

# Privacy in Recife, Freedom in Amsterdam: an enslaved woman's practical strategies of autonomy across the Atlantic

Natália da Silva Perez

## Introduction<sup>1</sup>

In 1654, Juliana, a woman of African origin, and Eliau Burgos, a Sephardic Jewish merchant, crossed the Atlantic together from Recife to Amsterdam.<sup>2</sup> Juliana had been serving as an enslaved domestic worker at Burgos's house for about one decade, since she had been purchased by him in Recife in 1643, when she was 10 or 11 years old. Burgos was a member of a Jewish congregation that existed in 17<sup>th</sup> century Dutch Brazil called Zur Israel and Magen Abraham. When the Dutch lost control of their colony in northeastern Brazil—and Pernambuco went back to Portuguese rule and to the jurisdiction of the Inquisition—Burgos was among the Jewish colonial subjects who decided to relocate. At that occasion, Juliana pleaded with Burgos for him to bring her along to Amsterdam, promising him that she would forever be at his service. Burgos indeed brought along with him not only Juliana, who was perhaps 21 or 22

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<sup>2</sup> Juliana's case study has been discussed by other historians: Dienke Hondius, 'Black Africans in Seventeenth-Century Amsterdam', *Renaissance & Reformation/Renaissance et Reforme* 31, no. 2 (Spring 2008): 87–105, <https://doi.org/10.33137/rr.v31i2.9185>; Mark Ponte, "'Al de Swarten Die Hier Ter Stede Comen" Een Afro-Atlantische Gemeenschap in Zeventiende-Eeuws Amsterdam', *TSEG/ Low Countries Journal of Social and Economic History* 15, no. 4 (11 March 2019): 33–62, <https://doi.org/10.18352/tseg.995>; 'A afro-brasileira Juliana em Amsterdã', *BNDigital* (blog), accessed 17 December 2020, <https://bndigital.bn.gov.br/dossies/historias-da-nova-holanda/a-afro-brasileira-juliana-em-amsterda/>; 'Juliana - Keurboek - Geschiedenislokaal Amsterdam', accessed 27 October 2020, <https://www.geschiedenislokaalamsterdam.nl/bronnen/juliana-keurboek/>; Hanneloes Pen, 'Slavernij in Amsterdam: Juliana werd voor 525 gulden gekocht', *Het Parool*, 30 June 2020, sec. Kunst & Media, <https://www.parool.nl/gs-b3c748be>.

years old at the time, but at least one other enslaved girl called Esperança, who was probably around 12 years old.<sup>3</sup> In Amsterdam, however, Juliana learned that she had the right to be free, and strove to secure that right for herself through both legal and practical means.

In this chapter, the Atlantic Ocean plays the part of a legal and social threshold for Juliana and Eliau Burgos. Crossing the ocean from Recife to Amsterdam had tremendous impact on their relationship, an intimate domestic relationship marked by a drastic imbalance of power. “Privacy” here served as an analytical lens that directed my research of the contours of their relationship. This analytical perspective helped me to examine possible ways in which familial intimacy and trust might have been, at first, fostered in the domestic colonial environment that Juliana and Burgos inhabited in Recife, and subsequently, dismantled by the displacement of the Burgos household to Amsterdam. From the extant historical sources, as I show, it is possible to infer that both Burgos and Juliana, at turns, informally leveraged their trust in each other to secure their own respective interests. But as my discussion shows, the legal and cultural contexts in which they acted could substantially influence the outcome of their personal exchanges. Crossing the Atlantic precipitated drastic changes to how they related to each other.

Central to my discussion in this chapter is my interest to explore the balance of power in an intimate relationship between an enslaver and an enslaved person. What could have been the nature of the psychological bond between Juliana and Eliau Burgos? What made it possible for an enslaved domestic worker and her enslaver to become a part of each other’s private worlds? What happened to this unequal relationship when the two people involved were geographically displaced? Is it possible, with these extant documents, for me to get a glimpse of the benefits and costs for Juliana of cultivating trust with her enslaver Eliau Burgos?

In what follows, I will start with a brief methodological explanation of how I engage privacy as an analytical lens in this case study, followed by an overview of the historical documents that I use for my analysis. Then I discuss my understanding of how Juliana and Burgos might have inhabited colonial Recife, of how their situation started to change as they boarded the ship that carried them across the ocean, of how that change was completed as they

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<sup>3</sup> ‘Contract between Juliana and Eliau Burgos Notarized by Benedict Baddel’, Digitized version: Inventory 5075, Notary 44 Benedict Baddel, Minuutacten Folder 980, Digital Folio 76, Amsterdam City Archives, accessed 6 October 2021, <https://archieff.amsterdam/inventarissen/scans/5075/44.1.70/start/70/limit/10/highlight/6>; ‘Contract between Esperança and Eliau Burgos Notarized by Benedict Baddel’, Digitized version: Inventory 5075, Notary 44 Benedict Baddel, Minuutacten Folder 980, Digital Folio 77, Amsterdam City Archives, accessed 6 October 2021, <https://archieff.amsterdam/inventarissen/scans/5075/44.1.70/start/70/limit/10/highlight/6>.

arrived and settled in Amsterdam, and of how Juliana refused returning to the predicament of slavery by refusing to go to yet another colonial setting, Barbados.

### Privacy as an Analytical Lens for Historical Sources

To use privacy as an analytical lens for the case of Juliana, I focus on a subset of what is encompassed by what we might currently understand as privacy, that is, I focus on the ability a person might have to regulate, adjust, or control access to themselves and to their material and immaterial resources.<sup>4</sup> This ability is context and time dependent: access to privacy emerges as a constant negotiation between people, it is not a fixed characteristic attached to an individual or place.

From a present-day perspective, we might perceive privacy as a right, one that helps to protect an individual human being. This assumption, however, does not hold very easily when we are talking about the early modern period, especially in colonial contexts. In pre-modern times, the strategies available for people to regulate access to themselves and to their resources often entailed delicate tacit negotiations. For example, a young couple might seek opportunities for intimacy by taking a walk at a park, away from parents' eyes but in a respectable location.<sup>5</sup> An unsanctioned religious community might conceal their place of worship with a secular facade.<sup>6</sup> Nonetheless, there were some similarities with situations we might encounter today: in the early modern period, these tacit negotiations varied substantially depending on the socioeconomic status of a person or community, on their perceived racial traits, on their religious affiliation, on their age, on their expected gender roles.

Such tacit negotiations over privacy were not premised only on the individual person; each human being had to engage in cooperation with the community to which they belonged, and this community could have a great deal of power to influence what privacy the person managed to enjoy. Regulating access to oneself in the early modern period was a precarious endeavour; in the colonial context, this precarity was compounded by political instability. As Lauren Benton argues in her book *Law and Colonial Cultures*,

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<sup>4</sup> Stephen T. Margulis, 'Privacy as a Social Issue and Behavioral Concept', *Journal of Social Issues* 59, no. 2 (2003): 243–61, <https://doi.org/10.1111/1540-4560.00063>; Kirsty Hughes, 'A Behavioural Understanding of Privacy and Its Implications for Privacy Law', *The Modern Law Review* 75, no. 5 (2012): 806–36, <https://doi.org/10.1111/j.1468-2230.2012.00925.x>; Natália Silva Perez, 'Privacy and Social Spaces', *TSEG/ Low Countries Journal of Social and Economic History* 18, no. 3 (December 2021), <https://www.tseg.nl/>.

<sup>5</sup> Julie Hardwick, *Sex in an Old Regime City: Young Workers and Intimacy in France, 1660-1789*, 2020, <http://search.ebscohost.com/login.aspx?direct=true&scope=site&db=nlebk&db=nlabk&AN=2576094>.

<sup>6</sup> Natália da Silva Perez and Peter Thule Kristensen, 'Gender, Space, and Religious Privacy', *TSEG/ Low Countries Journal of Social and Economic History* 18, no. 3 (December 2021).

Colonial states did not in an important sense exist as states in the early centuries of colonialism. They did not claim or produce a monopoly on legal authority or on the assignment of political and legal identity. Indeed, colonial conditions often intensified the fluidity of the legal order and enhanced the strategic importance of personal law by multiplying claims made by, and on behalf of, cultural and religious communities to their own legal authorities.<sup>7</sup>

The example of the Jewish community in Dutch Brazil is telling. As soon as the Dutch lost their political control over the colony in Pernambuco, the Jewish religion became *de facto* illegal, and the Jewish community had to move away from the Inquisition.

I acknowledge that it is not straight-forward for me to find answers to the questions that I set out to investigate, and in the effort to do so, I face several obstacles. One of them is the difficulty of studying the nature of pre-modern privacy, which, as I mentioned, before being codified as a human right, could only really be achieved through tenuous, mostly informal, negotiations, which often had to account for the possible interference of close kin, community members, and even authorities. Another obstacle is that relevant historical sources are scarce, and the ones that still survive might present different and sometimes-competing perspectives that require a good dose of interpretation. Yet another obstacle is the extreme power imbalance between enslaved people and enslavers, which also influenced the documents that survive in the archives. Thus, I take the cue from Marisa Fuentes in trying to make meaning, not only of what is present in the historical record, but also of what is absent from it: “There will always be unanswerable questions from an archive that cannot fully redress the loss of historical perspectives and insights from the enslaved.”<sup>8</sup> What happened in the privacy of a colonial home, precisely by virtue of it being private, left few marks for the historian to study. Here, silences become important, and a historical imagination, a possible way to listen to their echoes.

To build my discussion about the role of privacy in the relationship between Juliana and Eliau Burgos, I engage primarily with clues from two documents:<sup>9</sup> a contract between Burgos and Juliana, made in Amsterdam with notary Benedict Baddel, stipulating the terms under which she would work for him to obtain her freedom, and a notarial statement left by Burgos with notary Adriaen Lock, also in Amsterdam, denouncing Juliana’s breach of contract by running away before she fulfilled their agreement. To help contextualise my claims, I also

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<sup>7</sup> Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400–1900*, Studies in Comparative World History (Cambridge: Cambridge University Press, 2001), 259, <https://doi.org/10.1017/CBO9780511512117>.

<sup>8</sup> Marisa J. Fuentes, *Dispossessed Lives: Enslaved Women, Violence, and the Archive*, *Dispossessed Lives* (University of Pennsylvania Press, 2016), 144, <http://penn.degruyter.com/view/title/523046>.

<sup>9</sup> Carlo Ginzburg, ‘Clues: Roots of an Evidential Paradigm’, in *Clues, Myths and the Historical Method*, n.d.

use sources relating to the political and religious historical context of the Dutch exit from northeastern Brazil in 1654, as well as about slavery in Amsterdam. I analyse fragments that survive of the story of Juliana and Burgos through the lens of privacy, examining, contrasting, and comparing Juliana's and Burgos' ability to regulate access to themselves and their material and immaterial resources.

### Broken Promises in Notarial Statements

On 1 November 1656, Eliau Burgos left a sworn statement with notary Adriaen Lock.<sup>10</sup> He declared to the notary that, in 1643 in Recife, he had purchased a “negerinne” named Juliana, who was about 10 or 11 years old at the time. He paid 525 guilders for her. He added that he had always kept her with him as his “slavinne” until Recife passed over to the control of the Portuguese crown.

Burgos also brought two witnesses with him, both members of the same Jewish congregation: Moijses Mercado and Moijses Bueno Henricques. They both attested to notary Adriaen Lock that they had also lived in Recife, that they knew Eliau Burgos well, that they knew Juliana had been Burgos' slave in Recife, and that Burgos could have sold Juliana for five to six hundred guilders. According to these witnesses' statement, Burgos did not sell Juliana before leaving Recife because she prayed very “barmchartelijck” [mercifully] for him not to do such a thing and promised she would forever live to serve him. Finally, the witnesses also said that Burgos incurred great cost in bringing Juliana to Amsterdam, adding that they

... op het reciff dickwils ten huijse van den req[uiran]t sijn geweest & aldaer [deselve?] Juliana hebben gesien als mede dat sij daer bij sijn geweest als den req[uiran]t met deselve Juliana vant reciff scheepging omme te vaeren naer dese steede...<sup>11</sup>

[... in Recife often had been at the house of the appellant [Eliu Burgos] & there had seen [the same?] Juliana, and that they were there with him as the appellant with the same Juliana from Recife embarked to sail towards this city...]

In his own statement, Burgos, just like his witnesses, stated that Juliana begged him to bring her to Amsterdam, adding that he did so at a significant expense. He reported that, after sometime in Amsterdam, Juliana somehow learned that she could be free and demanded that

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<sup>10</sup> 'Document Where Adriaen Lock Registered Eliau Burgos' Declaration about Juliana Running Away' (1 November 1656), Digitized version: Inventory 5075, Notary 95 Adriaen Lock, Protocols Folder 2271, Digital Folios 766, 767, 768, Amsterdam City Archives, <https://archieff.amsterdam/inventarissen/scans/5075/95.5.9/start/760/limit/10/highlight/6>.

<sup>11</sup> 'Document Where Adriaen Lock Registered Eliau Burgos' Declaration about Juliana Running Away'.

he free her. The two of them arrived at an agreement by which Juliana would work for Burgos for three years, after which, he would let her go free. This agreement had been registered in writing with notary Benedict Baddel.<sup>12</sup> Burgos stated further that he intended to move to Barbados and would like to bring Juliana with him, but she refused to go:

... alhier eenigen tijt geweest sijnde is deselve Juliana door het oprockenen van anderendie haer wijs gemaekt hebben dat sij alhier vrij & ongehouden was hem Compt. te dienen van hem gelopen niettegenstaende de groote belooft bij haer aen hem als vorige gedaen...

... having being here for some time, the same Juliana through the inciting of others was led to believe that she was here free & not obliged to serve him and ran away from him notwithstanding her great promised to him done before...

The reason that Juliana was “led to believe” that she could be free in Amsterdam was that, indeed, slavery was outlawed. A collection of city laws titled *Recueil van verscheyde keuren, en coustumen: mitsgaders maniere van procederen, binne der stede Amsterdam*, printed in 1644, stated clearly that “Within Amsterdam and its surrounding areas all people are free and nobody is a slave.” [Binnen der Stadt van Amstelredamme ende haere vryheyt, zyn alle menschen vry, ende geene slaven.]

Why did Juliana run away before the three-year agreement registered with Baddel was fulfilled? To understand her choice to run away, some details stipulated in the agreement between Juliana and Burgos are helpful. The registered contract set some conditions for Juliana’s manumission:

...Juliana de Burgos Negra de idade de 24 anos a qual disse e confessou diz e confessa [illegible word] a verse obrigada de ir e de embarcar ... no navio chamado o Pavão de que es maestro Willem Claessen p<sup>a</sup> as Barbadas em serviço do s<sup>er</sup> Eliau Burgos o qual está de partida pra as ditas Barbadas para o servir em tudo e por tudo e do bastante o espaço serviso de tres anos bem eficiente com mto primor e respeito em todo no que pelo dito Eliau de Burgos lhe for mandado...

... remessado o dito termo de tres annos do dia que for chegada nas ditas Barbadas em diante...

... passados eles ficara a dita Juliana livre e desobrigada deste contrato para se ir donde bem lhe parecer ou de continuar se bem lhe estiver...<sup>13</sup>

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<sup>12</sup> “Contract between Juliana and Eliau Burgos Notarized by Benedict Baddel.”

<sup>13</sup> “Contract between Juliana and Eliau Burgos Notarized by Benedict Baddel.”

Juliana de Burgos Negra, 24 years old, who said and confessed says and confesses [illegible word] to be obliged to go and to board ... on the ship called Pavão, whose master is Willem Claessen, to Barbados in the service of Eliau Burgos, who is departing for the said Barbados, to serve him in everything and for everything and the service of three years very efficient with great perfection and respect in everything that the said Eliau de Burgos requests...

... the said term of three years starting from the day of arrival in said Barbados onwards...

... once they are through, the said Juliana will be free and released from this contract to go wherever she sees fit or to continue if all is well for her

After 3 years of work for Burgos, she would be granted her choice to stay or go, as she wished. But according to the contract, the three years would only start counting after they landed in Barbados. It seems that Burgos was attempting to compel her to relocate to Barbados along with his household.

Juliana must have concluded that if she went to Barbados with Burgos, nothing there would help protect her interests in the same way as in Amsterdam. She must also have realized that in the colonial setting of Barbados, any community of African people would not be as legally empowered, and thus capable of giving her support, as the community in Amsterdam was. Going to Barbados would amount to going back to the same situation as she had in Recife.

Her escape led Burgos to seek reparations, and he registered the statement with Adriaen Lock, supported by witnesses, with the intent to nullify his formerly notarised promise to free Juliana. In the statement left with Adriaen Lock, Burgos emphasised three points to demonstrate that Juliana wronged him. First, the “heartfelt request from Juliana” [het hart bidden & aenhouden vandeselve Juliana] to bring her to Amsterdam. Second, the “great promise” [grote belofte] made by her in Recife to serve Burgos for life. Finally, her commitment in writing to serve him for three years in exchange for her freedom, which they had registered with Benedict Baddel at Juliana’s own request.

Burgos challenged Juliana’s claim to freedom. This defiance comes through in his statement to Adriaen Lock, which he ended saying that, since Juliana had not upheld her promises, he considered his own promise to free her as null and void. He also stated that he maintained his full claim over Juliana as his slave “as per the deed of purchase” [“dat hij hem is houdende aen sijn volle recht & actie die hij uijt saecke van koop”], clarifying that if Juliana wanted to take legal action, she would have to uphold her part “debita forma.”

### Working in a *Casa-Grande* in Recife

In reconstructing Juliana's and Eliau's relationship, let me start by trying to paint a picture of Juliana's possible life in Recife. There, she had to regulate access to herself through her close relationship to Eliau Burgos. Though I have no extant evidence of how Juliana and Burgos lived their day to day under the same roof, from Burgos' notarial statement discussed above, we know that he claimed that he kept Juliana always by his side, at home. By virtue of her domestic placement, an emotional relationship could develop between Juliana and Eliau, where I can infer there was some level of mutual trust that allowed for requests to be exchanged between them. Close emotional bonds between people enslaved in domestic settings and their enslavers were not uncommon, as research on the topic demonstrates.<sup>14</sup>



Figure 1: Braziliaans Dorp (Brazilian Village), Frans Jansz. Post, 1675 - 1680.  
Image courtesy of Rijksmuseum (call number SK-A-4272), licensed as Public Domain

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<sup>14</sup> Jessica Marie Johnson, *Wicked Flesh: Black Women, Intimacy, and Freedom in the Atlantic World* (University of Pennsylvania Press, 2020).



Domestic work for an enslaved person, however, was not a guarantee of bodily or psychological safety, as illustrated by the anecdote below from Harriet Jacobs's *Incidents in the Life of a Slave Girl*:

The cook never sent a dinner to [the master's] table without fear and trembling; for if there happened to be a dish not to his liking, he would either order her to be whipped, or compel her to eat every mouthful of it in his presence. The poor, hungry creature might not have objected to eating it; but she did object to having her master cram it down her throat till she choked.<sup>15</sup>

It is unlikely that Juliana was the victim of cruelty in ways similar to what was told by Jacobs above. At least according to Burgos' notarial statement, Juliana was the one who wanted to remain within his household and vehemently asked him not to sell her away. But as a woman forced to work as a domestic slave to a merchant in a recently organized colony, Juliana was legally deprived of the ability to regulate access to her body and her resources. Nothing in the legal regime of Dutch Brazil was intended to help protect Juliana's privacy as an enslaved woman.

Nevertheless, legal impediment did not mean an absolute inability to claim privacy in practice. Juliana might have had other, more precarious, means to try to regulate access to herself and her resources. If Burgos' characterization of Juliana's desire to remain with his household is to be believed, this implies a certain level of trust from her towards him. She might also have considered that her labor as a trusted domestic worker could continue to be useful for Burgos in Amsterdam, an argument she could use when she begged him to keep her.

While in Recife, Burgos had also trusted Juliana: from his telling, we know that she had his attention when she requested him not to sell her to another household, when she promised to serve him for life, and when she tried to convince him to bring her to Amsterdam despite the costs of the trip. Because Burgos trusted Juliana, she could leverage this trust to obtain passage to Amsterdam and remain within the Burgos household, which for her, at that moment in time, might have seemed like the safest option for her livelihood compared to the available alternatives.

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<sup>15</sup> Harriet A. Jacobs, *Incidents in the Life of a Slave Girl*, ed. Nell Irvin Painter and John S. Jacobs, Penguin Classics (New York: Penguin Books, 2000), 15.

## Crossing the Atlantic

The difficulties surrounding the voyage to Amsterdam across the Atlantic might have started to change Juliana's and Burgos' perception of their ability to regulate access to themselves and their respective resources. The most striking hint of that change was the utter scarcity of ship space to transport the Jewish community away from Pernambuco.

When Eliau Burgos claimed in his notarial statement that he incurred a great cost to bring Juliana to Amsterdam, he was probably not exaggerating. There would, of course, have been a price for securing space on a ship with the necessary supplies for the three-month cross. But at the occasion of the Jewish community exit from Pernambuco, these costs might have been significantly inflated. According to the capitulation agreement, the Dutch had three months to leave Pernambuco, but there were not enough ships to carry everybody back to the Netherlands. An excerpt from the diary of Hendrik Haecxs gives us a glimpse of the despair of sailing an overcrowded ship:

Ao amanhecer, levantamos âncora com vento fraco do N.O., achamos que o navio estava a ponto de virar, de modo que não podíamos usar as grandes velas; resolvemos, então, lançar ao mar uma partida de pau-brasil, que estava no passadiço, mas era preciso ver primeiro a bagagem, os porões e os passageiros; dois ou três foram obrigados a pôr a sua bagagem num só caixão, lançando-se ao mar os caixões vazios. Tivemos que apresentar também os nossos três barris de farinha e procedeu-se de modo tão escandaloso com os bens dos passageiros, como se fossem produto de pirataria, mas nem assim o navio se tornou mais estável. <sup>16</sup>

[In the morning, we lifted the anchor with slow N.W. wind, and we thought the ship was at the point of capsizing, in such a way that we could not use the big sails. We decided then to throw overboard a load of dyewood that was placed on the corridor, but first we needed to check the baggage, the area below deck, and the passengers: two or three of them were obliged to put their baggage in one single chest, so that the empty chests were thrown overboard. We also had to give up three barrels of flour, and to proceed in a scandalous manner with the passengers' belongings, as if they were the product of piracy, but not even then the ship was more stable.]

The leader of the Portuguese troops and of the new government, General Francisco Barreto de Menezes, is reputed to have given a fair treatment and some level of protection to Dutch subjects during their wait, but he refused to interfere with the decisions made by the

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<sup>16</sup> Hendrik Haecxs, 'Anais Da Biblioteca Nacional - Diario De Henrique Haecxs (1645-1654)', trans. Frei Agostinho Keijzers 69 (1949): 152, [http://memoria.bn.br/pdf/402630/per402630\\_1950\\_00069.pdf](http://memoria.bn.br/pdf/402630/per402630_1950_00069.pdf).

Catholic religious authorities.<sup>17</sup> For the Jewish community, the prospect of persecution by the Inquisition was looming ever closer in the horizon, especially for the many members of the congregation who had previously been Christian and had reconverted to Judaism under Dutch rule. These individuals were in danger of being targeted by the Inquisition as heretics.

### In the City of Amsterdam

A Sephardic Jewish community had formed in Amsterdam as of the late 16<sup>th</sup> century, as many Jewish people who had fled from persecution in the Iberian Peninsula settled in the city. It was in this community, referred to as the “Portuguese Nation” by its members, that Juliana and Eliau Burgos arrived after leaving Pernambuco, and their settling and integration in that community probably meant another change in their understanding of their ability to regulate access to themselves and their resources. Probably due to the trauma of persecution, the leaders of the Amsterdam Portuguese Nation were concerned with their community’s respectability and sought to tightly control the visible cultural and religious practices of its members.<sup>18</sup>

From the point of view of the community, understood as a unified body facing the city and represented by its leaders, it was important that language used in internal documents did not construe them as breaking any law. As we saw above, since 1644 there was a law in Amsterdam explicitly deeming nobody to be a slave and giving the enslaved person a path to reclaim their right to freedom. The procedure for an enslaved person to attain the right to be free within the city of Amsterdam required them to take action against their enslaver before the City Court of Justice (*Gerechte deser Stede*).<sup>19</sup> In order to take action, the plaintiff would be required to produce evidence of the illegal enslavement, but producing this evidence could prove to be a challenge, since slavery in Amsterdam seems to have existed mostly under the legal radar.

From Dienke Hondius’s work, we learn that legal silence regarding a person’s enslaved status was a practice among the Sephardic Jewish community in Amsterdam, which seems to

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<sup>17</sup> Arnold Wiznitzer, *Jews in Colonial Brazil* (Columbia University Press, 1960), 140.

<sup>18</sup> The famous case of Baruch Spinoza is an example of this. See, for example, Rebecca Goldstein, *Betraying Spinoza: The Renegade Jew Who Gave Us Modernity*, Jewish Encounters (New York, NY: Schocken, 2006).

<sup>19</sup> ‘Item alle slaven, die binnen deser Stede ende haere vryheyt komen ofte gebracht worden; zyn vry ende buyten de macht ende autoriteyt van haer Meesters, ende Vrouwen; ende by soo verre haere Meesters ende Vrouwen de selve als slaven wilden houden, ende tegens haeren danck doen dienen, vermogen de selve personen haere voorsz. Meesters ende Vrouwen voor den Gerechte deser Stede te doen dagen, ende hen aldaer rechtelyck vry te doen verklaren.’ Gerard Rooseboom, *Recueil van verscheyde keuren, en coutumen: mitsgaders maniere van procederen, binne der stede Amsterdam* (Gerrit Jansz, 1644).

have avoided using the word for “slave” in their notarial records and other written materials after the second decade of the seventeenth century.<sup>20</sup> By eschewing mention of “escravos” in its internal documentation, the Portuguese Nation, as a unified community, avoided incriminating themselves by the letter of the local law that prohibited slavery in the city.

The *haskamot* of “20 de Tamus 5387” (1627) is an example where the community leaders might have avoided referring to someone’s condition as a slave. The document, which contains rules about the conversion and burial rites of “*peessoas negras e mulatas*” [black and mulatto people], refers to a person’s skin colour as a marker of difference. The Portuguese Nation was not alone in this practice. According to Hondius, people of African descent all over the Dutch Republic “were named and described by their skin colour as *swarten* and *swartinnen*, *negros* and *negerinnen*, and their legal status was often uncertain.”<sup>21</sup> In this context, we can imagine how difficult it might have been for an enslaved person in Amsterdam to meet the burden of proof about their condition.

Yet, for Juliana, this was an opportunity. Crossing the Atlantic consisted in a change from the cultural and legal context of a colony—Pernambuco in Dutch Brazil—to that of a city in the imperial metropole—Amsterdam in the Dutch Republic. This seems to have affected Juliana’s understanding of her life options and precipitated her striving for her freedom. As Juliana adapted to the new place, her circle of trust seems to have expanded. From Burgos’ notarial statement, we know that Juliana must have received advice about being able to obtain her freedom, since he insisted that “through the inciting of others [she] was led to believe that she was here free & not obliged to serve him” (door het oprockenen van anderendie haer wijs gemaekt hebben dat sij alhier vrij & ongehouden was hem Compt).

No other extant sources are available for me to examine how Juliana learned about the anti-slavery law in Amsterdam, but from Mark Ponte’s work, I know that there was a thriving community of African origin in the city, with members who supported one another.<sup>22</sup> Ponte’s work shows that African inhabitants of Amsterdam served as witnesses to marriages and

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<sup>20</sup> See the following blog post for my early thinking about this topic. The present chapter represents a development of ideas that first appeared there. Natália da Silva Perez, ‘Visibility, Respectability, and Privacy: Black and White in 17th Century Amsterdam’, *Centre for Privacy Studies* (blog), 2020, <https://privacy.hypotheses.org/1229>.

<sup>21</sup> Dienke Hondius, ‘Access to the Netherlands of Enslaved and Free Black Africans: Exploring Legal and Social Historical Practices in the Sixteenth–Nineteenth Centuries’, *Slavery & Abolition* 32, no. 3 (1 September 2011): 380, <https://doi.org/10.1080/0144039X.2011.588476>.

<sup>22</sup> Mark Ponte, “‘Al de Swarten Die Hier Ter Stede Comen’ Een Afro-Atlantische Gemeenschap in Zeventiende-Eeuws Amsterdam,” *TSEG/ Low Countries Journal of Social and Economic History* 15, no. 4 (March 11, 2019): 33–62, <https://doi.org/10.18352/tseg.995>.

baptisms from their community. It is very possible to imagine that, in Amsterdam, Juliana met members of this community of free African sailors and maids and through them she learned that she had the right to be free. Many of these inhabitants lived near the Sephardic Jewish neighborhood and even worked for members of the Jewish community, not unlike Juliana herself.

In crossing the Atlantic, Burgos and Juliana crossed both a cultural and a legal threshold: legal protection for Juliana's freedom and also for her privacy—her ability to regulate access to herself and her resources—was viable for the first time in her life. It was also the first time that Juliana encountered a community of people of African origin who were empowered enough to serve as her guide about the possibilities she could have in the new city. In Amsterdam, she, too, could have allies.

### Privacy and Freedom

Early modern imperial and colonial archives are peppered with examples of improvised freedom, where people of African descent, just like Juliana, contingently strove to improve their own lot within the constraints posed by the scarce opportunities available to them in colonial contexts. In Juliana's case, working within the private spaces of her enslaver gave her strategic access to him, allowing her to make her case and convince him to bring her to Amsterdam. The intimacy and trust that seems to have arisen between Juliana and Eliau within those private domestic spaces were the only meagre assurance of bodily safety and contingent freedom for her as an enslaved person. Intimacy and trust were also important considerations for Eliau Burgos' argument about his claim over Juliana as his property: Juliana's alleged betrayal of his trust (by refusing to serve him for life, as she had promised him) justified his own breaking of his promise to free her.

In the book *Wicked Flesh: Black Women, Intimacy, and Freedom in the Atlantic World*, Jessica Marie Johnson explains that it was *not* a legally defined free status that defined freedom:

the nature of free status under slavery relied on constructions of gender and sexuality rooted in the circumAtlantic exchange of black bodies and plantation commodities. Intimate acts mated with edicts, codes, and imperial jurisprudence to produce bodies of law...<sup>23</sup>

As the institution of slavery developed during the seventeenth century, people's lived experiences of it were quite different from what was expected in the existing codes of law that

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<sup>23</sup> Johnson, *Wicked Flesh*, 12.

regulated human bondage. Moreover, as we have seen from the work of Lauren Benton cited above, the actual employment of codes of law was highly variable depending on the geopolitical and religious context in question.

This variability is visible in the way Burgos talked about Juliana in his notarial statement: he alternated between two extremes, at times conceiving of Juliana as a fully-fledged human being capable of making and breaking a “great promise.” At other times, he refers to her as a commodity for which he had paid much money. Already in Burgos’s language, we perceive that the legal definition of Juliana as a slave was not enough. But Juliana herself, in Amsterdam, started to perceive her life differently, with access to opportunities that living as an enslaved woman in the colonial setting did not allow. Juliana, the human being, was capable to imagine what she could accomplish in a place and time where she had autonomy to decide what to do with her life. In Amsterdam she had the legal protection to do what she already had wanted to do for herself in Pernambuco: secure the best life possible for herself.

The legal condition of slavery, imposed on her since her childhood, did not keep her human capabilities from manifesting, it simply conditioned how she was able to use those capabilities. The ability to form close intimate bonds of trust was hers as much as it was Eliau Burgos, and this ability enabled her to convince Burgos to bring her to Amsterdam. He did so probably under the belief that Juliana did not imagine herself as a free person; Burgos seems to have believed Juliana to be defined by her legal condition as an enslaved woman to whom he had a claim supported by his deed of purchase. Indeed, that claim was true in Brazil, but not in Amsterdam. Crossing the ocean to Amsterdam was an opportunity for Juliana to subvert Burgos’ narrow definition of her humanity, an opportunity for her to re-signify her existence as a free woman who would not go to Barbados because she would not go back to slavery.

With historical distance, I can say that Juliana and Eliau Burgos traveled together to Amsterdam due to a confluence of geopolitical, religious, and personal reasons. The geopolitical reasons can be summarised as the Dutch losing their grip on the Brazilian colony, causing Pernambuco to return to Portuguese rule and disrupting the lives of the Dutch subjects that had come to live there. Then, come the religious reasons for their move: with the return of Portuguese rule came the imposition of Catholicism, opening Pernambuco to the jurisdiction of the Inquisition and leaving the Sephardic Jewish community with little choice but to flee to the Netherlands or to other safer places to avoid persecution.

In this context, we can easily imagine the personal reasons for Eliau Burgos to follow his fellow Jewish coreligionists. Burgos must have had little interest in living under Portuguese rule if that meant being curtailed in his commercial activities or even punished for being openly Jewish. He was an active member of the Jewish community: his contributions appear several times in the account books of the Sephardic Jewish community, both in Recife as well as in Amsterdam.

The fact that Burgos brought enslaved women with him to Amsterdam indicates that he was most likely unaware of the anti-slavery law that existed in the city books since 1644, a potential challenge to his right of property over Juliana once they were in that jurisdiction. If he was oblivious to that law, Burgos probably did believe, based on his experience with Juliana as his domestic slave, that she was docile and obedient enough to simply remain under his influence.<sup>24</sup>

Surely this helps to explain why Burgos went to Amsterdam, but why did Juliana ask to go with him? There is no extant information about Juliana's religion, so I do not assume nor discard the possibility that she had an interest in following the Jewish community for spiritual reasons. I simply do not have evidence one way or another. In addition, Juliana had scant way to know, prior to her arrival in Amsterdam, that slavery was outlawed in that city, so it is unlikely that she planned to cross the ocean purposefully to obtain freedom.

Juliana's reasons for wanting to follow the Burgos household to Amsterdam, I conjecture, must have been linked to the relationship that she developed with them as their domestic slave. By asking to remain with the Burgos household, Juliana most likely wanted to avoid the prospect of being sold into an unknown domestic environment where her situation might deteriorate, or even worse, into a plantation where she might have been forced to work on the fields instead of at the home of her enslaver.

Asking to remain with the Burgos household was one of the strategies of privacy that enabled Juliana to carve some level of protection for herself in the unstable moment of the Dutch departure from Northeast Brazil. Once in Amsterdam, Juliana was exposed to a different social world, more urban, more connected. In Amsterdam, information circulated, plentiful, fast, and from her new community she might have learned that she had the right to be free and no longer needed to be Burgos' slave. Once she knew of this right, she first sought to secure it

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<sup>24</sup> 'Contract between Juliana and Eliau Burgos Notarized by Benedict Badde'.

for herself through the legal path indicated in the law. When she realized the legal strategy was unlikely to wield any concrete results from Burgos, she ran away, disappearing into the anonymous crowd in Amsterdam. Once she was on the side of the Atlantic that provided some legal protection for her freedom, running away was her practical path to durably ensuring her autonomy.