New York: Oxford University Press, 2012), 5–8; Scott and Zeuske, "Property in Writing," 673–74; Clifton Crais, "Custom and the Politics of Sovereignty in South Africa," *Journal of Social History* 39, no. 3 (2006): 721–40.

<sup>15</sup> See, for example, Beatrix Heintze, "Ngonga a Mwiza: Um sobado angolano sob domo português no século XVII," *Revista Internacional de Estudos Africanos* 8–9 (1988): 221–34; Linda M. Heywood, *Njinga of Angola: Africa's Warrior Queen* (Cambridge, MA: Harvard University Press, 2017).

<sup>16</sup> For the *mucano* tribunal, see Roquinaldo Ferreira, *Cross-Cultural Exchange in the Atlantic World: Angola and Brazil during the Era of the Slave Trade* (New York: Cambridge University Press, 2012), 88–124; Candido, *An African Slaving Port and the Atlantic World*, 215; Catarina Madeira Santos, "Eslavagem africana e traite atlantique confrontés: Transactions langagières et juridiques (à propos du tribunal de mucanos dans l'Angola des XVIII<sup>e</sup> et XVIII<sup>e</sup> siècles)," *Brésil (s). Sciences Humaines et Sociales* 1 (2012): 127–48. For the consolidation of customary law, see Chanock, *Law, Custom, and Social Order*; Mann and Roberts, eds., *Law in Colonial Africa*, 3–15.

African juridical norms. Besides the incorporation of the *mucano* tribunal, colonial agents recognized the validity of unwritten contracts, such as debt practices that allowed long-distance trade to operate for most of the transatlantic slave trade era. Nonetheless, the unwritten practices were gradually dismissed by the second half of the nineteenth century and, as a result, some ethnography collected in the early twentieth century claimed that local groups such as the Ndombe did not have “any law or law courts and when they cannot settle cases in a friendly manner, they complain to the local authority.”<sup>17</sup>

Colonial courts were not instituted to solve disputes among colonial subjects and African rulers, yet residents requested the arbitration of colonial judicial officers. In August 1828, Dona Joana Coelho de Magalhães presented a formal complaint against the *sekulo*, an adviser of the soba of Bisova, who had failed to pay acquired debts. The judge ordered the corporal of Catumbela to settle the dispute in favor of Dona Magalhães, demonstrating that colonial law could side with African women.<sup>18</sup> While Dona Joana Coelho de Magalhães’s background is not clear, she appears in ecclesiastical records as the godmother of several children, including Escolástica, a Black girl baptized in Benguela in 1801; Teresa, baptized in 1805 with no mention of her color or status, daughter of the enslaved woman Lourença; and Francisca, daughter of the free woman Marcela da Costa Arouco.<sup>19</sup> The ecclesiastical records also reveal that Magalhães married Francisco António da Luz Abreu in 1805, but they are silent on her color or “*naturalidade*,” her birth place.<sup>20</sup> African subjects, particularly women and young people who would not be privileged in societies ruled by elders, flocked to colonial institutions to solve issues that were ignored by local rulers, elders, or African elites.

<sup>17</sup> Arquivo Nacional de Angola (ANA), cx. 3340, Dombe Grande, Maço 2 – Dombe Grande governo 1863 a 1915, “Concelho do Dombe Grande. Questionário acerca dos usos e costumes gentílicos da província de Angola,” 20 March 1907, p. 15. For more on unwritten practices in the coastal West Central Africa, see Joseph C. Miller, *Way of Death: Merchant Capitalism and the Angolan Slave Trade, 1730-1830* (Madison: University of Wisconsin Press, 1988), 133–37; Lauren A. Benton, *Law and Colonial Cultures Legal Regimes in World History, 1400-1900* (New York: Cambridge University Press, 2002), 56.

<sup>18</sup> ANA, Cod. 7182, fl.101v, 18 August 1828 requerimento n. 1049. See Mann, “Women’s Right in Law and Practice.”

<sup>19</sup> Bispado de Luanda (BL), Benguela, Livro de Batismo, 1794-1832, fl. 147, May 8, 1801; fl. 216 v, March 27, 1805, fl. 258 v, October 17, 1808; fl. 260v, November 17, 1808; fl. 261v, November 19, 1808; fl. 280, December 18, 1809; fl. 287v, August 5, 1810; fl. 296v, February 4, 1811;

<sup>20</sup> BL, Benguela, Livro de Casamento, fl. 4 April 23, 1805; see also the records. She is identified as married to Francisco António Luz de Abreu in ABL, Livro de Batismo, 1794-1832, fl. 322, November 8, 1812; fl. Not numbered, May 5, 1813.

For their own protection, residents registered before traveling between the colonial centers to avoid kidnapping, seizure, and enslavement. In one case, Catarina António de Glória requested authorization to travel as a free person between Benguela and Luanda.<sup>21</sup> In another, Captain Raimundo had to prove that Maria, a Black woman traveling with him to Luanda, was a freed person. Like freedpeople in the Americas, these cases suggest the risks that Black individuals faced and the mechanisms they had to employ to preserve their freedom. It is not clear whether people carried written documents with them to prove status, as happened in other slave societies.<sup>22</sup>

By the 1820s, written documents and courts had become the method and venue for solving disputes from real estate to ownership of human beings, and several women used the colonial courts to settle conflicts over assets. Leonor da Costa Monteiro requested an audience with Captain Benites to solve issues related to the ownership of an enslaved woman.<sup>23</sup> In the same year, 1827, Caetano, a Black man, complained to the Benguela judge that the soldier André das Salinas (probably referring to his place of residence or birth, as *das salinas* means from the salt mines) had failed to deliver an enslaved woman he had inherited from a deceased relative. The judge warned Salinas he could be physically punished if he refused to deliver the captive to Caetano, her legitimate

<sup>21</sup> ANA, Cod. 7182, fl.8, August 5, 1826, requerimento n. 463. Roquinaldo Ferreira and Roberto Guedes argued that women with a masculine second name, such as Catarina António de Glória, tended to be enslaved. According to them, free women had a feminine name and a last name. The practice of adding a masculine second name to locally born women linked them to bondage. See Roquinaldo Ferreira and Roberto Guedes, “Apagando a nota que diz escrava: Efigênia da Silva, os batismos, os compadrios, os nomes, as cabeças, as crias, o tráfico, a escravidão e a liberdade (Luanda, c. 1770-c. 1811),” *Almanak* 26 (2020), 30–36.

<sup>22</sup> ANA, Cod. 7182, fl.8, August 5, 1826, requerimento n. 466. For more on this, see Mariana P. Candido, “The Transatlantic Slave Trade and the Vulnerability of Free Blacks in Benguela, Angola, 1780–1830,” in *Atlantic Biographies: Individuals and Peoples in the Atlantic World*, ed. Mark Meuwese and Jeffrey A. Fortin (Leiden: Brill, 2013), 193–210; Roquinaldo Ferreira, “Slaving and Resistance to Slaving in West Central Africa,” in *The Cambridge World History of Slavery*, ed. David Eltis and Stanley L. Engerman, vol. 3 (Cambridge: Cambridge University Press, 2011), 111–31; Candido, “African Freedom Suits and Portuguese Vassal Status”; Scott, Tehranian, and Mathias, “The Production of Legal Identities Proper to States”; Rebecca J. Scott and Jean M. Hébrard, *Freedom Papers: An Atlantic Odyssey in the Age of Emancipation* (Cambridge, MA: Harvard University Press, 2012).

<sup>23</sup> ANA, Cod. 7182, fl.47v, April 30, 1827, requerimento n. 88. The fact that women claimed landed property in Angola is very different from other contexts in the African continent, which tended to favor men’s claims. See, for example, Clifton Crais, *Poverty, War, and Violence in South Africa* (New York: Cambridge University Press, 2011), 102–3.

owner.<sup>24</sup> The local population understood that colonial institutions were appropriate venues for pursuing old and new claims, even when dealing with questions of ownership recognition over human beings.

In 1827, Margarida, a free Black woman, requested an audience with the judge of Benguela to settle a dispute with a ship captain.<sup>25</sup> Margarida had sold a female captive to the captain. Lather, the unnamed captive, while on board, claimed to be a free person. This type of dispute needed to be settled before sailing, as I had examined elsewhere, since the sale of free individuals was a topic of intense dispute and legal debate in Angola.<sup>26</sup> In this specific case, Margarida argued she enjoyed ownership rights over the sold captive, so any freedom claim was unjustified. A few months later in 1828, another Black woman resident of Benguela, Bando, also known as Filipa, went to the colonial judge to settle a dispute. Bando requested an audience with the magistrate to address a conflict with a Quibanda resident, António Xavier, regarding some goods he had stolen from her. The judge ordered both sides to attend a meeting to solve the feud.<sup>27</sup> West Central African women enjoyed a series of rights and made extensive use of the colonial courts to protect their property.

While the colonial administration was committed to protecting the interests and the property of Portuguese subjects, residents of West Central African societies appropriated the use of paper documents to gain their own advantage. The Secretaria do Estado da Marinha e Ultramar (SEMU) sent regulations to the overseas colonies ordering that in the absence of a magistrate (*juiz de paz*), the highest civil or military authority should protect the inheritance of Portuguese citizens who died without clear heirs.<sup>28</sup> However, the courts and the administration ended up arbitrating conflicts about rights in part because West Central Africans understood that colonial power was committed to creating

<sup>24</sup> ANA, Cod. 7182, fl.48, April 30, 1827, requerimento n. 94.

<sup>25</sup> ANA, Cod. 7182, Cota 23-1-40, Registro de requerimentos – Benguela, 1825 a 1829, fl.47, April 26, 1827, requerimento n. 77.

<sup>26</sup> For more on freedom suits in West Central Africa and for other cases, see José C. Curto, “Struggling against Enslavement: The Case of José Manuel in Benguela, 1816-1820,” *Canadian Journal of African Studies* 39, no. 1 (2005): 96–122; Roquinaldo Ferreira, “Slaving and Resistance to Slaving in West Central Africa,” in *The Cambridge World History of Slavery*, vol. 3 (New York: Cambridge University Press, 2011); Mariana P. Candido, “African Freedom Suits and Portuguese Vassal Status: Legal Mechanisms for Fighting Enslavement in Benguela, Angola, 1800–1830,” *Slavery & Abolition* 32, no. 3 (2011): 447–59.

<sup>27</sup> ANA, Cod. 7182, fl.78v, 14 January 1828, requerimento n. 649.

<sup>28</sup> Arquivo Histórico Ultramarino (AHU), Secretária do Estado da Marinha e do Ultramar (SEMU), Direção Geral do Ultramar (DGU), Angola, 477, 1840-1843, Registro de Correspondência Expedida, fl. 8, November 28, 1838.

paper evidence.<sup>29</sup> Courts adjudicated payment disputes for land sale or services. This was the case with Filipa, a free Black woman who had provided domestic services to Joaquim Inácio de Couto for nine months. They had agreed on a salary of four *réis* per month, but Couto failed to pay Filipa, who requested the intervention of the judge. The judge sided with Filipa and ordered her immediate payment.<sup>30</sup> Colonial courts intervened to protect owners, no matter if people claimed ownership over people, service, or land. Josefa Manoel Joaquim, for example, had sold a house in Catumbela and requested that the purchaser, Ana, filed the sales letter. This case reveals that land sales were taking place by the late 1820s, suggesting that a small-scale land market existed and that these sales were recorded in sales letters.<sup>31</sup>

With the expansion of the colonial presence in the newly founded town of Mossamedes, due to its “good pastures and rich flora, optimal for cultivation [and] ... rich in fresh water and cattle,”<sup>32</sup> the administration rushed to control access to the urban space. The southern settlement was central to the colonial vision of agricultural expansion, with impoverished Portuguese immigrants occupying African land at the expense of the local population. In the 1840s, there was an established market for urban houses, with the colonial administration in charge of registering property transmission and collecting taxes for the transaction.<sup>33</sup> Portuguese immigrants were advised that they could build houses in unoccupied lots. However, the houses where Europeans lived could not look like the houses in which the Black population resided, and immigrants from Portugal and Brazil received notifications from the colonial state that they had to refrain from buying enslaved people.<sup>34</sup>

<sup>29</sup> Berry, “Debating the Land Question in Africa,” 638–68; Martin Chanock, “A Peculiar Sharpness: An Essay on Property in the History of Customary Law in Colonial Africa,” *The Journal of African History* 32, no. 1 (1991): 65–88; Dery, “Papereality,” 685–87.

<sup>30</sup> ANA, Cod. 7182, fl. 77, January 2, 1828 requerimento n. 522.

<sup>31</sup> ANA, Cod. 7182, fl. 47v, April 30, 1827, requerimento n. 86. Unfortunately, it is not clear if these sales letter have survived and if so, where they are currently stored. For similar cases, see Mann and Roberts, *Law in Colonial Africa*, 24–26; Scott and Zeuske, “Property in Writing.”

<sup>32</sup> Biblioteca da Sociedade de Geografia de Lisboa (BSGL), Res 1- Pasta D – 14 “Memória sobre o estado actual d’Africa Occidental seu comercio com Portugal e medidas que convinha adoptar em 1841,” January 1841. For the foundation of Mossamedes, see W. G. Clarence-Smith, *Slaves, Peasants, and Capitalists in Southern Angola, 1840-1926* (New York: Cambridge University Press, 1979), 14–16.

<sup>33</sup> ANA, Cod. 326, fl. 17, May 19, 1847.

<sup>34</sup> ANA, Cod. 326, fl. 37, March 16, 1848. For more on the profile and the policies regarding the arrival of Portuguese and Brazilian immigrants in Southern Angola, see W. G. Clarence-Smith, “Capitalist Penetration among the Nyaneka of Southern Angola, 1760 to 1920s,” *African Studies* 37, no. 2 (1978); Aida Freudenthal, *Arimos e fazendas: A transição agrária em Angola, 1850-1880* (Luanda: Chá de Caxinde, 2005), 177–78; Anabela Cunha, “Degredo para Angola: sentença de morte lenta,” *Locus (Juiz de Fora)* 18, no. 2 (2013): 87–104.

As much as they wanted to be in charge of property registration and transmission, administrators and judges had no practical authority over territories ruled by African rulers (*sobas* or *dembos*). In 1848, the secretary of Angola notified the governor that it was impossible to collect the debt owned by Portuguese subjects who lived outside of Portuguese-controlled areas. José de Oliveira Rezende owed 1:600\$000 to Vicente António Fatia, who had died in Benguela. In an effort to settle the inventory, Rezende had to honor his debt, yet he was “away from the conquered land.” If he returned to Benguela, the governor was expected to seize his goods in order to pay off his debts.<sup>35</sup> As much as they wanted to project unity, coherence, structure, and intentionality, the state bureaucracy and its machinery were limited. In practice, the colonial bureaucracy, including its efforts to regulate law and legislate over property, was fragmented and disunited, in part due to the resistance of African rulers and their subjects who refused to negotiate with the intruders.

The colonial administration had a limited number of officers available to protect the property of colonial subjects and arbitrate conflicts. The 1866 population census presents a neat picture of a colonial society, with people classified into specific categories in the colonial centers such as Benguela and Catumbela (see Table 3.1). However, the officer in charge, Eduardo A. de Sá Nogueira, recognized its limitations since “no population counting can be exact due to the difficulties associated with [collecting data] in this type of work.”<sup>36</sup>

The colonial administration lacked knowledge regarding the population that lived in the interior in territories nominally under Portuguese control. Houses were enumerated as well as the rulers who lived under Portuguese nominal control (see Table 3.2). These were divided into three categories: *dembos avassalados*, *sobas* independent from the *dembos avassalados*, and the *sobas* under the jurisdiction of vassal *dembos*, in a confusing hierarchy of subjection to colonial rule and West Central African rulers. The preoccupation with counting people, houses, and rulers was an old one and derives from concerns about collecting taxes,

<sup>35</sup> ANA, Cod. 326, fl. 60V, Ilmo. Sr. Governador de Benguela from Francisco Joaquim da Costa e Silva, secretário geral da província Benguela. November 7, 1848.

<sup>36</sup> AHU, SEMU, Conselho Ultramarino (CU), Estatísticas, cx. 2, 1854–1866 – Estatísticas população de Angola. For more on the weakness of the colonial state, see Ann Laura Stoler, “‘In Cold Blood’: Hierarchies of Credibility and the Politics of Colonial Narratives,” *Representations*, no. 37 (1992): 151–89; Clifton Crais, “Chiefs and Bureaucrats in the Making of Empire: A Drama from the Transkei, South Africa, October 1880,” *American Historical Review* 108, no. 4 (2003): 1034–56.

Table 3.1. *Population of Angola, 1866*

Locations	Houses	People		Civil Status					
		Men	Women	Married		Widow/Widower		Single	
				Men	Women	Men	Women	Men	Women
Benguela	4,325	7,312	8,388	316	316	33	4	6,963	8,027
Catumbela	1,484	2,470	2,850	4	3	1	0	2,485	2,847
Dombe Grande	2,200	2,917	3,883	3	3	1	0	2,913	3,879
Quilengues	6,000	10,200	22,875	0	0	0	0	11,535	16,540
Caconda	3,500	5,500	6,800	1	1	1	0	5,498	6,797
Egito	46	318	290	1	0	0	0	317	290
Total	17,555	28,717	45,086	325	323	36	4	29,711	38,380

Source: AHU, SEMU, CU, Estatísticas, cx. 2, 1854–1866, “Estatísticas população de Angola” 1866.

Table 3.2. *African Authorities and population according to religion and literacy, 1866*

Locations	Vassal dembos	Independent sobas	Sobas subordinated to dembos	Religion		Literacy
				Christians	Heathens	
Benguela	0	0	2	13,921	1,779	346
Catumbela	0	2	0	1,130	4,190	115
Dombe Grande	0	3	1	2,450	4,350	100
Quilengues	4	4	0	122	32,945	10
Caconda	0	1	0	2,400	9,900	22
Egito	0	0	0	608	0	9
Total				20,695	53,172	602

Source: AHU, SEMU, CU, Estatísticas, cx. 2, 1854–1866, “Estatísticas população de Angola” 1866.

identifying owners, and solving disputes. The numbers fed the illusion of control and of a territory under colonial rule.<sup>37</sup>

The population was broken down by gender, civil status, place of birth, and religious affiliation (with only two categories available: Christians, meaning Catholics, and heathens). In a moment of expansion of bureaucracy and written documents, the population counting identified few literate individuals. In 1866, only 346 individuals were able to read and write Portuguese out of Benguela's population of over 15,000. Yet this small group of literate agents created a vast number of records, including court records, in which many of the property litigations were presented. The Tribunal da Comarca de Benguela, established in the early 1850s, contains over 2,000 legal cases, most of them dealing with property litigation.<sup>38</sup> The court, which was initially under Luanda's colonial administration and later made autonomous alongside the Câmara Municipal, holds the records related to litigation, rights, wills, and inventories.<sup>39</sup> Before the creation of the Tribunal da Comarca de Benguela, property and court records were registered among the official correspondence dispersed in the codices at the Arquivo Nacional de Angola. After the establishment of an autonomous courthouse in Benguela, records were stored at the Tribunal da Comarca de Benguela.

Colonial records are filled with cases of African women – classified as white, Black, or mixed race – who asserted ownership rights in writing, showing how colonialism, writing, and power were connected. These women exerted not only control over controlled subjects but also the ability to fight against the violence of occupation and denial of colonized rights. In some instances, the records are simple summaries of cases and not the entire procedure with details that could provide more clues about the nature of these disputes. However, they reveal that West Central Africans who lived in colonial centers, including women, negotiated their

<sup>37</sup> Arjun Appadurai, "Number in the Colonial Imagination," in *Orientalism and the Postcolonial Predicament: Perspectives on South Asia*, ed. Carol A. Breckenridge and Peter van der Veer (Philadelphia: University of Pennsylvania Press, 1993), 314–40.

<sup>38</sup> An inventory of the 2,100 legal cases is in progress. See Mariana Candido, Mariana Dias Paes, and Juelma Mattos, "Inventário do Arquivo do Tribunal da Província de Benguela." See also "Decreto de 16 de janeiro de 1837 para a África Ocidental," 1837, First Paragraph; and "Decreto de 30 de dezembro de 1852, aprovou o regimento de administração da justiça de Angola, São Tomé e Príncipe," 1852 available at <http://www.fd.unl.pt/ConteudosAreasDetalhe.asp?ID=40&Titulo=Biblioteca%20Digital&Area=BibliotecaDigital>

I am thankful to Mariana Dias Paes for bringing this online collection to my attention.

<sup>39</sup> For the role of the Tribunal and the Camara Munipal de Bengela, see AHU, SEMU, CU, Processos das Consultas, Cx. 27, n. 911. 1 repartição, "Processo sobre as queixas da camara municipal de Benguela dos excessivos emolumentos e tributos que são obrigados a pagar," November 2, 1855.

rights. The effort to settle disputes over property and clarify ownership claims, though limited in scope, provided African women in Benguela and Luanda, in West Central Africa, as well as in Lagos and Abeokuta, in the British colony of the Gold Coast, and Bathurst, in Gambia spaces to assert new economic and legal rights.<sup>40</sup> Still, customary law recorded in the early twentieth century stated that

Ndombe women did not enjoy any rights [to property], except to their children. She can remain living in the *cubata* (a wooden house with straw roof) that belonged to her husband after his death only if the heir authorizes [her residence]. Otherwise she returns to her family, and in the case of not having enough [resources] to maintain her children, her brothers oversee feeding them.<sup>41</sup>

There is a clear disconnect between the nineteenth-century evidence and the customary law recorded later.

### Gendering Property

Empires did not aim to empower colonial subjects, particularly women; however, by the nineteenth century, many West Central African women, especially those in the elite, generated a new form of legal subjectivity that privileged the written document as a legitimate claim. The colonial judge was not the only possible site of justice for colonized subjects in the nineteenth century, yet African women made efforts to secure audiences with judges and court arbitration.<sup>42</sup> African women engaged with the

<sup>40</sup> Scholars have noticed African women's ability to use colonial courts elsewhere. See Kristin Mann, "Women's Right in Law and Practice: Marriage and Dispute Settlement in Colonial Lagos," in *African Women & the Law: Historical Perspectives*, ed. Margaret Jean Hay and Marcia Wright (Boston: Boston University Press, 1982), 151–71; Margaret Jean Hay and Marcia Wright, eds., *African Women & the Law: Historical Perspectives* (Boston: Boston University Press, 1982); Kristin Mann, *Marrying Well: Marriage, Status, and Social Change among the Educated Elite in Colonial Lagos* (New York: Cambridge University Press, 1985); Judith Byfield, "Women, Marriage, Divorce, and the Emerging Colonial State in Abeokuta (Nigeria), 1892-1904," in *"Wicked" Women and the Reconfiguration of Gender in Africa*, ed. Dorothy L. Hodgson and Sheryl A. McCurdy (Portsmouth, NH: Heinemann, 2001), 27–46; Bala Saho, *Contours of Change: Muslim Courts, Women, and Islamic Society in Colonial Bathurst, the Gambia, 1900-1965* (Lansing: Michigan State University, forthcoming).

<sup>41</sup> ANA, cx. 3340, Dombe Grande, Maço 2 – Dombe Grande governo 1863 a 1915, "Concelho do Dombe Grande. Questionário acerca dos usos e costumes gentílicos da província de Angola," March 20, 1907, p. 15.

<sup>42</sup> ANA, Cod. 7182, fl.45, 4 de abril 1827, requerimento n. 45. Vanessa Oliveira has examined this from Luanda. See her Vanessa S. Oliveira, "Spouses and Commercial Partners: Immigrant Men and Locally Born Women in Luanda (1831-1859)," in *African Women in the Atlantic World. Property, Vulnerability and Mobility, 1680-1880*, ed. Mariana P. Candido and Adam Jones (Woodbridge: James Currey, 2019), 217–32; Oliveira, *Slave Trade and Abolition*. There is a rich scholarship on Africans and the courts in Latin America. See, for example, Cristina Nogueira da Silva and Keila Grinberg, "Soil

colonial judicial system to establish claims and protect their property, including against their husbands. The petitions, appeals, and lawsuits disclose the methods and arguments African men and woman employed. Although their motivations are not clear, women looked for spaces to settle disputes, including the Portuguese imperial legal system, ironically consolidating the notion of rights as formal and written practices and solidifying colonial control. The writing culture, or the practice of registering property in writing, affected sovereignty, legitimacy, and identity, and transformed law and oral record keeping.<sup>43</sup>

Despite the historical evidence, the discussion of property rights in the Angolan historiography has not addressed gender, without any clear analysis of how men's and women's rights were similar or different, or how these rights changed over time.<sup>44</sup> The customary law recorded in the twentieth century shows that local rulers tried to prevent women from claiming land rights, despite clear indications that West Central African women had ownership rights recognized before the Berlin Conference and asserted them under different contexts. In West Central Africa, as elsewhere, possession or occupancy was at the origin of property in the

Free from Slaves: Slave Law in Late Eighteenth- and Early Nineteenth-Century Portugal," *Slavery & Abolition* 32, no. 3 (2011): 431–446; Karen B. Graubart, "The Limits of Gender Domination. Women, the Law, and Political Crisis in Quito, 1765–1830," *Colonial Latin American Review* 24, no. 1 (2015): 114–16; Herman L. Bennett, *Africans In Colonial Mexico: Absolutism, Christianity, and Afro-Creole Consciousness, 1570-1640* (Bloomington: Indiana University Press, 2005); Bianca Premo, "Before the Law: Women's Petitions in the Eighteenth-Century Spanish Empire," *Comparative Studies in Society and History* 53, no. 2 (2011): 261–89; Joseli Maria Nunes Mendonça, *Entre a mão e os anéis: A lei dos sexagenários e os caminhos da abolição no Brasil* (Campinas, SP: Editora da Unicamp/ CECULT/ FAPESP, 1999); Gabriela dos Reis Sampaio, Lisa Earl Castillo, and Wlamyra Ribeiro de Albuquerque, *Barganhas e querelas da escravidão: tráfico, alforria e liberdade (séculos XVIII e XIX)* (Salvador: Edufba, Editora da Universidade Federal da Bahia, 2014).

<sup>43</sup> Martin Chanock, "Paradigms, Policies and Property: A Review of the Customary Law of Land Tenure," in *Law in Colonial Africa*, ed. Kristin Mann and Richard L. Roberts (Portsmouth, NH: Heinemann, 1991), 61–84; Hawkins, *Writing and Colonialism in Northern Ghana*, 32–35.

<sup>44</sup> Caetano Gonçalves, "O regime das terras e as reservas indígenas na colonização portuguesa," *Boletim Geral das Colônias* 2, no. 13 (1926): 26–45; Valentim Alexandre and Jill Dias, *O Império africano* (Lisbon: Estampa, 1998), 438–57; Olympia Perry Vidal Pereira Bastos, "A colonização portuguesa no planalto de Benguela" (Tese apresentada ao concurso de admissão, Lisbon, Escola Normal Superior, 1920); Elisete Marques da Silva, *Impactos da ocupação colonial nas sociedades rurais do sul de Angola* (Lisbon: Centro de Estudos Africanos ISCTE, 2003); Francisco Liberal Fernandes, "O direito de propriedade em Angola: aspectos gerais da lei de terras," *Boletim de Ciências Económicas* 57, no. 2 (2014): 1463–78; Aurora da Fonseca Ferreira, "Ocupação de terras: problemas de ontem e hoje," *Cadernos de Estudos Sociais* 1 (2005): 35–99; Aharon Grassi and Jesse Salah Ovadia, "Trajectories of Large-Scale Land Acquisition Dynamics in Angola: Diversity, Histories, and Implications for the Political Economy of Development in Africa," *Land Use Policy* 67 (2017): 115–25.

sense that whoever claimed rights got to enjoy ownership. This privileged the act of possession, those who made claims, and the system that recognized notions of private property, such as the colonial court. Inevitably the interests of those who did not care or who did not have the resources to make the original claim of occupancy suffered, as well as those without access to literacy in Portuguese.<sup>45</sup>

Colonial governance encountered various inheritance practices in West Central Africa. Several groups along the coast and in the interior of Benguela followed matrilineal inheritance practices, in which nephews, the children of sisters, were the natural heirs. This custom regulated transmission and political rights in the case of ruling lineages, although, as seen in Chapter 2, some groups challenged the system if and when patrilineal inheritance was more convenient.<sup>46</sup> However, the existence of matrilineal inheritance did not guarantee women access to land or cattle. Among the Ndombe, for example, cattle accumulation indicated wealth by the late eighteenth century. Like other pastoral societies, the Ndombe did not consume the meat but used the hides for bags and the horns to make pipes, manufactured cheese and yogurt with the milk, and used the manure to enrich the soil. Cattle were a measure of wealth for pastoralists and farmers, who used it to pay taxes and settle debts, but also as part of marriage arrangements and offerings to the spirits and to honor the dead.<sup>47</sup> However, it is not clear whether men and women had different access to cows, pigs, and sheep. Despite the lack of information on gender accumulation, cattle had an economic value and could be disposed of, sold, or held as collateral, although few families owned large herds. As a result, by the

<sup>45</sup> Carol M. Rose, *Property and Persuasion: Essays on the History, Theory, and Rhetoric of Ownership* (Boulder, CO: Westview Press, 1994), 17–19; Rosa Congost, “Property Rights and Historical Analysis: What Rights? What History?,” *Past & Present*, no. 181 (2003): 73–106; Mariana Armond Dias Paes, “Escravos e terras entre posses e títulos: A construção social do direito de propriedade no Brasil (1835-1889)” (Ph.D., São Paulo, SP, Universidade de São Paulo, 2018).

<sup>46</sup> António Gil, *Considerações sobre alguns pontos mais importantes da moral religiosa e sistema de jurisprudence dos pretos do continente da África Ocidental Portuguesa além do Equador* (Lisbon: Tipografia da Academia, 1854), 41; Augusto Bastos, “Traços geraes sobre a ethnographia do districto de Benguella,” *Boletim da Sociedade de Geografia de Lisboa* 26, no. 1 (1908): 51; Wilfrid Dyson Hambly, *Ovimbundu of Angola* (Chicago: Field Museum of Natural History, 1934), 199–201. For the case of heirs challenging the matrilineal system in Portuguese courts, see AHA, Cod. 471, E – 7 – 5, Registro de officios expedidos 13 de junho de 1857 a 22 de janeiro de 1859, fl. 189, December 2, 1858, Governador de Benguela to governador geral da provincia, and the cases discussed in Chapter 2. For the problematic of matrilineal systems, see Wyatt MacGaffey, “Crossing the River. Myth and Movement in Central Africa,” in *Angola on the Move. Transport Routes, Communications and History*, ed. Beatrix Heintze and Achim von Oppen (Frankfurt am Main: Verlag Otto Lembeck, 2008), 228–32.

<sup>47</sup> Paulo Martins Pinheiro de Lacerda, *Annaes Maritimos e Coloniaes*, Quinta Série, (1845), 486–87. For other cattle societies, see Hambly, *Ovimbundu of Angola*, 153.

late eighteenth century, herders in Kilengues hid the number of cattle they owned when investigated by colonial officers to avoid taxation.<sup>48</sup> In terms of land access, Ndombe women secured land rights after marriage, and these could be forfeited in the case of divorce.<sup>49</sup> The situation was different in the twentieth century, as anthropologists noticed.<sup>50</sup>

To control and manage such flux of inheritance practices, colonial administrators imposed written records, such as wills and registers, to provide a record of ownership. There are very few wills dating to the eighteenth century, but most of those are for Portuguese men who died while in Luanda or Benguela, and all of them refer to personal property including clothes and luxury items such as silverware, tobacco cases, objects made of turtle shell, and enslaved people.<sup>51</sup> Some of them refer to real estates, such as the case of the postmortem will of the Portuguese trader Aurélio Veríssimo da Silva. In 1805, da Silva declared that he owned a tile-roofed house on the beach of Benguela that had previously belonged to the priest Francisco de Santa Anna Barros, revealing commercialization of real estate in the colonial urban center.<sup>52</sup> I have not been able to locate eighteenth-century wills or postmortem inventories of locally born people, including *filhos da terra*, the locally born whites who enjoyed much of the privilege and status of Portuguese-born individuals. However, burial records reveal the existence of wills. Tomé Rodrigues, for example, started writing a will while sick but died in 1792 before he could finish it.<sup>53</sup> Most of the wills and property transfer contracts available are

<sup>48</sup> Biblioteca Nacional do Rio de Janeiro (BNRJ), doc. I-28, 28, 29, “Notícias de São Filipe de Benguela e costumes dos gentios habitantes naquele sertão,” 10 November 1797. For more on cattle raising, see Childs, *Kinship & Character of the Ovimbundu*, 109.

<sup>49</sup> Bastos, “Traços Geraes,” 86. For similar practices in other places, see Chanock, “Paradigms, Policies and Property: A Review of the Customary Law of Land Tenure,” 73.

<sup>50</sup> Hambly, *Ovimbundu of Angola*, 119; Luisa Mastrobuono, “Ovimbundu Women and Coercive Labour Systems, 1850–1940: From Still Life to Moving Picture” (M.A., Toronto, University of Toronto, 1992), 17, 25–26.

<sup>51</sup> See the inventories available at ANTT, Feitos Fintos, Justificações Ultramarinas, África, mç 2, doc. 3 B, “Autos de habilitação de Ana Isabel e outros para a herança de José de Sousa falecido em Benguela,” 1791; and mç 2, doc. 3A, “Autos de Habilitação e Justificação de D. Ana Maria Batista, viúva para levar a levar a herança dele de seu filho o sargento mor António José de Barros, falecido em Cabo Negro,” 1800; mç 9, doc. 12, “Autos de habilitação de D. Francisca Xavier da Cunha, viúva, e seus filhos para a herança do marido e pai José António Ferreira, falecido em Benguela.” 1802; mç 12, doc. 4, “Autos de habilitação de Gastão José da Camara Coutinho e mais herdeiros do Exmo. José Gonçalo da Camara, governador que foi de Angola, onde faleceu,” 1784.

<sup>52</sup> ANTT, Feitos Fintos, Justificações ultramarinas. Africa, mç. 14, doc., 1, fls. 8 a 14v, September 2, 1805.

<sup>53</sup> BL, Livro de óbito, Benguela 1770–1796, fl. 175v–176, July 6, 1792. For more on the *filhos da terra*, see Beatrix Heintze, “A Lusofonia no interior da África Central na era pré-colonial. Um contributo para a sua história e compreensão na actualidade,” *Cadernos de Estudos Africanos* 6/7 (2005): 179–207; Jacopo Corrado, “The Fall of a Creole Elite?”

for the post-1850 period, although fragmentary evidence suggests how West Central African men and women accumulated wealth.

Women also registered property in writing, although few recorded land ownership in the early nineteenth century. Most focused on protecting their interests as slave owners, preventing the escape or seizure of human property, in systems of ownership very similar to slavery in the Americas or in other colonial centers along the African coast. In 1814, Catarina da Costa appealed to the governor of Benguela that Manoel Candido de Melo had illegally taken one of her enslaved boys (*moleque*), Justino, to a ship bound for Luanda and requested the restitution of her human property. With the collaboration of the governor of Angola, the young Justino was located and sent back to serve in da Costa's house.<sup>54</sup> Catarina da Costa was from Bailundu in the central highlands and outside of colonial control, yet she was fully integrated into colonial society and used the colonial system to win small victories such as recuperating Justino. As this case indicates, written documents became a physical manifestation of elite women and men's subjectivity as legal agents and colonial subjects. Yet these documents silence the experience of those who were considered property, the enslaved men and women, such as Justino, who constituted an important portion of the West Central African population for most of the nineteenth century.

The colonial administration did not aspire to empower colonial subjects, yet many colonized women privileged the written document. However, access to colonial bureaucracy had limits. It was predominantly an urban phenomenon for women and men culturally exposed to the Portuguese world even if they were locally born. For example, the Benguela-born Catarina Rosa, married to the soldier Manoel de Souza, demanded that her husband return her clothes since she did not intend to cohabit with him anymore due to the "bad life she had while in his company."<sup>55</sup> It is important to stress she did not seek alimony, indicating she was able to support herself. One did not have to be an elite woman to

Angola at the Turn of the Twentieth Century: The Decline of the Euro-African Urban Community," *Luso-Brazilian Review* 47, no. 2 (2010): 100–19; C. Pacheco, *Arsênio Pompílio Pompeu de Carpo: Uma vida de luta contra as prepotências do poder colonial em Angola*, 1992; Carlos Pacheco, *José da Silva Ferreira: O homem e a sua época* (Luanda: União dos escritores angolanos, 1990); Carlos Pacheco, "Leituras e bibliotecas em Angola na primeira metade do século XIX," *Locus (Juiz de Fora)* 6, no. 2 (2000): 21–41.

<sup>54</sup> She was probably the same Catarina da Costa who married Alexandre José de Melo from Bihé in 1819. BL, Livro de Casamento, Benguela, fl. 17v, 3 February 1819. For details on the legal dispute, see ANA, Cod. 323, fl. 104v, Gov de Angola, José de Oliveira Barbosa to Governador de Benguela, Senhor de Alvelos Leiria, April 13, 1814; and fl. 108v, Gov de Angola, José de Oliveira Barbosa, to Governador de Benguela, Senhor de Alvelos Leiria. July 13, 1814.

<sup>55</sup> ANA, Cod. 7182, fl.20v, 28 de setembro 1826, requerimento n. 608.

present a demand to the colonial judge. In 1826, Caraxima, identified as a Black woman, requested actions against Gira, Humba, Chacabara, and Dumba, all Black men, who had seized three children of João, one of her dependents. In this case, a woman with a clear Umbundu name presented her case to the judge in Benguela after the colonial authority in Dombe Grande failed to address her concerns.<sup>56</sup>

Africans successfully used colonial authority and institutions for their own ends, ensuring their economic well-being and gaining access to social and legal identities. They also sought to protect their economic interests, as in the case of Andreza Leal do Sacramento, who presented a petition against Joaquim Inácio da Costa for failing to deliver an enslaved woman,<sup>57</sup> or Francisca Xavier Ramos, who demanded Dionisio Barbosa de Melo provide a proof of sale for the peanut barrel he sold on her behalf to the priest Tomás.<sup>58</sup> The records do not mention the color or place of origin of Andreza or Francisca, but in the population census of 1826 only two white women are listed as residing in Benguela. The white classification referred to those born in Portugal or locally born descendants of Portuguese individuals. In 1833, the number of women classified as white had dropped to one.<sup>59</sup> The small number of white women recorded as residing in Benguela and the considerable number of legal cases presented by West Central African women suggest that color classification did not prevent legal actions in the colonial courts.

In 1827, Dona Lucrécia Ferres Lobato demanded a payment of 651,828 réis from José Apolinário. To support her claim, she presented eight different sale bills and promissory notes, indicating that she had advanced enslaved people to Apolinário, who had failed to pay their value. “Facing these legal documents,” the governor issued that “Apolinário had 24 hours to honor his payment and present a receipt

<sup>56</sup> ANA, Cod. 7182, fl.27v, 27 de outubro 1826, requerimento n. 691.

<sup>57</sup> ANA, Cod. 7182, fl.29, 22 de novembro 1826, requerimento n. 706.

<sup>58</sup> ANA, Cod. 7182, fl.27v, 22 de novembro 1826, requerimento n. 694.

<sup>59</sup> AHU, Angola, 1 seccao, cx 156. Doc. 16, June 20, 1827 (old reference); and AHU, Angola, cx. 176, doc .17, “Mapa dos habitantes da Paróquia de São Felipe de Benguela” 1833 (old reference). For more on the demography of Benguela, see Mariana P. Candido, *Fronteras de esclavización: Esclavitud, comercio e identidad en Benguela, 1780-1850* (Mexico City: El Colegio de Mexico Press, 2011). For more on color hierarchies and classifications in the Portuguese empire, see Eduardo França Paiva, *Dar nome ao novo: Uma história lexical da Ibero-América entre os séculos XVI e XVIII (as dinâmicas de mestiçagens e o mundo do trabalho)* (Belo Horizonte: Autêntica, 2017); Hebe Mattos, “‘Black Troops’ and Hierarchies of Color in the Portuguese Atlantic World: The Case of Henrique Dias and His Black Regiment,” *Luso-Brazilian Review* 45, no. 1 (2008): 6–29; Hebe Maria Mattos, *Das cores do silêncio: Os significados da liberdade no sudeste escravista: Brasil Século XIX* (Rio de Janeiro: Arquivo Nacional, 1995). Also see the special number of *Estudos Ibero-Americanos* 44, no. 3 (2018) organized by Eugénia Rodrigues and Mariana P. Candido.

for it.”<sup>60</sup> Bills, notes, and formal processes against debtors became physical artifacts as the papers assumed the role of evidence that could be used later.

The colonial courts also became spaces to solve domestic disputes since Portuguese law favored the interests of heirs, recognizing wives' rights to half of the couple's property.<sup>61</sup> In 1827, Dona Antónia Rodrigues de Abreu submitted a divorce petition to the judge of Benguela, in order to end her marriage to Manuel Barbosa Coutinho. The divorce petition included an alimony request. Dona Antónia Rodrigues de Abreu had moved into the house of a poor relative who offered a roof, yet she “was living in misery.” Abreu also claimed that her husband had expelled her from their house to host his lover, Ana de Sousa. The judge replied that he could not arbitrate on ecclesiastical matters such as divorce, but “knowing the priest, I am convinced he will favor justice and not allow such scandalous behavior to take place.”<sup>62</sup> The judge stated that since the couple were legally married, husband and wife shared all the assets. In the case of divorce, it was necessary to identify all the goods and property acquired since their union, pay any eventual debts, and the remaining assets had to be divided between husband and wife. Until the division of property was settled, the judge ordered Barbosa Coutinho to provide Abreu 300 *réis* daily to cover her meals and needs. The end of this case is unknown, but a few months later Abreu passed away at the local hospital. According to the burial record, she was identified as coming from Luanda and married to Manuel Barbosa Coutinho. The divorce was apparently not settled before her death. However, her husband continued to cohabit with Dona Ana de Sousa in the following years, burying a child, Isabel, the newly couple

<sup>60</sup> ANA, Cod. 7182, fl. 46, April 9, 1827, requerimento n. 67.

<sup>61</sup> For the Portuguese Law and wives inheritance rights, see *Código Philippino, our Ordenações e Leis do Reino de Portugal*, Livro 1, 88 (Lisbon: Fundação Calouste Gulbenkian, 1985), 206–15. See also Eugénia Rodrigues, *Portugueses e africanos nos Rios de Sena. Os prazos da coroa em Moçambique nos séculos XVII e XVIII* (Lisboa: Imprensa Nacional-Casa da Moeda, 2014), 599–612; Alida C. Metcalf, “Women and Means: Women and Family Property in Colonial Brazil,” *Journal of Social History* 24, no. 2 (1990): 277–98; Mariana L. R. Dantas, “Succession of Property, Sales of Meação, and the Economic Empowerment of Widows of African Descent in Colonial Minas Gerais, Brazil,” *Journal of Family History* 39, no. 3 (2014): 222–38; Mariana L. R. Dantas, “Miners, Farmers, and Market People: Women of African Descent and the Colonial Economy in Minas Gerais,” *African Economic History* 43 (2015): 82–108; Candido and Rodrigues, “African Women's Access and Rights to Property in the Portuguese Empire.”

<sup>62</sup> ANA, Cod. 7182, fl. 50, May 21, 1827, requerimento n. 128. Unlike other European systems, Portuguese laws protected the interest of wives and daughters. Jutta Sperling, “Women's Property Rights in Portugal under Dom João I (1385–1433): A Comparison with Renaissance Italy,” *Portuguese Studies Review* 13, no. 1–2 (2005): 27–59.

had together, in 1831.<sup>63</sup> Despite the protection offered by Portuguese laws regarding property rights, African wives had to overcome extra hurdles and were denied a series of rights to which they were entitled, such as property or alimony, as this case suggests.

In these records, we see the variety of assets West Central African women accumulated and their ability to make sure their ownership was recognized in the colonial law, in a clear indication that any discussion about property in Angola needs to place women at the center of the debate. In 1828, Josefa de Carvalho, a free Black resident in Benguela, complained to the colonial authorities that one of her captives, Maria, had fled from her *arimo* (agricultural plot) in Catumbela.<sup>64</sup> In a single document, Josefa de Carvalho claimed ownership over a plot of land and a person. In the same year, another woman identified as Black, Laureana António, reported that one of the *sekulos* (advisers) of the ruler of Dombe Grande, named Candele, had seized one of her cows and beaten Teresa, one of her slaves.<sup>65</sup> Others complained about men who had seized their belongings, such as the case of the Black woman Filipa, also known as Bando, examined earlier.<sup>66</sup> Historical records reveal that several colonial residents employed Umbundu and Portuguese names.

A vast number of records list African women as owners, but colonial lists project the notion that property was a male domain. Colonial agents did not recognize women as legitimate owners or able to manage their property. In 1822, the bishop of Angola reported that “the widespread practice of concubinage led to the extreme weakness of black women, some who were enslaved Christians who belong to their own partners, others who were heathen vassals of the neighboring sobas. The Caconda priest informed me that one of his parishioners, a white man, had already baptized 75 of his own children.”<sup>67</sup> The Portuguese traveler António Francisco Ferreira da Silva Porto saw concubinage as an expansion of slavery since men “paid” for their wives and put them to work to increase their wealth, with the ability to reject and sell them. For him, as for many other European agents, concubinage, female enslavement, and prostitution were intertwined and synonyms, confusing bridewealth and dowry

<sup>63</sup> For Dona Antónia Rodrigues de Abreu burrial record, see BL, Benguela, Livro de Óbitos, 1797-1831, fl. 195, December 5, 1827. For Manuel Barbosa Coutinho’s daughter record, see BL, Benguela, Livro de Óbitos, 1797-1831, fl. 231v-232, May 24, 1831.

<sup>64</sup> ANA, Cod. 7182, fl. 78, 14 de janeiro 1828, requerimento n. 648.

<sup>65</sup> ANA, Cod. 7182, fl. 78v, 14 de janeiro 1828, requerimento n 651.

<sup>66</sup> ANA, Cod. 7182, fl. 78v, 14 de janeiro 1828, requerimento n 649.

<sup>67</sup> ANTT, Ministério do reino, mç 499, cx 622, Correspondência recebida de Índia, Moçambique, Angola, Guiné, “Memoria do Bispo de Angola enviada a Rainha sobre o estado da Igreja e pede a sua demissão,” fl. 2v, Vicente de Prazeres Costa, Cacheu, 1822.

practices with bondage.<sup>68</sup> In the process, women's strategies to navigate and occupy spaces in colonial societies were dismissed as sex work, and the emotional ties and collective economic effort behind their actions were denied or seen as a moral transgression. Fundamentally, West Central African women were not seen as legitimate owners, property holders, or contributors to the colonial economy, despite clear indications of their roles.

Throughout the nineteenth century, the colonial administration collected lists of traders who lived in Benguela. Inevitably, these lists (Tables 3.3 and 3.4) identified male, white traders, neglecting the role of the local population in commerce.

In the list of larger traders and owners who lived in Benguela in 1869, fourteen names were identified, as can be seen in Table 3.4. Some of these clearly represented companies such as Conchoix & Freres, which probably referred to a corporation headed by Eugenio Caicoix, a French entrepreneur.<sup>69</sup> Only one was a woman – Dona Teresa Barruncho, the leading exporter of cotton in Benguela in the 1860s. Despite her importance, she was represented by a man, José Gonçalves da Silva Soares, as was necessary in the Portuguese Empire.<sup>70</sup>

Similar to the West Central African rulers who embraced written culture to assert their rights during the eighteenth and nineteenth

<sup>68</sup> BSGL, Res – 2-C-7 – Silva Porto, “Notas para retocar a minha obra logo que as circunstancias permitam,” 1866, fl. 59–62, “Mancebia entre os quimbundos.” There is an important scholarship on women's sexuality and colonialism in Africa, challenging the use of prostitution to dismiss African women economic and social initiatives. See Jean-Baptiste, *Conjugal Rights*, 145–48; Benedict B. B. Naanen, “‘Itinerant Gold Mines’: Prostitution in the Cross River Basin of Nigeria, 1930–1950,” *African Studies Review* 34, no. 2 (1991): 57–79; Nwando Achebe, *The Female King of Colonial Nigeria: Ahebi Ugbabe* (Bloomington: Indiana University Press, 2011), 77–84; Hilary Jones, “Women, Family and Daily Life in Senegal's Nineteenth-Century Atlantic Towns,” in *African Women in Atlantic Coast Societies, 1680–1880*, ed. Mariana P. Candido and Adam Jones, p. 233–47 (James Currey, 2019).

<sup>69</sup> For more on the Coichoix & Frères society, see TCB, “Traslado d'uns autos civeis de execucao: Banco de Portugal; Espolio de Eugenio Coichoix” 1879; “Traslado de uns autos civeis de execucao: Agente do banco Nacional Ultramarino e Casal do súbdito francês Eugenio Caichoix,” 1879; and “Traslado de parte das peças constantes do processado na execucao,” 1882.

<sup>70</sup> Boletim Oficial do Governo Geral da Provincia de Angola (BOGGPA), 1869, n. 31, July 31, 1869, p. 362. For the importance of male representatives, see Eugénia Rodrigues, “As donas de prazos do Zambeze. Políticas imperiais e estratégias locais,” in *VI Jornadas Setecentistas: Conferências e comunicações*, ed. Magnus Pereira and Nadalin (Curitiba: Aos Quatro Ventos, 2006), 15–34; Rodrigues, *Portugueses e Africanos*, 771–80; Philip J. Havik, “Gender, Land, and Trade: Women's Agency and Colonial Change in Portuguese Guinea (West Africa),” *African Economic History* 43, no. 1 (2016): 162–95. For more on Dona Teresa Barruncho, see Mariana P. Candido, “African Businesswomen in the Age of Second Slavery in Angola,” *The Atlantic and Africa: The Second Slavery and Beyond*, edited by Paul E. Lovejoy and Dale W. Tomich, p. 179–201 (Albany, NY: SUNY Binghamton Press, 2021)

Table 3.3. *Benguela traders, 1821*


---



---

José Nicolau Ferreira  
 Alexandre José da Silva  
 José Joaquim Teixeira  
 João Pedro de Andrade  
 Diniz Vieira de Lima  
 Joaquim Lopes dos Santos  
 José Apolinário Alvares  
 Manoel Pires Chaves  
 João Batista Benites  
 José Rodrigues de Magalhães  
 Francisco Ferreira Gomes

---



---

*Source:* Arquivo Histórico Militar (AHM), 2-2-1-36, “Requerimento dos Negociantes da Praça de Benguela.”

Table 3.4. *List of Benguela traders and owners, 1869*


---



---

António Coimbra  
 Caetano Alberto de Sousa  
 Custódio José de Sousa Veloso  
 Conchoix & Frères  
 Domingos Joaquim Pereira  
 Ferreira & Costa  
 Francisco José de Freitas  
 Francisco César da Horta  
 João Ferreira Gonçalves, representing Joaquim Lopes de Castro’s business  
 Joaquim Gonçalves de Azevedo Castro and João Maria Carreira, representing Manoel António Teixeira Barbosa’s business  
 José Gonçalves da Silva Soares, representing D. Teresa Barruncho’s business  
 José Joaquim Teixeira, representing Joaquim Pereira Galino’s business  
 José Joaquim Vieira da Silva  
 Manuel António dos Santos Reis

---



---

*Source:* BOGGPA, 1869, n. 31, July 31, 1869, p. 362

centuries, women resident in Luanda and Benguela also seized the opportunity. Colonial administrators produced lists of merchants (see Tables 3.3 and 3.4) that privileged recognition of men as merchants and property owners, but even so African women had a central role in exerting property rights in the first half of the nineteenth century.

### African Women, Property Claims, and Written Documents

Colonial laws and courts were employed when there were disputes over property, in the form of resources such as land or, in the case of free and enslaved dependents, labor. The existence of multiple legal spheres affected colonial subjects who could employ different judicial spaces when it suited them, such as in marriage, divorce, or ownership rights. Although the introduction of colonial adjudication over local disputes, which replaced the role of elders and sobas, may have made it more difficult for West Central African men and women to access the court, elite women took advantage of the new urban legal system to insert themselves into the colonial space and claim rights, as in other African contexts.<sup>71</sup>

Although the Portuguese legal code theoretically guaranteed women's right to property as wives and daughters, that is, in relationship to men, the colonial administration did not necessarily view African women as capable and trustworthy in managing inheritances. Colonial officer Elias Alexandre da Silva Correa expressed doubt that women could exercise any control over their human property: "If the slaves do not agree with her choice of a husband they run away, afraid of possibly experiencing severe treatment from a new owner."<sup>72</sup> Colonial observers condemned the behavior of powerful women and portrayed them as simultaneously standing up to male power, unable to manage their properties, and under the influence of their male dependents. These attitudes were not exclusive to West Central Africa, as similar public discredit of women as landholders was widespread in Mozambique from the eighteenth to nineteenth centuries.<sup>73</sup>

West Central African women invested in urban real estate, enslaved people, luxury goods, and animals, combining different strategies to accumulate property, including controlling dependents who cultivated their land. This was the case with Joana Martinho Lopes, who died in Benguela in 1864. Although Martinho Lopes's will has not been located, the inventory of her properties at the time of her death is available. Lopes's

<sup>71</sup> Kristin Mann and Richard Roberts, "Law in Colonial Africa," in *Law in Colonial Africa*, ed. Kristin Mann and Richard L. Roberts (Portsmouth, NH: Heinemann, 1991), 3–58; Daisy Hilse Dwyer, "Outside the Courts: Extra-Legal Strategies for the Subordination of Women," in *African Women & the Law: Historical Perspectives*, ed. Margaret Jean Hay and Marcia Wright (Boston: Boston University Press, 1982), 90–109; Kristin Mann, "Women, Landed Property, and the Accumulation of Wealth in Early Colonial Lagos," *Signs* 16, no. 4 (1991): 682–706; Byfield, "Women, Marriage, Divorce."

<sup>72</sup> Elias Alexandre da Silva Corrêa, *História de Angola* (Lisbon: Ática, 1937), 1, 113–4. See also Oliveira, *Slave Trade and Abolition. Gender, Commerce and Economic Transition in Luanda*, 61–79 and 90–101.

<sup>73</sup> Rodrigues, "Chiponda," 110–11.

inventory was considered “small” and consisted of a plot along the Cavaco River in Benguela, an *arimo* with ten *cutatas* in Dombe Grande, gold, an old trunk, a piece of golden lace, six pieces of textile, and an old blanket.<sup>74</sup> Most of her wealth was invested in controlling labor, or wealth in people, a system based on the rights over someone’s labor and reproduction. Her assets included a small boy, five older women, two women, two girls, a man who worked as a mason who was freed in the terms of her will, a fisherman, two men without skills, and a woman with her baby.<sup>75</sup> Men and elders may have had control over women’s labor, but cases such as this demonstrate certain women had rights to someone else’s labor, accumulating free and unfree dependents.<sup>76</sup> If the control of women’s labor was central to different systems of stratification, the ability of women to control labor favored their economic expansion. Their wealth allowed them to accumulate dependents from communities of impoverished people in troubled circumstances. Personal wealth, social prestige, and security relied on being able to control labor through ties of marriage, patron–client links, and allegiance.<sup>77</sup> Hence, women achieved economic independence as landowners and labor recruiters, using the labor of their children and dependents to secure prestige and safety. Married or widowed, women retained control over the products of their and their dependents’ labor. They were able to invest in trade opportunities, pay land taxes, and purchase household items for themselves and their businesses.<sup>78</sup> Yet Portuguese men, such as Bishop Vicente Prazeres da Costa and Silva Porto, both mentioned earlier, portrayed African women as lazy, irresponsible, or exclusively sexual beings.<sup>79</sup>

In archival records, West Central African women appear as social actors who participated in the economic and social life of their communities. However, colonial officers viewed the enrichment of Africans,

<sup>74</sup> TCB, “Inventário de Joana Martinho Lopes,” 1864, fl. 4–6.

<sup>75</sup> TCB, “Inventário de Joana Martinho Lopes,” 1864, fl. 2–6.

<sup>76</sup> For more on wealth in people, see Joseph C. Miller, *Way of Death: Merchant Capitalism and the Angolan Slave Trade, 1730–1830* (Madison: University of Wisconsin Press, 1988), 61–63. For the idea that men were the only accumulators of wealth in people, see Caroline H. Bledsoe, *Women and Marriage in Kpelle Society* (Palo Alto: Stanford University Press, 1980), 46–9.

<sup>77</sup> Bledsoe, *Women and Marriage*, 48; Bourdieu, *Pascalian Meditations*, 193–8; Bourdieu and Wacquant, *An Invitation to Reflexive Sociology*, 118–9.

<sup>78</sup> Schmidt, *Peasants, Traders, and Wives*, 15; Hodgson and McCurdy, “‘Wicked’ Women,” 2–5; Bledsoe, *Women and Marriage*, 3–4.

<sup>79</sup> António Francisco Ferreira da Silva Porto wrote lengthy statements about Black women’s inferiority as well as their resistance to pain. See BSGL, Res 2-C 6, “Silva Porto, apontamentos de um portuense em África. Vol 2. Bié 25 de outubro de 1860 a 1 de julho de 1861,” fl. 129, May 27, 1861; and fl. 261, April 5, 1862. Jennifer Morgan has written on these problematic and conflicting visions of Black women in European imaginary. See Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2011).

particularly women, with ambivalence. The colonial administration approved the growing production of cotton or sugarcane and portrayed it as in harmony with civilizing goals, yet at the same time African involvement competed with the enterprises of European farmers.<sup>80</sup> In 1877, António Ignácio Ruas requested a renewal of his two-year license for his position as administrator of the post office of Luanda. His license allowed him to work on the farm of his daughter, Ambrozina Ismânia Ruas, in the Golungo Alto.<sup>81</sup> Even on the eve of the Berlin Conference, when the destinies of Africans changed dramatically, women in West Central Africa were managing farms and gaining wealth through their labor. By the second half of the nineteenth century, access to property was gendered. Its access defined social status and economic power. Land ownership also structured relationships within and outside of households. More importantly, examples indicate that some West Central African women played an important role in claiming property and increased their social prestige and wealth in the process at the expense of legitimate trade.

One of the ironies of the colonial obsession with writing down property records is that it provided space for West Central African women to claim rights. Unlike in other contexts in which women's presence in court records seems to be limited to women who were property belonging to male actors, in the Portuguese colonial records African women are everywhere, including as property owners.<sup>82</sup> Free Black women owned houses, plots of land, and small businesses such as taverns and shops and conducted business in the streets of colonial towns selling prepared food, fruits, fish, and water, a pattern that was replicated elsewhere in Atlantic ports.<sup>83</sup>

<sup>80</sup> These ambivalent colonial policies were not exclusive to Angola. See the case of the British in Kenya and the Gold Coast. Sara Berry, "Hegemony on a Shoestring: Indirect Rule and Access to Agricultural Land," *Africa: Journal of the International African Institute* 62, no. 3 (1992): 327–55.

<sup>81</sup> AHU, Angola, Pasta 47, doc 146, March 22, 1877.

<sup>82</sup> Hawkins, *Writing and Colonialism in Northern Ghana*, 290–91. For the prevalence of women in Portuguese colonial records, see Mariana P. Candido, "Engendering West Central African History: The Role of Urban Women in Benguela in the Nineteenth Century," *History in Africa* 42 (2015): 7–36.

<sup>83</sup> Selma Pantoja, "Quintandas e quitandeiras: história e deslocamento na nova lógica do espaço em Luanda," in *África e a Instalação do Sistema Colonial (c. 1885-c. 1935): Actas da III Reunião Internacional de História de África*, ed. Maria Emília Madeira Santos (Lisbon: Centro de Estudos de História e Cartografia Antiga, 2000), 175–86; Vanessa S. Oliveira, "Trabalho escravo e ocupações urbanas em Luanda na segunda metade do século XIX," in *Em torno de Angola. Narrativas, identidades e conexões atlânticas* (São Paulo: Intermeios, 2014), 265–67; Jane Landers, "Founding Mothers: Female Rebels in Colonial New Granada and Spanish Florida," *Journal of African American History* 98, no. 1 (2013): 7–23; David Wheat, *Atlantic Africa and the Spanish Caribbean, 1570–1640* (Chapel Hill: University of North Carolina Press, 2016), 142–80; Ty M. Reese, "Wives, Brokers, and Laborers: Women at Cape Coast, 1750–1807," in *Women in Port: Gendering*

After acquiring a debt with Dona Joana Rodrigues Magalhães and having difficulty honoring it, the Black woman Dionísia requested that an agent in Quilengues send her a young girl (a *moleca*) to liquidate Dionísia's debt to Magalhães.<sup>84</sup> African women with Portuguese names had many economic roles. In the 1820s, at the height of Atlantic commerce, Francisca Lopes Pereira owned the house in which she cohabited with José Pólilo. After their relationship ended, she demanded that Pólilo vacate the house and pay for the services that the young enslaved boy and girl, who belonged to her, had provided. In colonial documents, Pereira claimed her role as the owner of a house and of enslaved children who served her and her guests, including her domestic partner. As in other relationships in the Atlantic African ports, a wealthy woman could host visitors by offering companionship, lodging, and a variety of services, such as translation, access to her networks, and even the use of her own enslaved personnel. Compensation and the return of her property were thus a legitimate claim. The primary sources that register Francisca Lopes Pereira's rightful existence in colonial society are silent about her skin color and place of origin, thus allowing her a chance to enjoy the rights from which Black people and their descendants were usually excluded in an empire preoccupied with blood purity, status, and origin.<sup>85</sup>

Free Black women controlled a substantial portion of the economic resources in Benguela. For example, Josefa Manoel Joaquim owned and sold houses.<sup>86</sup> Dona Mariana António de Carvalho, from Galangues and married to Lieutenant Colonel José Justiniano dos Reis, had canoes that sailed between Benguela and Lobito. She also exploited limestone in Lobito, an important resource for the construction of brick houses, overseeing its commercialization in Benguela and Catumbela.<sup>87</sup> Other residents invested in fishing and transporting goods, such as the case of

*Communities, Economies, and Social Networks in Atlantic Port Cities, 1500-1800*, ed. Douglas Catterall and Jody Campbell (Leiden: Brill, 2012), 291–314.

<sup>84</sup> ANA, Cod. 7182, fl. 50v, May 21, 1827, requerimento n. 132. For Francisco Lopes Pereira's burial record, see BL, Benguela, Livro de Óbitos, 1797-1831, fl. 221-221v, 27 February 1830. For more on silences regarding color and origin, see Elizabeth Anne Kuznesof, "Ethnic and Gender Influences on 'Spanish' Creole Society in Colonial Spanish America," *Colonial Latin American Review* 4, no. 1 (1995): 153–76; Candido, "Engendering West Central African History," 22–26.

<sup>85</sup> ANA, Cod. 7182, fl. 55, June 7, 1827, requerimento n. 192. For more on restrictions associated with skin color, see João Figueiroa-Rêgo and Fernanda Olival, "'Cor da pele, distinções e cargos: Portugal e espaços atlânticos portugueses (séculos XVI a XVIII),'"*Tempo* 16, no. 30 (2011): 115–45; Ronald Raminelli, "Impedimentos da cor: Mulatos no Brasil e em Portugal c. 1640-1750," *Varia História* 28, no. 48 (2012): 699–723.

<sup>86</sup> ANA, Cod. 7182, fl. 137, 20 de marco 1829, requerimento n. 1445.

<sup>87</sup> ANA, Cx. 151, Secretaria Geral do Governo de Benguela, fl. 178v, 23 September 1845, n. 620; and ANA, Cx. 151, Secretaria Geral do Governo de Benguela, fl. 185, October 15, 1845, n. 674; fl. 194v, n. 749, April 17, 1845. For her marriage record, see BL, Benguela, Livro de Casamento, 1806-1853, fl. 46, May 31, 1838.

Dona Ana Martins de Santa Ana who owned at least two boats that sailed to Quicombo, Cuio, Lobito, and Rio Tapado.<sup>88</sup>

Women could also access property through inheritance. Probate documents available at the Tribunal da Comarca de Benguela show that some women inherited land, enslaved people, and goods from their relatives. This was the case with Matilde, a three-year-old girl who inherited property from her father, the Guimarães (Portugal) born trader João Batista da Silva. Her mother, Joana Luiz Borges César, acted as administrator of the probate estate since Matilde was a minor. Batista da Silva left his daughter a *cubata* divided into three rooms, with four doors and four windows. Young Matilde also inherited five enslaved individuals, furniture, a variety of textiles, and beads.<sup>89</sup> Due to the young age of the heir, her mother continued to live in the *cubata* and administered the inheritance on behalf of her daughter.

Probate estates also reveal that women transmitted property, including land, to nonrelatives. Dona Joana Rodrigues da Costa was the widow of Lieutenant Colonel Domingos Pereira Diniz. Her children had already died by the time she made her will, which led her to bequeath her property to Dona Florinda José do Cadaval, her “spiritual sister,” although the nature of this bond is not clear in the document.<sup>90</sup> Besides her house within the fortress of Caconda, Dona Joana Rodrigues da Costa owned cotton and linen textiles, a single soup bowl, three teacups, a teapot, a silver candleholder, and a set of silver cutlery for six people. Among her human property were two women skilled in leatherwork.<sup>91</sup> Her belongings were not luxurious, but by donating them to another woman she allowed a fellow merchant woman, Florencia José do Cadaval, to accumulate material goods and increase her wealth. This gendered strategy protected the interests of female friends and associates.

Through their wills, women such as Dona Joana Rodrigues da Costa guaranteed the distribution of goods and transmission of property. Women who wrote down their wishes and identified their property displayed a great deal of control over their lives. They were skilled enough to learn how to navigate within the colonial system and protect their relatives by preventing male family members or sobas from seizing their belongings. However, not every woman who lived in the colonial centers had the opportunity to leave a will. Josefa Soares, a single thirty-

<sup>88</sup> ANA, Cx. 151, Secretaria Geral do Governo de Benguela, fl. 188v, October 28 1845; fl. 189, n. 703, October 28, 1845; fl. 192, n. 729, October 28, 1845; fl. 192, n. 729, October 18, 1845; and fl. 193v, n. 740, November 13, 1845; fl. 198, n. 776, November 24, 1845; fl. 198, n. 778, November 24, 1845; and fl. 199v, n. 778, November 24, 1845.

<sup>89</sup> TCB, Inventários, “Inventário de João Batista da Silva,” 1863, fls. 1–14.

<sup>90</sup> TCB, Inventários, “Inventário de Joana Rodrigues da Costa,” May 13, 1850, fl. 6v.

<sup>91</sup> TCB, Inventários, “Inventário de Joana Rodrigues da Costa,” May 13, 1850, fl. 14–16v.

Table 3.5. *Granted land in Benguela, 1845–1894*

Years	Men	Women	Total
1845–54	75	13	88
1855–64	14	13	27
1865–74 <sup>94</sup>	17	11	28
1886–94	10	3	13
<b>Total</b>	116	40	<b>156</b>

Source: Biblioteca Provincia de Benguela, Termo de Terrenos 1845–1894

year-old woman from Libolo, died in 1864 while in Benguela.<sup>92</sup> Colonial authorities noticed that although she did not have a will, she had assets and seized them. It is not clear what happened to her estate.

Land registration documents also reveal the efforts of African men and women to record ownership and petition for property within the limits of the colonial bureaucracy. Even though the demarcation of land predated the nineteenth century, it was only then that the colonial government assumed the responsibility of controlling and registering it. One of Cazengo's planters, for example, reported buying a farm from a free Black woman.<sup>93</sup> By 1845 men and women in Benguela were requesting permission from the colonial government to build or manage plots of land. Of the 156 land plots granted, women petitioned and registered forty of them, as can be seen in Table 3.5.

Among them was Dona Florinda Josefa Gaspar, the daughter of Joanes José Gaspar who had served as the soba in Catumbela and corporal in Dombe Grande in the early nineteenth century. Dona Gaspar married the Brazilian *degradado* Francisco Ferreira Gomes and established a large transcontinental family with him.<sup>95</sup> Women who were well positioned

<sup>92</sup> BOGGPA, 1869, n. 13, 27 March 1869, p. 198. For a different opinion that emphasizes the victimization of women, see Cutrufelli, *Women of Africa*, 61–64.

<sup>93</sup> David Birmingham, "The Coffee Barons of Cazengo," *Journal of African History* 19, no. 4 (1978): 526.

<sup>94</sup> No records are available from 1874 to 1886.

<sup>95</sup> Biblioteca da Província de Benguela (BPB), Termos de Terrenos, 1843–1894, fl. 61–2, "Alvará de terreno concedido a Florinda Joanes Gaspar," November 20, 1861. For more on Dona Florinda Gaspar and her family, see Mariana P. Candido, "Women, Family, and Landed Property in Nineteenth-Century Benguela," *African Economic History* 43, no. 1 (2015): 136–61; Roquinaldo Ferreira, "Biografia como história social: O clã Ferreira Gomes e os mundos da escravização no Atlântico Sul," *Varia Historia* 29, no. 51 (2013): 679–719; Roquinaldo Amaral Ferreira, "Atlantic Microhistories: Mobility, Personal Ties, and Slaving in the Black Atlantic World (Angola and Brazil)," in *Cultures of the Lusophone Black Atlantic*, ed. Nancy Prisci Naro, Ro Sansi-Roca, and D. Treece (New York: Palgrave Macmillan, 2007), 99–127. Mariana P. Candido and Monica Lima, "Florinda Josefa Gaspar," *Oxford Research Encyclopedia of African History*, forthcoming.

were able to guarantee access through inheritance but also through colonial venues, such as petitioning for access to land and paying for it. In 1861, Dona Gaspar requested and received a land plot of twenty fathoms, i.e., 36.5 m<sup>2</sup>, along the Cavaco River. Her intentions were to build a house and a garden. Dona Joaquina Martins Ramos Abreu also secured a land plot in the Cavaco neighborhood, with 45.7 m facing the west, bordering the backyard of Clementina Rodrigues da Costa's and Dona Júlia Miguel Pereira's houses. The back of the plot measured 78.6 m and shared a border with Dona Isabel da Luz Abreu's house. Dona Joaquina Martins Ramos Abreu paid 1\$538 reis fortes to the Benguela city hall.<sup>96</sup> Not far from them, Felipa Martins de Castro also acquired a plot of 36.5 m facing north and 67 facing south, where Dona Rodrigues da Costa had built her house.<sup>97</sup>

Several women were richer and in better economic and social positions than their spouses, and their real estate and slave holdings offered them a series of advantages as lenders and credit holders.<sup>98</sup> In 1805, for example, the Portuguese trader Aurelio Verissimo Vieira died after having contracted debts with a series of consolidated merchants. In his will, he declared, "I have a series of credit letters with Dona Joana Gomes Moutinho related to several slaves I shipped to Rio de Janeiro and my executor will pay her."<sup>99</sup> By the early nineteenth century, Dona Moutinho was one of the most successful merchants in Benguela. She was the daughter of Dona Francisca Gomes Moutinho, another African woman who played the role of cultural broker and intermediary between Europeans and African rulers. In the late eighteenth century, Dona Joana Gomes Moutinho married the captain of the Benguela colonial army, José Ferreira da Silva, who also operated as a private trader. This relationship was apparently brief, as by 1798 she was already a widow.<sup>100</sup>

<sup>96</sup> BPB, termo de Terreno, fl. 67v, December 5, 1864.

<sup>97</sup> BPB, termo de Terreno, fl. 69v, December 27, 1865.

<sup>98</sup> Vanessa de Oliveira, "Spouses and Commercial Partners: Immigrant Men and Locally Born Women in Luanda (1831-1859), in *African Women in Atlantic Coast Societies, 1680-1880*, ed. Mariana P. Candido and Adam Jones (James Currey, 2019g), 217-32. For the importance of credit in the West Central African economy, see Miller, *Way of Death*, 95-98; Mariana Candido, "Merchants and the Business of the Slave Trade at Benguela, 1750-1850," *African Economic History* 35 (2007): 1-30; Filipa Ribeiro da Silva, "Private Business in the Angolan Trade, 1590s-1780s," ed. David Richardson and Filipa Ribeiro da Silva (Leiden: Brill, 2015), 71-101; Daniel B. Domingues da Silva, *The Atlantic Slave Trade from West Central Africa, 1780-1867* (Cambridge: Cambridge University Press, 2017), 52-55.

<sup>99</sup> ANTT, Feitos Findos, Justificações Ultramarinas, África, Maço 14, doc. 1, f. 10, September 2, 1805.

<sup>100</sup> For her mother's information, see BL, Benguela, Livro de Óbito, fl.222v-223, March 31, 1788. For reference to her marriage to Jose Ferreira da Silva, see BL, Benguela, Livro de Batismo, 1794-1806, fl. 44, April 17, 1796; and AHU, Angola, cx. 76, doc. 45,

Due to her family and marital connections, she established herself as a powerful merchant and resident of the colonial center. She owned a two-story house surrounded by farmland and a residential compound where fifty slaves lived. Among her dependents was her nephew, Caetano de Carvalho Velho, who ran the town's butcher shop. Between 1795 and 1801, she was named the godmother of at least seventeen children baptized in the local Catholic Church, *Nossa Senhora do Populo*.<sup>101</sup> She also helped to reproduce values associated with colonialism, such as Catholicism, and guaranteed her economic position and social status through her interaction with colonial agents, foreign traders, and poor residents. Dona Moutinho economic status translated into social capital, reinforced by her liaisons with foreign men.

Wealth and social prestige offered Dona Moutinho the chance to be seen not only as a wealthy merchant woman but also as a lender and business partner.<sup>102</sup> Entrepreneur, slave owner, and landlord, Dona Moutinho was part of the local merchant community that maintained links with the interior (in her case, the region of Kilengues); she could easily accommodate recently arrived traders with the infrastructure she had in place. Despite her wealth, the fact that she was a woman forced her to use attorneys or proxies to represent her in official matters. Her power was also expressed in her choice of proxy (*procurador*) who managed her businesses on her behalf. In 1799 João Mendes de Oliveira, a priest from the island of Príncipe, and in 1806 Nazario Marques da Silva, an important Benguela-based trader, represented her in church matters.<sup>103</sup>

Credit was central to economic transactions on the African coast, and foreigners and locals were active participants in advancing merchandise

June 22, 1791. For the reference to her as a widow, see AAL, Benguela, Livro de Obitos, April 11, 1798.

<sup>101</sup> For references to her property, see IHGB, DL, 32, 02.02 (1797), fl. 13-13v. For her godchildren, see BL, Benguela, Livro de Batismo, 1794-1806, fl. 25 v, July 29, 1795; fl. 39, November 19, 1795; fl. 44v, May 2, 1796; fl. 68v, July 4, 1797; fl. 69v-70, July 3, 1797; fl. 71v, August 25, 1797; fl. 73v-74, October 31, 1797; fl. 77, November, 27, 1797; fl. 94, August 31, 1798; fl. 95v, September 10, 1798; fl. 102, November 26, 1798; fl. 108, May 4, 1799; and fl. 110, June 3, 1799.

<sup>102</sup> For more on Dona Joana, see Mariana P. Candido, "Las donas y la trata de esclavos," *Mujeres Africanas y Afrodescendientes em el Mundo Atlántico, siglos XVII al XIX*, Maria Elisa Velázquez and Carolina González (México City: DEAS-INAH, 2016), 243-278. For other cases in Angola, see Júlio de Castro Lopo, "Uma Rica Dona de Luanda," *Portucale* 3 (1948): 129-138; Selma Pantoja, "Gênero e Comércio: As Traficantes de Escravos na Região de Angola," *Travessias* 4/5 (2004): 79-97; Pantoja, "Donas de 'Arimos';" Candido, "Marchande de Benguela."

<sup>103</sup> ABL, Benguela, Batismo, fl. 110, June 3, 1799; and fl. 227, April 26, 1806. In 1805, the Portuguese merchant Aurélio Verissimo Viana acknowledged his debts with her in his will. Years before Dona Joana had advanced him slaves to be sold in Rio de Janeiro Arquivo Nacional da Torre do Tombo (ANTT), Feitos Findos, Justificações Ultramarinas, África, Maço 14, doc. 1, fl. 10.

and acquiring debts. African women appear in colonial records as loaners. In the 1820s, Rosa Chamires sued Caetano de Morais, a resident of Catumbela who owed her 12\$800 *réis*.<sup>104</sup> She expected the colonial authorities to help her in recuperating the loan she had provided months before. Similarly, Rita Jorge lent 7\$200 *réis* to the soldier Pedro António. António managed to pay part of his debt, 6\$300 *réis*, before he deserted the army and ran away. Unable to collect the remaining 900 *réis*, Rita Jorge filed a complaint with the colonial judge requesting that Cecilia, who cohabited with António, honor his debt. The Benguela judge sided with Jorge and demanded the payment, making Cecilia responsible for her partner's debts.<sup>105</sup>

The absence of local banks propelled trustworthy people with enough cash to the position of moneylenders for residents who did not have access to the credit provided by transatlantic slave traders. The credit arrangements were informal and probably unwritten and are accessible to historians only when creditors failed to recuperate their money and requested the intervention of colonial authorities or in inventories that regularly included lists of money out at interest and debt owing. For example, Maria Braxel, a Black woman, advanced 2\$400 *réis* to the sailor Luis, and Andreza Leal do Sacramento lent 10\$450 *réis* to José, a Black resident of Dombe Grande.<sup>106</sup> The motivation or goals are not stated, but it is fair to assume these men had limited access to other creditors, and both women had cash and connections. Dona Joana Francisca de Sousa acted as a guarantor and assumed the risk for her son, Manoel de Sousa Marques, who failed to pay 84\$000.<sup>107</sup> African women's roles as moneylenders and creditors indicate that they had control over their earnings from surplus production, petty trade, and services they provided. As a result, they had cash to lend and the autonomy to sue debtors or customers who refused to pay for their services. Ana Freire Joaquim, a Black woman who worked for Pedro António, demanded their agreed-upon payment of 32\$000 *réis*.<sup>108</sup> It is not clear what type of service she performed, yet, she could sue Pedro Joaquim. In a similar case, Josefa solicited the help of the administrator of Catumbela to recover the amount of 12\$000 *réis* for services she had provided to Juliana Gonçalves de Siqueira.<sup>109</sup>

<sup>104</sup> ANA, Cod. 7182, fl. 114v, October 22, 1828, requerimento n. 1221.

<sup>105</sup> ANA, Cod. 7182, fl. 54, June 6, 1827, requerimento n. 178.

<sup>106</sup> ANA, Cod. 7182, fl. 137, March 20, 1829, requerimento n. 1447; and ANA, Cod. 7182, fl. 82v, February 13, 1828, requerimento n. 734.

<sup>107</sup> ANA, Cod. 7182, fl. 11v, August 5, 1826, requerimento n. 498.

<sup>108</sup> ANA, Cod. 7182, fl. 9, August 5, 1826, requerimento n. 474.

<sup>109</sup> ANA, Cod. 7182, fl. 9v, August 5, 1826, requerimento n. 479.

With the monetization of the economy and the expansion of the paper register, both men and women lent and collected money. It is not clear how these practices differed from those prior to the nineteenth century. In 1846, Mariana Antónia de Carvalho made a formal request to Eleutério Treisse to pay the remaining value of a house in Mossamedes, indicating not only that she was a homeowner but also that she had sold it on credit.<sup>110</sup> Lenders accepted enslaved people as pawns for those who needed credit. In 1849, the Luanda-based Dona Maria dos Reis Dionísia offered three female slaves as collateral to Dona Ana Joaquina dos Santos e Silva, the largest slave trader in Luanda by the mid-nineteenth century. Failing to return the advance, Dona Maria dos Reis Dionísia lost her slaves to a more-powerful resident who increased her wealth by accumulating the dependents and debts of others.<sup>111</sup>

Women not necessarily registered loans and credit arrangements in notaries with promissory notes. Yet some did, such as the case of Joana Rodrigues da Costa, who died in 1850. Among her belongings were listed four credit bills for merchandise she had advanced to inland traders and two bills related to loans acquired with Manuel de Barros Cunha.<sup>112</sup> Women employed the courts to collect debts but not necessarily registered loans on the town's notaries. Men, however, tended to register formal loans in notaries, with debtors and creditors presenting written documents and recognizing the importance of paper evidence. In his 1862 will, Agostinho António Ramos, a resident of Cuio, declared he owed 40\$000 réis to Dona Teresa Ferreira Torres Barruncho and the same amount to Joaquim Ferreira, a resident of Novo Redondo, and both "had documents." He also noted, "If any document shows up with debts from Bento Joanes Papata, they should not be considered since he owns me nothing."<sup>113</sup> Tomé Ribeiro Antunes initiated a legal action to collect a debt from João Henriques Teixeira's estate. Ribeiro Antunes had lent the Teixeira couple 206\$936 réis to help them settle and start a farm in Luaxi/Luacho, close to Dombe Grande. He presented seven written documents registered in notaries detailing the expenses and items

<sup>110</sup> ANA, Cod. 455, "Correspondência Expedida do Governo," fl. 191, June 15, 1846.

<sup>111</sup> BGGOPA, n. 179, March 3, 1849, p. 4, "Edital, March 1, 1849. For more on Dona Ana Joaquina, see Carlos Alberto Lopes Cardoso, "Ana Joaquina dos Santos Silva, industrial angolana da segunda metade do Século XIX," *Boletim Cultural da Câmara Municipal de Luanda* 3 (1972): 5–14; Júlio de Castro Lopo, "Uma rica dona de Luanda," *Portucale* 3 (1948): 129–138; Douglas Wheeler, "Angolan Woman of Means: D. Ana Joaquina dos Santos e Silva, Mid-Nineteenth Century Luso-African Merchant-Capitalist of Luanda," *Santa Barbara Portuguese Studies Review* 3 (1996): 284–97.

<sup>112</sup> TJB, Inventários, "Inventário de Joana Rodrigues da Costa," May 13, 1850, fl. 16v.

<sup>113</sup> ANA, cx. 5251, Dombe Grande, "Junta da Fazenda Pública de Benguela [Luis Teodoro França] to Chefe do concelho do Dombe Grande], July 1, 1862.

lent between June 1863 and July 1866, which included over 1,101 *cazongueis* of manioc flour (15,414 kilos), six cows, and fish to feed his people, as well as a variety of textiles, three *pipas* of firewater, and enslaved adults and twelve children. In March 1867, the court recognized the debt due to “proof presented in several documents” and awarded Ribeiro Antunes the right to receive repayment.<sup>114</sup>

Despite these cases, European traders did not necessarily have the financial upper hand and relied on local traders with more cash to borrow money. The Portuguese trader Inácio Teixeira Xavier accumulated debts with several Benguela residents, many of them born locally. One was Rufina Angélica do Céu (105\$415), who had married at least twice before 1850 and owned several enslaved men and women. Céu was able to sign her own name, which was uncommon among women in West Central Africa.<sup>115</sup>

Since the colonial bureaucracy did not necessarily resolve all credit-related disputes, some individuals became frustrated and seized goods in retaliation for the lack of repayment, a practice that resembled the kidnapping of free people along the African coast to settle debt payments. In 1860, Isabel Soares da Silva, a Black woman, and José Gonçalves de Almeida, whose skin color was not identified in the documents, trespassed on the *arimo*, the garden of Domingos Marcelino Galvão, and removed some planted manioc. Galvão initiated a legal proceeding against the two, but it soon emerged that the couple was unhappy with Galvão’s failure to repay a debt and the slow process of the colonial bureaucracy in helping them regain their money. Silva had provided Galvão six and a half bottles of *aguardente* (firewater), and the Benguela judge estimated its value at 1\$950. The manioc they seized and the damage to the soil and garden were evaluated at 12\$000. As a result, the judge ordered the couple to pay the difference or face jail time.<sup>116</sup> The stories held in colonial records shed some light on the mechanisms that local men and women employed to collect loans.

<sup>114</sup> TCB, “Ação comercial Autor Tomé Ribeiro Antunes Réu Casal de João Rodrigues Teixeira” December 1867.

<sup>115</sup> Teixeira Xavier’s other creditors included José Balahala (77\$015), José Manuel Ribeiro (1:020\$525), José Manuel Ribeiro (110\$485), and José Marques Pereira da Silva (1:620 \$066). See BGGOPA, 1869, n. 4, 23 January, p. 39–40. For more on Dona Rufina Angélica do Céu’s marriages to João Batista Correa Peixoto and Manoel Maria Conceição da Silva, both from Luanda, see BL, Benguela, Livro de Casamento, fl. 55 v, April 20, 1850. For Rufina Angélica do Céu’s slaves, see BL, Benguela, Livro de Batismo 1846–1849, fl. 45v, February 22, 1847; Benguela, Livro de Batismo 1849–1850, fl. 111v, October 27, 1850 and Benguela, Livro de Batismo, 1851–1853, fl. 7v, October 12, 1851.

<sup>116</sup> ANA, cx. 1373, Dombe Grande, doc. 3 – “Processo referido de Autos civis, Juizo ordinario provisório Autos de Exame e vistoria a requerimento do Domingos Marcelino Galvão. Reus José Gonçalves de Almeida e preta Isabel Soares da Silva,” July 9, 1860.

Similar to the *signares* or *nharas* in Senegal and Guinea, West Central African women achieved the position of intermediaries and became important business owners during the era of the transatlantic slave trade.<sup>117</sup> Very few European women ever settled in Benguela, and the colonial administrators did not prevent the rise of West Central African women entrepreneurs. The collaboration favored both sides. On the one hand, local women provided foreign traders access to commercial networks, acting as traders and translators, and mediating the contact between slave traders based on the coast and internal commercial elites. On the other hand, foreign traders facilitated African women's access to imported goods, which they would then market at a profit.<sup>118</sup> More interesting is the fact that the available colonial documents reveal that a number of these African women were single and did not necessarily rely on the capital of powerful men to establish themselves as business owners. Many had agents in the internal markets, such as Maria António da Silva

For cases when goods and people were seized as a result of criminal solutions, see Ferreira, "Slaving and Resistance to Slaving in West Central Africa," 111–130.

<sup>117</sup> George E. Brooks, "A Nhara of Guine-Bissau Region: Mãe Aurélia Correia," in *Women and Slavery in Africa*, ed. Claire C Robertson and Martin A Klein (Madison: University of Wisconsin Press, 1983), 295–317; George E Brooks, "The Signares of Saint-Louis and Gorée: Women Entrepreneur in Eighteenth Century Senegal," in *Women in Africa. Studies in Social and Economic Change*, ed. Nancy Hafkin and Edna Bay (Stanford, CA: Stanford University Press, 1976), 19–44; Philip J. Havik, *Silences and Soundbites: The Gendered Dynamics of Trade and Brokerage in the Pre-Colonial Guinea Bissau Region* (Munster: LIT Verlag Münster, 2004); Pernille Ipsen, *Daughters of the Trade: Atlantic Slavers and Interracial Marriage on the Gold Coast* (Philadelphia: University of Pennsylvania Press, 2015); Reese, "Wives, Brokers, and Laborers: Women at Cape Coast, 1750-1807"; Natalie Everts, "A Motley Company: Differing Identities among Euro-Africans in Eighteenth-Century Elmina," in *Brokers of Change: Atlantic Commerce and Cultures in Precolonial Western Africa*, ed. Toby Green (Oxford: The British Academy/ Oxford University Press, 2012), 53–69. For the scholarship on merchant women in West Central Africa, see Selma Pantoja, "Gênero e comércio: as traficantes de escravos na Região de Angola," *Travessias* 4/5 (2004): 79–97; Cesaltina Abreu, "'Xé, minina, não fala política!,' cidadania no feminino: sine die?," in *Angola e as angolanas. Memória, sociedade e cultura*, ed. Selma Pantoja, Edvaldo Bergamo, and Ana Claudia da Silva (São Paulo: Intermeios, 2016), 167–86; Mariana P. Candido, "Aguida Gonçalves da Silva, une dona à Benguela à la fin du XVIIIe siècle," *Sciences Humaines et Sociales* 1 (2012): 33–54; Candido, "Merchants and Business."

<sup>118</sup> There is an important scholarship on the partnerships between African women and Atlantic traders. See Pamela Scully, "Malintzin, Pocahontas, and Krotoa: Indigenous Women and Myth Models of the Atlantic World," *Journal of Colonialism and Colonial History* 6, no. 3 (2005); Adam Jones, "Female Slave-Owners on the Gold Coast. Just a Matter of Money?," in *Slave Cultures and the Cultures of Slavery*, ed. Step Palmié (Knoxville: University of Tennessee Press, 1995), 100–111; Hilary Jones, *The Métis of Senegal: Urban Life and Politics in French West Africa* (Bloomington: Indiana University Press, 2013); Jean-Baptiste, *Conjugal Rights*; Carina E. Ray, *Crossing the Color Line: Race, Sex, and the Contested Politics of Colonialism in Ghana* (Athens: Ohio University Press, 2015); Lorelle Semley, *To Be Free and French: Citizenship in France's Atlantic Empire* (Cambridge: Cambridge University Press, 2017), 24–56.

who employed trade agents in Quilengues, and Isabel Francisca Antónia Viera who had representatives in Caconda.<sup>119</sup> Andreza Leal do Sacramento experienced a series of problems with José Gongo, a Black man who acted as her commercial agent in Dombe Grande.<sup>120</sup>

Women also acted as itinerant traders, acquiring goods and people in the interior on behalf of coastal traders. This was the case with Dona Ana Teixeira de Sousa, a resident of Benguela who received goods on behalf of Manuel Ribeiro Alves to acquire enslaved people in Caconda in 1856, despite the official ban on slave exports from Portuguese territories in West Central Africa. Alves presented three witnesses, all male traders living in Benguela, who testified in favor of Alves. Dona Ana Teixeira de Sousa was ordered to pay the 1:038\$150 *réis* she had received from Alves.<sup>121</sup> She had at least two enslaved young people working for her, Antonio from Bihé and Francisco from Hanha, a region near the fortress of Caconda.<sup>122</sup>

Colonial records are not necessarily clear on the economic activities of local women but do provide some clues. In the 1840s, for example, Dona Ana Martins de Santa requested a series of licenses to send boats and as many as thirty-four enslaved individuals with fishing nets to Lobito. The judge in Benguela recommended that the regent of the fortress of Catumbela allow them to cross his jurisdiction without any problems.<sup>123</sup> The number of people and boats involved suggests she operated a fishing business, although the official documents never disclosed her economic activities. Many of the lists of taxpayers from the 1860s and 1870s reveal that women operated agricultural businesses in Benguela, Dombe Grande, and Egito, as can be seen in Tables 3.6 through 3.8. A list of taxpayers indicates the importance of slave and land holdings in Dombe Grande from 1857 to 1860, though the size of the landed property or the number of enslaved people owned is not known. In those three towns, forty-two people were identified as having paid or owing taxes to the Crown, including eleven women.<sup>124</sup>

<sup>119</sup> ANA, Cod. 7182, fl. 89, May 16, 1828, n. 873; and ANA, Cod. 7182, fl. 99v, August 4, 1828, n. 994.

<sup>120</sup> ANA, Cod. 7182, Cota 23-1-40, Registro de requerimentos – Benguela, 1825 a 1829, fl. 150v, June 19, 1829, requerimento n. 1660.

<sup>121</sup> TCB, “Ação commercial Autor Manuel Ribeiro Alves Réu Ana Teixeira de Sousa, 1856,” fl. 17–19v, February 15, 1856.

<sup>122</sup> ABL, Benguela Batismo 1846-1849, fl. 3v–4, August 1, 1846 and June 13, 1847.

<sup>123</sup> ANA, cx. 151, fl. 6v, June 9, 1842; ANA, cx. 151, fl. 8v, June 19, 1843, n. 133; ANA, cx. 151, fl. 164V, August 11, 1845, n. 133.

<sup>124</sup> ANA, cx. 5251, doc. 126 “Relação dos indivíduos coletados neste concelho para pagarem dízimos e impostos de escravos, os quais indivíduos se acham residindo em Benguela, e que nunca tratam de satisfazer suas importâncias,” Dombe Grande April 23, 1863.

Table 3.6. *Top ten Benguela taxpayers, 1857–1860*

	Total tax paid
Manuel da Costa Souza	54,830
Luiz Teodoro da Silva	37,950
D. Teresa Ferreira Barruncho	36,700
Mariana Antonio Carvalho	30,800
Domingos Rodrigues Viana	29,940
Paulo Fernandes da Silva	23,190
D. Dionísia Josefa Fernandes	22,500
Maria Barboza	17,300
D. Isabel António da Luz e Abreu	15,250
Francisco António da Glória Júnior	13,950

Source: ANA, cx. 5251, doc. 126

Table 3.7. *Cotton plantations in Egito County, District of Benguela, January 1862–May 1864*

Growers	Plantation	Location	# cotton plants	# enslaved people
António Pereira Barbosa Bastos	Sta. Maria	Quilundo	4,000	15
	Caóllo	Caóllo	3,000	45
	S. Joaquim	Gando	10,000	40
António Joana	St. Justa	Quilundo	60,000	30
	St. António	Quinpunga	3,000	10
Carolina Joana da Silva	Cauhita	Cauhita	3,000	10
	Quinpunga	Quinpunga	5,000	15
José Fernandes do Porto	Quicanjo	Quicanjo	2,000	8
	Quinpunga	Quinpunga	6,000	8
D. Elena Ferreira de Carvalho	S. Germano	Quilundo	50,000	50
António Joaquim Teixeira de Carvalho	S. João	Camballa	50,000	50
Domingos Ribeiro Alves	S. Domingos	Mottetto	200,000	80
Cipriano Manuel Sardinha	Gando	Gando	3,000	12
Roque Maria da Silva	Cauhita	Cauhita	5,000	9
José Cristovão Bastos	Mogollo	Mogollo	3,000	9
António Ribeiro da Silva Guimarães	Caóllo	Caóllo	40,000	39

Source: Aida Freudenthal, *Arimos e Fazendas*, 377

After the 1850s, cotton plantations expanded along the West Central African coast in response to growing demand in Europe and North America for cheap raw materials. The outbreak of the US Civil War in 1861 affected the availability of cotton for European industry and drove

Table 3.8. *Cotton plantations in Dombe Grande, 1864*

Growers	Location	Year established	Number of cotton plants	Number of enslaved people
Tomé Ribeiro Antunes	Mama	1863	41,000	120
Francisco Marcelino Galvão	Tumbo	1864	1,000	40
João Esteves de Araújo	Luaxe	1862	40,000	100
Manuel da Costa Souza	Luaxe	1862	20,000	60
José Joaquim Geraldo do Amaral	Luaxe	1862	20,000	48
D. Teresa Ferreira Torres Barruncho	Luaxe	1862	NA	439
D. Isabel António da Luz Abreu	Dombe	1863	NA	74
João Henriques Teixeira	Mama	1863	12,000	48
D. Maria Dias de Jesus	Dombe	1862	20,000	46
Custódio José de Sousa Veloso	Dombe	1863	16,600	62
José Manuel Ribeiro	Dombe	1863	1,356	50
Francisco Pacheco de Sousa e Silva	Dombe	1864	3,000	30
Casal de Inácio Teixeira Xavier	Equimina	1863	4,000	200

Source: Aida Freudenthal, *Arimos e Fazendas*, 379

cotton prices up. The growing textile industries in Europe searched for new sources of cotton, and Angola was one of the options.<sup>125</sup> Local residents set up plantations relying on enslaved labor diverted into the new legitimate business, as can be seen in Tables 3.7 and 3.8. The expansion of agriculture and the plantation economy transformed the landscape, with environmental changes not yet examined. According to the Governor of Benguela report, in 1868, “The great plains that used to be covered by dense woods and served as refuge for wild animals are now clear of trees, and almost all of the land along the coast is now plantations of cotton and sugarcane.”<sup>126</sup>

As can be seen in Table 3.7, among the eleven owners of cotton plantations in Egito were two women, Carolina Joana da Silva and Dona Elena Ferreira de Carvalho, and Table 3.8 shows that in Dombe Grande there were three women-controlled plantations: Dona Teresa Ferreira Torres Barruncho, Isabel António de Luz Abreu, and Dona Maria Dias de Jesus, who also appear in ecclesiastical and judicial records.

<sup>125</sup> For more on cotton production in Angola, see W. O. Henderson, *The Lancashire Cotton Famine 1861-1865* (Manchester: Manchester University Press, 1934), 48–9; Clarence-Smith, *The Third Portuguese Empire, 1825-1975*; Anne Pitcher, “Sowing the Seeds of Failure: Early Portuguese Cotton Cultivation in Angola and Mozambique, 1820–1926,” *Journal of Southern African Studies* 17, no. 1 (1991): 43–70.

<sup>126</sup> AHU, Correspondência dos Governadores, Pasta 38, “Relatório do Governo de Benguela referente a 1864-1868,” December 21, 1868. (old numeration)

The prospects of economic gain were so attractive that important business owners, such as the versatile Ana Joaquina dos Santos Silva, also invested in plantations in Mossamedes and Novo Redondo, acquiring boats and enslaved individuals to help expand her business.<sup>127</sup>

### Conclusion

In 1878, the captain of Dombe Grande warned the governor of Benguela that the rush to register land in people's names would lead to conflict. The captain stated that Floriano José Mendes da Conceição was "bragging that he is connected to the Mendes Machado family from Ambaca, and that he knows the laws, which will favor him to continue stealing as he has been doing for a long time. ... Floriano claims to have documents, but these are simple pieces of paper with shallow requests making vague use of the articles from the penal code." The captain continued that while serving in the administration Floriano took advantage of his position to acquire a plot of land for his daughter Florinda, who was a minor. Floriano argued that wasteland surrounded the plot, which allowed him to occupy a larger territory than that originally assigned to his daughter. The captain of Dombe Grande concluded, "I am convinced that this will never be solved [and will affect] the peaceful interaction with the people who inhabit this region."<sup>128</sup> This case makes it clear that the first settlers were disregarded as legitimate occupiers by the simple presence of a piece of paper and the statement that their lands were wastelands. Indeed, as Conceição stated, those who knew the laws and had social connections took advantage of the system at the expense of the local inhabitants, who experienced dispossession and exclusion.

Colonial courts emerged as an alternative for West Central African subjects who failed to achieve their goals in local courts controlled by African rulers. As a result, the colonial court became a site of conflict over rights and jurisdiction between Portuguese and soba authorities. The colonial court also became the space to settle civil cases related to credit and debt that went beyond the jurisdiction of the Portuguese colonial state. Colonial subjects went to court to verify their legitimacy as property holders. While in some instances African rulers lost their land when it was labeled as unproductive or unoccupied, in other cases

<sup>127</sup> ANA, Cod. 326, fl. 63, November 19, 1848; and ANA, Cod. 326, fl. 82v, July 9, 1849. For more on Dona Ana Joaquina dos Santos Silva, see Oliveira, *Slave Trade and Abolition*, 61–74 and 90–101.

<sup>128</sup> ANA, cx. 3340, Dombe Grande, maço 3, Concelho do Dombe Grande, Correspondência Expedida, January 1, 1878–October 1, 1878, Letter Exchange between Manoel Jose da Silva, captain of Dombe Grande and Secretario do governo de Benguela, February 12, 1878.

colonizers and colonized fought over the best solution for implementing the colonial civilizing views.

The rush to create paper trails to legitimize ownership led to the expansion of the colonial archives, containing wills, postmortem inventories, land registers, deeds, tax collections, and legal disputes. These historical documents operated as ownership evidence and reveal the changes associated with governance and property claims during the nineteenth century. Local rulers and residents embraced written evidence to protect their interests, which resulted in the creation of new traditions and the consolidation of written evidence as the only valid and legitimate way to prove property rights. West Central Africans made use of multiple strategies to protect and pursue their rights, involving customary rights and the use of colonial law and a system of property recognition. The establishment of written records and venues for petition, such as courts, allowed colonial subjects to make use of colonial apparatus to strategically survive the new legal order and claim their rights.

The colonial archives also reveal that property claims were a gendered process, and men and women employed different strategies to protect their rights. The written documents and courts allowed African women to bypass the authority of male elders or local rulers and settle disputes in a space that would favor them. The recognition of women's right to property and inheritance in the Portuguese legal code created the space for African women to make ownership claims and accumulate assets. West Central African women were owners of human beings, goods, and real estate, but they also operated as moneylenders, debt collectors, and business owners. They were more than business partners to husbands, partners, or fathers; they administered businesses, managed farms and shops, and had active economic roles.

As a technique, writing created new spaces of power and new ways to insert colonized people into history. The resourcefulness of different individuals in adapting to the writing culture and turning it to their own ends makes the persistent commodification of West Central Africans, which will be examined in Chapters 4 and 5, more distressing. It is important to realize that not every West Central African had the opportunity to use the colonial bureaucracy and make petitions, yet the historical evidence available discloses how some contested and negotiated ownership rights. The documents show how colonial violence and dispossession operated and how certain groups of people were favored. West Central Africans, both rulers and commoners, addressed questions of dispossession and new claims, in many ways employing colonial tools to advance their claims and establish new rights. Those expelled from their lands remain silent in documentation, reinforcing their dispossession from history as well as from their land.