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Table of Contents

Volume 18, number 1, June 2020

[ARTICLES]

Two Men, One Historiographical Identity: Friar Gil Lobo and Friar Gil de Tavira	1
<i>André Moutinho Rodrigues</i>	

The PIDE Between Memory and History: Revolutionary Tradition, Historiography, and the Missing Dimension in the Relation Between Society and Salazar's Political Police	17
<i>Duncan Simpson</i>	

[INSTITUTIONS AND RESEARCH]

A Tribute to the Late Great Historian António Manuel Hespanha

<i>Introduction: A Great Historian and an Outstanding Human Being</i>	39
<i>Mafalda Soares da Cunha</i>	

António Manuel Hespanha: A Constant Guide for My Research.....	46
<i>Angela De Benedictis</i>	

Hespanha is a Sage.....	54
<i>Frederico de Lacerda da Costa Pinto</i>	

António Hespanha and the Journal <i>Penélope: Fazer e Desfazer a História</i>	59
<i>Nuno Gonçalo Monteiro</i>	

António Manuel Hespanha and the Resignification of Habsburg Portugal (1580-1640).....	65
<i>Fernando Bouza</i>	

António Manuel Hespanha and the National Commission for the Commemoration of the Portuguese Discoveries	71
<i>Fernando Dores Costa</i>	

Revisionism in the Tropics: <i>The Political Model of the Portuguese Colonial Empire</i>, by António Manuel Hespanha	76
<i>Pedro Puntoni</i>	

Beloved Professor Hespanha.....	106
<i>Raquel Sofia Lemos</i>	

- Costa-Gomes, Rita (Ed.). *A Portuguese Abbot in Renaissance Florence: The Letter Collection of Gomes Eanes (1415-1463)*. Florence: Leo S. Olschki Editore, 2017. ISBN: 978-8822265166 111
Maria de Lurdes Rosa
- Sá, Isabel dos Guimarães. *O Regresso dos Mortos: Os Doadores da Misericórdia do Porto e a Expansão Oceânica (Séculos XVI-XVIII)*. Lisbon: Imprensa de Ciências Sociais, Universidade de Lisboa, 2018. ISBN: 978-9726714859 119
Juan O. Mesquida
- Diez del Corral Corredoira, Pilar (Ed.). *Politics and the Arts in Lisbon and Rome: The Roman Dream of John V of Portugal*. Oxford: Voltaire Foundation/Liverpool University Press, 2019. ISBN: 978-1789620122 125
António Filipe Pimentel

Two Men, One Historiographical Identity: Friar Gil Lobo and Friar Gil de Tavira

André Moutinho Rodrigues¹

Abstract

This article seeks to analyze the problematic question of the identity of Friar Gil Lobo and Friar Gil de Tavira, confessors of Dom Duarte and Dom Afonso V, respectively, two Franciscan friars who have been studied as if they were the same individual. Once the origin of this problem had been identified, as well as some of its consequences, it was possible to definitively distinguish the identity and history of these two men, thanks to an unpublished document from the Chancery of King Afonso V. Furthermore, from other data that was collected, the foundations have now been laid for further reflections on the role that these two clerics played at the Royal House of Avis.

Keywords

Friar Gil Lobo, Friar Gil de Tavira, Royal clergies, Royal confessors, Leal Conselheiro

Resumo

Este artigo pretende analisar a problemática da identidade de Fr. Gil Lobo e de Fr. Gil de Tavira, confessores de D. Duarte e de D. Afonso V, respetivamente, dois frades franciscanos que têm sido estudados como se fossem um único indivíduo. Identificada a génese deste problema, e algumas das suas consequências, foi possível destrinçar definitivamente a identidade e o percurso destes dois homens, graças a um documento inédito, proveniente da Chancelaria de D. Afonso V. Além disso, e a partir de outros dados recolhidos, são lançadas as bases para novas reflexões sobre o papel destes clérigos junto da Casa Real de Avis.

Palavras-chave

Fr. Gil Lobo, Fr. Gil de Tavira, Clérigos do Rei, Confessores reais, Leal Conselheiro

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Introduction

Friar Gil Lobo de Tavira was a Franciscan friar who never existed. However, several texts, from different literary traditions, are known to have acknowledged his biographical information. Starting with Rui de Pina, who was a chronicler at the service of King Manuel I, this information has continued to be considered as true in various studies and articles that have been published until today. I myself tried to gather together his biographical details when, in a previous work, I sought to study the confessors of the Portuguese Royal Family in the fifteenth century (Rodrigues, 2019). Gradually, by the hands of many diverse authors, this notable but fictional figure grew in stature, displaying details of a considerable career in the Crown's service.

This essay establishes that this fictional character can be split into two other figures, who were, in fact, real: Friar Gil Lobo and Friar Gil de Tavira. At this point, I shall not attempt to completely disentangle the historiographical confusion that has built up around these two men over several centuries. For the time being, I will try to establish the origin of this entanglement, its consequences, and the reasons for its existence. The next step will be to unravel the details pertaining to the lives and careers of these two men. I intend to undertake this task in my master's degree thesis, which is nearing completion. With all the data that I have collected, some of which has yet to be published, I will reconstruct the two biographies.

The Historiographical Creation of “Friar Gil Lobo de Tavira”

Who or what led to this fusion the identity of Friar Gil Lobo and that of Friar Gil de Tavira? I believe that the problem arose from the pen of the chronicler Rui de Pina, when, in around 1504, he was entrusted with the task of writing the *Crónica de Dom Duarte* (Chronicle of King Duarte) (Serrão, 1977:56). Naturally, among the narrated episodes, the chronicler describes the participation of the Portuguese embassy at the Council of Basel. Among the Portuguese representatives, the author refers to “Meestre Frey Gil Lobo da Ordem de São Francisco”² (Master Friar Gil Lobo of the Order of St. Francis). This appears to have been the starting point, the beginning of the knot that would entwine the paths of these two Franciscan friars.

² Pina, Rui de (1977), ‘Chronica do Senhor Rey D. Duarte’ in *Crónicas de Rui de Pina*. Porto: Lello & Irmão. p. 506.

I believe, as we shall discover later on, that it was not Friar Gil Lobo who participated in this Portuguese embassy, but Friar Gil de Tavira. The former was Dom Duarte's confessor, and it was in this role that he featured in a famous episode from the chronicle, in which he rebuked the monarch for his excessive sorrow following the death of Dom João I.³ The latter, Friar Gil de Tavira, was sent to the Council of Basel,⁴ later becoming Afonso V's confessor, as is mentioned in the contemporary documentation.⁵ In another episode from this king's chronicle, which will be discussed later on, he is also referred to as Dom Duarte's confessor.⁶

Changing the ambassador's second name seems to me to have been an honest mistake. As we already know, Rui de Pina started to write the Chronicle of Dom Duarte in 1504, roughly 70 years after the events that he narrated (Serrão, 1977:56). While this chronological distance may well justify many inaccuracies in the text, it is important to bear in mind that the confusion arose from the fact that the two individuals had the same first name, and that they were both Franciscan friars and, simultaneously, royal confessors. Furthermore, they were both often referred to merely by the name of "Frey Gil"⁷ or "Egidius,"⁸ thus making it even more difficult to distinguish between the two.

The aforementioned episode from the Chronicle of Dom Afonso V, in which Friar Gil de Tavira is mentioned as being Dom Duarte's confessor,⁹ is the only textual evidence we have to prove that he did, in fact, hold this position. We know for certain that he was Dom Afonso V's confessor, but there is no known document indicating that he held this position in relation to his predecessor. Thus, there are two possible interpretations of this passage. Either it is a blunder on the part of Rui de Pina, no matter whether it was a real or fictional scene, or Friar Gil de Tavira was, in fact, the confessor to Dom Duarte, despite the lack of any other evidence to support this fact.

³ Pina, Rui de (1977), 'Chronica do Senhor Rey D. Duarte' in *Crónicas de Rui de Pina*. Porto: Lello & Irmão. p. 491.

⁴ Sá, Artur Moreira de (1966), *Chartularium Universitatis Portugalensis (1288-1537)*. Lisbon: Instituto de Alta Cultura, vol. IV, p. 139.

⁵ A.N.T.T., *Chancelaria de D. Afonso V* - L. 23, fl. 77.

⁶ Pina, Rui de (1977), 'Chronica do Senhor Rey D. Afonso V' in *Crónicas de Rui de Pina*. Porto: Lello & Irmão, p. 594.

⁷ Sá, Artur Moreira de (1966), *Chartularium Universitatis Portugalensis (1288-1537)*. Lisbon: Instituto de Alta Cultura, vol. V, p. 132.

⁸ Sá, Artur Moreira de (1966), *Chartularium Universitatis Portugalensis (1288-1537)*. Lisbon: Instituto de Alta Cultura, vol. IV, p. 103.

⁹ Pina, Rui de (1977) 'Chronica do Senhor Rey D. Afonso V', in *Crónicas de Rui de Pina*. Porto: Lello & Irmão, p. 594.

Following the clues left by Rui de Pina, I was able to discover the *História Seráfica da Ordem dos Frades Menores* (Esperança, 1666, t. 2). In the mind of the author of this work, there is no doubt about the identity of Friar Gil Lobo de Tavira. Among other references, the work dedicates to him Chapter XXI of Volume 2, titled: “*Do Mestre F. Gil Lobo, pregador de três reis, confessor de dous, mestre de hum, capelão do Papa, e Comendatário d’Alpendorada*” (Mestre F. Gil Lobo, the preacher to three kings, the confessor of two, the master of one, the chaplain of the Pope, and the commendatory abbot of Alpendorada). Here, the intersection of the two identities is quite clear; however, to justify the use of two different names, he states: “Huas vezes o achamos nomeado Fr. Gil Lobo, conforme o apelido da geração, que foi nobre, outras, Fr. Gil de Tavira a respeito da cidade deste nome no Algarve, donde era natural: mas he a mesma pessoa, com estes dous sobrenomes.” (We sometimes find him named Friar Gil Lobo, in keeping with the surname of his noble lineage, and, at other times, Friar Gil de Tavira, in accordance with the city of this name in Algarve, where he was born. But he is the same person, with these two surnames) (Esperança, 1666, t. 2:693).

Thanks to the sheer amount and diversity of the information collected by the author, some of the biographical data relating to this character is gathered together in this work. Once made available, this information was the source used by most authors when writing about Frei Gil Lobo de Tavira. On the one hand, in reasserting the value of the work, it is clear that the contemporary documentation was afforded sufficient consideration: on the other hand, the already-mentioned chronicles may not, however, have been read with the necessary critical eye. Furthermore, based on these chronicles, certain details were created and added to this Franciscan’s biography. The foundations for this “identity theft” were thus laid, with the consequences that will now be analyzed below.

A False Identity and its Consequences

With the identification of Friar Gil Lobo de Tavira (apparently) established, this question never again attracted any particular attention from historians. Several texts, all dealing with a variety of different themes, briefly touched upon this character and his influence over the course of events. He was mentioned in relation to the court society (Gomes, 1995:118-20) and the confessors of the royal family (Marques, 1993; Rodrigues, 2019). He was also mentioned in the context of the history of culture (Viterbo, 1904; Dionísio, 2002), religion (Martins, 1951; Lopes, 1979), or by other Portuguese scholars from

the fifteenth century (Costa, 1967, 1990). Despite the numerous references to this character, none of these studies actually questioned his identity.

This subject only took on a new dimension in 1942 when, in his edition of *Leal Conselheiro*, Joseph Piel pointed to two chronological indicators that would make it possible to date Dom Duarte's text (Piel, 1942:IX-X). The first of these was a letter written by the monarch to Dona Leonor's brothers, inserted in Chapter 98 and dated 24 January 1435. The second was the expression "*que deos perdoe*" (may God forgive [him]), associated with the name of Friar Gil Lobo, in Chapter 91. In the latter case, assuming that the expression indicated the character's passing, it would be sufficient to ascertain the last reference made to the confessor in order to arrive at an approximate idea of the date when the text was written.

As we shall see, this reasoning would be taken up by several authors. In the case of Piel, there seems to be no doubt: "refere-se no cap. 91 a Frei Gil Lobo, seu confessor e colaborador, servindo-se da expressão *que deos perdoe*, que claramente indica que este franciscano tinha falecido quando o rei compilou o seu livro." (in Chapter 91, he refers to Friar Gil Lobo, his confessor and collaborator, using the expression *que Deos perdoe*, which clearly indicates that this Franciscan was dead when the king compiled his book) (Piel, 1942:IX). The author goes on to mention Friar Gil's presence in the Portuguese embassy to the Basel Council. This embassy must have begun its journey in 1436, returning to the Portuguese kingdom in May, 1437. As his source for this information, Piel refers to the *Diário de Jornada do Conde de Ourém* (the Count of Ourém's Travel Journal) (Piel, 1942:IX).

However, this text does not allow for the identification of Friar Gil Lobo, Dom Duarte's confessor, as the Friar Gil that is mentioned as being the Portuguese ambassador to Basel. In the *Diário de Jornada do Conde de Ourém*, there are three direct references to Friar Gil (Dias, 2003:69, 70 and 73). In these references, it was possible to obtain some information about Friar Gil: "frei Gil, o licenciado que estava hi no Concilio por embaixador" (Friar Gil, the graduate who was at the Council in his capacity as ambassador) and "frei Gil, frade da Ordem de Sam Francisco" (Friar Gil, friar of the Order of St. Francis) (Dias, 2003:69, 70). None of these references mentions a second name or the role of the royal confessor. If this Friar Gil was, in fact, the monarch's confessor, it would be strange that such a fact was not mentioned, even once, in the whole of the text.

Taking it for granted that Friar Gil Lobo was alive in 1437, the author reaches the conclusion that the text of the *Leal Conselheiro*, or at least that of the Paris manuscript,¹⁰ would

¹⁰ Manuscript Portugais 5 at the National Library of France [BITAGAP manid 1154]

have been completed between that year and 1438 (Piel, 1942:X). For Piel, it was during the last year of his reign, and of his life, that Dom Duarte concluded his *Leal Conselheiro*, because “talvez fosse precisamente o sentimento da morte próxima que o decidisse a fazê-lo, como que para prestar conta dos seus actos e deixar uma obra” (it was perhaps precisely his feeling of being close to death that led him to decide to do so, as if to account for his acts and to leave a body of work after his death) (1942:X).

In 1948, José Hermano Saraiva disputed Joseph Piel’s proposed dating for the writing of the *Leal Conselheiro*, stating that, in that last year, between 1437 and 1438, the monarch would have had other concerns that would have kept him from his literary activity (Saraiva, 1948:322). He was referring to the failed expedition to Tangier and its consequences, namely the fact that the Infante Dom Fernando was taken hostage. He also questioned the validity of the formula “*que deos perdoe*,” addressed to Friar Gil Lobo, as a chronological marker of the text, as it could be a later addition made by a scribe or copyist, thus making it an insecure indicator for dating the manuscript (Saraiva, 1948:323).

Despite these uncertainties, but following the lead of the character Friar Gil Lobo de Tavira, the author mentions that he would still have been alive in 1442, based on a privilege registered at the chancery of Dom Afonso V, in favor of his brother-in-law, who was living in Tavira (Saraiva, 1948:322). However, this document does not refer to Friar Gil Lobo, Dom Duarte’s confessor, but to Friar Gil, who was certainly from Tavira. This Friar would already have been Dom Afonso V’s confessor and master, and not the confessor of his predecessor. Devaluing the expression “*que deos perdoe*,” as a later addendum, the author concludes by stating that “o Leal Conselheiro é anterior a 1436” (the *Leal Conselheiro* was written before 1436) (Saraiva, 1948:323).

In the twenty-first century, João Dionísio and Bernardo de Sá Nogueira (2007) have once again analyzed the issue of the manuscript’s dating. In an article divided into two parts, following the clues left by Piel (1942), the authors reached conclusions that were the key to understanding this text’s objectives. In the first part, under the direction of João Dionísio, in addition to revisiting the historiography surrounding the manuscript’s dating and trajectory, considerations were made about the identity of the character Friar Gil Lobo de Tavira. In the second part, edited by Bernardo Sá Nogueira, the aim was to ascertain the origin and meaning of the expression “*que deos perdoe*,” which was an essential question, as we shall see.

In this first part, João Dionísio ends up attributing to the expression the same meaning as the one that had already been advanced by Piel, stating that “a fórmula ‘*que Deus perdoe*’ não deixa margem de dúvida de que o indivíduo a que ela se refere já tinha falecido no

momento em que é produzida” (the expression “*que deos perdoe*” leaves no doubt that the individual to whom the phrase refers had already passed away at the time of its production) (Dionísio; Nogueira, 2007:122). This statement is strongly supported by the second part of the article. Here, Nogueira lists dozens of quotes from documents containing that expression, in which it was used to refer to dead people. The author also mentions that there seems to have been an equivalence between the expressions “*cuja alma Deus haja*” (whose soul may God have) and “*a que Deus perdoe*,” to indicate the passing away of an individual (Dionísio; Nogueira, 2007:123).

About the dating of the manuscript P,¹¹ João Dionísio mentions that this would have to be brought forward to 1451, as Friar Gil Lobo, “já depois de Dom Duarte ter falecido, foi confessor do infante Dom Pedro, durante a regência, e ainda de Afonso V, encontrando-se ainda vivo nesse ano” (after Dom Duarte passed away, was already the confessor of the Infante Dom Pedro, during the period of his regency, and also of Afonso V, since he was still alive during that year) (Dionísio; Nogueira, 2007:123). The author bases his statement on a plea made to the pontiff on 23 February 1451, in which Friar Gil de Tavira requested confirmation of the possession of the monastery of São João de Alpendurada. However, an analysis of this document, reproduced in the appendix (see Doc. 1), does not prove any of those statements.

In this document, there is no reference to Friar Gil Lobo, nor to the role of confessor. In fact, Friar Gil de Tavira (“*fratris Egidii de Tavira, ordinis fratrum Minorum professoris, in theologia licenciatus*”) is mentioned as the commendatory abbot at the monastery of São João de Alpendurada. The friar would have been interested in confirming the legitimacy of the proceedings brought against the late Dom André, the Bishop of Mégara, which allowed him to obtain the commandery of the monastery. Similarly, even if we acknowledge the confusion between those two Franciscan friars, there is also no reference in that document to the Infante Dom Pedro or to Dom Afonso V.

Addressing the question of their Franciscan identification, João Dionísio states that “a identidade de frei Gil de Tavira é deixada clara num documento de aproximadamente um ano e meio antes” (the identity of Friar Gil de Tavira was made clear in a document approximately one and a half years earlier) (Dionísio; Nogueira, 2007:123). Mention is made of the granting of the privilege of royal protection to the monastery of São João de Alpendurada by Dom Afonso V, dated 13 August 1449 (see Doc. 2). Here too, the document is unable to confirm the author’s statements, as will be demonstrated below.

¹¹ Manuscript Portugais 5 from the National Library of France [BITAGAP manid 1154]

At the beginning, we read the following: “por os muytos serviços que frey Gill de Tavira, abade do mosteiro de sam Joham d’Alpendorada tem fectos a elRey meu senhor e padre, cuja alma Deus aja, e a nos, em sendo nosso pregador e confessor e meestre” (for the many services that Friar Gil de Tavira, abbot of the monastery of São João de Alpendurada, rendered to the King, my lord and father, whose soul may God have, and to us, as our preacher and confessor and master) (see Doc. 2). As we have seen, the text does not refer to Friar Gil Lobo, but clearly mentions Friar Gil de Tavira. The latter is said to have rendered “muytos serviços” (many services) to Dom Duarte, not mentioning which ones, and to Dom Afonso V, as his “pregador, confessor e meestre” (preacher, confessor, and master).

These “many services” rendered by Friar Gil de Tavira to the deceased monarch are not likely to include his duties as a confessor. For these, we have no documentary evidence, except for the reference by Rui de Pina, which has already been analyzed. I believe that these services included Friar Gil de Tavira’s attendance at the Basel Council.¹² And such services would not have been minor ones, given the great responsibility inherent in this mission.

As stated and regarding the relationship with Dom Afonso V, the functions of Friar Gil de Tavira are evident in the text: “nosso pregador, confessor e meestre” (Our preacher, confessor, and master). Here, contrary to what may be thought, the possessive adjective “nosso” (our) may refer only to Dom Afonso V, for two reasons. On the one hand, because this term is used twice more in the text, referring on both occasions to the monarch; on the other hand, if Friar Gil de Tavira, born in 1391, had been Dom Duarte’s master, he would already have been very old, which seems unlikely, to say the least.

In the second part of the article, under the direction of Sá Nogueira, there are numerous examples of the use of the formula “*que deos perdoe*.” With these documentary references dating back to the reign of Dom Dinis and to subsequent chronicles, the author seeks to identify the origin and the meaning attributed to this expression, concluding that “é possível indicar o reinado de Dom Afonso IV como época de génese da mesma” (it is possible to indicate the reign of Dom Afonso IV as the time of its origin) (Dionísio; Nogueira, 2007:130). Furthermore, in relation to the meaning of the phrase, the author mentions that “associado ao contexto de ocorrência, sobretudo confirmações de actos jurídicos praticados por antecessores, trata-se aparentemente de propiciar o perdão por Deus para os pecados dos reis passados” (associated with the context of the occurrence, especially the confirmations of legal acts practiced by predecessors, it is apparently a matter of

¹² Sá, Artur Moreira de (1966), *Chartularium Universitatis Portugalensis (1288-1537)*. Lisbon: Instituto de Alta Cultura, vol. IV, p. 128.

providing God's forgiveness for the sins of past kings) (Dionísio; Nogueira, 2007:127). I stress that, at the end of the article, the meaning of the formula "*que deos perdoe*" unequivocally refers to someone who has already passed away.

The date established in this article for the last reference to Friar Gil de Tavira is 1451. Recently, following in the footsteps of Piel (1942) and the conclusions reached by João Dionísio and Bernardo Sá Nogueira (2007), and based on a document preserved at the Portuguese National Library, referring to the monastery of São João de Alpendurada, Filipe Alves Moreira (2018) managed to change that date to May 1, 1458. Consequently, there is an extension of the possible chronological period for the writing of the manuscript of the *Leal Conselheiro* (Moreira, 2018:127).

As already mentioned, attempts to date that manuscript based on the dating of the last reference to Friar Gil de Tavira are only valid if it is accepted that this is the same person as Friar Gil Lobo. However, I shall prove that these are two different individuals. This document presented by Moreira (2018) did, in fact, make it possible to identify one final reference to Friar Gil de Tavira. But this cannot be associated with the date of the death of another Franciscan friar, Friar Gil Lobo, Dom Duarte's confessor, on which the dating of the royal manuscript depends.

From all of this, we must bear in mind some information that has been made clear. The meaning of the expression "*que deos perdoe*" has been unmistakably proven. It refers to a person who belongs to the past, someone who has passed away. The only reference to Friar Gil Lobo as an ambassador to the Council of Basel is contained in the chronicle of Dom Duarte. Just as the only known reference to Friar Gil de Tavira as Dom Duarte's confessor is to be found in the chronicle of Dom Afonso V. Both these pieces of information are taken from Rui de Pina's work, neither of which has any known documentary support.

4. Solving the Problem: Two Different Men

Returning to this paper's initial statement, the character who has been referred to as "Friar Gil Lobo de Tavira" was not just one single person. In fact, there were two people: Friar Gil Lobo and Friar Gil de Tavira. As mentioned before, this identification is the main objective of this text. Therefore, it is important to consider the arguments that justify our starting point.

Let us begin with what should be the first indication of these men's different identities: their names. Friar Gil Lobo and Friar Gil de Tavira have the same first name, but different surnames. It is not possible to find even one contemporary document in which a single individual makes use of both names; in other words, it is not possible to find anyone

who is identified as Friar Gil Lobo de Tavira. This only happens, perhaps for the first time, in 1666, in the aforementioned *História Seráfica* (Esperança, 1666). Similarly, I did not find any document in which these two men appeared simultaneously, which, itself alone, would not be enough to justify their individuality.

The second aspect to be considered is the lack of any documentary evidence, as already mentioned, that could confirm that Friar Gil Lobo was one of Dom Duarte's ambassadors to the Basel Council.¹³ Except for the chronicle of Dom Duarte and his subsequent narratives, all contemporary documents, both Portuguese and pontifical, refer to Friar Gil de Tavira as a member of the embassy. Furthermore, the latter is never referred to as Dom Duarte's confessor, which would be relevant information, and would certainly be included in the various petitions that he addressed to the pontiff.¹⁴ Once again, the only source of this information is the chronicle of Dom Afonso V.

Finally, a third aspect arises, perhaps the most illuminating of all, and one which supports the first two: an unpublished document, dated 7 November 1439, from King Afonso V's Chancery (see Doc. 3). It is a confirmation granted by the monarch, under the authority of his mother, Queen Leonor, of a privilege conferred during the reign of Dom Duarte. This privilege, dated 15 May 1436, is granted to Martim Gomes, resident in Estremoz, and refers to his position as a scribe of the municipal construction works. He is presented as being "*irmão de frey Gil Lobo nosso confessor que Deus perdoe*" (the brother of Friar Gil Lobo, our confessor, may God forgive him).¹⁵

According to this document, Friar Gil Lobo passed away before 15 May 1436. Another document, inserted in the same folio, and also dated 7 November, 1439, similarly refers to Martim Gomes, and mentions that he was the brother of "*frey Gil Lobo que foy confessor do muy alto e virtuoso e da gloriosa memoria el Rei meu senhor e padre cuja alma Deus aja*" (Friar Gil Lobo, who was a confessor to the very high and virtuous King, my Lord and father, of glorious memory, whose soul may God receive).¹⁶ Although not as explicit as the first document in reporting the Franciscan's death, this document nonetheless confirms the

¹³ This did not prevent the name of Friar Gil de Tavira, or simply Friar Gil, found in several publications and documentary collections, from being replaced by that of Friar Gil Lobo in their summary. This lack of rigor only served to increase the confusion surrounding these two men. See Sá, Artur Moreira de (1966), *Chartularium Universitatis Portugalensis (1288-1537)*. Lisbon: Instituto de Alta Cultura, vol. IV, p. 128.

¹⁴ For example, Sá, Artur Moreira de (1966), *Chartularium Universitatis Portugalensis (1288-1537)*. Lisbon: Instituto de Alta Cultura, vol. IV, pp. 139, 192-4.

¹⁵ ANTT – Chancelaria D. Afonso V, liv. 20, fl. 49. Published as Doc. 3 in the appendix.

¹⁶ ANTT – Chancelaria D. Afonso V, liv. 20, fl. 49.

family ties between the two individuals, and reinforces Friar Gil Lobo's position as Dom Duarte's past confessor.

Bearing in mind that we have identified a reference to the date of Friar Gil Lobo's death as being prior to 15 May 1436, he cannot therefore be identified as Friar Gil de Tavira for several reasons. Firstly, because there are secure records relating to Friar Gil de Tavira's activity until 1464.¹⁷ I am referring to the *prazos* (leases) that he granted as the abbot of the monastery of São João de Alpendurada. This information, the last reference to Friar Gil de Tavira, means that there is at least a thirty-year gap between the deaths of the two Franciscans.

Secondly, if Friar Gil Lobo died in 1436 or earlier, it is not possible for him to have participated in the Portuguese embassy in Basel. The party began its journey in January 1436 and reached its destination in December of the same year (Dias, 2003:9). For this reason, even if Dom Duarte ever considered appointing his confessor to this diplomatic mission (of which we have no documentary evidence), then such an intention was never, in fact, realized. Even if he had died during the trip, the absence of any such mention, either in the *Diário da Jornada do Conde de Ourém* or in contemporary documentation, is unusual.

Conclusion

I believe that I have presented sufficient evidence to solve the identity problem of Friar Gil Lobo and Friar Gil de Tavira. I found that the mistake, leading to the creation of the character "Friar Gil Lobo de Tavira," derived, perhaps inadvertently, from Rui de Pina's works. This happened on two different occasions: firstly, when appointing the Portuguese ambassadors to the Basel Council, exchanging Friar Gil de Tavira for Friar Gil Lobo; and secondly, when naming the former as Dom Duarte's confessor, a fact that has remained unproven to this date. This identity swap became further consolidated in the following years, namely in the *História Seráfica dos Frades Menores*, which ended up merging the identities of the two Franciscan Friars into one.

The arguments I have put forward are reinforced by the document of May 15, 1436, identified in the Chancery of Dom Afonso V. Together with Bernardo Sá Nogueira and João Dionísio's clarification of the meaning of the formula "*que deos perdoe*," this document made it possible to point out a chronological marker for the date of Friar Gil Lobo's death. As a

¹⁷ BNP, PGS. 140 P. There is another document that, clarifying its date (as between 1455 or 1465), could extend this date by another year: BNP, PGS. 142 P.

result, I believe that there is no doubt about the difference between him and Friar Gil de Tavira: the former was Dom Duarte's confessor and literary collaborator; the latter was certainly Dom Afonso V's confessor, preacher, and master. Both served the monarchy as ambassadors in European circles.

In addition to the dating of Dom Duarte's *Leal Conselheiro*—the main aim of some of the articles cited in this text—many other questions may be raised after the clarification of this identity problem. Firstly, in relation to the study of royal clergy or of those who were in the service of the royal family, their analysis cannot be properly carried out if Friar Gil Lobo and Friar Gil de Tavira are considered as if they were just one man. Secondly, for the study of the Order of Friars Minor in Portugal, both Franciscans seem to have played a significant role within the Portuguese Province of St. Francis at different times during their lives, with an evident impact on the history of the Order itself. Thirdly, in relation to the history of our medieval culture, "Friar Gil Lobo or de Tavira" is considered to have been a character of considerable cultural importance in these years of the fifteenth century, both as Dom Duarte's literary collaborator and as Dom Afonso V's master. These merits must now be divided between the two men who have been concealed under one identity.

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Appendix

Document 1

23 de Fevereiro de 1451

Sumário: Fr. Gil de Tavira, abade do mosteiro de S. João de Alpendurada, pede ao papa a confirmação da legitimidade do processo conduzido contra o anterior abade, D. André, bispo de Mégara.

Archivio Apostolico Vaticano, Reg. Suppl. 448, fl. 260-260v.

Published: Costa, António Domingues de Sousa (1967), Mestre André Dias de Escobar, figura ecuménica do século XV. Rome/Porto: Editorial Franciscana. pp. 404-5.

Beatissime pater, dudum felicitis recordationis Eugenius papa quartus, predecessor vester, religioso viro Gometio, priori monasterii sancte Crucis extra muros Colimbriē ut si, vocatis quondam Andrea, olim episcopo Megareñ, et aliis qui essent evocandi, sibi de certis delictis et excessibus per dictum episcopum commissis et aliis tunc expressis legitime constaret, commendam eidem episcopo de monasterio sancti Johannis de Pendorata ordinis sancti Benedicti Portugaleñ dioceses, dudum apostolica auctoritate ad beneplacitum sedis apostolice concessam, cessasse et expirasse auctoritate apostolica eadem declararet per quasdam primo et deinde ut si et postquam declarationem huiusmodi per eum fieri contingeret, dictumque monasterium per obitum quondam Stephani, illius ultimi abbatis extra Romanam curiam defuncti, sive alias quovis modo, etc., vacare inveniret, de persona devoti oratoris vestri fratris Egidii de Tavira, ordinis fratrum Minorum professoris, in theologia licentiat, monasterio prefato provideret, etc., per alias suas litteras commisit et dedit in mandatis prout in ipsis litteris, quorum tenores, etc., plenius continetur. Quarum quidem commissionis et mandati necnon litterarum predictarum vigore, prefatus Gometius, constituto sibi, ut creditur, legitime de premissis, ad executionem litterarum predictarum procedens, commendam predictam cessasse et expirasse auctoritate predicta declaravit et successive de persona dicti fratris Egidii monasterio prefato providit, etc., prout in ipsius prioris litteris, quarum etiam tenores, etc., plenius continetur, quarum litterarum vigore, dictus Egidius possessionem monasterii predicti et bonorum illius assecutus extitit, prout eam tenet de presenti.

Cum autem, pater sancte, de declarationis, provisionis et assecutionis [fl. 260v] predictarum viribus dubitetur dictusque Andreas episcopus extra dictam curiam sit iam vita functus, ac per eius obitum dicta comenda cessasse et expirasse necnon monasterium prefatum vacare credatur. Supplicat igitur S[ancitatis] V[estre] dictus Egidius abbas quatinus declarationem, provisionem et assecutionem predictas et inde secuta et secutura apostolica auctoritate rata et grata habentes, illasque et illa auctoritate eadem confirmare de persona dicti Egidii abbatis monasterio prefato, etiam si per obitum dicti quondam Andree episcopi comenda illi dudum de eo facta cessaverit et propterea seu alias quomodolibet et ex cuiuscunque persona dictum monasterium vacaverit et vacet, etiam si tanto tempore vacaverit, etc., de novo providere seu provideri mandare ipsumque illi in abbatem et pastorem preficere, curam, regimen et administrationem illius sibi in spiritualibus et temporalibus plenarie de novo committendo, litteras apostolicas desuper in forma nove provisionis seu perinde valere vel alias, prout dicto Egidio abbati utilius fuerit expediri, mandando, dignemini misericorditer de gratia speciali. Cum non obsta[n] et clausulis in dictis litteris expressis aliisque non obsta[n] et clausulis oportunis. – Fiat ut petitur. C.

Datum Rome apud Sanctum Petrum. Septimo kalendas martii. Anno quarto. R. Simoneta F. Portuensis.

Document 2

13 de Agosto de 1449

Sumário: D. Afonso V concede carta de privilégio ao mosteiro de S. João de Alpendurada e ao seu abade, fr. Gil de Tavira.

Arquivo Nacional Torre do Tombo [ANTT], liv. 4 de Além Douro, fl. 184.

Published: Costa, António Domingues de Sousa (1967) Mestre André Dias de Escobar, figura ecuménica do século XV. Rome/Porto: Editorial Franciscana. pp. 403-4.

Ao abade e moesteyro de Sam Joham d'Alpendorada privilegio per que tomou a elles e a seus servidores e todas suas cousas em guarda e em comenda, etc.

Dom Affonso, etc. A quantos esta carta virem fazemos saber que por os muytos serviços que frey Gill de Tavira, abade do mosteiro de sam Joham d'Alpendorada tem fecto a elRey meu senhor e padre, cuja alma Deus aja, e a nos, em sendo nosso pregador e confessor e meestre, tomamos elle e o dito seu moesteyro e servidores e todas suas cousas em nossa especial guarda e emcomenda e sob nosso defendimento. E porem rrogamos e emcomendamos e mandamos aos yffantes e duque meus muyto prezados e amados irmaão, tyos, e emcomendamos e mandamos aos comdes e a outras quaaesquer pessoas de nossos rregnos e a todollos corregedores, juizes e justiças deles e a outros quaaesquer offiçiaaes e pessoas a que esto pertemçer e esta carta for mostrada, que ajam assy o dito frey Gill e o dito seu moesteyro e todos seus servidores e cousas por especialmente rrecomendados a nos, e por o nosso lhes façam toda homrra e gasalho e os traudem e mandem trautar como cousas nossas, de que grande carregio temos. E nom comsentaaes que per pessoa alguua, de qualquer estado e condiçom que seja, lhe seja fecto agravo nem outra alguua ssem rrezam e em caso que lhe fecta seja cousa como nom deve, assy a sua pessoa como ao dito sseu moesteyro e cousas suas ou cada huua dellas, lho façam logo correger e emendar como for rrezam e direito e lhe cumpram e guardem e façam bem cumprir e guardar todollos privilegios, homrras, liberdades que o dito seu moesteyro de nos tem, e lhe nom vaam nem consemtram hir contra ellas em maneyra alguua por que assy he nossa merçee, sem outro embargo, sendo certo que aquelles que o fezerem, lho agardeçeremos e teremos em serviço e do contrayro nos desprazera e tornaremos a elle como nossa mercee for. E all nom façades. Dada em os nossos paaços da Serra, XIII dias d'Agosto. Vasco d'Abull a fez, anno do nosso Senhor Jhesu Christo de mil e IIIc R IX.

Document 3

Data: 7 de Novembro de 1439 (doc. inserto 16 de Abril de 1436)

Sumário: Confirmação de D. Afonso V da nomeação do ofício de Martim Gomez, escrivão das obras do concelho de Estremoz, feita por D. Duarte.

Arquivo Nacional Torre do Tombo [ANTT] - Chancelaria D. Afonso V, liv. 20, fl. 49.

Dom Afonso e etc a quantos esta carta virem fazemos saber que Martim Gomez morador em Estremoz nos mostrou perante nos hum alvara do muy alto e virtuoso e da gloriosa memoria el Rei meu Senhor e padre cuja alma Deus aja siinado per ell do qual o teor tal he: Nos el Rei fazemos saber a vos juizes e vereadores e homeens boons dessa villa d'Estremoz que a nos praz de seer escriptvade todallas obras desse concelho Martim Gomez hi morador

irmão de frey Gil Lobo nosso confesor que Deus perdoe que aja d'escripver¹⁸ os recebimentos de todallas despesas que se fazem em elas asy e todallas outras cousas que aas dictas obras preteencem. E porem mandamos que <asy> o ajaaes por escripvam dellas¹⁹ e outro nhum nom e aja mantimento que por ello deve d'aver segundo he custume de se dar aos outros escripvaaes das obras dos dictos lugares semelhaavees sem outro nhum embargo que lhe sobre ello ponhades. Unde all [nom] façades. Fecto em Estremoz XVI dias d'Abril Joham de Ponte a fez era de mil e IIII^c e XXXVI annos.

E pedio nos o dicto Martim Gomez que lhe confirmasemos o dicto alvara e nos visto seu pidir e querendo lhe fazer graça e merçee confirmamos lhe o dicto alvara asy e pella guisa que em elle he contheudo. E porem mandamos quais quer nossos ofiçiaaes e pessoas a que o conhecimento desto perteençer per qual quer guisa que²⁰ los (?) compram e guardem e façaes comprir e guardar o dicto alvara segundo nelle faz mençom sem outro nhum embargo que lhe sobre ello seja posto. Dada em Alamquer VII dias de Novembro el Rei o mandou com autoridade da Senhora Rainha sua madre como <sua> tetor e curador que he, Rui Vaasquez a fez. Era de mil e IIII^c e XXXIX anos. O qual Martim Gomez jurou em a nossa chamcelaria aos santos evangelhos que bem e diretamente e como deve obre e use do dicto ofiço e guarde a nos o nosso serviço e ao poboo seu direito.

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¹⁸ Riscado “to”.

¹⁹ Riscado “com os escripvaaes”.

²⁰ Riscadas três letras.

The PIDE Between Memory and History: Revolutionary Tradition, Historiography, and the Missing Dimension in the Relation Between Society and Salazar's Political Police

Duncan Simpson¹

Abstract

The recent historiography of twentieth-century dictatorships has been marked by the innovative exploration of the relations between ordinary citizens and the political police, uncovering systems of social practices characterized by ambiguity, accommodation, and opportunism—all of which contributed to the perpetuation of the dictatorial order. By contrast, the historiography of Salazar's political police (PIDE) has continued to focus on its modalities of repression and the small minority of oppositionists at which these were directed. This article seeks to understand why. It argues that the historiography of the PIDE has not only become embroiled in memory politics, but is also actively involved in upholding a certain social memory of the PIDE. Renovating the study of the PIDE implies releasing the historiography from its current memorializing inflection and opening up the academic field to new research objects.

Keywords

New State, Political police, PIDE, Memory, Historiography.

Resumo

A recente historiografia internacional dedicada ao estudo das ditaduras do século XX tem adoptado uma perspectiva inovadora centrada nas relações entre os cidadãos comuns e as polícias políticas, tendo vindo a revelar um conjunto de práticas sociais caracterizadas pela ambiguidade, acomodação e oportunismo—as quais contribuíram significativamente para a perpetuação destes regimes. Porém, os estudos sobre a polícia política salazarista (PIDE) permanecem centrados nas suas modalidades de repressão e na minoria de opositores a que estas se dirigiam. Este artigo argumenta que tal acontece porque esta historiografia permanece enredada em políticas de memória e sustenta uma certa memória social da PIDE. Defende-se assim que a desejável renovação dos estudos sobre a PIDE passa por ultrapassar esta inflexão da memória e por adoptar novos objectos de investigação.

Palavras-chave

Estado Novo, Polícia política, PIDE, Memória, Historiografia.

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Introduction

Since the 1990s, the historiography of twentieth-century European dictatorships, in particular those practicing mass dictatorship, has been marked by the innovative exploration of the relations between society and the secret police, and the issue of exposure to political violence more generally. In particular, historians of “everyday life” (Bergerson 2004; Bosworth 2005; Fitzpatrick 2000; Fitzpatrick and Lüdtke 2008; Fulbrook 2013; Lüdtke 1994; Lüdtke 2016) and “accusatory practices” (Bergemann 2019; Fitzpatrick 1996; Fitzpatrick and Gellately 1997; Gellately 1996; Johnson 2000; Nérard 2004) have restored the agency of common citizens subjected to violent dictatorships. In doing so, they have uncovered systems of social practices characterized by ambiguity, accommodation, or opportunism in relation to the authorities, all of which contributed to the perpetuation of the dictatorial order.

Research of this type remains inexistent on the Salazar regime and its secret police, the *Polícia Internacional e de Defesa do Estado* (PIDE).² Instead, the historiography of the PIDE has continued to assert a top-down approach to historical understanding, articulated along a morally-inflected narrative and centered on the PIDE’s modalities of political repression and the experience of its direct victims—that is, the small minority of citizens who actively opposed the New State. As a result, the experience and social practices of ordinary citizens have been overlooked.³

This article aims to understand why the victim-centered paradigm continues to dominate the academic field in Portugal. It posits as its underlying argument the notion that memory politics have been central in shaping the historiography of the PIDE. By this, I mean that the efforts to construct and preserve a certain social memory of the PIDE have contaminated the process of historical understanding by dictating which aspects of the secret police are studied and which are not.⁴ The historical study of the PIDE has in effect remained captive of memorial interests.

² The PIDE existed between 1945 and 1969, when it was rebranded, for cosmetic reasons, as the *Direção-Geral de Segurança* (DGS), during the “Marcellist Spring.” In practice, the DGS maintained most of its predecessor’s extensive arbitrary powers and actually used them with increasing intensity in the context of a growing contestation against the regime (Pimentel 2011: 147).

³ The term “ordinary citizens” is meant to designate the bulk of the population, in contrast to the small oppositionist minority within it. It is not meant to reflect a conception of the “ordinary” Portuguese citizen along essentialist lines.

⁴ Social memory is understood as covering “the process (or processes) through which a knowledge or awareness of past events or conditions is developed and sustained within human societies, and through which, therefore, individuals within those societies are given the sense of a past that extends beyond what they themselves personally remember.” As such, the processes of social memory characteristically involve “the operation of a

The article is organized in two parts. The first argues that, owing to the particular circumstances of the New State's demise, the representation of the PIDE made during the revolutionary process of 1974-1975 left an enduring mark on public consciousness and, in doing so, lastingly fashioned the social memory of the PIDE. The second examines the historiography *per se*. It argues that, whether due to the open politicization of the PIDE as a subject of historical study or as the result of more prosaic factors inherent to Portugal's civil society, the main works of history devoted to Salazar's secret police have been marked by a stark process of "memorializing inflection" (Cubitt 2007: 52). Both factors have influenced how the PIDE is approached in scholarly terms. In the conclusion, I will suggest ways in which the study of the PIDE can be rethought, a process which, in the Portuguese case, implies both releasing the historiography from its current memorializing inflection and opening up the academic field to new research objects.

1 – The April Revolution: "Antifascist" Memory and Collective Remembrance

The downfall of the regime through the military coup of April 25, 1974 was followed by a period of "emancipated memory" (Loff 2014: 3), during which the narratives of the PIDE's victims were widely disseminated. After forty-eight years of enforced silence, the "antifascist" memory of the PIDE effectively acquired national prominence and hegemonic status. It was to exert a lasting influence on the social memory of the PIDE. Before explaining the endurance of the "antifascist" memory of the PIDE, I shall briefly outline its principal features.

Among its multiple expressions, the post-1974 "emancipation of memory" gave rise to a spate of publications denouncing the crimes of the dictatorship. Between 1974 and 1977, thirty-two books were published in Portugal on the theme of Salazarist repression (Maués 2013: 408-409). Of these, nineteen were devoted to the experience of political prisoners. A further thirteen focused directly on the PIDE. This corpus of works offers a good access point to the representation of the PIDE made at the time.⁵ Four essential features may be highlighted.

wide variety of cultural devices, and of elements of institutional and social structure," leading to an acquired sense of the past "envisaged as being somehow general and collective" (Cubitt 2007: 14-15).

⁵ See Bibliography, "Books on the PIDE published during the April revolution." The corpus focuses on the revolutionary period, which is not to say that some of the works produced by oppositionists during the dictatorship, such as Mário Soares' *Le Portugal Báilloné* (Paris: Calmann-Levy, 1972), were not also influential in shaping the "antifascist" memory of the PIDE. The same may be said of editorial enterprises launched in the immediate post-revolutionary period, in particular by the Comissão do Livro Negro sobre o Regime

1.1 – The PIDE as the “Portuguese Gestapo”

A recurrent theme consisted in equating Salazar’s political police to the Gestapo. One publication from the corpus referred to the PIDE simply as the “Nazi police” (Reporter Sombra 1974: 37). Others noted that it had been “set up by the Gestapo” (*Último relatório: “Nota prévia”*) or that its methods were “Gestaponean [*sic*]” (Soares 1974: 52). Through a process known in the field of memory studies as “anchoring” (Paez et al 2015: N.p.), the intended effect was to ascribe a meaning to the PIDE by integrating it within an existing worldview—in this case, by anchoring it to the lineage of history’s most infamous institutions of repression.

The corpus sometimes provided a more complete lineage. Thus, the PIDE’s “inhuman and often repugnant methods frequently came close to the inquisitorial systems consecrated by the Middle Ages and perfected by the Gestapo” (Manuel, Carapinha, and Neves 1974: 5). Fernando Luso Soares also presented the Inquisition as the PIDE’s “genuine predecessor” (Soares 1974: 17). The aim was to appropriate the Inquisition’s and the Gestapo’s global symbolic capital of evil, placing the PIDE on par with the ultimate expression of political violence. A well-established mode of representation was the “gallery” of its most infamous members, from Torquemada to Heinrich Himmler. The process was replicated in Portugal. One publication from the corpus included a thirty-page insert with biographical information on the PIDE’s principal *carrascos* (executioners), such as the “tyrannical Gouveia.”

Fascista—such as the five volumes on political prisoners produced between 1981 and 1987, and the volume on “political and social repression in the fascist regime” (Comissão do Livro Negro sobre o Regime Fascista 1986).

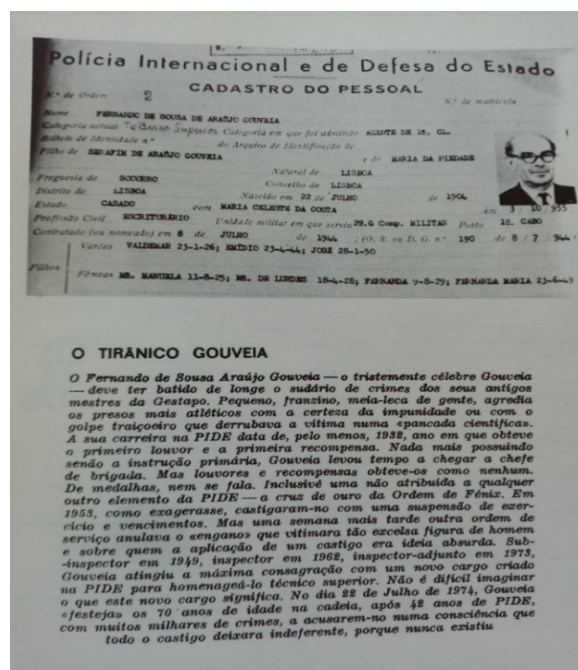


Figure 1: From *Dossier PIDE: os horrores e crimes de uma 'policia'* (Reporter Sombra 1974)

Mirroring the Gestapo, the PIDE was also repeatedly presented as a “State within the State.” According to this theory, the PIDE had grown to such a level of influence and power that it enjoyed almost complete autonomy in relation to the political authorities, if not precedence over them. Most of the arguments used were drawn from vague generalizations. Statements along the lines that the PIDE “dominated much of the national life until April 25” were taken as sufficient evidence of its status as a “State within the State” (Manuel, Carapinha, and Neves 1974: 6). A more substantive argument concerned the relations between the PIDE and the Plenary Tribunals, responsible for “political” cases between 1945 and 1974. Its judges were showed to “follow the directives and instructions of . . . the police” (*A defesa acusa* 1975: 9). One particular issue was the legal interdiction for lawyers to communicate with their clients during the investigative phase, including the interrogations, which effectively gave the PIDE a free hand in resorting to torture. Soares presented the case of a prisoner whose request for medical assistance had been denied by the PIDE. His lawyer’s appeal to the Ministry of Justice, under whose protection tutelage the prisoner remained in theory, also went unanswered. In practice, Soares concluded, “all the organs of (alleged) sovereignty bowed to this particular nature of the PIDE/DGS, that of a State within the State” (Soares 1974: 80).



Figures 2 and 3: The iconography used in the books published during the April revolution actively associated the PIDE with its Nazi counterpart

Also, in Gestapo style, the PIDE was presented as omnipresent and omniscient. Its panoptic quality stemmed from its network of informers, those “men and women” acting as the “eyes and ears of Portuguese fascism” (Vasco 1977: 39). One publication estimated that, since its creation in 1945, some 200,000 “collaborators” had been involved in the PIDE’s activities, most of them informers (Manuel, Carapinha, and Neves 1974: 7). The PIDE had effectively “cast its net of informers throughout the country” (*Elementos para a história da PIDE* 1976: 3). Based on fragmentary archival evidence, impressionistic generalizations were made as to their motives, systematically presented as base and immoral. While some informers were “blackmailed” into the role (Vasco 1977: 49), most assumed the position for material gain. They reported on their fellow citizens in exchange for “some favor” bestowed by the PIDE (Vasco 1977: 39) or “for a few miserable escudos” (Manuel, Carapinha, and Neves 1974: 7). That some informers reported to the PIDE out of genuine support for the regime was rarely recognized. When it was, it was invariably in deprecating terms. In the words of Nuno Vasco, they acted “out of their sick devotion to the totalitarian regime” (Vasco 1977: 39).

1.2 – PIDE Agents as Quintessentially “Evil”

Another trait running through the corpus was the representation of PIDE agents as immoral in their behavior, Machiavellian in their methods, and sadistic in their practices. Driven by personal profit, the typical agent was naturally corrupt. Thus, agents stationed at frontier posts turned a blind eye to illegal contraband in return for a bribe (*Elementos para a história da PIDE* 1976: 35). The organization itself was riddled with “internal rivalries and

personal jealousies” as agents vied for a position within the PIDE’s “complicated bureaucracy and rigid hierarchy” (*Elementos para a história da PIDE* 1976: 39). In *Dossier PIDE/DGS*, a widely-circulated comic-book series featuring the PIDE,⁶ agents were shown resorting to the services of prostitutes and depicted as regular consumers of pornography, thus highlighting their moral hypocrisy (*Dossier PIDE/DGS. Na teia da PIDE* 1975: 14).



Figure 4: From *Dossier PIDE/DGS. Na teia da PIDE* (Edições Acropole 1975)

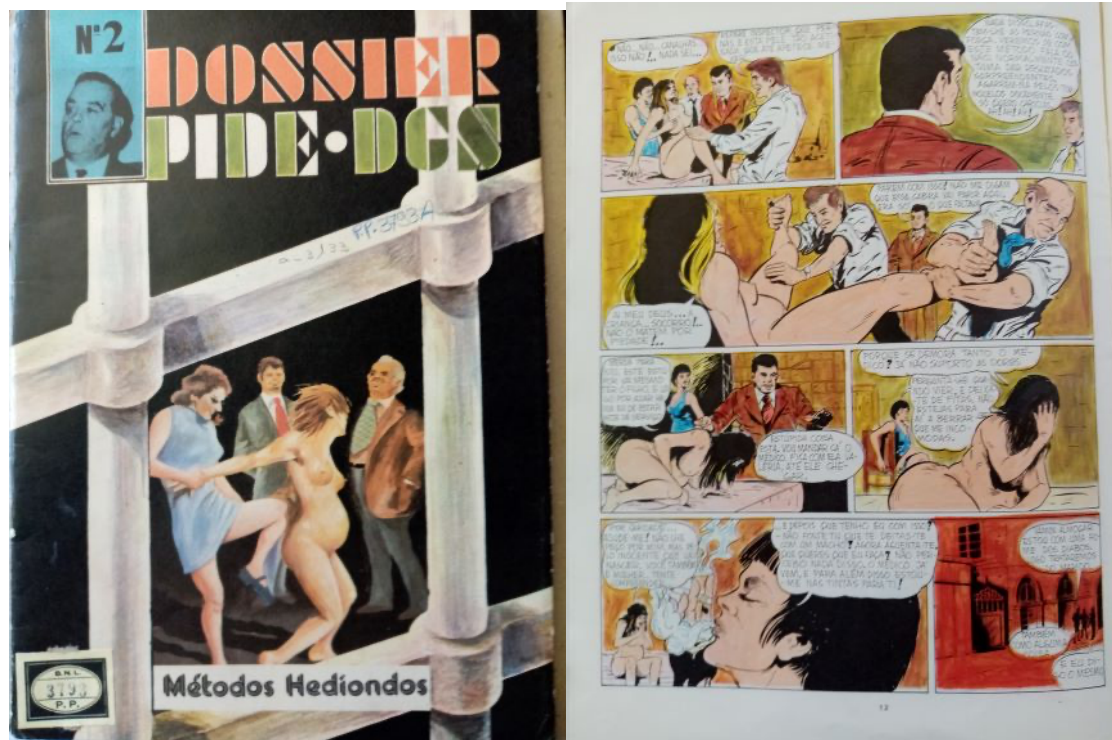
The Machiavellian and sadistic personality traits of the PIDE agents showed in the way that they interrogated suspects. The typical agent “adapted himself to each particular case,” looking for opportunities to extract information from prisoners via their “family situation” or “the possibility of economic blackmail” (*Elementos para a história da PIDE* 1976: 31). The low level of education of the average agent was also heavily emphasized. Some agents were individually singled out. Thus, José Gonçalves, “who finished his career as sub-inspector, was semi-illiterate, as was Inspector Seixas” (*Elementos para a história da PIDE* 1976: 39). A whole narrative was developed from the theme of under-education, emphasizing the “uncivilized” nature of the PIDE as a police force. It was “not very important for the PIDE that its agents should be intellectually qualified.” Rather “what mattered more was their physical, ideological and political training as loyal lackeys of the regime” (*Elementos para a história da PIDE* 1976: 39). Also associated with their lack of formal education, the corpus utilized a semantic range that focused on the animalization of PIDE agents. These were

⁶ 30,000 copies were printed of each of the two issues published in 1975 (Maués 2013: 409).

referred to as “the guard dogs of fascism” (*Elementos para a história da PIDE* 1976: 3), “famished wolves” (*Dossier PIDE/DGS: na teia da PIDE* 1975: 11), “authentic wild beasts” (*idem*: 11), “disgusting swine” (*idem*: 19), “ferocious animals” (Reporter Sombra 1974: 8), or “repellent monsters” (Soares 1974: 57).

1.3 – The Focus on Violence and Torture

Each of the publications placed heavy emphasis on the high degree of violence employed by the PIDE, in particular its methods of torture (both physical and psychological), presented as the political police’s principal means of investigation. One recurrent feature was the graphic description of the most infamous of these methods, namely sleep deprivation and the so-called “statue” (during which prisoners were forced to remain in a standing position, often with their arms spread open, for several hours or days). First-hand accounts of former prisoners were systematically included for emotional effect. “There were various methods to prevent sleep,” one prisoner recalled. “The agent played with a coin on the table, rattled the drawers, ordered the prisoner to stand up or to walk across the room, etc. As days passed, the intensity of the stimuli increased: from loud bellowing to beatings; from playing recorded screams of pain to sudden changes in temperature; from the torment of the statue to burns; from arms raised in a cross-like position to the use of drugs” (Manuel, Carapinha, and Neves 1974: 110). Extensive accounts of the more “common” ill-treatments were also provided, such as slapping, kicking, or whipping. One particularly graphic representation of the PIDE, from the *Dossier PIDE/DGS* series, pictured PIDE agents torturing a pregnant woman.



Figures 5 and 6: From *Dossier PIDE/DGS. Métodos Hediondos* (Edições Acropole 1975)

1.4 – The “People as Victims”

Portuguese society as it was portrayed in these publications resembled the Arendtian model of the totalitarian “atomized” society. Despite the secrecy and censorship surrounding the PIDE’s activities, “its modes of action were known to large segments of the population” (*Elementos para a história da PIDE* 1976: 4). On the one hand, this meant that it was able to “instill so much terror into the people” (*Dossier PIDE/DGS. Na teia da PIDE* 1975: 27). On the other, the proliferation of informers led to “the moral degradation” of society (Soares 1974: 57). Individual citizens retreated to the private sphere, avoiding any activity that might bring them to the attention of the political police. Furthermore, a pervading sense of mutual suspicion took hold of society. As one of the publications put it, under the grip of the paralyzing fear instilled by the PIDE, “everyone distrusted everyone” (Manuel, Carapinha, and Neves 1974: 5).

The idea of the “people as victims” was also the logical consequence of the ostracizing of PIDE agents as psychopathic “monsters” during the revolutionary period. In the almost complete absence of higher-ranking figures of the regime, who had either fled the country or been allowed into exile, PIDE agents rapidly came to embody the paragons of the New State’s political violence, single-handedly responsible for Salazarist oppression. The notorious *caça aos Pides* (“hunting down of PIDE agents”) in the first weeks of the revolution

was probably more complex a phenomenon than a simple surge of popular retribution. As the writer Miguel Torga, himself a victim of the PIDE, would write in his *Diário*, after witnessing the violent occupation of the secret police delegation in Coimbra on April 27 1974:

While I, along with other veterans of the opposition to fascism, witnessed the fury of a few exalted individuals calling for the slaughter of the agents holed up inside . . . , I thought of how these acts of revenge were rarely carried out by the actual victims of repression. There is in them a sense of decency [*pudor*] which does not allow them to sully their suffering. It is the others, those who did not suffer, who exceed all limits, as if from ill conscience and to show off a despair that they never actually experienced (qtd. in Araújo 2019: 73-74).

In this sense, the very notion of the “people as victims” was a convenient narrative for a society emerging from forty-eight years of dictatorial rule—a process reminiscent of the course of German society at the end of the Nazi regime, albeit on a much smaller scale. As a result, the relations between society and the PIDE were reduced to a dichotomist opposition between the persecuted and their oppressors, and more complex forms of interaction—not least the collaboration of many Portuguese citizens with the PIDE—kept well away from public scrutiny and arguably from social memory itself.

1.5 – “Antifascist” Memory as a Matrix of Collective Remembrance

To assess the precise influence of “antifascist” memory on the social memory of the PIDE would require a detailed diachronic account of the representations of the secret police since 1974, integrating the multitude of collective and individual actors involved in its construction—such as political parties, the media, and networks of private sociability. Such a task lies beyond the scope of this article. There are, nevertheless, plenty of indications suggesting that the influence of “antifascist” memory has been strong and enduring.

Notwithstanding phases of decreasing intensity of the remembrance process, in particular during the 1980s, and barring two notable exceptions,⁷ there is no evidence in the

⁷ Namely, the televised interview of the former PIDE agent Oscar Cardoso, broadcast on the privately-owned channel SIC in 1994, in which he was allowed to deny the use of torture; and the “pensions scandals” of 1989 and 1992, which respectively saw Fernando Salgueiro Maia (figurehead of the “captains of April”) denied a pension for “exceptional or relevant services to the nation,” and the same pension awarded to two former PIDE agents for their role in the colonial war (Raimundo 2018: 87). On each occasion, however, the events were followed by widespread condemnation throughout society.

available literature to suggest that the socially legitimate representations of the PIDE produced since the revolution have differed substantially from the “antifascist” representation (though rid of its Marxist ideological wrapping). On the contrary, if the arts, broadly speaking, provide “a thermometer of the dominant values in a given society and a formative field for the symbolic representations of the past” (Napolitano 2015: 16-17), it would be hard to argue that the PIDE has been portrayed in any way other than through the prism of its function as a persecutor of the oppositionists and a general oppressor of the “people.” A cursory survey of some of the most popular “vehicles of memory” (Confino 1997: 1386) to have fashioned the social memory of the PIDE since 1974 supports this view.

In the literary field, examples abound of widely read novels in which persecution by the PIDE is an important part of the fictional narrative. Notwithstanding the differences in literary quality that exist between them, works such as José Saramago’s *Levantado do chão* (1980) and *O ano da morte de Ricardo Reis* (1984), much of António Lobo Antunes’s literary output, starting with his first two novels *Memória de elefante* (1979) and *Os cus de Judas* (1979), Antonio Tabucchi’s *Afirma Pereira* (1994), and the international best-sellers of foreign authors such as Robert Wilson’s *A Small Death in Lisbon* (1999) and Pascal Mercier’s *Night Train to Lisbon* (2004) have all, with varying degrees of subtlety, put forward representations of the PIDE as a brutal persecutor. Two of these novels were made into films—*Afirma Pereira* in 1996 (starring Marcello Mastroianni) and *Night Train to Lisbon* in 2013 (starring Jeremy Irons)—further enhancing their influence on social memory. The same victim-centered perspective is to be found in Susana de Sousa Dias’s multiple award-winning documentaries on the PIDE, such as *48* (2010) and *Luç obscura* (2017), the former consisting in a series of extended close-ups of the mugshots of political prisoners as they recount their memories of torture and humiliation at the hands of the PIDE.

In addition to the empirical evidence, theoretical notions pertaining to the field of memory studies must also be taken into account. That the revolution of April 25, 1974, and the events associated with it, should have registered with particular acuteness in the national consciousness is hardly surprising when seen from this viewpoint. The Portuguese case being one of rupture from the dictatorial past rather than a “negotiated transition” to democracy (Raimundo 2018: 17), it took place within a context of extraordinary revolutionary fervor, and led to profound social, political, and institutional change. As such, it constitutes one of those “key events, whose memory lives on (...), permeating society as a whole” (Rousso 1987: 11). The force of the revolutionary rupture, abruptly bringing to an end forty-eight years of uninterrupted dictatorship, also generated its own collectively-assumed “historical

imaginary” (Fentress, and Wickham 1992: 129)—that is, a series of signifying images deeply ingrained into the public consciousness. One of these is the *caça aos pides*, diffused by the mass media on the occasion of each annual commemoration of the revolution (and not only), as evidence of the “people as victims” venting their fury against the “despised” political police. The so-called “recency bias” (Paez et al. 2015: n.p.) also placed the revolutionary events within the realm of “communicative memory” (Stelian 2013: 262), magnifying the potential for dissemination of the “people as victims” paradigm among the younger generations. Finally, stressing the PIDE’s repressive role also suited the increasingly consensual political discourse on the “democratic identity” of the nation after 1975, its collective remembrance serving as a kind of civic warning against the evils of dictatorship. Surprisingly perhaps, the historiography of the PIDE has itself done little to provide a more nuanced and complete understanding of the secret police and its relationship with society in Salazar’s Portugal.

2 – Historiography: Between Revolutionary Tradition and Memorializing Inflection

The PIDE remains a particularly sensitive subject of academic research. This is due primarily to the fact that the historical works devoted to it have been inextricably enmeshed in memory politics (in part because several of the leading historians of the PIDE were themselves active oppositionists during the time of the New State). Consequently, the PIDE has been debated in no small measure in terms of present-day politics. The pervasiveness of memory in the field of historical research has operated in two ways: the first explicit, the second implicit.

2.1 – Guardians of the Revolutionary Tradition

The academic field has been framed to a large extent by those who may be designated the guardians of the revolutionary tradition, that is, of the orthodox representation of the PIDE constructed during the revolution, when the “antifascist” memory acquired hegemonic status. The virulent polemic that flared up amongst historians of the New State during the so-called “*Verão Quente* of 2012” (Meneses 2012) illustrates this phenomenon very clearly.

Much of the controversy that followed the serialization of Rui Ramos’ *História de Portugal* (Ramos 2009) centered precisely on the degree of political violence exercised by the

regime, in particular the PIDE.⁸ In his work, Ramos essentially set out to relativize Salazarist political violence by placing it in a comparative perspective. The New State, he observed, “did not resort to the death penalty, assassinations were very rare and political prisoners few” (Ramos 2009: 652). In fact, the regime itself, Ramos further argued, had been “moderate” in its use of violence when compared not only to contemporaneous dictatorships, but also to the Portuguese First Republic and even to postwar democracies (Ramos 2009: 652).⁹ These arguments were sufficient to trigger a violent rebuttal from the guardians of the revolutionary tradition, for whom acknowledging the high level of political repression under the New State was a key component not only in their definition of the regime as “fascist” (Loff 2014: 7), but also in their interpretation of the April Revolution as the culmination of a popular “antifascist” struggle. The memorial mobilization of this vision of the past for present political purposes was particularly obvious at the time, namely in the idea that “if a popular struggle [had] defeated the New State, then it [could] defeat the EU/ECB/IMF ‘Troika’” (Meneses 2012: 75). In this context, rival representations of the PIDE were assumed to imply political plans of their own. The guardians of the revolutionary tradition, some with a significant influence in academia, effectively consider themselves to be engaged in a battle against what they see as a rightist agenda bent on erasing the memory of repression from the historical record so as to facilitate the implementation in the present of a “reactionary” political program. Any attempt to relativize the degree of political violence has consequently been seen as an attempt to “whitewash” the regime, a form of “negative” revisionism, if not plain “negationism” (Loff 2014: 10; Loff 2015: 66; Soutelo 2015). Rival interpretations of the regime have concomitantly been located as part of a “gigantic re-reading of world [history],” rooted in “historiographical revisionism” (such as relativizing political violence) and ultimately aimed at “legitimizing the implementation of a neoconservative and neoliberal capitalist course” (Rosas 2016: 62).¹⁰

Two conclusions can be drawn from the above. The first is that the politicization of the PIDE as a subject of historical study has tended to further reinforce the analytical focus both on the degree of violence that it exercised and on the memory of its direct victims. The second is that the academic field as it currently stands in Portugal is hardly propitious to the

⁸ For more information on the controversy itself, the details of which need not be repeated here, see Meneses (2012).

⁹ Between 1933 and 1974, 41 people were killed in the repression of mutinies or strikes in Portugal, compared to 94 in democratic Italy between 1948 and 1962 (Cerezales, quoted in Ramos [2009: 652]).

¹⁰ These Portuguese historiographical polemics tie into a broader, European-wide debate over a so-called conservative “ethico-political turn” in the approach to the past, embodied by the works of Ernst Nolte and Renzo De Felice, amongst others. See Traverso (2005: 114-116).

application of new methodologies or the exploration of research objects that might run counter to the orthodox representation of the PIDE. Historians wishing to do so must assume the risk of exposing themselves to accusations of “negationism” and “whitewashing” in relation to the dictatorial past.

The guardians of the revolutionary tradition have not themselves produced any substantive research on the PIDE, but rather synthetic interpretive essays. Even the specialized historiography, however, has not remained immune to the influence of memorial interests, albeit as the result of societal circumstances rather than openly political factors.

2.2 – Memorializing Inflection

The (few) scholarly works devoted exclusively to the PIDE have displayed a strong memorializing inflection. By this, it is meant that these works have been influenced by their authors’ purposeful effort to uphold a certain memory of the PIDE. In doing so they have carried the victim-centered representations of the PIDE, typical of the “antifascist” memory, into the realm of historiography. Two influential works in this subject area will serve to demonstrate the point.

To this day, the only academic study to provide a broad history of the PIDE in mainland Portugal, from its creation in 1945 to its extinction in 1974, has been Irene Flunser Pimentel’s *A História da PIDE* (2007).¹¹ Currently in its eighth edition—indicating, in theory at least, an exceptionally wide readership for a work of history—it has exerted a strong influence within the subject area. In this work, Pimentel develops her analysis along two lines. From the outset, the author places the study within broader considerations regarding the collective memory of the New State since 1974, thereby imbuing the analysis with an (implicit) memorial dimension. According to the author, “because of the political cleavages of the Hot Summer of 1975, a certain silence—although never total—covered the dictatorial past, as the struggle between the parties involved took precedence.” Following a period in the 1980s, during which “the memory of the dictatorship” was “repressed,” another phase began with the opening of the PIDE Archives to researchers in 1994. This in turn led to “a gradual lifting of the repression [of memory]” over the following decade which, according to Pimentel, “owed much to the work of historiography” (2007: 17). In practical terms, Pimentel’s own work was thus designed to contribute to “lifting” the silence still surrounding the activities of the PIDE. This type of approach had important consequences regarding

¹¹ On the PIDE’s role in the colonial territories, which is beyond the scope of the present article, see Mateus (2004).

which aspects of the PIDE were covered in the book. Again, from the outset, Pimentel stated her intention to study the PIDE “as an institution specialized (...) first and foremost in political repression.” For this reason, she explained, “the whole of the analysis” was to be “oriented towards the ‘relations’ between the PIDE and the members of the opposition to the New State, whether political, social or religious” (Pimentel 2007: 11). The work consequently delves at length in great depth into the experiences of the minority of oppositionists who were effectively persecuted by the PIDE (communists, republicans, socialists, progressive Catholics, and far-left groups, among others) and the modalities of repression used against them, with a heavy emphasis on their arbitrariness and brutality. Taken together, these aspects occupy four of the book’s five sections.¹²

If the work’s inherent memorializing intention accounts for its heavily victim-centered approach, it also explains why some of the PIDE’s more mundane tasks—such as internal administrative work and border control—were overlooked, and, more importantly, why the book largely ignored the experience of the population beyond the narrow circle of oppositionists. Indeed, whilst the role of paid informers is accounted for and the existence of a “culture of denunciation” among the public duly acknowledged—suggesting the presence of widespread practices of spontaneous, bottom-up interactions between society and the PIDE—the phenomenon is interpreted essentially as the unfortunate side-effect of a regime that encouraged that kind of behavior and as the Portuguese reality of a broader phenomenon that “tarnished the Twentieth Century” (Pimentel, 2007: 314 and 308-337). As a result, ordinary citizens have continued to be seen primarily as the passive victims of the PIDE’s fear-inducing impact on society. This was also a consequence of the way Pimentel envisaged the specific role of the PIDE within the regime’s broader apparatus of repression, namely as a “last resort” against “the few who fought against the New State” and a dissuasive influence on the rest of society (Pimentel 2007: 535).¹³

The emphasis on repression and the opposition also resulted from the fact that Pimentel’s work was the first detailed study of the PIDE after the opening of the PIDE Archives. As such, it logically focused on the secret police’s primarily repressive function, as had also been the case of the first (and sole) work devoted to the PIDE’s predecessor, the *Polícia de Vigilância e Defesa do Estado* (Ribeiro: 1995). Another factor in the discernible effort

¹² Namely “A PIDE/DGS e os seus principais adversários,” “Outros adversários/vítimas da PIDE/DGS,” “Os métodos da PIDE/DGS,” and “Da prisão ao julgamento.”

¹³ For a detailed version of the model of Salazarist repression ascribing to the PIDE the role of “ultimate” punitive agent within the regime’s panoply of preventive and repressive institutions, see Rosas (2012: 190-210). The model itself derives from earlier conceptions of the regime’s “optimal coefficient of terror” (Martins 1968) and its system of “controlled repression” (Gallagher 1979).

to uphold the memory of the victims of the PIDE was the perceived deficiency in the official recognition of this memory at the societal level, seen partly as a consequence of the lack of dynamism of civil society in Portugal (Pimentel 2017: 558). In such a context, historians took it upon themselves to contribute to the task.¹⁴

This was openly assumed in *Vítimas de Salazar* (2007), edited by João Madeira. Although devoted to political violence in general, rather than to the PIDE in particular, it has also exerted considerable influence in the subject area. The book itself was described by Madeira as a “collection of historical narratives of violence and resistance” that had been either “forgotten or devalued” by society. As such, it was intended as the response of a group of “civic-minded” historians to this lapse of memory (Madeira 2007: 32).¹⁵

The book’s table of contents certainly reads like an impressive list of the various types of political violence practiced by the New State, ranging from “concentration camps” and “violent deaths” to “phone-tapping and postal interception,” “deportation,” and “torture”—to cite only a few of the topics covered in its sixteen chapters. In his critical review of the book, Diego Palacios Cerezales has pointedly highlighted the pitfalls involved in a methodological approach grounded in the preservation of the memory of the victims of Salazarist violence (Cerezales 2007). By failing to introduce a comparative dimension to their study, not only do the authors tell us little about the specificities of police violence under Salazar, but, more importantly as concerns our present purposes, they also bypass fundamental aspects of the experience of political violence in Portugal itself. “The book,” Cerezales observes, “speaks of the experience of the victims, and at times one has the impression that all that existed was the regime on the one hand, and its victims on the other. The attitudes adopted in relation to State violence by the rest of the population are not sufficiently explored,” namely, “those who denounced it; those who knew and justified it; those who knew and remained silent” (Cerezales 2007: 1128).

By reducing the relations between society and the PIDE to a dichotomist opposition between persecutors and persecuted, victim-centered memorializing works are insufficient as an analytical framework to account for broader experiences of the PIDE across society. And yet, despite a recent and innovative monograph on one of the PIDE’s many paid informers (Silva 2019), developments in the historiography have actually tended to increase

¹⁴ Significantly, Pimentel is herself a member of the activist group *Não Apaguem a Memória!* Aimed at preserving the memory of Salazarist repression, it contributed to the foundation, in 2015, of the *Museu do Aljube—Resistência e Liberdade*, located in the PIDE’s former prison quarters in central Lisbon.

¹⁵ In his preface to the book, Fernando Rosas returned to the already familiar theme of a politically-engineered process of amnesia, according to which the right-wing intelligentsia fomented a “counterculture of negation and revision of memory” (Madeira 2007: 18).

this dichotomy, whether by focusing on certain categories of victims, such as intellectuals and writers (Nunes 2007; Silva 2009), or on the perpetrators of political violence, such as the PIDE's most "infamous" agents (Pimentel 2008; Pimentel 2019). Neither has the moralizing discourse typical of "antifascist" memory been expurgated from the historiographical narrative. It is significant from this viewpoint that Pimentel's most recent work on the PIDE continues to refer to informers as engaging in "activities of treason" (Pimentel 2019: 391). None of these developments have been beneficial to the attainment of a more thorough understanding of the PIDE's complex relation to society under Salazarism. By remaining a captive of memory, the historiography has arguably made this objective harder to achieve.

Conclusion

As a result of the enduring influence of the "antifascist" memory of the PIDE and the concomitant contamination of the field of historical research by memorial interests, both political and circumstantial, the historiography of the PIDE remains characterized by a markedly top-down, victim-centered approach to its subject. In this conclusion, I will suggest two directions in which historians can broaden the scope of their research beyond the traditional narrative of repression and violence.

The first relates to the way the PIDE is approached as an object of study. The aim is to arrive at a more dispassionate comprehension of the Salazarist secret police, overcoming in particular the caricature of the quintessentially "evil Pide" prevalent in Portugal today. One way of doing so consists in revisiting the memoirs and interviews of former PIDE agents. Systematically reduced to the status of biased "marginal memories," these have so far been resorted to by historians either as a way of gaining some "insider's knowledge" on the functioning of the PIDE as an institution, or for the "version of events" their authors provide on particular cases of political violence, such as the assassination of Humberto Delgado in February, 1965. Though relatively few (Casaco 2003; Gouveia 1979; Oliveira 2011; Santos 2000; Tíscar 2017; Vasco and Cardoso 1998; Vieira 2015), these memoirs provide valuable biographical information on the functionaries of the PIDE, in particular the circumstances that led them, as individual citizens, to join the secret police. A common theme is that the PIDE provided one of the few professional pathways available in a society largely devoid of opportunities for the impoverished, uneducated populace. Historians would do well to take such statements at face value rather than equate the under-education of secret police agents to the "coarseness" of the PIDE as a police entity. One obvious research theme here is how a society marked by endemic poverty might have provided a favorable recruiting ground for

the PIDE in terms of functionaries and informers. The hypothesis is that material necessitousness, rather than simple fear and contempt, fashioned the relation between many ordinary citizens and the Salazarist secret police. Exactly to what extent this may have been the case remains to be determined by collecting and analyzing the numerous prospective application letters sent to the PIDE by individual citizens, held at the PIDE Archives and the Archives of the Ministry of the Interior.

A critical reading of the memoirs left by former agents also shows that the aim of PIDE agents was not necessarily to persecute the opposition. One former agent, Emídio Oliveira, joined the DGS after having been in contact with its agents at Faro airport, whose work there he “found interesting” (Oliveira 2011: 31). After passing the preparatory course in Lisbon, he was later deployed to the sub-post at Faro airport. There he dealt essentially with passport control in collaboration with customs services, occasionally expelling rowdy tourists and intercepting “dangerous drugs.” “My conviction,” he writes, “was not political. I believed that the DGS was a security force which, in collaboration with the other national authorities, guaranteed public order and the security of the population” (Oliveira 2011: 82). Otelio Saraiva de Carvalho himself, one of the “captains of April,” wrote in 1975 about his “conviction that out of a hundred functionaries of the ex-DGS . . . 60 to 70 have never beaten anyone in their life. . . The majority were simply functionaries of the State, ordinary family men who supported themselves and their relatives by working [for the DGS]” (Carvalho 1975: 49). To emphasize this point does not mean minimizing the violence inflicted upon many of the oppositionists to the regime. It does, however, mean that the PIDE’s position as a source of purely administrative employment must also be considered as part of its multifaceted relation with society.

The second direction in which historians can broaden the scope of their research is suggested by the international bibliography on secret policing in contemporaneous dictatorial regimes. This involves taking as an object of research an important, and hitherto ignored, dimension in the relation between society and the PIDE, namely by focusing on the broader population (or ordinary citizens) rather than on the small minority of oppositionists that has monopolized the attention of historians so far. This means studying the strategies that they resorted to as a means of adjusting to the existence of the secret police. These individual strategies ranged from avoidance and accommodation to opportunism and collaboration. Coping strategies such as “keeping one’s head down” or “building a nest” by retreating into the private sphere, to cite only one dimension of the adjustment process, have been the

object of innovative academic research on contemporaneous dictatorships (Mailänder 2016: 399-411).

In the Portuguese case, historians can address such research questions through opinion surveying and oral history, at least as far as the final decade and a half of the regime is concerned. A longer timeframe can be covered by further exploring the archival material held at the PIDE Archives (amongst others) on the various forms of everyday interactions that developed between ordinary citizens and the PIDE during the regime's prolonged existence. In addition to the already-mentioned prospective applications, these include spontaneous denunciation letters and the petitioning of PIDE agents. In each of these cases, individual citizens sought to instrumentalize the PIDE "from below," often to attain personal objectives, but also to meet basic necessities through a patron-to-client relationship (Simpson 2018; Simpson 2020). As such, these everyday interactions not only suggest a far more interactive relation between society and the PIDE than does the traditional narrative of violence and repression, they also have much to reveal about the way power itself was conceived of and exercised by the New State. Ultimately, they denote a degree of normalization of the regime's institutional framework by ordinary citizens, and a "grey zone" of interaction between them and the secret police, which must be taken into consideration if a more complex understanding of the PIDE's place in Portuguese society under Salazar is to be reached, and if the social mechanisms contributing to the exceptional durability of the regime are to be duly accounted for.

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A Great Historian and an Outstanding Human Being¹

Mafalda Soares da Cunha²

Abstract

Dossier: A Tribute to the Late Great Historian António Manuel Hespanha († July 1, 2019) on the first anniversary of his death. The dossier comprises seven articles by former collaborators, colleagues, and students, who reflect on the impact of his academic career and personal qualities on the development of historiography.

Keywords

António Manuel Hespanha, Historiography, Early modern history, History of law, Obituary

Resumo

Apresentação do dossier: *A tribute to the late great historian: António Manuel Hespanha* por ocasião do primeiro aniversário da sua morte († 1 de Julho de 2019). É constituído por sete textos de antigos colaboradores, colegas e estudantes, nos quais se reflecte sobre o impacto historiográfico da sua trajectória académica e pessoal.

Palavras-Chave

António Manuel Hespanha, Historiografia, História moderna, História do direito, Obituário

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This dossier has been compiled as a tribute to the great Portuguese historian António Manuel Hespanha, a scholar with exceptional personal qualities, who passed away in Lisbon on July 1, 2020, at the age of 74.

The aim of this collection of articles is not to explain or systematically present Hespanha's extensive and remarkable body of work. Detailed information on his career and writings is provided in the introduction, and his work up until 2015 was presented in a systematic form in the book that was produced as a tribute to Hespanha on the occasion of his early retirement from his full professorship at the School of Law of the Universidade Nova de Lisboa (Silva, Xavier and Cardim, 2015:7-47). Many of the lectures and conference papers that he delivered and the interviews that he gave all over the world are also available on the YouTube channel of António Manuel Hespanha³.

In retirement, he continued to work hard, reviewing and reorganizing his work, and also producing a number of new books, including: *Como os Juristas Viam o Mundo, 1550-1750* (2015); *Ordem do Mundo e o Saber dos Juristas: Imaginários do Antigo Direito Europeu* (2017), *O Direito Democrático numa Era Pós-Estatal: A Questão Política das Fontes de Direito* (2018). His last book, entitled *Filhos da Terra – Identidades mestiças nos confins da expansão portuguesa* (2019), a bestseller published just over three months before his death, proved to be an unexpected success during his lifetime, according to the author. In an interview with Lusa, on February 13, 2019, he admitted that the book might "cause some controversy, as we are so used to being encouraged to see colonial expansion as a good thing." He claimed that "any attempt to correct the portrayal of the history of the Portuguese in the world as exemplary is immediately labeled as masochistic, anti-patriotic, and an affront to our self-esteem," arguing that history should reveal all, "even that which we may find unpalatable."

Without presuming to provide an exhaustive survey of his career, this dossier nevertheless covers many important aspects of his life as a writer and scholar, as well as the different facets of his intervention in the public sphere by virtue of the positions that he held in government and academia. While a range of approaches is evident in the articles presented, all the authors consider Hespanha's public intervention and work in a variety of historiographical fields, covering both the early modern era and the nineteenth-century, as well as the history of law and the Portuguese Empire. The importance of his seminal contributions in these fields has been widely acknowledged and acclaimed by many other scholars around the world.

³ <https://www.youtube.com/user/amhespanha>

This is clearly demonstrated by a quick search of the obituaries, news items, and articles *in memoriam* that have appeared in a range of academic publications since his death. It is easy to conduct such a search, thanks to the excellent initiative of those at the European Society for Comparative Legal History, who have brought together a collection of such writings in the blog post “António Manuel Hespanha: review on the first anniversary of his passing away”, published on July 1, 2020⁴. In the articles listed here, we find phrases such as “History before and after António Manuel Hespanha” (Herzog, 2019:138; Xavier; Monteiro, 2020), and indeed Hespanha produced “a major epistemological shift in the study of Old Regime Europe in general, and Portugal in particular” (Herzog, 2019:133). He played an instrumental role in ushering in a genuine “historiographical revolution” by means of the

establishment of a new historical paradigm—through the operationalization of new categories and concepts for the interpretation of historical documents, providing an understanding of the ideological matrix—which was Catholic—of the Portuguese monarchy. Above all, he reflected on the architecture, configurations, dynamics, practices and representations of the Portuguese Empire” (Bicalho, 2019:239-40),

expressing ideas which are now shared by many. For Pedro Cardim and Stuart B. Schwartz, Hespanha was “Portugal’s foremost historian of Law and Administration, and a major influence on the reconceptualization of Brazilian colonial history and of the history of the Portuguese Empire in general” (Cardim; Schwartz, 2020). Meanwhile, the methodologically innovative and interdisciplinary nature of the way he produced history is recognized by José Neves: “Hespanha wrote a handful of seminal essays on issues that challenge the practice of the discipline and the historian’s craft in general” (Neves, 2019).

While an approving tone is naturally expected to be found in texts of this type, the unanimous praise heaped upon their subject by these writers clearly signals a career and an individual of outstanding excellence in the field of historiography and the history of law. The 27 letters received by the Universidade Autónoma de Madrid in the spring of 2019 in support of the proposal that the School of Law should bestow upon Hespanha the title of *doctor honoris causa* also bear witness to his greatness (“Adiós to António Manuel Hespanha”). Sadly, he died before the award could be given, but the letters, written by academics of ten different

⁴ <http://esclh.blogspot.com/2020/07/antonio-manuel-hespanha-review-on-first.html>

nationalities, were posted online in a demonstration of their great appreciation of his exceptional contribution on the international stage.

In the immediate aftermath of his death, contrary to what is so often the case, the media were quick to recognize his qualities: news of his demise was disseminated widely, the main print newspapers devoting significant coverage to it, with either a cover story or a front-page item directing readers' attention to an extensive article featuring interviews with colleagues. This was the case not only in Portugal, but also abroad, and social networking conducted by his friends did the rest. Rui Tavares expressed this most eloquently in an opinion article published in the newspaper *Público* on the day he died: "This is not a Goodbye to António Manuel Hespanha, but an Opportunity to Engage with his Work." He wrote

Thank you, Hespanha. I don't think I'll ever—we'll ever—be able to thank you enough. We have learned from you what it is to learn. Learning is not just gathering information; it involves affective engagement with people, things and ideas. And more besides. That's what it is. This is not a goodbye, but an ongoing process (Tavares, 2019).

Bartolomé Clavero also bade Hespanha farewell in an emotional *in memoriam*: "Goodbye, António Manuel, my Brother." (Clavero, 2019:149).

Hespanha's human qualities touched everyone who knew him. One writer cited his "amazing success as a teacher, mentor and source of inspiration, his intellectual brilliance, wonderful sense of humor, and enormous generosity, commitment, care, and warmth" (Herzog, 2019), while generosity was the umbrella term chosen by Cristina Nogueira da Silva to describe several of these qualities (Silva, 2020:458-60). As André Belo wrote, Hespanha was "intelligent, sophisticated, good fun, possessed humanist ethics, deconstructed preconceptions, challenged certainties, and exposed the hidden workings and whims of power." Indeed, his knack for challenging the most deep-rooted, commonly held ideas associated with the Portuguese collective imagination and sense of identity was accompanied by immense warmth, boundless energy, an irrepressible imagination, and the playfulness with which he recounted, constructed, and deconstructed anecdotes. He liked people, he liked his students, and the feeling was generally reciprocated. He made you laugh—and think. As Jean-Frédéric Schaub put it: "You cannot reduce Hespanha's ideas to simple, reassuring formulas," and he summed up his thoughts with these words: "His death, like that of every

good man, leaves all those who have loved him forlorn, bearers of the treasure he has bequeathed each one of them” (Schaub, 2019).

This dossier covers all these aspects of the career, academic work, and character of António Manuel Hespanha. The seven articles it contains have been produced by seven different writers who were connected with him in a variety of ways. While admiration and affection are common denominators, the articles themselves are very different: some are short testimonials while others examine specific aspects of his long and prolific career.

Testimonies presented by Raquel Lemos, a former law student at Universidade Nova de Lisboa, and Federico de Lacerda Costa Pinto, a colleague at the School of Law, reveal something of Hespanha’s daily life and the impact that the combination of his easygoing and amiable disposition and his encyclopedic knowledge of the history of law had on the institution. It is no coincidence that the titles of these articles are, respectively, “Beloved Professor Hespanha” and “Hespanha is a Sage,” and the picture they paint is borne out by the short message of welcome that Hespanha recorded for law students at the university in 2010⁵, which is well worth listening to.

The articles by Angela De Benedictis, Fernando Bouza Álvares, Nuno Gonçalves Monteiro, and Pedro Puntoni deal with the importance of his work in the field of history and his academic career. The first of these describes how the author met Hespanha in 1986, in connection with a meeting that had been arranged by Paolo Grossi, the editor of the journal *Quaderni fiorentini per la storia del pensiero giuridico moderno*, and underlines the profound influence that some of his work was to have on her projects, especially the important work that she was carrying out into the study of lawful resistance.

The second article concerns the transformational impact of Hespanha’s studies with regard to “the resignification of Habsburg Portugal (1580-1640),” a subject that he examined in depth during the late 1980s and 1990s. By means of a fine historiographical contextualization, Bouza Álvarez illuminates his struggle for the “denationalization” of the study of history and the deconstruction of the statist paradigm, explaining that, for Hespanha, “these preconceptions were in fact pre-judgments which subtly tainted the historical past.”

Monteiro recounts how the History journal *Penélope, Fazer e Desfazer a História* was founded in the mid-1980s. With Hespanha as its first editor, it is clear that the composition of the editorial board, the range of works published, and the singular name that was chosen

⁵ <https://www.youtube.com/watch?v=yOZjqrUXBpA>

for the journal all demonstrate his conception of historical research and the influence that *Penélope* had on the minds of the younger generation of historians. As Cristina Nogueira da Silva pointed out, the impact of the subtext in the name of the journal has been used profusely ever since to identify Hespanha's stance vis-à-vis the past (Silva, 2020:460).

Pedro Puntoni takes the opportunity to produce an important reflection in which he “presents a brief archaeology of the emergence of a political model of the Portuguese Colonial Empire in the works of António Manuel Hespanha.” Although admittedly critical of his contributions, Puntoni recognizes that “Hespanha's continuous dialogs with his Brazilian colleagues enabled him not only to confirm and enhance this model, but also gave birth to an entirely new field of research and discursive production.”

Finally, Fernando Dores Costa's contribution addresses one of the most important legacies of Hespanha's public life, namely the period during which he was responsible for implementing the program of celebrations devised by the National Commission for the Commemoration of the Portuguese Discoveries (CNCDP), from February 1996 to February 1999. The author highlights the “novel stance adopted by the new head of the CNCDP, who offered us a new vision of history in the public sphere, both as a discipline, and, above all, as a cultural domain.”

The impact of this work was enormous, perhaps not so much in the public sphere as Hespanha would have liked, but certainly marking a new period of reflection in the academic world about the Portuguese colonial enterprise. In this connection, the positive effects of dialog and the development of exchanges between Portuguese historians and those in the former colonies, especially Brazil, should be highlighted. The result of this was “the development of a less Portuguese-centric view of colonial domination.” (Cardim; Schwartz, 2020). In the words of Hespanha himself:

Given the “heroic” and “self-gratifying” bias of our “public culture”, these cultural devices should foster a critical view of common sense and the glowing portrayal of History that is usually presented. And this is not due to a desire for “political correctness” or an unhealthy spirit of self-harm, but is actually done with a view to critically analyzing *established political correctness* and bringing to an end the process of continuously stroking the collective ego (Nóvoa, 2019).

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António Manuel Hespanha: A Constant Guide for My Research

Angela De Benedictis¹

Abstract

The first part of my essay focuses on the significance of the international conference on the juridical dimension of social history, organized by Paolo Grossi in Florence (April 1985), at which I met António Manuel Hespanha for the first time. I was consequently able to learn about, and later study, his *História das Instituições: Épocas medieval e moderna* (1982), which has subsequently proved an essential tool for my research. The second part focuses on the significance of Hespanha's essay "Revuelta y revoluciones" (1993) for my studies over the last twelve years on the question of the early modern revolts as forms of lawful resistance according to the jurisprudential literature of *ius commune*.

Keywords

Juridical dimension of social history, History of political institutions, Constitutional history, Early modern revolts and revolutions, Lawful resistance.

Resumo

A primeira parte deste ensaio centra-se no significado da conferência internacional organizada por Paolo Grossi em Florença (Abril 1985) sobre a dimensão jurídica da história social, quando conheci pessoalmente António Manuel Hespanha e, por consequência, tomei contacto e pude estudar a sua *História das Instituições: Épocas medieval e moderna* (1982) que era (e ainda é) fundamental para a minha investigação. A segunda parte foca-se no significado do artigo de Hespanha *Revuelta y revoluciones* (1993) para os meus trabalhos nos últimos 12 anos sobre as revoltas da época moderna enquanto formas de resistência legítima de acordo com a literatura jurisprudencial do *ius commune*.

Palavras-Chave

Dimensão jurídica da história social, História das instituições políticas, História constitucional, Revoltas e revoluções na Época Moderna, Resistência legítima.

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1. Just Thirty-Five Years Ago

In the last essay written for *Quaderni fiorentini per la storia del pensiero giuridico moderno* (published posthumously in 2019) António Manuel Hespanha reassesses, after more than thirty years, the fundamental issues that led the journal's director, Paolo Grossi, to gather together an exceptional group of jurists and historians to discuss the juridical dimension of social history. The meeting took place in Florence on April 26-27, 1985 (Grossi ed. 1986). This was the first time I met António, as well as other distinguished scholars² with whom I have continued to maintain scholarly and friendly relations since then, albeit not with the same frequency and intensity in all cases.

For me, an early modern historian³ without any juridical training, that conference represented a fundamental turning point: shortly afterwards, given the questions that I had been dealing with up to that point, as well as the ones I was about to commence, I began to follow the research being carried out at the Italian-German Historical Institute in Trento, above all the work being undertaken by Pierangelo Schiera.⁴ The history of political institutions and the history of administration were the general fields of study, and the relationship between center and periphery in an early modern Italian state was the general issue, whilst the political role played by the city of Bologna in the State of the Church was my specific case-study, e.g. the self-government of Bologna opposed to the pontifical central administration, on the one hand, and the relationship between the city and its land (*contado*), on the other hand (De Benedictis 1984).

In Italian historiography, the questions that I was concerned with had already been a subject of much debate for roughly fifteen years, being discussed within the broader context of the modern state/the origins of the state in Italy, following the translations of some remarkable works from German constitutional historiography, such as those by Brunner (1970; 1983), and the consequent possibility of comparing Italian political history with the German historiography on 'estates-polity' (*Standesstaat*) and the corporate society of the Old Régime (Rotelli-Schiera eds. 1971-1974; Kirshner ed. 1995).

It was only after I met António personally, however, that I came to know his monumental *História das Instituições: Épocas medieval e moderna* (1982),⁵ even though I had already read two of his fundamental essays (Hespanha 1983; Hespanha 1984b). For me the

² Bartolomé Clavero, Pietro Costa, Julius Kirshner, Anthony Molho, and Mario Sbriccoli.

³ At the time, I was an assistant professor of Early Modern History at the Facoltà di Lettere e Filosofia (School of Humanities) in the Università degli Studi di Bologna.

⁴ He, too, was among the scholars invited by Paolo Grossi to take part in the international conference.

⁵ Also Hespanha 1984a.

História was (and still is) an essential work for three reasons. The book shows and proves his deep knowledge of German constitutional historiography. By analyzing the methodological issues of that same historiography (even though this was not the only one that he considered), António was able to prove the fundamental significance that the juridical literature of *ius commune* had for analyzing late medieval and early modern political institutions. Moreover, inasmuch as that juridical literature was the hallmark of the archival sources, he succeeded in establishing the necessary tools for studying jurisdictional conflicts between central and peripheral institutions in every early modern monarchy. António's specific case-study was the Portuguese monarchy. For me, at that time, it was the papal monarchy.

In spite of the differences between the two monarchies and their corresponding political and institutional systems, both at the central and the peripheral level, thanks to the *História*, I was able to understand, for instance, that Bologna (a city whose government was placed in the hands of magistrates) had relied on the competence of jurists who discussed the relationship between *potestas absoluta* (absolute power) and *potestas ordinata* (ordained power) based on the same reasonings as those used by Portuguese jurists, such as Juan Bautista Frago and Domingo Antunes Portugal, and quoted in memorials defending the city's own prerogatives and privileges. I was able to realize to what extent the argument about "Privilégio contractual ou remuneratório" (contractual privilege), which marked the jurisdictional conflicts between the Bolognese government and the papal monarchy, was considered normal. Furthermore, I learned through the *História* that the definition used by Bolognese magistrates to distinguish between the higher and lower magistrates' jurisdictions was precisely the one that dated back to Roman law, namely *uffici da onore* (office of honor) and *uffici mercenari/da utile* (mercenary office).

Mostly for these reasons, I decided to use the *História* as a textbook for my classes on the History of Political Institutions at the School of Archival Science, Paleography and Diplomatics of the State Archives of Bologna in the academic year 1991-1992. Since I could not present the whole *História* to students in the course, both because of the Portuguese language and the extensive length of the book, I resolved to translate into Italian only some parts of certain chapters that I found most significant and useful for the classes. The result of my labors was a text of 139 pages (instead of the 569 of the *História*), which I typed out with my Olivetti Studio 44 in February 1991 (Hespanha 1991).⁶ Of course, this text only circulated among students attending the School of Archival Science, Paleography and Diplomatics. Nevertheless, it was doubtless more detailed than António's only book to be

⁶ See the typescript in <https://unibo.academia.edu/AngelaDeBenedictis>

published in Italy two years later with the same title *Storia delle istituzioni politiche* (Hespanha 1993g).

The case-study “Bologna in the Papal State,” whose documentary heritage is very clearly mentioned in several collections of the Bolognese State Archive, represented (and still represents) a classical example of that “resistência das elites provinciais” which António had analyzed in his *Vísperas del Leviatán* (Hespanha 1989), as well as in the volume dedicated to the Old Régime of the *História de Portugal*, which he also edited (Hespanha 1992).⁷ In my book on the contracts between Bologna and the popes from the fourteenth to the seventeenth century (De Benedictis 1995),⁸ I was able to note in a more detailed way that the issue of a lawful resistance to claims of a *potestas absoluta* (absolute power) lay at the core both of the genre of the broad juridical literature on *consilia* (legal advice) and of juridical treatises on the crime of *lèse-majesté*. At the same time, I also discovered that the same question of lawful resistance lay at the core of those early modern events variously defined as revolts and revolutions.

2. From About Twelve Years Ago until Now

Even in those terms, António’s writings were very helpful for me in my research by analyzing *consilia* and treatises about the crime of *lèse-majesté*, starting with one of the first essays I wrote on the question of revolts and rebellions for the miscellaneous book *Revolts and Revolutions in Southern Italy 1547-1799* (*Rivolte e Rivoluzione nel Mezzogiorno d'Italia 1547-1799*) (De Benedictis 2008).

Among the essays published in the collection *La Gracia del Derecho*, in the one entitled *Revueltas y Revoluciones*, António argued:

[I]n the society of the Old Regime, the resistant groups had available to them a particularly effective instrument: *the law*. (...) Precisely because of this, nothing was more effective than a strategy of resistance which demonstrated that the government was acting against the law or against justice or that it was innovating in an imprudent fashion. Furthermore, thereafter, everything was possible: from the accusation of tyranny (*in titulo* or *in exercitio*), with the political consequences

⁷ See also Hespanha 1993e.

⁸ See what I wrote later on, enhancing a wider European comparative level (De Benedictis 2001).

that this implied, to the legitimation of the disobedience, the rebellion, and, also, the tyrannicide⁹ (Hespanha 1993d: 315).

Just in those *consilia* about individual and specific lawsuits alone, as well as in the treatises on *lèse-majesté* that were (and still are) the sources for my research, I was able corroborate António's statement. 'Lawful resistance' was the same as lawful self-defense against an unjust government, the disregarding of customs and local statutes, exorbitant taxation, and oppressive quartering (De Benedictis 2013; De Benedictis 2018).

Furthermore, the possibility of using lawful resistance as a form of self-defense meant acting according to one of the keywords that António highlighted as essential for the political bond, namely friendship (Hespanha 1993b: 157-158; Hespanha 1993a: 325-326)—not only in a nonviolent way, but also in that admissible violent way which, in some cases, could repel violent oppression based on the juridical principle *vim vi repellere licet*. Besides a huge number of late-medieval jurists, such as Bartolus of Sassoferrato onwards, that principle was also maintained—for instance—by a jurist whose treatise, *De privilegiis rusticorum*, António quoted in his essay "Sabios y rústicos" (Hespanha 1993f: 32, 34), namely the French humanist André Tiraqueau (1480-1558).

Tiraqueau also wrote a treatise on the moderation of punishments (*De poenis temperandis aut remittendis*) (1562), in which he similarly dealt with the issue of moderation for the penalty of rebellion. Neighbors, blood relatives, and friends who resisted an official acting unjustly towards a neighbor could not be punished as rebels. Actually, it was lawful that neighbors and friends should run to help anyone who was injured in order to take up his defense, even though the injured person had not called for help. They could even strike the aggressors up to the point of actually killing them.

In the twenty-second case (*Causa vigesimasecunda*) (Tiraqueau 1562: 87-88),¹⁰ the authority of Aristotle, among others, supported the argument that anyone, in whatever way, might repel violence inflicted on a kinsman, while a strong and close friendship also allowed them to repel violence perpetrated on a friend, because true friends are one true soul in several bodies. Between consanguinity and friendship, it was the latter that was undoubtedly more valuable.

⁹ "... los grupos resistentes disponían en la sociedad del Antiguo Régimen de un instrumento particularmente eficaz: el derecho. ... Por esto mismo, nada resultaba más eficaz que una estrategia de resistencia que demostrara que se estaba gobernando contra el derecho o contra la justicia o que se estaba innovando de un modo imprudente. Además, a partir de aquí todo era posible: desde la acusación de tiranía (in titulo o in exercitio), con las consecuencias políticas que esto suponía, hasta la legitimación de la desobediencia, la rebeldía e, incluso, el tiranicidio."

¹⁰ See De Benedictis 2013: 146; De Benedictis 2018: 113-114.

In the twenty-third case (*Causa vigesimatertia*) (Tiraqueau 1562: 96),¹¹ Tiraqueau considered the *affectio* of *vicinitas*, the affection of being a neighbor. If a crime was committed in defense of a neighbor, the corresponding penalty had to be forgiven or diminished. If the defense of a neighbor was at stake, neighbors could resist an official acting unjustly by their own authority. The *Heautontimoroumenos* by Terence was a source for Tiraqueau in noting that neighborship was a type of affinity remarkably close to friendship. Citing *Proverbs* 27, the jurist maintained that it was better to have a neighbor nearby than a brother faraway. He also cited the parable of the lost sheep in the Gospel of Luke (15:6)—a man who found a sheep he had lost goes home and calls his friends and neighbors, and invites them to rejoice with him because he has found it.

It is worth underlining that the rules followed by Tiraqueau were not only those drawn from the learned law of the *ius commune*. Of course, the French jurist cited Bartolus of Sassoferrato, Baldus of Ubaldi, and others (whom I have not recalled here). Those rules were also drawn from Aristotle's *Ethics*, Terence's comedy, and the Book of Proverbs in the Old Testament.

The issue of lawful resistance was therefore tackled and discussed in accordance with normative pluralism (or the concept of multi-normativity), which, already in the preface to *La gracia del derecho*, António had declared to be a central methodological theme for his historiographical interest (Hespanha 1993c: 13), and which he summarized as essential for a reassessment of the discussion on the juridical dimension of social history in his posthumous essay "Is There Place for a Separated Legal History?" (Hespanha 2019: 10, 16, 27). It is not by chance that, in this essay, António underlines once again that "friendship and love, based on the virtues of grace and liberality" were a "fertile field in the emergence of rules and prescribed behaviors" (Hespanha 2019: 19).

In conclusion, among the juridical works that António did not cite expressly in the above-quoted passage from *Revueltas y Revoluciones* (Hespanha 1993d: 315), there was also one that he knew very well, namely Manuel Alvarez Pegas' *Commentaria ad ordinationes Regni Portugalliae*. In his *Commentaria*, Pegas explicitly used the term *resistencia* as the basis for a discussion about the possible lawful resistance to an official acting unjustly (Pegas 1680: 141). António was fully aware that the term and the concept of *resistance* pertained to the *economia de la cultura en la edad moderna*.¹²

¹¹ See De Benedictis 2013: 147; De Benedictis 2018: 114.

¹² We discussed this question the last time we met, on the occasion of the international workshop *Violent Political Conflicts and Legal Responses: A Transatlantic Perspective (18th to Early 19th Century)*, which took place at the Max-Planck Institute for European Legal History in Frankfurt am Main on October 21-23, 2015.

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Hespanha is a Sage

Frederico de Lacerda da Costa Pinto¹

Abstract

This personal statement emphasizes the importance of two studies by António Hespanha for certain aspects of criminal law in Portugal during the period of the late Enlightenment (the last quarter of the eighteenth century) and the nineteenth century, namely the influence of criminological positivism and anthropological positivism on the Portuguese criminal doctrine of that period (1890-1910).

Keywords

Criminal law, Enlightenment, Criminal positivism, Anthropological positivism in Portugal.

Resumo

Através de um depoimento pessoal, documenta-se a importância de dois estudos de António Hespanha para a compreensão do Direito Penal em Portugal durante o período do Iluminismo tardio (último quartel do século XVIII) e durante o século XIX, designadamente a influência do positivismo criminológico e antropológico na doutrina penal portuguesa desse período (1890-1910).

Palavras-chave

Direito penal, Iluminismo, Positivismo criminológico, Positivismo antropológico em Portugal.

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1.

The first time I heard the name of Professor António Hespanha was around 1986. I had completed a law degree and started my career at the Law School (*Faculdade de Direito*) of the University of Lisbon. In a group of lecturers and professors, someone referred to Hespanha and the innovative project he was working on about computing and law. I was impressed by Professor António Marques dos Santos simple and meaningful comment: “Hespanha is a sage.” Everyone agreed. I modestly limited myself to listening, as, unlike the other people present, I did not know Hespanha. But, over the years, I could confirm both the truth and the depth of this statement by reading his texts and talking to Professor António Hespanha, who, for some coincidence woven by fate, would much later (2013) be an examiner, specifically of the historical part of my PhD dissertation at the Nova Law School.

2.

In the academic and friendly relationship that we built over the years, two aspects always impressed me about Professor António Hespanha: his extraordinarily profound culture and his sense of humor, even in difficult times.

All those who came into close contact with him know what I am talking about. It was not possible to be with António Hespanha without laughing at some comment that he made in which the irony derived from his intelligent selection of an aspect worthy of attention. But his knowledge, his profound historical and legal culture, and his intellectual shrewdness marked his life, his relationships with his friends, and the various works that he published and which I read over the years. Every time I open a book or browse through an article he wrote, something new appears.

3.

As my area of academic studies is Criminal Law, I would like to underline two texts that I regularly revisit: “Da ‘Iustitia’ à ‘Disciplina’: Textos, Poder e Política no Antigo Regime”² and “A Evolução da Doutrina e do Ensino do Direito Penal em Portugal, c.1800-c.1910”³.

² *Estudos em Homenagem ao Professor Eduardo Correia*, Volume II, Coimbra; BFD, Número Especial, 1984, pp. 138-232.

³ *Quaderni Fiorentini* 36 (2007), pp. 419-502.

The first article highlighted the importance of the work of Pascoal de Mello Freire for the evolution of Portuguese Criminal Law. His work belongs to a late Enlightenment of Catholic origin (an important characteristic of the period of Enlightenment with Lardizabal in Spain, and with Mello Freire in Portugal), which carried out a deep theoretical and interpretive reformulation of the crimes envisaged in the *Ordenações*. It is a work that outlines the conditions of criminal liability with remarkable clarity, and that includes, among other aspects, a “Compendium” of Criminal Law (used at the Law School of Coimbra University throughout the first half of the nineteenth century) and a proposal for a Penal code (1786), which, despite never having been converted into law, marked the debate on the criminal system and guided the contributions that the Enlightenment brought to Latin America through Brazil.

This was highlighted in a clear and innovative way by Professor António Hespanha in his study. And, through this work, due value and importance were given to the study of the history of Criminal Law in Portugal.

The second work is an extraordinary and very complete synthesis on the evolution of nineteenth-century Criminal Law theory and teaching. In just over eighty pages, Professor António Hespanha brings together an impressive collection of sources for the understanding of Criminal Law in the nineteenth century, framing and highlighting the main contributions of the various authors and works presented. The task may seem relatively simple, but underlying it is the profound and painstaking work of reading the sources and selecting those aspects that would be important for improving the understanding of how criminal law was taught at Portuguese University (Coimbra), during the late nineteenth and early twentieth centuries. Through this work, we can comprehend the powerful influence that the *Scuola Positiva* (e.g. Tarde, Lombroso, Ferri, Garofalo) had in Portugal between 1880 and 1910. This was yet another topic of crucial importance for understanding the evolution of Portuguese criminal law in the first half of the twentieth century.

The sources in question are long and complex texts — monographs, articles, and university lessons — of intense density, calling for dialogues (sometimes assumed and in other cases invisible) with other theoretical currents that were accepted or rejected. Such sources are more complex to deal with than, for example, legislated law. All this is documented by Professor António Hespanha in the aforementioned text, with great fluidity and a mastery of the subject that impresses any reader and, in particular, a criminalist.

4.

One of the last times I spoke to Professor António Hespanha was due to a common passion: old books. He generously let me know that a very rare book (of which there are only two or three copies in Portugal), about which I had written, was for sale at an auction house in Lisbon. I bought the book, and we made a plan to have a coffee together to celebrate my purchase and to talk about this and other things. Unfortunately, our meeting was no longer possible. Yes, Hespanha was a sage and also a generous man, who remains with us thanks to the memory of his personality and the richness of his work.

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António Hespanha and the Journal *Penélope: Fazer e desfazer a História*¹

Nuno Gonçalo Monteiro²

Abstract

The founding and editing of the journal *Penélope. Fazer e Desfazer a História* was a notable achievement in António Hespanha's multifaceted, energetic and seemingly limitless career. The title of the journal encapsulated the way in which the younger generation of historians sought to express themselves and, above all, the new directions that were taken in the field of Portuguese historiography following the revolution of April 25, 1974.

Keywords

History, Law, Historiography, Alterity, António Manuel Hespanha.

Resumo

A fundação e edição da revista *Penélope. Fazer e Desfazer a História* foi um feito notável na carreira multifacetada, enérgica e aparentemente sem limites de António Hespanha. O título da revista encerrava a forma como a geração mais jovem de historiadores procurou expressar-se e sobretudo as novas direcções tomadas no campo da historiografia portuguesa após o 25 de Abril de 1974.

Palavras-chave

História, Direito, Historiografia, Alteridade, António Manuel Hespanha.

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Articles on the different aspects of the legacy of this leading author and scholar, just a year after his premature demise, are necessarily profoundly marked by the present and by the memories of those who shared their experiences with him. Hespanha's legacy is characterized as being of a singular nature, at least judging from the views expressed by these writers whose approach therefore diverges from what may be considered strictly analytical and historiographical.

The *Penélope* project represented just one of the many facets of António Manuel Hespanha's wide-ranging intellectual and academic work. The founding of the journal is necessarily bound up with the tide of great intellectual exuberance that swept across the field of history in the 1980s and underlines the role played by Hespanha. Echoing the great impact of French historiography, albeit occurring over a different timescale, as well as that of the historiography of the United Kingdom and some Southern European nations, history became the "foremost discipline," to quote Hespanha in 1991 (*Penélope*, issue no. 5), and, contrary to established ideas on the subject, "the 'constructive' or 'creative' character of historical knowledge" did not seem to dampen the enthusiasm of the journal's devotees.

At the time, Portuguese universities were experiencing a period of expansion, and a new generation of historians who had received their academic training either shortly before or in the wake of the events of April 25, 1974, began to present and publish their works in great numbers. Their attention was increasingly focused on the recent past, but only later did this change come to dominate historical studies. History was still an all-embracing discipline, with strands of specialist study frequently intertwining and overlapping with one another, incorporating a whole host of topics and methodologies from a range of disciplinary fields. As a historian with a background in law, Hespanha's career provides an excellent example of how history has blended with other disciplines. Following the publication of works such as *História das Instituições. Épocas Medieval e Moderna* (Almedina, 1982), an anthology preceded by an introductory study entitled *Poder e Instituições na Europa do Antigo Regime* (Fundação Calouste Gulbenkian, 1984) and numerous articles published in several foreign countries that resonated greatly among historians, along with multiple academic interventions, Hespanha—together with José Mattoso, who had won the *Prémio Pessoa* in 1987—became one of the towering figures in the world of historiography at a moment of important growth and increasing optimism in an era of new-found freedom.

This scenario provided the backdrop to the emergence of *Penélope*. In the first instance, lying at its origin was an irresolvable conflict that pitted most of the editorial staff of the journal *Ler História* against its editor at the time, Miriam Halpern Pereira. The project

quickly took on a new character and the group expanded to include many of the historians of the generation that had been trained, or who had had works published, in the period following the revolution of 25 April. In 1987, they invited António Hespanha, the only PhD among their number, to become the editor of the new publication. The initial team of writers included 18 researchers specializing in a range of chronological areas and in different topics, covering many of the most recent and innovative approaches to the study of History: Álvaro Ferreira da Silva, Amélia Andrade, António Costa Pinto, António Hespanha, Bernardo Vasconcelos e Sousa, Carlos Fabião, Fernando Rosas, Hélder A. Fonseca, José Manuel Sobral, Luís Kruss, Luís Ramalhosa Guerreiro, Mafalda Soares da Cunha, Maria Alexandre Lousada, Nuno Gonçalo Monteiro, Nuno Severiano Teixeira, Rui Ramos, Valentim Alexandre, and Vítor Serrão. These days it would be nigh on impossible to bring together such a diverse group of writers!

José Mattoso and Jorge Pedreira, among others, were contributors to the inaugural issue. While *Penélope's* writers were based in either Lisbon or Évora, other groups of historians and publications, such as those edited by Vitorino Magalhães Godinho and José Sebastião da Silva Dias, were also active in other regions of the country. The defining feature of the editorial policy of the new journal was the fact that it was the writers whose articles were published that chose to work with Hespanha rather than it being the editor who selected authors for the journal. Operations were horizontal and collegial in nature rather than hierarchical (with the editor having the final word). Still fondly remembered are the interminable meetings of the first stage in the life of *Penélope*, such as the one at which the numerous editorial staff met at the home of one of the editors to discuss their plans in a most ardent fashion.

Although the journal operated on a collaborative basis, or—in the words of the editorial that was published anonymously—in accordance with “a collective, egalitarian and decentralized model” (Editorial, issue no. 1, p. 7), the imprint of the editor, and his incredible dynamism and intellectual prowess, was stamped on it from the outset. To begin with, there is the title that he put forward for the journal, which was accepted by his fellow editors, although not without some resistance: *Penélope. Fazer e Desfazer a História*. (Penelope. Making and Unmaking History). As Hespanha stated in the editorial in issue number one, published in 1988, “History (...) is for us worthy of both being made and continually unmade.” And he continued: “This journal seeks to provide a stage for the debating of ideas (...) with no pre-conditions, apart from the requirements of intelligence and civility” (*idem, ibidem*). Certainly, the title suggested some form of postmodern inspiration, but the first editorial immediately

brought some perspective to bear on what might be considered an overly simplistic interpretation. Moreover, the personal hallmark of the editor would become evident, not only in frequent editorials, articles, and numerous critical reviews, but also in many contributions, which were, in fact, often collaborative in nature, a feature that characterized subsequent issues, many of which were dossiers dealing with specific topics. Significantly, the first interview, in the inaugural issue, featured Hespanha himself and Bartolomé Clavero. It set the guidelines for what would constitute the intellectual project that they were in the process of launching. Indeed, these two were the fathers of what came to be known as the “New History of Law,” Southern European historians who highlighted, among other factors, the importance of European “common law”: the legacy of Roman law and its readings and reinterpretations throughout history, as a fundamental basis for providing an understanding of their region and other territories before the advent of the Enlightenment and 19th century political liberalism, with an emphasis on alterity (Cardim, 2017). However, this international perspective never diluted the journal’s editorial integrity, based on diversity, and even featuring some heated public debates. The *Penélope* trademark, widely known and highly respected at certain times, has always been associated with its first editor and his keen intellectual interests.

It was in the 1990s that the journal acquired its characteristic hallmark and began to exert a profound influence on academia. This impact was felt in a number of specific areas that deserve special mention: firstly, pan-Iberian historiography, largely a concept created by the journal and its editor, which was reflected in a number of issues dedicated to the topic, such as issue no. 9-10, published in 1993, on “A Restauração e a sua época” (The Restoration and its Era), and the active collaboration of historians from regions all over the Iberian Peninsula, who produced articles and reviews on various topics and eras. Bearing witness to the journal’s remarkable influence is the fact that today it is still accessible online at the Dialnet repository³ of the Universidad de la Rioja.

Secondly, there were topics associated with versions of the Portuguese colonial empire during different periods in history. This provided the background for the emergence of one of the most important trends in Portuguese historiography at the turn of the century: a marked growth in the exchanges taking place with Brazilian historians. António M. Hespanha played a decisive role in this context, both in historiographical terms and later as president of the *Comissão Nacional para a Comemoração dos Descobrimentos Portugueses*, the CNCDP (National Commission for the Commemoration of the Portuguese Discoveries). Finally, the journal also reflected the trend towards increased academic production in the

³ <https://dialnet.unirioja.es/>

field of contemporary history, above all twentieth-century history, to which many articles and special issues were devoted.

As mentioned earlier, *Penélope* had an enormous influence. It became the hallmark of the renewal of Portuguese historiography during the late twentieth century, and the name of António Hespanha was inextricably linked to it. Even today, although it ceased publication in 2004 (the last issue was printed in 2007), the 31 issues published during its 18-year existence are still often regarded as a national benchmark, despite almost as many years having passed since its disappearance. As the end approached, some contributors left, and Jorge Pedreira, Pedro Cardim, and Pedro Tavares de Almeida joined the editorial staff, but the character of the editorial board remained much the same. In the meantime, an international advisory board was set up and the journal adopted the double-blind refereeing system that is employed by similar international publications.

After publishing issue no. 22 in 2000, António Hespanha, who had meanwhile been appointed head of the CNCDP, resigned as editor of *Penélope*, although he continued to serve as a member of the editorial board. The new editor, António Costa Pinto, renamed it *Penélope. Revista de História e Ciências Sociais*. Times had indeed changed. History had ceased to be the “foremost” discipline and was increasingly diluted, largely due either to its proximity to other fields of the so-called “social sciences” or its submergence within these same fields. Each researcher plowed their own furrow, venturing into different fields, for which history no longer seemed to provide a common denominator. Furthermore, it became increasingly difficult to maintain the independence of the publication, which did not belong to any particular university—although meetings were usually held at the Instituto de Ciências Sociais da Universidade de Lisboa (University of Lisbon Institute of Social Sciences)—and the scant financial support that it received from the Instituto Português do Livro (Portuguese Institute for Books and Libraries) and the Fundação para a Ciência e Tecnologia (Foundation for Science and Technology) meant that it could no longer survive; indeed, the last issue was paid for out of the pocket of the editors themselves, who coughed up subscription arrears for the purpose! The final nail in its coffin was the belief that internationalization was the way forward and that the journal should be published in English. In the end, *Penélope* folded and the *e-Journal of Portuguese History* was launched.

Like other publications of the 1980s and 1990s, *Penélope* played an important role during the most prolific stage in the development of history as a disciplinary field in Portugal, and the role of António Manuel Hespanha was decisive for all aspects relating to this period of expansion.

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António Manuel Hespanha and the Resignification of Hapsburg Portugal (1580-1640)¹

Fernando Bouza²

Abstract

In this paper, I focus on the profound changes that have taken place over the last thirty years regarding the way in which historians approach Hapsburg Portugal (1580-1640), and highlight the important contribution made by António Manuel Hespanha in this matter. The way in which the period has been subjected to a process of historical resignification is described against a background of nationalist preconceptions. I also offer a perspective for the future study of Iberian history in the light of the current debate on the chronologies and timescales of historical analysis.

Keywords

Hapsburg Portugal, António Manuel Hespanha, Timescales of analysis, Iberian history, Nationalist preconceptions.

Resumo

Apresentação da profunda transformação que ocorreu nos últimos trinta anos sobre o Portugal Habsburgo (1580-1640), destacando o magistério de António Manuel Hespanha nessas alterações. Descreve-se o processo de resignificação histórica do referido período em relação às formas de pré-conhecimento nacionalistas. Esboça-se, igualmente, uma reflexão sobre o futuro dos estudos de história ibérica perante o actual debate sobre as escalas e as cronologias da análise histórica.

Palavras-Chave

Portugal Habsburgo, António Manuel Hespanha, Escalas de análise, História Ibérica, Pré-conceitos nacionalistas

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In February 1992, António Manuel Hespanha wrote the preface to *O Antigo Regime*, the fourth volume of the monumental work entitled *História de Portugal* (edited by José Mattoso and now regarded as a classic), which he was responsible for editing and organizing. Over several pages, he set out the aims of the volume, which dealt with the subject of the history of political power. At the same time, he noted that the period which the book covered, from 1620 to 1807, was not his preferred choice.

According to Hespanha, for the history of the political power groups that he and his team of scholars sought to focus on, 1750 would perhaps have been a better date to mark the beginning of the end of the corporative society, and 1820 a more appropriate date to mark the end of the first stage of the new period that was being ushered in at that time. In the case of the former, he argued that 1620 seemed a much less arbitrary choice since it marked an important change in the history of the concentration of power and the reform of the political constitution of Portuguese society (Hespanha, 1993b:7).

As would later be borne out by other observers aware of the timescales that were commonly accepted at the time of the book's publication in 1992, the situation was quite different: at that time, only a very few authors regarded 1620 as being the correct date, and similarly regarded the choice of 1807 as arbitrary. The transfer of the royal court from Lisbon to Rio de Janeiro in 1807 may indeed be viewed as an event of clear, explicit, and recognizable historical significance, while the events of 1620 may have had little or almost no meaning in the long run, especially when compared with the truly momentous events of 1640.

In *História de Portugal*, by choosing 1620 as the watershed moment at the height of the Portuguese early modern age, Mattoso broke away from the tendency to regard Portuguese history as being defined by its dynasties, an approach that still continues to be very widely adopted even today.³ A crucial role was assigned to a set of circumstances which had been regarded as alien to Portuguese history and were charged with negative symbolism. He managed to consider the period from 1580 to 1640 as a hiatus (similar to the brief period of Napoleonic administration) in the natural or national history of Portugal—or, perhaps one might say, he succeeded in completely separating this period from the rest and removing it from the framework of analysis. In Hespanha's preface, the process of a gradual resignification of Portugal under Hapsburg rule is a recurrent theme, and his work and teachings undoubtedly played a decisive role here.

³ The third volume, *No Alvorecer da Modernidade*, edited by the late great Joaquim Romero Magalhães (1942-2018), on the period from 1480 to 1620, covered, in economic terms, the emergence of commerce-based capitalism in the late fifteenth century and the structural crisis in the Mediterranean region from 1619 to 1622, while, in the political sphere, it spanned the period from the ascendance to the throne of Dom João II to the initial years of the government of Gaspar de Guzmán, the Count-Duke of Olivares (Magalhães, 1993:8).

Today, what is certain is that the study of the Portuguese history of that period has undergone a radical transformation over the last three decades, not only in terms of the volume of production, but also with regard to the scope and nature of the perspectives adopted. The change has perhaps been so great that it can best be summed up by saying that we have transitioned from the study of the Portugal of the Phillips to the study of the Phillips of Portugal.⁴

It would be artless to suggest that the current wave of interest in the period from 1580 to 1640 can be regarded merely as an attempt to preserve the memory of the Hapsburgs in Portugal or as a move to meet the need to produce history which covers the Iberian Peninsula as a whole, while, at least in Spain, the term ‘Iberian History’ is used by historians to avoid referring to the Spanish or Portuguese state or nation. Rather, a movement has gradually emerged whose existence owes much to the need firstly to respond to the new challenges posed by the demands for a global approach to history, and secondly to take advantage of the opportunity presented by the transnational approach.

The extraordinary imperial circumstances that marked the end of the Avis dynasty partly explain this renewed level of interest. The spread of the Spanish and Portuguese empires across the globe from 1580 onwards is also reflected in other developments that are to be noted in recently produced works. I am referring here not only to the evident approximation that has taken place between Portuguese and Brazilian historiography, which were previously much less closely aligned, but also to the deliberate inclusion of non-European geographical regions in the perspectives generally adopted by Spanish modernists, who are steeped in the tradition of drawing a marked distinction between the European kingdoms and the overseas domains in the Americas and Asia.

The current trend for producing global history, which is now almost universal, has underlined the imperative need to adopt multifaceted perspectives, which have been urgently required for some time. Furthermore, the global approach implies working with long timescales which, by their very nature, tend to go beyond the temporal boundaries of the classical historical ages as defined from the European perspective. Is it not now time to recognize that the high early modern age is perhaps too short a time span to be compatible with a global approach to history?

Indeed, modernist historians must decide this question for themselves, and I would like to highlight two of the possible choices open to them: they can either fashion their own global spaces or they can adopt a global perspective while setting their own very precise timescales. The first path seems to me to be evident both in the current emergence of numerous *respublicae*—based on

⁴ The biographies of the three Hapsburg kings included in a well-known collection of biographical studies of Portuguese monarchs are a good example of this (Bouza, 2005; Olival, 2006; Oliveira, 2005).

the study of letters or the money trail, as well as missions and knowledge—and in the move towards analyzing transversal and/or mediating phenomena, while simultaneously adopting a transnational approach to the study of letters and the portrayal of nobles, rituals, and revolts. The second way forward is also clearly visible in the moves that have been made to produce the world history of a single year, for example *1498: Mais do que a viagem à Índia*, in which the danger of devaluing the global approach is avoided in a manner that is, at the same time, both intelligent and imaginative (Xavier and Senos, 2019).

Hapsburg Portugal offers a set of circumstances that may render it especially interesting in light of current debates. As we know, the period comprises just six decades, which means that there were some people who lived through the events of both 1580 and 1640. During the period, a unified territorial Iberian space produced a continuous flow of people, goods, ideas, ideals, knowledge, and even rules and laws, despite the continued existence of internal jurisdictional borders. This was a Luso-Hispanic monarchy that opened up opportunities for *respublicae* and different modes of transnational life, while there was a great deal of tension to be noted between those who wielded power at the level of the state and the local power-brokers: those at the center and those on the periphery.

Hespanha was actively involved in some of the most recent great historiographical controversies regarding the existence of the state/nation in the early modern age. Some of his theories provided regular topics for history teaching and have since become part of the academic mainstream, obliging us to reflect on the intellectual audacity with which he helped to set new standards not only for interpreting the limits of political centralization in this era, but also for considering the questions of corporative jurisdictional autonomy and non-violent forms of the exercise of power, while also imposing the requirement for textual evidence to be analyzed more carefully.

The renown that he enjoyed as a teacher of the history of jurists—perhaps one of the new *respublicae* that are so attractive today—brought him into contact with historians and academics from an extremely wide range of backgrounds. Furthermore, his personal and intellectual mediation, at an early stage, between distinct and longstanding historiographical traditions in national terms—initially in Portugal and Spain, and later in Brazil—had a marked influence on the two approaches mentioned above. In this regard, it should be noted that the ongoing dialogue with Portuguese historians has provided a powerful incentive for Spanish modernists to take the plunge and engage with non-European spaces. As indicated above, the study of Hapsburg Portugal and, more generally, the Luso-Hispanic monarchy, has particularly benefited from this.

For historians of my generation, Hespanha provided a solid juridical basis for the new paradigm of composite monarchy established by John H. Elliott in his studies of imperial Spain and the Count-Duke of Olivares. Hespanha's teaching also encouraged the practice of considering how power was wielded by a variety of groups in the different territories and states, who were either able to engage with one another through negotiation and agreement or entered into conflict through revolution and revolt. New, and by no means uncontroversial, approaches were to emerge from Elliott's set of composite monarchies and Hespanha's array of power groups, such as the approach based on the idea of polycentric monarchies (Cardim, Herzog, Ruiz Ibáñez, and Sabatini, 2014).

As an expert on the question of power and institutions, António Hespanha was also a scholar of the history of violence, in addition to his prowess in the juridical sphere. He demonstrated that negotiation is not synonymous with the absence of conflict, while, as an authority on war, he edited the volume of *História militar de Portugal* (Hespanha, 2004) on the early modern age.

In 1993, he produced an edition of the journal *Penélope* entitled *Restauração e a sua época*, himself contributing an influential article entitled *As faces de uma "Revolução"* in which he expressed his criticism of there being just one single explanation for the events of 1640, based on nationalist ardor (Hespanha, 1993a). He put forward the theory that, rather than being a struggle for independence, the events of 1640 signified the revival of the old Portuguese constitution, running counter to the policies of Olivares, who was himself a rebel. Consequently, Hespanha argued in favor of overcoming nationalist preconceptions in historical analysis. Almost as if he were writing a manifesto, Hespanha was asking historians to disregard these preconceptions, as he thought they endangered the analysis of the past through the application of contemporary concepts. These preconceptions were in fact pre-judgments which subtly tainted the historical past. Perhaps the 1620s had been more decisive in shaping the history of Portugal: following the Lisbon *Cortes* of 1619, the basis of the Portuguese-Spanish composite monarchy began to be reformulated and the foundations were laid for the reform that would lead to the downfall of the Habsburgs in Portugal.

In short, without the teachings of António Hespanha and without his contribution in terms of historical resignification, the prospects for the future study of the period from 1580 to 1640 would not be as bright as they appear to be today, since both politically monstrous notions and anti-natural historical timescales have been decisively condemned to the scrapheap of history by anti-nationalists.

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António Manuel Hespanha and the National Commission for the Commemoration of the Portuguese Discoveries¹

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Abstract

This paper presents the singular post-nationalist nature of the stance adopted by historian António Manuel Hespanha as the Commissioner-General of the National Commission for the Commemoration of the Portuguese Discoveries (CNCDP) during the period 1996-1998.

Keywords

Portuguese discoveries, Commemorations, Post-nationalism.

Resumo

Apresenta-se a singularidade pós-nacionalista da orientação do historiador António Manuel Hespanha como comissário-geral para as Comemorações Nacionais dos Descobrimentos Portugueses (CNCDP) no período 1996-1998.

Palavras-chave

Descobrimentos portugueses, Comemorações, Pós-nacionalismo.

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As a historian, António Manuel Hespanha made extensive use of sources from the field of law and legal literature. However, unlike most “legal historians,” he used these sources as a starting point for the difficult task of identifying differences rather than repetitions in the field of human action. This is why he was considered to be a post-nationalist historian.

Like many others, I was pleasantly surprised in December 1995 to learn that he had been appointed as head of the National Commission for the Commemoration of the Portuguese Discoveries (CNCDP) by the newly appointed prime minister António Guterres. Some commented at the time that the prime minister had diminished the political importance of the position by making such an appointment, while, at the same time, demonstrating to his fellow party members that he was free to choose for office whomsoever he wished. António Hespanha was an independent, without any links to the party that had just won the 1995 election. But the most interesting thing about this singular appointment was the novel stance adopted by the new head of the CNCDP, who offered us a new vision of history in the public sphere, both as a discipline and, above all, as a cultural domain.

The commission had been set up in 1988, being based on the traditional model for the organization of commemorations and largely inspired by the celebrations previously held in 1898 to mark the 400th anniversary of the Portuguese discovery of the sea route to India. Its political aim was to organize commemorations that would rival those being planned by Spain to mark the events of 1492, together with the holding of the Expo '92 World Exposition in Seville. The Portuguese celebrations thus involved the organization of events both at home and abroad to commemorate the 500th anniversary of the voyages of Vasco da Gama in 1497-98, and Pedro Álvares Cabral in 1500. Under Hespanha's predecessor, Graça Moura, the CNCDP had made its mark with the creation of the Portuguese pavilion at Seville in 1992 and the holding of its first art exhibitions. In the 1990s, it was a driving force for the development of new cultural activities in Portugal, providing funding for a range of projects and initiatives. António Hespanha's appointment was, nevertheless, an astonishing gesture, signaling a new direction in the organization of national commemorative events.³

Commemorating historical landmarks traditionally involves the celebration of individuals putting down roots, in other words, the process of validating their belonging to a group, which is the opposite of history, because the heroes that are being celebrated existed

³ António M. Hespanha reviewed his experience in “Comemorar como política pública. A comemoração dos Descobrimentos Portugueses, ciclo 1997-2000.” *Práticas da História, Journal on Theory, Historiography and Uses of the Past*, No. 8 (2019): 198-220.

in the past, while the group lives on. The fascination with heroes is that they are always contemporary to a specific era, but commemorations are organized within the sphere of everyday pragmatic political activities and are designed to enthuse and animate crowds of people by glorifying “our” superior status.

The new CNCDP commissioner-general stated clearly: “according to common-sense culture, history represents above all continuity . . . a familiar narrative. From history we are supposed to receive a quasi-biological legacy, a material inheritance and a cultural framework; and we tend to assume that this heritage constitutes the structure for building our identity” (Hespanha, 1997: 5). However, rather than seeking to impose an alternative to traditional perspectives, that would be as well anachronistic and identitarian, Hespanha appealed to our sense of historical responsibility. He explained that “we are responsible for what we ourselves do in society today, at the national and international level. This is the sphere in which we must prove . . . the merit of our conduct.” He claimed, furthermore, that “the idea of historical accountability is not even morally very healthy,” recalling anti-Semitism and collective guilt, as well as the distracting role of historical reparation in the face of the manifestations of iniquity that we witness today. Hespanha dismissed this perspective, which was actually just as identitarian as it was nationalist, replicating it instead in its negative form, also founded on the ahistoricity of collective entities.

Hespanha’s aim was to introduce “a degree of rationality” (in his own words) into the “process of the formation of the political imagination.” Besides being an “intellectual enterprise,” writing the history of the Portuguese expansion requires a certain distancing from the events of the era. Yet, at the same time, as “a component of our present culture,” it serves to validate the images that those in Portugal and other countries currently have of the Portuguese identity. Introducing rationality could only “challenge the view of things that has been bequeathed to us, thus making this perspective difficult to take for granted.” In order to achieve this, we must not simply “add more information to the common sense argument,” but rather “add a layer of complexity by embracing new facts, new perspectives, and new assessments,” while also presenting such new perspectives as equally precarious as the previous ones. A new approach was therefore called for: “To promote a sound and thorough knowledge of the world of the Portuguese Discoveries and disseminate this knowledge effectively and dispassionately in today’s world” (Hespanha, 1996: 5).

“The great advantage of these celebrations” would be to “realign the relationship between Portugal and the rest of the world” in those places where there remained traces of the Portuguese presence or its influence on the arts, language, and the economy. Thus, the

celebrations could be regarded “as a valuable contribution in terms of an intelligent and open diplomacy.” To achieve this, they had to be all-embracing, without any hint of nostalgia, or *saudosismo* (Hespanha, 1996: 5). This was the ambitious plan that Hespanha devised in order to break away from the forms traditionally planned for such commemorative ventures and to adopt an innovative stance.

But the new style of diplomacy proposed by António M. Hespanha met with stiff opposition in the more conservative circles of the party of government, as well as in the sphere of the Ministry of Foreign Affairs. The prime minister's initially close involvement in the commission's work gradually began to diminish, and, when the commission presented its program for the celebrations of Vasco da Gama's voyage to India at the Jerónimos Monastery in Lisbon, Guterres did not even attend the event. Liaisons with the commemorative commission were now entrusted to junior members of the government, many of whom showed themselves to be indifferent or even hostile to its work.

Just over twenty years later, this period now seems to belong to the distant past. The appointment of historian António M. Hespanha to head the CNCDP also appears to have been just as improbable. During those years, it was believed likely that nationalistic pronouncements would be considered as the primary, “spontaneous” discourse of leaders and then gradually disappear, and it was thought possible that history as a discipline and a culture would increasingly be able to free itself from the traditionalist paradigm of the legitimacy of authority, cultural routine and social conformism. However, the debate in 2018 regarding plans for a new Museum of the Discoveries to be created in Lisbon revealed the depth of support for conventional mercantilist conservatism, even among those groups that had been expected to eschew it.

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Revisionism in the Tropics: *The Political Model of the Portuguese Colonial Empire*, by António Manuel Hespanha

Pedro Puntoni¹

Abstract

This article presents a brief archaeology of the emergence of a political model of the Portuguese Colonial Empire in the works of António Manuel Hespanha. In his PhD thesis, *As Vésperas do Leviathan* (1989), Hespanha admitted that his investigation was restricted to the context of mainland Portugal. But he also confessed his interest in expanding his innovative approach to the study of the overseas territories. In fact, after 2000, he underwent what was identified as a kind of *imperial turn* in his work by writing many papers in which he tried to define a model for understanding power structures and political institutions in the colonial contexts of the Portuguese Empire in the early modern period. This article takes a critical look at the path that led Hespanha to this imperial turn and seeks to understand how his formulations (and reformulations) changed over the course of time, based on the constructive dialogue that he established with the historiographical production on the subject, particularly in Brazil.

Keywords

António Manuel Hespanha (1945-2019), Portuguese historiography, Portuguese colonial empire, Colonization, Political history.

Resumo

Este artigo procura realizar uma breve *arqueologia* da constituição de um *modelo político do império colonial português* nos textos de António Manuel Hespanha. Em seu trabalho de doutorado, *As Vésperas do Leviathan* (1989), o historiador reconheceu que sua investigação limitava-se aos quadros de Portugal continental. Não obstante, confessava seu interesse em expandir sua abordagem inovadora para o além-mar. Com efeito, desde 2000, o historiador realizou aquilo que foi identificado como uma espécie de *imperial turn* (virada imperial) em sua obra; escrevendo diversos trabalhos em que procurou justamente definir um modelo para a compreensão das estruturas de poder e as instituições políticas nos contextos coloniais do império português da Época Moderna. A proposta deste artigo é percorrer criticamente o caminho que o levou a esta virada para o Império e entender como suas formulações (e reformulações) foram sendo modificadas a partir do diálogo construtivo que se estabeleceu com a produção historiográfica, notadamente a brasileira.

Palavras-Chave

António Manuel Hespanha (1945-2019), Historiografia portuguesa, Império colonial português, Colonização, História política.

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“[...] the technique of this deconstructive endeavor is almost always the same: distrusting the evidence on transfers, filtering the collected discourses, showing the existing simplifications, mapping the facts that do not fit together, and inspecting the anachronisms.”

Hespanha, 2009:61

António Manuel Hespanha was one of the most influential Portuguese historians of the late twentieth and early twenty-first centuries. His multifaceted and kaleidoscopic *oeuvre* has had an impact in many of the areas involved in the crafting of history, particularly his studies on power, political institutions, legal forms, and the political and legal thought of the formative centuries of the contemporary world. His field of observations spanned the period from the fifteenth century—the dawn of the early modern world, when Portugal was only just beginning to emerge from the medieval magma to be introduced to new hybrid forms of power structures—to the nineteenth century—when the institutional structures of modern liberal constitutionalism were beginning to ripen. Hespanha’s extraordinary ability to collect data from new sources, while charting new and previously unknown memory territories and exploring new themes and approaches, was further consolidated by his unique erudition. His attentive look at the question of conceptualization brought him closer to a series of innovative solutions and historiographical experiences, most of which were also formulated by him.

As has been noted, he also appreciated team work, the use of new information technologies and the search for creative solutions. In his PhD thesis—presented in an extremely conservative setting, before such technologies were to become widespread – he took a step ahead of his time and converted a complex set of documents into a useful databank, produced tables and graphs, and even georeferenced his results. He produced a remarkable work that pointed to an avenue of research based on solid methods, the expanded use of sources, and safe and reliable answers. In his extensive research activities, he gathered together distinguished teams of collaborators and encouraged the structuring of sources, the digitalization of collections, and the creation of large databases for fellow researchers. He was always attentive to whatever could be done at the frontiers of these new methodologies made possible by the digitalization of culture.

This paper emerged from a presentation delivered to the *3rd Meeting of the Law History Network*, held at the Institute for Brazilian Studies (IEB) on November 1, 2019, which was

dedicated to a reflection on the works of António Manuel Hespanha (1954-2019).² We were then – and we still are – suffering from the impact of the loss of this great professor, an erudite and creative historian, and a kind and affectionate friend.

I had the good fortune to know him personally and to spend time in his company for twenty years. On occasions, we were separated from one another by great transatlantic distances, but, at other times, our meetings were facilitated by new digital technologies. In the first semester of 2001, I was a visiting researcher at the Institute of Social Sciences (ICS) in Lisbon. I had previously collaborated on a few chapters of his volume *Nova História Militar*, and, like many others, I admired his iconoclastic energy, his enduring respect for disciplinary boundaries, and—as has already been noted on many occasions—his good humor and constant willingness to encourage the involvement of young scholars.

Indeed, back then, I was still a young man interested in historiography's shift towards the dimensions of politics and power. In an inspired testimonial, Catarina Madeira Santos narrated how Professor Hespanha stimulated his students to look for their own “figure in the carpet”³ in the course of their personal development and in the production of their discourse, all of which comprises the making of history. Catarina recognized Hespanha as a generous historian who always withstood the “classical and comfortable temptation of the master, namely of forging ‘creatures’ in one’s own image and likeness, as faithful carriers and perpetuators of a message.”

In keeping with this mindset, I intend to undertake in this article a critical examination of how, based on his reflections on the paradigm of jurisdictional power in Portugal in the early modern period, António Hespanha sought to develop a political model of the Portuguese Colonial Empire, which would then be absorbed and transformed in the course of time by Brazilian historiography. The twenty years (1999-2019) of Hespanha's continuous dialogues with his Brazilian colleagues enabled him not only to confirm and enhance this model, but also gave birth to an entirely new field of research and discursive production.

² I am grateful for the comments made by my colleagues on that occasion. I also wish to thank my students from the “Study Group of Readings on Colonial Brazil” linked to *finisterra_lab* (Laboratory of Studies and Researches on the Iberian Empires in the Modern Age at the University of São Paulo). In the second semester of 2019, our group studied two works that had recently been published by António Manuel Hespanha: *Filhos da Terra* (HESPANHA, 2019b) and *Uma Monarquia Tradicional* (HESPANHA, 2019a). In May 2020, I had the opportunity to discuss the first version of this paper with them.

³ By mentioning the “figure in the carpet,” Hespanha was referring to a short story by Henry James (*The Figure in the Carpet*, 1896) “in which the great writer Hugh Vereker confides that his entire work is pervaded by a secret intention, never noticed by anyone” (Santos 2015: 73-79).

António Manuel Hespanha Comes to the Tropics

Hespanha's PhD thesis was presented in 1987, and published in Spanish in 1989, followed by a Portuguese edition in 1994. He explains that, in this reworked edition, he eliminated some details and annexes linked to the requirements of academic examinations.⁴ The work presented “a detailed, panoramic view of Portuguese political and administrative institutions” in the seventeenth century, which he saw as a time when previously existing forms became stabilized and provided a “durable basis” for the future.

For a historian, a ‘panoramic view’ is always a daring enterprise, all the more so in a PhD thesis. It is an *obra prima*, not in the sense of a *magnum opus*, or masterpiece, but in the sense of its being a prime study, the first—and initiatory—work that grants us access to our craft. Thus, Hespanha's panoramic view was not complete; he had to narrow his focus. As he explains in his foreword, this work was limited to two dimensions, namely: a *substantive* dimension (a restriction of its theme), since his research was focused on “the system of political power, rigorously gleaned from other power systems (economic, symbolic and so on)”; and a *spatial* dimension, with far-reaching implications for the understanding of the object itself.

His panoramic view is dedicated exclusively to the territory of the “kingdom,” i.e. continental Portugal, “and for this reason the Atlantic and overseas domains are omitted from its scope.” Such a restriction was based on practical considerations, as he confessed (“it would indeed be unthinkable to add an assessment of the political and institutional reality overseas to that of mainland Portugal”). Hespanha suggests that he toyed with the idea of a solution supported, in his words, by “time-bound sources,” but he does not accept (at this point, a certain oscillation becomes noticeable) the reading that the kingdom of Portugal, its Atlantic islands, Brazil, and even India, could each be approached as “autonomous political and institutional realities.” (Hespanha, 1994; 10-11). Such a proposal would, as we may observe, amount to a break with a whole historiographical tradition interested in the Portuguese Overseas Empire and even with its impacts on the very structures, and even the political processes, of the monarchy.

However, in the preface, Hespanha leaves a door open for expanding on this “panoramic view.” Were it not for this practical need to restrict his perspective to mainland

⁴ The book was re-edited in Coimbra in 1994 based on the reworked 1989 edition printed in Spain. António Manuel Hespanha, *As Vésperas do Leviathan. Instituições e Poder Político. Portugal, Séculos XVI-XVIII*. Lisbon, Pedro Ferreira Artes Gráficas, 1986, p. 206. Second edition published in Coimbra, Almedina, 1994 [in free translation, “On the Eve of Leviathan. Institutions and Political Power. Portugal in the 16th-18th centuries”].

Portugal, he would certainly have included the overseas territories as part of his efforts to understand Portuguese political and administrative institutions. He also suggests that, as *peripheral power centers*, these territories would probably be “outlets of social tension” and a “field of political and administrative experiences” that contributed to the strengthening of the Crown’s power—or, contradictorily, to its deterioration (Hespanha 1994: 10-11). As we will see further on, when he decided to return to this field of studies a few years later, his reflection on this hypothesis was not resumed. It was, instead, superseded by the direct application of its solutions to the question of the corporate monarchy in the Portuguese overseas space, as he himself had established that it should be.

Following the presentation of his PhD thesis, Hespanha became involved in two highly important experiences that helped him expand his panoramic view in 1999 and produce a first interpretive draft on political institutions in the wider context of the Portuguese Empire in the early modern period: between 1995 and 1998, he served as Commissioner-General of the *National Commission for the Commemoration of the Portuguese Discoveries* (CNCDP); and from 1990–1999, he was a lecturer at the Faculty of Law of the University of Macao.⁵ In 1995, his first studies on “the system of power in the colonies” resulted in the book *Panorama da história institucional e jurídica de Macau* (Hespanha 1995a) [An overview of the institutional and legal history of Macao]. As he revealed later, his frequent travels to this remnant of the Portuguese Empire in China was essential for prompting his interest in “the system of power in the colonies” (Hespanha 2007).⁶ In the midst of all kinds of exhibitions, seminars, publications, and archive-ordering initiatives, among many other events, his work as the Commissioner-General of the CNCDP certainly provided him with a superior vantage point for examining the colonization process and, above all, the historiographical production in the communities of former Portuguese colonies. He recognized, in an interview, that chairing the Commission had been a decisive opportunity: “for slightly over three years, I had ‘findings’ and ‘expansion’ from early in the morning until late at night.”⁷

Pedro Cardim pointed out that this “type of *imperial turn* in Hespanha’s works” had a strong impact on the historiography about the empires, and particularly on Brazilian historiography.” According to him, “this turn coincided with the reception of the post-colonial agenda and with the development of studies on European colonialism and its

⁵ Hespanha personally spoke about the importance of these two experiences in dictating his shift towards studies on the Empire (Cardim 2011).

⁶ Replying to the criticism of Laura de Mello e Souza, in the chapter “Política e Administração Colonial: Problemas e Perspectivas” of her book *O Sol e a Sombra* (Souza 2006:27-77).

⁷ See “António Manuel Hespanha entrevistado por Mafalda Soares da Cunha, Maria Teresa Beleza, Nuno Gonçalo Monteiro e Rita Garnel” (Cardim 2015:24).

history” (Cardim 2017:32 ff.). But I believe the influence of Hespanha’s work predates even this “imperial turn.” After the publication of his PhD thesis in 1992, his approach would noticeably shake Brazilian historiography, which was interested in renewing the study of political structures and power dynamics. In a 2004 article, Cardim showed us how committed modern historians interested in the Portuguese Colonial Empire had been, since the 1990s, to a renewal of the studies on political dynamics and structures.⁸ At least in Brazil, in the second half of the twentieth century, political history—a theme previously left to more traditional historians immersed in a narrative and event-based approach—was repeatedly neglected by more structural and economics-based studies. This was certainly not the case with the more sophisticated (and, for this precise reason, more impactful) works—such as the studies by Fernando Novais, or Evaldo Cabral de Mello, to mention just two authors. However, it is important to point out that a certain re-emergence of scholarly interest in politics among the historians of Colonial Brazil followed in the wake of the beneficial and expansive influence of Antônio Hespanha’s *oeuvre*. This was due to the fact that Hespanha’s writings indicated a new methodology, a new approach to the sources of history and a structural understanding of the realities of power—both by bringing up a relational approach to power (led by Michel Foucault, whose work allowed him to notice its workings in other layers of historical reality) or by criticizing the “Statist paradigm,” that is, the precocious and (as he understood it) undue use of the state as a structuring concept of power and of political institutions.

Largely influenced by the works of Otto Brunner, this latter solution emphasized “the continuities between the medieval and modern political systems,” particularly among the “lowest” strata of the political world, where “traditional political allegiance structures marked by *patriarchic* and *manorial* bonds remained relatively untouched by the innovations of political theory and the power rules of modern monarchs” (Hespanha 1994:28). While being supportive of a history of concepts (*Begriffsgeschichte*)—an outlook pioneered by Brunner, among others—Hespanha adapted the Austrian historian’s criticisms to the eschatology of state systems approaches from the early centuries of the early modern period.⁹ According to

⁸ A review of the historiography on the government and administration of Colonial Brazil is to be found in the excellent article published by Pedro Cardim (2004). According to him, the transformation of the historiography on Portugal in the modern era was based “on three main axes: the priority that was given to the study of power relations and their multiple configurations; an increased openness to the contributions of other social sciences, emphasizing the links between them in specific contexts; and the adoption of a deeper understanding of the circuits of the production, dissemination, and reception of political decisions.”

⁹ Brunner’s work *Land und Herrschaft* was initially published in 1939 and earned the Verdun Award from the Berlin Academy of Sciences (1941). Two additional editions were published during World War II with some revisions. After the war, a fourth edition was published with newly revised parts and, above all, with changes

Marcelo Jasmin, Brunner's works criticized German legal and liberal historiography for having transposed into medieval reality the "conceptual logics derived from subsequent liberalism—for instance, by setting economics apart from politics, and placing the public and private spheres as opposites" (Jasmin 2005).

This construction of a new "jurisdictional paradigm" for understanding the nature of power and political institutions in early modern Portugal was also inspired by other authors, such as Jaime Vicen Vives, Bartolomé Clavero, and Pierangelo Schiera. It led Hespanha away from the then dominant view of Portugal as the head of a trade-based empire. Economics was still a key feature of historiography in the 1980s, but it was encompassed by an institutional—and therefore exceedingly structural—reading of social life. In the introduction to Hespanha's collection of articles published in 1984 by the Calouste Gulbenkian Foundation, he brought this new paradigm closer to the solutions of other authors from the field of Marxist Structuralism (such as Perry Anderson), who saw the political structures of the *ancien régime* as continuing to be dominated by a late Feudalism. These proposals brought his reading closer to Brunner's and cast the history of Portugal into a particular frame, or *paradigm*: an autonomous type of territory that would only be revealed to a historian who did not search within it for elements of continuity with the historical process of the emergence of modernity. For Hespanha,

it would not be audacious to state that the Portuguese social system (or the social formation of Portugal, if we prefer) was dominated until well into the nineteenth century by the feudal mode of production (the rentier-feudal system—*rentengrundherrschaft*—O. Brunner), which almost exclusively accounted for the arrangement of its agricultural productive process until the middle of the past century (Hespanha 1984:49-50).

Although, on the one hand, this perspective did not yield a prompt response about how best to understand the "policy of overseas expansion" of this "modern proto-State" (Hespanha 1984:52), it did, on the other hand, offer Hespanha a new way of viewing the power embodied in political institutions. This provided the basis for a structuralist approach to the study of power, condensed in terms of layers and mechanisms, discursive fields and

"to remove or replace terms and passages reflecting the cultural and political atmosphere in which the previous editions had appeared" (see the "Translator's Introduction" by Howard Kaminsky and James Van Horn Melton). For more information about Brunner and the history of concepts, see also the text by James Van Horn Melton (Melton 1996).

bodies, which were expressed organically and as disconnected from the dynamism of other dimensions of social life, such as the economy and social conflicts. In other words, its way of unveiling the reality of power before our eyes, with its social immanence, and not yet autonomized in social life (Weber), was extremely innovative. Aided by his methodology of a history of institutions based on the rigorous study of legal texts, the historicity of legal certificates, the ritual and behaviors of power-actors, and an anthropology of power, it was capable of opening up an extraordinary field of research. The history of the political institutions of early modern Portugal and its imperial domains had been scantily studied until then. Hespanha offered a still virgin territory to a generation of historians. Hence, his great impact on those researchers who were interested in resuming the study of political history.

Returning to our main line of reasoning: beyond this wider impact, Hespanha also provided us with a *political model of the Portuguese Colonial Empire*. Starting with his “imperial turn” (Cardim), these complex solutions relating to the nature of power in the Portuguese ancien régime could be transplanted to the tropics. The success of his endeavor was also linked to the fact that he offered a form of revisionism that was in line both with the conceptual interests and with the new “mode of production” of historical knowledge inaugurated in Brazil by the expansion of the country’s graduate education system. Since the 1970s, based on its new hierarchical and formal systems of graduate studies, Brazil was experiencing a new way of making history, committed as it was to going beyond the previous essayistic tradition. The expansion of these programs in the 1990s coincided with the professional strengthening of the community of historians (with the consolidation of a funding system and new work opportunities), as well as with its vertiginous growth, an increased social division of labor (archives and collections were further institutionalized), and increasingly direct access to original documents. The orderly structuring of working teams updated the conditions for the making of history and accelerated the productive chains behind the current discourses. Within this context, the proposed views—mostly dominated by Marxist and New History perspectives—were faced with many revisionist efforts that challenged their efficacy. It is possible that the need to accelerate scholarly processes (with shorter timescales) may have sacrificed conceptual reflection to some extent, thereby limiting the absorption of the historiographical tradition (a necessary immersion for the maturation of a vocabulary and an erudition that add legitimacy to the historians’ autonomy) and leading the new generations to search for well-established interpretive frameworks or, at least, to those frameworks that are more closely associated with an iconoclastic and flexible approach.

His impact on Brazilian historiography, in particular, is not my focus in this brief

article. I do not intend to analyze how Brazilian historiography metabolized his model, or his distinct models; instead, my proposal is to present a concise *archaeology* of his reading, which means treading the path that led him towards such an imperial turn and understanding how his formulations (and reformulations) followed the constructive dialogs that were established with the historiographical production.

Hespanha's travels overseas were initially guided by an article by Luiz Felipe Thomaz on the political and administrative structure of the State of India in the sixteenth century. His aim was to "consolidate [Thomaz' basic idea of a 'polymorphic empire'] in political and administrative terms (Hespanha 2009:41). For Thomaz, the State of India should be understood in essence as "a *network*, that is, a system, of communications between several open spaces," characterized by "geographic discontinuities and heterogeneous institutions," as well as by "unclear boundaries in both geographic and legal terms" (Thomaz 1994:208-10). According to Hespanha, this system was different from that of the kingdom, since the "even more pluralist settings" of its overseas possessions and colonies were "stretched by even more powerful centrifugal forces and extended across long distances that involved not only crossing the seas, but also conquering the backlands," so that the power of the king could only be weakly represented. Thus, the rather absent historiographical contents were challenged not only in terms of the thesis of monarchical absolutism, but also in relation to the very idea of a modern Portugal based on a colonial empire structured as a worldwide domain.

Opposed to such an idea, Hespanha claimed that

the centrality of "the Empire" dissolved into a tangled mesh of contradictory relations between many different centers where the Portuguese crown occupied a range of places and positions, which were frequently insignificant and sometimes scandalously low in hierarchical term; in such places, by contrast, strong local powers would rise up and the shadows of royal "employees" would extend towards autonomous realms, covering and conferring practical legitimacy on all sorts of initiatives and temerities, which the regulations denied and the royal letters could barely gloss over (Thomaz 1994:208-10).

Hespanha's first draft text seeking to define a political model of the Portuguese Colonial Empire appeared in a concise form in 1994, having been composed in collaboration

with Catarina Madeira Santos (who was then preparing an MSc dissertation on Goa¹⁰). This was a text that he had prepared with his student for a colloquium in Venice. The chapter on “the forms of power in an oceanic empire” occupied only a few pages of volume four of the collection *História de Portugal* (edited by José Mattoso and published in 1994), bringing a first reading about an empire in which “the limit was no longer the sea, but, instead, the essential links of unity among the supporting bases on firm land” (Hespanha and Santos 1993).¹¹ The authors sought to unveil “an empire marked at once by spatial discontinuity, an economy of means and coexisting institutional models.” This is still a somewhat vague statement, but it was based on the recognition that “the little country” was incapable of mobilizing the necessary financial and human resources, which led to the interpretation that the Portuguese Empire, unlike the Spanish one, was “weakly homogenous, decentralized and left to the discretion of several relatively autonomous political centers.” In contrast to “classical empires” such as (in their view) the Spanish one, the Portuguese Empire “followed a more pragmatic and economic logic founded on the autonomy and modularity of its component parts, and on the economy of political costs involved in the administration of its territories” (Hespanha and Santos 1993:398 and 408). While aiming at a wide audience (with “an intended broad reach,” in Hespanha’s own words), this book became the primary reference in Brazil for the dissemination of his perspective on political structures and political history, with a focus on institutions. The chapter that he wrote with Angela Xavier is probably one of the most frequently cited references in the dissertations and theses written on colonial Brazil in graduate studies in history in the country at the turn of the millennium (Hespanha and Xavier 1993).

The Constitution of the Portuguese Empire

António Manuel Hespanha’s double experience of immersion in the Portuguese overseas world, firstly through his study of the Portuguese presence in Macao (and Goa), and then as a commissioner involved in the process of deconstructing, reinventing, and disseminating a collective memory on the discoveries, gave him the impetus to move beyond the limits of his *Vésperas* thesis. After leaving his post at the CNCDP, he had the chance to

¹⁰ The MSc dissertation presented in 1996 was supervised by António Hespanha and published as a book in 1999 (Santos 1999).

¹¹ Years later, Hespanha explained the “meagerness” of this contribution as resulting from the editorial guidelines stating that an entire volume was about to be dedicated to the history of the expansion (Hespanha 2007).

spend a season at Yale University at the invitation of Stuart Schwartz, one of the leading historians of colonial Brazil's society and economy. Enjoying both the time and the opportunity to make contact with researchers interested in colonial contexts, Hespanha made headway with his own studies and opened up new horizons beyond the institutional side of Portuguese political history. In the late 1990s, he was involved in the production of a new publication as the coordinator of the second volume of *Nova História Militar de Portugal* [New Military History of Portugal], edited by Nuno Severiano Teixeira and Manuel Themudo Barata for the publisher Círculo dos Leitores. His volume covered the seventeenth and eighteenth centuries, offering a broad view of the military conflicts that took place all across the Portuguese Empire. In seeking to achieve this aim, he was helped by a competent group of researchers.

But this openness to new themes did not diminish his interest in expanding on his overview of Portugal's institutional history in the early modern era. While in America, he finally had the opportunity to produce a in-depth interpretive essay. His critical spirit led him to write a review of the current trends in the historiography. As he recollects in his text *Para além do Leviatã* [Beyond Leviathan], this was the moment when he “undertook more systematic readings of the primary sources and secondary literature linked to the colonial administration in the State of Brazil.” In his own words, it was the moment when he felt

the conviction that, finally, the model of corporate government was not only perfectly suited to what the sources from each period transmitted to us, but also indispensable for removing some widely disseminated distortions of Brazil's colonial history, in respect of its narrative about the relations between the seat of the empire and the colony, and about the origin and development of the pro-independence movement (Hespanha 2007:60).

Thus, as may be noticed, the suggestion that he made in the preface to his PhD thesis, namely that there would be something structurally different in the shaping of the institutions in the context of peripheral powers, was abandoned in favor of an attentive look at the similarities between contradictory centers (the metropolis and the colony), to the point of his being able to resolve this contradiction. The perspective he pursued was that of revising longstanding historiographical terms based on a national and romanticized narrative. By proceeding from this starting point—namely, that it was necessary to find the ways in which a model of corporate government was expressed in other contexts far removed from the

kingdom—Hespanha set out to draft an initial summary, a guiding thread to give historiography a renewed program, being particularly mindful of the potential for revisionism, which was already in progress in Brazilian historiography.

It should be stressed that this context involved undertaking an extensive revision of the literature on the Portuguese Empire overseas. In this regard, we may consider (among other examples) the publication of the volumes on this “Portuguese expansion” edited by Francisco Bethencourt and Kirti N. Chauduri (1998). A critical appraisal of this new scheme was carefully carried out by the historian Angela Xavier. At that time, she was preparing her PhD thesis on imperial power and cultural conversions in India in the sixteenth and seventeenth centuries (under the supervision of Chauduri and Hespanha), and, in 2000, she published an overview of the historiographical trends about the Portuguese expansion revealed in the periodical *Penélope*, attempting to understand the “rotation experienced in recent historiographical studies, under the influence of inputs from the fields of anthropology and sociology,” as well as its increasing internationalization (Xavier 2000).

Based on a brief paper that Hespanha presented at the annual congress of the Society for Spanish and Portuguese Studies, held in New York on April 27 and 30, 2000 (“The Constitution of the Portuguese Empire. Revision of Current Historiographical Biases”), he introduced a clearer program on how to approach studies on Portuguese societies overseas. He offered a concise account of his findings on how to transpose his interpretation of the corporate monarchy and the political system of the Portuguese ancien régime to the tropics. With only a few changes, this paper served as a guideline for further investigations and, more importantly, it was largely incorporated into Brazilian historiography, which was interested in finding ways to move beyond the debate that had been in progress since the 1970s, being largely guided by Marxist (Structuralist, Heterodox, Culturalist, or New Social History) perspectives. In the 1990s, in Brazil and elsewhere, the historiographical production was experiencing a crisis of paradigms and gradually opening itself up to new themes, approaches, and methods. But a more fragmented and de-conceptualizing outlook maintained the wider interpretative frameworks that had been apprehended in the ongoing debate—which, broadly speaking, opposed solutions based on concepts such as the “colonial slave-based mode of production” or “the old colonial system.” This debate laid the groundwork, for instance, for the interpretive proposal *Arcaísmo como Projeto* [Archaism as a Project], a schematic book published in 1993 (Fragoso and Florentino 1993).

Some leading Brazilian historians attended the New York seminar and took part in a round table discussion moderated by Stuart Schwartz: João Fragoso, Fátima Gouvêa, and

Junia Furtado. A first version of this text, which I had the chance to read in April 2000, shows how its efforts at (re-)interpretation were still rather uncertainly dependent on overseas historiography. Hespanha set out to review the historiography, but, in this first version, he only mentioned the “insightful” text of Luiz Filipe Thomaz. For him, Thomaz had been able to break away from

a monotonic conception of Portuguese colonialism, describing the Empire as a loose network of asymmetric political relations, each one corresponding to a specific balance of power between colonizers and colonized, without a global guiding project or model. Thomaz’ article greatly inspired my interpretation of the constitutional structure of the classical Portuguese colonialism, not only because it fits the available historical sources, but also because it is consistent with the general paradigm of early modern political culture (Hespanha 2000).

At that point, Hespanha revealed a certain lack of knowledge about the evolution of Brazilian historiography. His criticism of the romantic or nationalist historiography—inasmuch as it was based on an anti-Portuguese ideology and on a poetics that masked the responsibility of the dominant social classes for the genocide of indigenous people and for the brutal exploitation of African populations—was correct, but it was also clearly outdated. It resembled more a claim for reparations within Portuguese historiography itself, which—as a result of the cultural hegemony of the regime of the *Estado Novo* and the consequent suffocation of generations of researchers—had perhaps endured a longer period of time under the yoke of nationalist and eschatological narratives.

But this was not the case with Brazilian historiography. For this reason, I believe his outlook ended up projecting onto those Brazilian authors who were close to him a bias that did not in fact exist. As he once pointed out in a footnote, “the final symptom of an intentional reading of the history of Portuguese colonization is the idea of a ‘colonial pact’, as if there had been a planned historical manifestation and a coherent system of exchanges between the metropolis and its colonies.” For him, a new reading of the Portuguese Empire should be based on the “inexistence of a general model or strategy behind the Portuguese expansion” (Hespanha 2000).

An *Atomistic* Framework

In addition to continuing his search for similarities, by projecting a model of the corporate monarchy overseas, Hespanha noted an intense fragmentation of sovereignty in the spaces of the Empire. In other words, he saw that the political institutions of Portugal's ancient régime had been shattered into several local solutions, which were adjusted to their respective unstable and flexible local realities. Following, and further expanding on, a suggestion of Russell-Wood, he highlighted the absence of "a systematic strategy encompassing the entire Empire, at least until the mid-eighteenth century" (Hespanha 2001a:169; and Russell-Wood 1998). In fact, the viewpoint on which he based his observations—and which was consolidated in *Panorama da história institucional e jurídica de Macau* (Hespanha 1993) [An overview of the institutional and legal history of Macao]—enabled him to affirm that an institutional description of the Portuguese overseas expansion, whenever completed, would only confirm such an "*atomistic* framework." In other words, "even though the Portuguese colonial enterprises had always been connected to Portugal by all kinds of ties, there was not a unified colonial constitution in place, at least until the liberal period" (Hespanha 2001a:170).

Such a solution is surely valid if we are concerned about legal structures or power mechanisms. Yet, if we are searching for an objective basis for these structures as a means of expressing the interests being constructed through the formation of a *sui generis* society in America—marked as it was by a production aimed at a European world economy in expansion and based on the fundamental presence of slavery—then, in contrast, we can (and must) notice a consistency defined by the tension that was generated in court circles and among Portuguese-Brazilian groups (Alencastro 2000). Laura de Mello e Sousa made this criticism in the text cited above by pointing both to a bias arising from an "overvaluation ascribed by Hespanha to the legal texts" (to the detriment of other dimensions of history) and to a certain lack of consideration for the facts of slavery (Souza 2006). In an elegant and firm way, Mello e Souza summarized a series of critical remarks that emerged in the research group she led in 2004-2010 at the University of São Paulo (USP). In this laboratory project, Hespanha's works were read at critical seminars and carefully discussed by researchers with the intention of comparing the new perspectives of historiography (which was undergoing a renewal process with proposals about the ancien régime in the tropics) with the conceptual frameworks already developed about the ancient colonial system (Novais & Alencastro), commercial capitalism (Weber and Schumpeter), world economy (Braudel and Wallerstein),

and other hypotheses aimed at more all-encompassing perspectives.

After the seminar of April 2000, this work by Hespanha circulated among some colleagues and was favorably received. In the Portuguese version of the text, he included a long footnote about Raymundo Faoro and Caio Prado Jr. and pointed to the commitment of their historiography to “a narrative and nationalist discourse.” This hypothesis had been aired for some time by more recent authors such as Maria Odila Leite da Silva Dias, who allegedly promoted “a reading of Brazilian history that was free from this obsessive opposition between Portugal and its colonies” (Hespanha 2001a:168). In contrast, in this 1972 text, the USP historian considered the need to disentangle the study of the nation’s formation process in the early decades of the nineteenth century “from the traditional image of a colony struggling against Portugal” (Dias 2009).¹² Hespanha did not notice that the debate which she proposed was based on a re-reading of the works of Caio Prado Jr., who stressed that the internal contradictions of the colonial system were incapable of leading the process of breaking free from the European power, and of Sérgio Buarque de Holanda, who was attentive to the transactions and commitments to the colonial structure in this process of national formation (Prado Jr. 1942; Holanda 1962).

The paper that Hespanha presented in New York was published in 2001 in a collective volume, *O Antigo Regime nos Trópicos*. This book proposed “a re-discussion—based on new conceptual parameters and new theoretical perspectives—of some theses regarding economic relations and new political, religious, and administrative practices” (Fragoso, Bicalho, and Gouvêa 2001:21). It included valuable studies by several authors and was preceded by an article written by its editors, entitled “Uma Leitura do Brasil Colonial: Bases da Materialidade e da Governabilidade do Império” [A Reading of Colonial Brazil: The Bases of the Materiality and Governability of the Empire], published by *Penélope* (Fragoso, Bicalho, and Gouvêa 2000). It represented a first attempt to construct a new interpretive framework for a history of Colonial Brazil—or, better still, for studies on the historical formation of Brazil.

It is important to mention that, in Brazil, the historicist paradigm linked to the search for a genesis of the national state had already been criticized in 1907 through the publication of an inspiring work, *Capítulos de História Colonial*, by João Capistrano de Abreu, which inspired the entire generation of the so-called “modernists” from the 1930s to the 1950s. In this search for a historical formation in the colonial period—and, thus, criticizing the idea of an established “Colonial Brazil”—the field of study was gradually being defined from the

¹² Maria Odila Dias’ text was originally published in 1972.

mid-twentieth century onwards, while attempts were also being made to go beyond a legitimizing discourse on the nation-state (a characteristic feature of authors writing in the nineteenth and early twentieth centuries). But it was still hostage to a teleological perspective that focused on the fulfillment of the ideal of the nation's formation, as an allegedly liberating and democratic project pursued by a country adhering to the brightest side of modernity. As shown by Paulo Arantes, in those years, the idea of formation—"a notion at once both descriptive and normative"—was expressed "in the form of far-reaching interpretive frameworks that recorded real trends in society, but ones which were, nonetheless, caught by a type of inborn atrophy that insisted on aborting them." According to the philosopher, "that *corpus* of essays captured, above all, the collective purpose of providing its gelatinous environment with a modern set of bones capable of sustaining its evolution" (Arantes and Arantes 1997:12).¹³

In the catalog of the exhibition *Outro Mundo Novo Vimos* [We Saw Another New World], held at the National Museum of Ancient Art (MNAA) in Lisbon, in July 2001, Hespanha wrote a summary text explaining his ideas about a "polymorphic empire," and seeking to identify a typology of the forms of domination that were practiced in the Portuguese Empire. This text began with an assumption that served as the basis for the entire construction of his explanation: "in an empire such as the Portuguese one, with its remarkable territorial dispersal, the traditional, classical European models that politically structured the space became ineffective." In order to explain such ineffectiveness, or the impossibility of transplanting the existing models, he suggested that the functional models of the corporate Peninsular monarchy "were based on the occupation and political organization of continuous spaces, and on their coverage by a network of employees entrusted with well-established duties, aiming, above all, at a passive type of administration (*iustitiam dare*)."¹⁴ Contradictorily, in the overseas spaces, these models "became incompatible" due either to the "magnitude of the spaces to be dominated" or to the "dynamics and variety of situations"—and thus they were endowed "with a prevalence of opportunity over justice as a criterion."

Thus, the adaptation of the model of corporate government in the colonization context was seen as highly flexible, requiring a case-by-case approach. In Hespanha's words, "the Portuguese Empire' structure was not based on a unified administrative model. Instead, it reconciled quite varied coexisting institutions, according to local conveniences (and also influences)." His attempt to produce a typological summary distinguished between the

¹³ The text was originally published in the newspaper *Folha de São Paulo* on May 31, 1992.

following possibilities: “donated captaincies; factory trading posts; contracts; municipalities; fortresses; institutional situations resulting from ties of vassalage and protectorates; informal political links (imbued with ecclesiastical relations, trade and the presence of adventurers/entrepreneurs).” In a quite symptomatic way, the absence of a general government in Brazil, among other intermediary political systems, was only matched by a structure-less reading of the viceroy’s rule in the State of India. As I will show, Hespanha’s view was still conditioned by his vast knowledge about the history of the Empire in the East (Hespanha 2001b).

“Why was the Portuguese expansion ‘Portuguese?’”

Among the activities of the working group devoted to the study of “Ways of Governing: Politics, Businesses and Representations of the Portuguese Empire to the Empire of Brazil,” a meeting held in the city of Parati in late August and early September 2005 represented yet another step forward in the discussions on the “Dimensions of the Portuguese Empire,” which had already been consolidated at the meetings of the Brazilian National Association of History (ANPUH) in 2001 (Niterói) and 2003 (João Pessoa). The “Ways of Governing” group somehow brought together the historians interested in a renewal of political history, centered around the project being implemented at USP, and the colleagues who were working with the interpretive proposal presented in *O Antigo Regime nos Trópicos*. At this meeting, Hespanha presented a provocative work, in which he asked: “is it possible that Brazil had an ‘Ancien Regime’ in the tropics?” (Hespanha 2005). After reworking his text for a conference in Lisbon and subsequent publication in Brazil,¹⁴ his question continued to be witty: “Why was the Portuguese expansion ‘Portuguese?’”

His text proposed an agenda of “revisionism in the tropics” and suggested a new arrangement. For him, it would be necessary to “restore a broad perspective, by integrating the continuous sectoral contributions produced in recent years by the historiographies of many countries on Portuguese Colonialism.” He strove to undertake a methodological revisionism, i.e. to dismantle “the established discourse, which consecrates the present and demonizes the past.” In his words, “the technique of this deconstructive endeavor is almost always the same: distrusting the evidence on transfers, filtering the collected discourses, showing the existing simplifications, mapping the facts that do not fit together, and

¹⁴ His paper was expanded for a lecture that he gave at the colloquium *O espaço atlântico de Antigo regime: poderes e sociedades* [The Atlantic Space of the Ancien Regime: Powers and Societies], CHM-FCSH-UNL/IICT, held in Lisbon on November 2, 2005, before being published in Brazil.

inspecting the anachronisms” (Hespanha 2009:61).

In his view, challenging the unity of the “Portuguese expansion” as a historiographical object would require a revision of the two perspectives that were predominant at that time: on the one hand, the attempt to understand colonization as a project defined by a “Portuguese” policy, in other words, a policy determined by the Portuguese crown; on the other hand, the attempt to identify and comprehend a unity of colonization based on an alleged Portuguese “character” either in ethnic or cultural terms, marked by an “inner and unique willingness on the part of the Portuguese to relate with the *tropics*.” The latter perspective, such as it is found in the work of Gilberto Freyre, was deeply marked by an ideological content, permeated by the search for a Portuguese *ethos*, which was highly prized by romantic and nationalist narratives from the nineteenth and twentieth centuries. The former perspective, in turn, had to be discarded, in Hespanha’s view. He evoked only the premise that the governments of the early modern period were structured in a “brainless” way as a result of the “complexity of [their] decision-making processes and organized networks.” Luis Felipe Thomaz’ polymorphism was thus projected to all dimensions of the empire and complemented by a decentralized and even stunted political space.

In dialogue with Brazilian historiography, Hespanha resumed his view that the political structures of colonization were dysfunctional, chaotic, and atomistic, being determined by the individual interests of the local stakeholders. In a sense, this idea was to be found, above all, in the work of Caio Prado Júnior. This new text acknowledged the progress that had recently been made in the production of Brazilian researchers due to the impact of Hespanha’s ideas. Hespanha’s dialogue with the group linked to his book on the ancien régime in the tropics gave him feedback on the arrangement of his model and made it possible to correct a somewhat dysfunctional image—an image of “crisis,” of an apparent chaos—which led to the conclusion that “this apparent chaos was the *system* itself”: A system composed of an immense constellation of pacts, arrangements and exchanges between individuals and institutions—even those of a distinct hierarchical status, and even in cases when one could, in theory, give orders to others” (Hespanha 2009:47).

Therefore, he set out to summarize the notion of pacts, now in the sense of a “multitude of intertwined duties of gracefulness and gratitude deriving from a beneficial economy.” In these words, he is referring to Bartolome Clavero (1991). We should realize that, for Hespanha:

Indeed, every colonial space is a space of pacts. It is a space of countless pacts. Some of them are routine pacts trivialized on account of the fact that they are either recurrent or commonplace, such as the exchange of private favors. Other more evident pacts—for instance, a legislative chamber speaking on behalf of a province or kingdom as if it were its “head” or “heart”; or when the landed nobility or government representatives make commitments on behalf of everyone, in this natural head-like role that they play as representatives of the entire body (Hespanha 2009:52).

The consolidation of this collaboration with Brazilian researchers strengthened Hespanha’s reflections on this political model of the Portuguese Colonial Empire. The group at the Federal University of Rio de Janeiro (UFRJ) working on the theme of the “Ancien Regime in the Tropics: Center for Studies on the Imperial Dynamics in the Portuguese World in the 16th-19th centuries” (ART) became a key space for this dialog, which had an ever stronger effect on the entire system of historiographical production. Thus, Hespanha became highly influential in the world of Brazilian historiography. I believe there is still work to be done in terms of quantifying the impact of his interpretive model on the research being conducted on the fifteenth to the eighteenth centuries. As Maria Fernanda Bicalho has shown, his works guided the new generation of modernist historians in Brazil and led to a comprehensive revision of such categories as “State, centralization and absolute power, as well as their central status and efficacy in the analysis of objects.” For Bicalho, his influence led to “the establishment of a new historiographical paradigm for the interpretation of old documents and for understanding the ideological and Catholic matrix of the Portuguese monarchy; and, above all, to a reflection on the architecture, configurations and dynamics, practices and representations of the Portuguese Empire.” She remarks quite correctly that “not only in his works, but also as a historian, António Manuel Hespanha is undoubtedly one of the key authors responsible for connecting the historiographies on both sides of the Atlantic” (Bicalho 2015).¹⁵

Edited by João Fragoso and Maria de Fátima Gouvêa, and published in 2010, the book *Na Trama das Redes* contains a new text by António Hespanha in which he examines the results of this dialogue with historiography and its effects on the validity of his model (Hespanha 2010). In this text, he presents a polymorphic portrait of the political structures

¹⁵ In relation to this impact, see also: Cardim (2017); Cardim and Cunha (2007); and Cosentino (2013). More recently, two particularly notable tributes to him were published in Brazil: Bicalho (2019); and Sampaio (2020). See also the texts by Herzog (2019), Dantas (2019), and Clavero (2019), in the journal *Práticas da História*.

(“this heterogeneity in the personal status of the populations that lived in the empire led to a plurality of political bonds and legal situations”) characterizing a paradoxical empire in which “the uniformity and limited political power that are typical of centralized States did not apply.” The Portuguese empire had neither a unified and comprehensive set of laws nor a centripetal administrative structure through which the autonomy of its powers could expand towards the dimensions of justice and crafts.

Yet, in the case of Hespanha, we may ask, was there an “empire” at all? Was there “a structural division between metropolis and colony”? How can one possibly define the structural features of a colonial empire (via a model) without clarifying this adjective—colonial—more precisely? In other words, it seems that at no time in the development of his model did the facts of colonization (the word that he uses to describe this Portuguese Empire), either in its structural and/or dynamic dimension, appear before his eyes. The very notion of “empire” as a power structure is not afforded any fresh signification by his model. Boxer (1969) emphasized its maritime and commercial dimension and sought to avoid the cultural and identity-based determinants of a “Colonial Empire,” as imagined by the discourse in consonance with Salazarism. Thereafter, the term was appropriated by historiography and used to project onto the previous early modern period the trans-state realities of contemporary times and colonialism in the nineteenth and twentieth centuries.¹⁶

In a 2016 text discussing the legal categories and political practices in the Portuguese colonial space, Hespanha sought to consider the discursive reality of the idea of the “Empire” itself as a political act, as well as an instrument of action. Based on the fact that the term “empire” was not used officially in Portugal until the nineteenth century, he attempted to reconstruct a diversity of conceptual formulations in the legal field, which could translate the classical imperial imaginary into the “more pragmatic and economic” logics of the Portuguese Empire, based as it was “on the autonomy of its constituent parts, on a modular architecture and on resource-saving strategies” (Hespanha 2016). In this text, Hespanha makes an erudite appreciation of these legal categories and insists, while vindicating a “non-imperialist and non-formalist” approach, on minimizing transformations and maintaining an interpretation of the permanences among the analyzed structures.

In the constructions that he made about these early modern “empires,” we notice the anticipation of a form of sovereignty based on domination. The power structures pervaded

¹⁶ For the uses of the word “empire” in Portugal in the early modern era, and for the recovery of this concept among historians, see the suggestive text by Luís Filipe Silvério Lima (2008). See also the studies by Muldoon (1999) and Marcocci (2012). In 1995, Hespanha published a text about the imperial imaginary in the early modern period (Hespanha 1995b).

the systems for the circulation of goods and the spaces of labor production and control, thereby structuring a domination (an *imperium*, in the sense of authority and the exercise of command) that extended over ethnically heterogeneous populations. For Hespanha, in turn, the confirmation of the validity of the corporate power framework in the ancien régime for the genesis of his model of the Portuguese Colonial Empire meant, once again, reinforcing the homogeneity of these political spaces—which he understood, in turn, to be diverse in terms of their historical and social experiences. He refused time and again to see the political structures in the overseas territories as a “colonial exceptionalism,” and preferred to posit a “reiteration of models and solutions already experienced in the metropolises” (Hespanha and Cardim, 2018:95).

Hespanha understood that the colonial institutions—almost all of them—are genetically part of the “legal traditions or institutions of Europe,” which means in essence that “the history of colonial societies at their deepest cultural levels, such as family, politics, social representations, and religion, was, for a long time, a variation of European history.” As may be noticed, this statement marks a return to a *topos* that was largely found in sociological essays dating from the first decades of the twentieth century, which, in his view, could lead to a misunderstanding. In order to overcome such a paradox, the solution would be to take a cross section of social reality, which he effected by means of an oversimplification (in his words): “I’d like to make it clear that, when I propose the use of categories from the European Ancien Regime to interpret the colonial societies of the early modern period, I am evidently referring to the society of settlers.”

The essay ends with a question:

And since we spoke about colonizers and the colonized, we shall end here with the uncomfortable issue of asking who the colonizers were and who the colonized ones were. Or, better still, considering that the colonizers were the kingdom and the colonized ones were the settlers of European origin and their *mestiço* variations, how then, are the natives to be framed? (Hespanha 2010:75).

It is clear, at this point, that his political model of the Portuguese Colonial Empire led to an *aporia*. After all, what exactly would this “colonial” dimension of the Empire be like? What is the meaning of the colonization process in the construction of social relations? What is the explanation for the stratification of the various societies (in the sense of those societies that were different from that late feudal Portuguese structure)? Is it really possible to solve

the paradox by falling back on the notion of a “society of settlers?” Since Hespanha’s eyes are turned towards these power structures, he seems to have defined a colonial relation as a political pact between courtly and colonial elites. Such a reality would be the product of a certain “negotiation zone,” considered as the *locus* of the diffuse power found in this pre-state period, which—as can be seen—emulated the processes of power within the cadres of the corporate monarchy. Proceeding from this assumption, where then would we place the natives, the indigenous enslaved actors—the “subordinate elements?” What would their position be in such an empire?

The answer to this question is not simple and summarizes a debate that has been held among generations of historians. In the case of Brazilian historiography, we may tread a path that begins with Capistrano de Abreu and extends to more recent works on colonial slavery. Readers will notice the existence of a thread, which (clearly) provides a structure for the idea that this so-called “society of settlers” did not exist as such. In other words, it could be reconsidered as a dominant class, a manorial society, “the landed nobles,” the oligarchy, and so on, depending on one’s theoretical inclinations and standpoint. In his now classic 1976 text, Florestan Fernandes quite correctly pointed to the importance of sorting out the distinct hues of Weberian conceptual devices in order to think about forms of social organization in the colonial world (Fernandes 1976). However, in the colonization process—the characteristic feature of an empire (certainly a polymorphic, inconstant, and polycentric empire)—those who give orders and rise to the positions of power (via either transplanted or renewed institutions, or even via institutions invented overseas) in order to lead the production process and control trade exchanges are, in terms of their political position, the very actors of this history.

The question can thus be rephrased as follows: ultimately, what was the role of violence, domination, and war in this “tropical Ancien Regime?” What was the meaning of labor exploitation, and how were these new social realities constructed with the re-emergence of slavery? Historiography had already accumulated reflections that could help to answer this question. These reflections appear neither in a simplified nor coarse way, nor in a way that somehow deviates from the rules of the art of history. They only appear in the concern with mediating and connecting other dimensions of reality, which do exist beyond a political model, or beyond the study of power structures and institutions. On the other hand, I believe it is fair to accept the criticisms of Marco Antonio Silveira in regard to explanatory models that emphasize the plurality of powers and their business dimension. In a recent study on the role of the *raison d’état* in the construction of the Portuguese Colonial Empire, Silveira

points to “the little emphasis placed on the many types of war and social struggles.” Thus, Hespanha’s Foucauldian approach, with its interest in the microphysics of power and biopolitics, ends up suffering from a “fear of reaching beyond the frontiers with which Thomism, in turn, circumscribed jurisdictional conflicts.” In other words, “if, by deconstructing the Leviathan, Hespanha had also set out to deconstruct the scholastic model itself, he would have stumbled upon forms that have nothing to do with the Hobbesian state of nature, but which are linked, instead, to a culturally defined molecular war” (Silveira 2019:24 ff.).

Largely as a result of the dialogue that I had with António Hespanha in the introduction to a book published a few years ago, I pointed to the need to overcome a historiography that posited an image of politics from within the power apparatus (seeking, above all, to highlight the value of consensus-building processes, or of coopting and nurturing bureaucratic or military elites). Such a reading is obsessed with an alleged “negotiation” between parties who are understood to be different from each other in their condition as subjects or monarch, but who nonetheless conform to each other within the same political system. I believe it is necessary to reconstitute the contributions of social history, to consider the construction of the Empire as a result not only of the violence of conquest, domination, and exploitation, but also of the resistance of populations. Pedro Cardim recently pointed to this shortcoming in the political model proposed by Hespanha for the Empire: “his main lacuna relates, perhaps, to the social history of subordinates, i.e. the mass of the population who, at the end of the day, were the subjects of these control measures” (Salema 2019).

Similarly, I have sought to point out that,

One cannot lose sight of the fact that domination was not exerted, after all, over the subject, who was also the colonizing actor, but, instead, over the indigenous, African and European populations (destitute either of goods or of a social position in stratified societies) submitted to a violent and deleterious system of domination and economic exploitation. The expansion of Europe’s frontiers was experienced in the New World as an effective situation of war against these populations (Puntoni 2014:21).

To recall a book that is perhaps already forgotten by many, we may assume that the basis of each human society is the process of labor. Thus, the factors behind the unity of an

empire are not outlined in a system based on an “apparent chaos,” on a pact-order ensured only by a “society of beneficial economy,” “a multitude of intertwined duties of grace and gratitude” (Hespanha 2009). Hespanha suggested that the political model of this Colonial Empire is polymorphic, thereby limiting his field of interest precisely to power structures and political institutions. He neither offered nor sought to point to a path for grasping what effectively defined this reality as an “empire.” We only read of distinct spaces where power was based on the adjustment of local realities, with the possible exercise of conquest and violence, of alliances or breaks with native populations, or parts of them. His political model still lacks an effective inventory of such polymorphism.

If we look at the East, still following the ideas of Luís Felipe Thomaz, we must understand that the State of India was essentially “a network, that is, a system of communications among various open spaces” characterized by a “geographic discontinuity and the heterogeneity of its institutions,” as well as by “the imprecision of its boundaries, both in geographic and legal terms” (Thomaz 1994:208-10). In America, by contrast, a characteristic feature was the endeavor to establish a centralized political system (the *governo geral*—government-general), by defining an *a priori* territorial jurisdiction (the *Estado do Brasil*—State of Brazil) and, concomitantly, a specific colonization project (demarcated by the *regimento do governador*—governor’s regulations). A vast array of historically constructed solutions emerged, albeit structured by a bundle of interests.

In short, I believe that, in order to define a political model for this colonial empire, we must abandon once and for all the idea that there was a “Portuguese expansion.” The correct path is to recognize Portugal as a participant in a commercial expansion—which was, at the multidimensional dawn of modernity, the driving force behind the expansion of a religious war that fractured Europe and the world, fueled by the frenzy of an imagined unity. This driving force was also responsible for the development of new fiscal, political, social, and cultural structures. Therefore, in order to develop a vision of this empire, we cannot dispense with a reading of the complex commercial and financial system that propelled the construction of this new center of power. The Empire is “colonial”: it must be defined in terms of a conceptualization for fully understanding the links and structures that bound the overseas realities to the political center of the Portuguese monarchy during the centuries of the colonization process.

From the Colonial Empire to the Shadow Empire

In early 2019, Hespanha published a concise version of his political model of the Portuguese Colonial Empire in the last chapter of his book *Uma Monarquia Tradicional* [A Traditional Monarchy] (Hespanha 2019a). This chapter is a cumulative and relatively well-ordered summary of the layers of knowledge sedimented along the path that led to the construction of this model. Based on his constant dialogue with the Brazilian historiographical production, the process that he followed was that of successively confirming the hypotheses outlined in the mid-1990s. Such confirmation, I should like to stress, was a fairly tautological exercise, since the research into the ancien régime in the tropics was directed towards a relatively limited dimension of history. But this is surely a subject for discussion in another article.

As is known, Hespanha did not restrict his work as a historian to the mere confirmation of his political model of the Portuguese Colonial Empire. As I have attempted to show, this was an accessory dimension, albeit a genuinely impactful one, of his historiographical work. Following the years spent completing his PhD, his interests and his work extended into other dimensions of the history of law, constitutionalism, and liberalism. There was much more to be reaped from this field. The empire, in turn, interested him through other dimensions. In 2019, a new book revealed an entirely new field of interest. His work *Os Filhos da Terra* [The Children of the Land] seeks to study “*mestiço* identities within the confines of the Portuguese expansion.” Based on the works of George Winíus, Anthony Disney, and Malyn Newitt, Hespanha directed his attention towards what has been called the “shadow empire”: “the set of communities which, despite lying outside the formal frontiers of the empire, above all in Africa and Asia, were considered to be ‘Portuguese’—whatever this should mean” (Hespanha 2019b: 13).¹⁷

Away from this search for an explanatory model of the power structures, Hespanha became interested in the populations that adhered to a certain Portuguese identity—a “Portuguese tribe,” according to Leonard Andaya (who sought “precisely to trivialize and ‘de-Europeanize’ the identity of these Portuguese-Asian groups, thus devaluing the reference to a constant mythical element (the ‘Portuguese’).” In a rather paradoxical way, this proposal situates “this identifier, in addition to other elements, under the scope of the variable and

¹⁷ On the notion of the “shadow empire,” see George Winíus (1991), Anthony Disney (1995), and Malyn Newitt (2001). This new outlook was introduced to him by the work of Cátia Antunes (2012), which he mentions on page 270.

relational geometries of identity of local societies” (Hespanha 2019b:37).¹⁸ It is important to recall at this point the remarks of Francisco Bethencourt, who warned of the risks of a nationalist perspective encompassing (both then and now) the Portuguese Empire as an extremely centralized reality. In his words, such an outlook—certainly an anachronistic one—would not allow us to “understand the real interaction between colonial settlers, the local population and the regional powers.” On the other hand, the historian does not share an opposite view either, i.e. a view that he describes as “postmodern,” which considers the Empire to be weak and without a head. After all, would not the ideological consequence of this new perspective be equally the strengthening of a nationalist approach, since the only justification for the Empire’s continuity and permanence over three centuries would be the Church, or even a certain “Portuguese *ethos*?” For Bethencourt, the “power nebula” that kept the Portuguese Empire in a permanent albeit unstable balance among its local, regional, and central actors (who were always competing with each other under the tutelage of the Crown), appears as a still unsatisfactory solution for explaining the particularities of the South Atlantic colonial reality (Bethencourt 2007).

This new book by António Hespanha, which deserves a careful reading, brings him somewhat closer to a culturalist view concerning the Portuguese presence overseas, in the territories controlled by their established powers, and, above all, in these “shadow” spaces beyond such formal jurisdictions. As he recognizes, the constructed dimension of the object of study does not revolve around the text, due to the instability of the definition of this same identity. Since he rejects a substantiation of this Portuguese character (as it appears, for instance, in the works of Gilberto Freyre), he looks for a *mestiço* identity among the most eccentric fringes of the Portuguese Colonial Empire, seeking to discover it in every corner and in incoherent situations. All in all, who really are the “Portuguese” living in these spaces beyond the Empire? In a fleeting game of fugues, the lights of the historian disturb these wavering shadows and lead to a simultaneously complex and uncertain mosaic. Hespanha expressed a great enthusiasm with this new book. His intention was to proceed “towards a richer depiction of this evanescent ‘empire’—a task he so unfortunately left unfinished. It is now up to the historians of the present to honor him by echoing and dialoguing with his texts, his ideas, and his memory.

¹⁸ On the idea of the “Portuguese tribe,” see Leonard Andaya (1995) and Stefan Halikowski-Smith (2011).

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Beloved Professor Hespanha

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Abstract

Professor Hespanha as a humanist, teacher, and researcher.

Keywords

Humanist, Teacher, Researcher, Student, Law.

Resumo

O Professor Hespanha enquanto humanista, docente e investigador.

Palavras-Chave

Humanista, Professor, Investigador, Aluna, Direito.

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My first memory of Professor Hespanha dates back to 2002, the year that I entered the Faculty of Law of the Universidade Nova de Lisboa. That morning, I had History of Law as part of my schedule, and I was extremely excited. History had always been one of my favorite subjects. I was eighteen and everything was new. While the place was very lively, everything was also unpredictable and unexpected, ranging from the subjects themselves to the new requirements, including even my fellow students. So, having history as one of my first subjects made me very happy.

When the class started, Professor Hespanha presented himself in an incredibly entertaining and carefree way, which, as I later came to realize, was so characteristic of him, everything being delivered with the lightness and nonchalance that only geniuses can have. As soon as he started talking about the different topics that we would be covering throughout the year, the professor's eyes started to shine, and the deeper he delved into the subject, the more eloquent and enthusiastic he became.

I was fascinated! I had never taken classes with a person who not only conveyed so much passion for the subject he taught, but, at the same time, managed to do so in an absolutely captivating way and with such joy (and constantly interspersed with jokes). I remember talking to my classmates about how energizing and inspiring Professor Hespanha's lesson had been.

The weeks passed, and it became evident that, in addition to being a fantastic teacher, Professor Hespanha was someone that all his students liked to bump into in the corridors of the University. Not only did he always have a friendly word to say, he also always seemed to be genuinely interested in knowing our opinion about the classes. He showed a touching concern about how each of his students was adapting to university life.

During one of these conversations, I confessed to him that I had always dreamed of studying history, and that I had simply not done so because of the limited professional outlets that the subject offered. With his customary air of someone who already knows what is going to happen, he said to me: "Maybe, one day soon, you will understand why you chose to study Law." And off he went to his next class. It was only much later, when reading an article of his in the *Jornal de Letras e Ideias*, that I learned that he too had switched his course of study from history to law, although for other reasons! The weeks passed and, one day, at the end of a class, Professor Hespanha asked me to wait behind, and then he surprised me with an incredible invitation: he invited me to participate in a research project on colonial law.

The professor believed that researchers should not be individualistic but should instead place themselves at the service of the community. He was therefore most enthusiastic

about making valuable sources available to the research community. In order to pursue this goal, over the years, the Professor gathered together a large team composed of students from the School of Law who were enthusiastic about history, and who, under his own guidance and that of his colleague Professor Cristina Nogueira da Silva, were entrusted with the task of digitalizing the main works and pieces of legislation from the various branches of law. This work was pioneering in Portugal, not only because of the collection that it put together and made available to researchers, but, above all, for the way in which it involved students from a Law Faculty in scientific research projects and teams.

And so, a new phase began in our relationship. I came to discover entirely new aspects of the professor's personality, namely that he was a naturally creative person, as well as an excellent and charismatic group leader. With his customary generosity, Professor Hespanha taught us in his classes and in the scope of our research work that, to understand history, we cannot wear our "spectacles of the present." We must distance ourselves from the present and immerse ourselves in the mentality of the past, of the time that we seek to understand, as he used to say (and do).

In each class, or in response to some particularly unusual comment about any custom or practice from the past, Professor Hespanha reminded us that this objective practice was essential. Somehow, thanks to Professor Hespanha, this metaphor of wearing someone else's spectacles, or spectacles from another time, in order to better understand something or someone, has become a motto of my own life. It is one of the tools I use most in my daily life.²

It is, in fact, incredible just how well Professor Hespanha was able to transmit to his students and researchers not only his knowledge about historical facts, but also, in a sometimes more veiled or almost innocent way, to contribute so profoundly to the development of the emotional intelligence of his students. He was one of the most complex, entertaining, knowledgeable, generous, and brilliant people I have ever met, if not the most.

It was unbelievable how Professor Hespanha made us feel "at home." He always had a smile and a hug ready to welcome all his students. These smiles were usually accompanied by an incisive joke, as everyone who ever had the pleasure of meeting him certainly remembers with nostalgia.

I feel fortunate to have had the opportunity, throughout my five-year course, to attend all the classes taught by Professor Hespanha and, on a daily basis, to have worked

² Among his works, I highlight *Cultura jurídica europeia. Síntese de um milénio* (2004); *Guiando a Mão Invisível: Direito, Estado e Lei no Liberalismo Monárquico Português* (2004); and *O caleidoscópio do direito. O direito e a justiça no mundo dos nossos dias* (2007).

with him on his research projects. This collaboration not only had a profound impact on the way I look at history today, but also, and mainly, on the way I relate to others. Thanks to Professor Hespanha and the tools that he so generously provided, I was able to relearn history (with my new “spectacles”) and to acquire new knowledge, since he has fortunately left us with an extensive bibliography full of valuable information.

I believe that the main lesson I learned from Professor Hespanha had to do with my relationship with others. Every day, I seek to follow his teachings (I hope, in a genuine and faithful way), making a continuous effort to eliminate prejudice from my thoughts and ensuring that my approach to situations and people is always empathetic. I am therefore certain that in addition to sharing his knowledge through his countless classes, conferences, books, papers, etc., Professor Hespanha left behind yet another major contribution: the gift that he made to his students and to those who lived with him of an enormous sense of justice and the need to fight for it.

Ulpiano, one of the leading jurists of Ancient Rome, described the law as follows: “*Iuris praecepta sunt haec: honeste vivere, alterum non laedere, suum cuique tribuere*” (“The basic principles of law are: to live honorably, not to harm any other person, to render to each his own”).³ In my opinion, Professor Hespanha’s greatest legacy was to communicate to each of his students this mission of seeking and fighting for justice and liberty. As was his prerogative, Professor Hespanha was right: in fact, I was able to understand my choice to study law.

For these reasons, and so many others, I am so grateful to have had the opportunity to have crossed paths with, and to have been “marked” for life by our dear professor.

³ Ulpiano, Justinian’s Digest 1.1.10.1; Institutiones 1.1.3, edd. *Corpus juris civilis* (2018).

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**Costa-Gomes, Rita (Ed.). *A Portuguese Abbot in Renaissance
Florence: The Letter Collection of Gomes Eanes (1415-1463)*.
Florence: Leo S. Olschki Editore, 2017, 579 pp.
ISBN 978-8822265166.**

Maria de Lurdes Rosa¹

Dom Gomes Eanes (d. 1459), a Portuguese ecclesiastic figure who distinguished himself in many different ways throughout his long career, divided between Portugal and Rome, was someone to whom “everyone wrote.” The recent edition of the surviving part of his collection of letters, which we now briefly present, has the appeal of a fourteenth-century “Wikileaks”: kings, princes, merchants, noblewomen, ecclesiastical colleagues, and many others, all wrote to the powerful abbot with multiple requests—ranging from seeking his advice to lobbying for favorable appointments—making pleas for intercessions, giving orders, or simply requesting news about the distant fatherland. The letters survived (not all of them, but the 550 included in this edition have remained) in the course of a troubled history that the editor has carefully reconstructed, and are now available for the first time in a remarkable new edition, which is much more than a simple transcription of the documents.

The book opens with an archival and historical introduction, which successively addresses the biography of Gomes Eanes, the nature of the edited collection and a set of topics relating to “letters and letter writing”; and it closes with the presentation of the editorial criteria. This section is followed by the edited documents, chronologically ordered and endowed with a “regesta” containing a series of archival and editorial indications (reporting only the complete editions of each letter). The documents are annotated critically and informatively, providing useful details about people, places, and the main circumstances surrounding each of the missives. A first appendix lists the non-epistolary documents present in the collection, containing the same elements of information that were provided for the edited letters; and a second appendix lists the authors/senders of the letters. The book also has a “general index,” containing the names of the people, places, and institutions mentioned, as well as a generous number of thematic entries.

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The simple description given above makes it possible to immediately understand the importance of this book, largely arising from its three main aspects.

Firstly, the availability of the documents, in the rigorous form that has been followed in their presentation, is in itself an important gain, so that any use that is made of them by scholars in the future will inevitably and forever be indebted to the efforts of Rita Costa-Gomes.

Secondly, her work makes it clear that the editing of documents is neither a technical enterprise that can be performed through recourse to the classical operations of historical criticism, nor a largely paleographic form of transcription. Without wishing to show any disregard for the activities that have just been mentioned, the truth is that the technical apparatus with which they have been surrounded since the nineteenth century, and on which their disciplinary legitimacy has been founded, has only too frequently served to camouflage the lack of any in-depth study on the central issue of documentary transmission, the archival history of materials, and, finally, the social construction of information, which begins at the very moment that it is produced, and then undergoes a process of continuous mutation.

Thirdly, the study of this “social construction of information”, analyzed in the introductory section entitled “The Letter Collection”, seems to me one of the most relevant features of the present work, both in terms of the perspective that shapes it and the results that it obtains. The text in question explains the process whereby the letters that Dom Gomes received during his years of service at the Florentine Badia (1420-1441) have been transmitted and transformed since those faraway times until today. The following lines will refer in particular to this part of the book, leaving the exploration of the potential of the documentary material to the academic community. This option has to do with the assessment that we believe should be made of the study of documentary transmission/transformation, and which outweighs even the historical richness of the documents transcribed. By taking these aspects into consideration, this same richness can in fact be analyzed in terms of what we might describe as the “difficult integrality” of historical documents, especially those brought to us from older times (although it would be illusory to think that even the most recent documents are themselves immune to this condition). This integrality is said to be difficult because it requires discovering, describing, explaining, and then taking into account, in the use of “contents,” all the flaws, gaps, cuts, and transformations created by the passage of time. Conservation itself, at the time when information and/or documents are produced, is an act that includes choices; and transmission, over the centuries, creates new forms of documentary reality. In this sense, while the documents are presented here chronologically,

the introductory study contradicts any idea of the “historical naturalness” of this option, and it would be good if the more “naturalistic” medievalists, however committed they may be to the “exploration of documentary wealth,” did not skip these complex pages in order to understand and, above all, to explain to eventual students, the absolute need to read them. The multiple forms of organization to which the documents have been subjected make it extremely difficult to reconstruct the entire set as it would have been put together by the Abbot Dom Gomes during “the period under study.” Nonetheless, they all end up belonging to that group of letters, and they most certainly condition our knowledge of that period.

In this edition, and in order to carry out her task of transcribing and editing the letters, Rita Costa-Gomes chose to focus on making a technical analysis of the vicissitudes of the set of documents, concentrating on the essential details and not embarking on a discussion of the umpteenth variant of each letter, its numbering, and the history of its binding and unbinding. In this way, she adopted a social and cultural approach to the construction and mutation of the “artefact” that is comprised by the “letters of the Abbot Dom Gomes.” Let us, then, take a closer look at the process that the author followed.

From the very beginning, Rita Costa-Gomes forced herself to discuss concepts. In following the definition proposed by one of the greatest specialists in the type of documents in question, Giles Constable, she opted to describe the set of documents as a “letter collection” and not as “correspondence,” due to the fact that, on the one hand, it consists mainly of the letters that were received by the abbot, and, on the other hand, it also contains letters that were written both before and after Dom Gomes’s stay at the Florentine abbey. These facts lead to a further typological fine-tuning, which is of great importance in terms of the options taken. Among the three possible types of “letter collections” defined by Constable—“archival (or casual),” “didactic,” or “literary” (or planned)—Rita Costa-Gomes opts for the first, without hesitation, a move that is at the root of all the research that follows (“If this is a letter collection of an archival nature, then we must understand the characteristics, delimitation and purposes of such an archive” [22]). Once this point has been established, we embark on a long analytical journey that stretches from 1415 to the present day, and in which the author seeks to identify and isolate the different socio-cultural contexts determining the successive mutations to which the set of documents has been subjected over the years.

The first context is, obviously, that of Dom Gomes’s government of the Badia, when he kept and collected the letters that he received and used them for various purposes (pp. 22-23). The author's information about this first period is scant (we will return to this point

later). The second context occurred after Dom Gomes's departure from the abbey, since he did not take the letters with him—a detail that underlines the institutional nature of the documentation and which has, in fact, been largely obscured by the use of terms such as "correspondence" for the genre and "private archive" for the documentary framework (Martin and Ivana Elbl). This second context, which was marked by the criteria of the letters' administrative utility and legal value, would later be followed by a third context in which the transformations to the collection were gradually subordinated to "multiple cultural objectives and practices" (p. 24). Over time, the letters served as both a memorial and a testimony to the continuity of the monastery and were used, above all, to elaborate a narrative of its re-foundation under the active governance of Dom Gomes. This process was, however, far from being linear in nature: "these different functions evolved over time and shaped the making of the collection itself, a process marked by discontinuity and rupture" (p. 24). The third context, already forming part of this great discontinuous line that thereafter continued to characterize the treatment that was given to the collection, began with the (re)foundational moment in the seventeenth century. This context arose from the new practices of historical writing about the Benedictine Order that had already been noted in previous decades. On the one hand, there was a pride in the origins, and the construction of re-foundational narratives, centered on the order's characters, institutions and exemplary moments; on the other hand, there was the requirement for a documentary rigor that led to the creation of archival collections of documents. It was in this "cultural context of the archival renaissance"—the new writing of Benedictine history, linked to St. Maur and a group of Italian abbeys—that the letters acquired "new intertextual meanings" in addition to serving pragmatic purposes (pp. 27-28).

This third context, which spanned almost two centuries, is fundamental to the way in which the documents under study have arrived at the present day. Indeed, it was in the collection's central period—between 1650 and 1754—that the letters were bound in two large factitious codices, which were documented for the first time in the inventory of the abbey's archive, completed in 1754 under the guidance of Pier Luigi Galletti. This operation, about which, unfortunately, very little is known, was followed by further changes over the subsequent centuries. Despite the unknowns, and after taking due precautions, the author tried to reconstruct the criteria that governed the organization of the volumes. From the very outset, the letters were distinguished from one another by the status of their senders (kings, secular lords, etc., in Tome I, currently housed at the Biblioteca Laurenziana; popes and other ecclesiastic figures, in Tome II, currently housed at the Biblioteca Nazionale Centrale di

Firenze). The senders were ordered hierarchically, and, within each category, the letters were then placed in chronological order, although there are several gaps arising from the lack of chronological elements dating for many of them. In fact, this form of organization, which is difficult to date, is only visible in the codex of the Biblioteca Nazionale Centrale di Firenze, which maintains characteristics that are closer to the original documents (pp. 29-30). Despite all the unknowns, it is possible to characterize the final product. Far beyond the convenience that this organization had for the handling of the documents and the benefits that it offered in terms of their conservation, "by putting together these materials, the archivists of the Badia Fiorentina generated an order, and imposed a logic on the textual corpus. Their model, as the surviving titles of the codices clearly attest, was that of the 'epistolarium' or 'book of letters' organized around one single individual." (p. 31). The monks thus produced "a true 'book of letters,'" in which the letters received by Dom Gomes "in the new form of a miscellaneous codex of letters, [...] became a textual continuum in which individual voices could be located and followed, for months and sometimes years, through a succession of missives conveniently ordered by the author" (p. 31).

Ironically, this transformation turned out to be inappropriate when the world began to change, shortly afterwards. The context that we have just mentioned came to an abrupt end, a situation that extended to the whole of Europe, in different ways, but with the same rationale: the extinction of the old regime as a result of the liberal revolutions that took place in the various countries. As is known, this process proved to be particularly complicated in the Italian case, and the consequences were drastic for the centuries-old archives and libraries of the religious orders. It is important to emphasize the complete upheaval suffered by the documents and books stored in them. The logic of archives ceased to be endogenous, organic, and institutional, and was now imposed from the outside in keeping with the principles of the new social and political order, which ranged from the sale of the confiscated property to the creation of national museums, archives, and libraries, places where the old documents were stripped of their natural life and became "historical." In this context, Dom Gomes's documents underwent yet another transformation, being involuntarily enhanced through their contemporary binding in beautiful and carefully prepared codices of a solemn appearance: "By fashioning codices suggesting the prestigious form of an 'epistolarium,' the monk-archivists of the Badia had created by the end of the 1700s a new and valuable artifact that could easily become a commodity at the time of the de-accession of monastic libraries and archives that took place in Italy in the 1800s" (p. 32).

The penultimate episode in the long odyssey followed by these letters began when the monastic libraries were disbanded and their contents scattered in the nineteenth century, finally ending in the historiographic use of the documents until their presentation in this new edition. For circumstantial reasons—which, nonetheless, were commonly experienced by the many libraries and archives of the institutions of the old regime—the codices were separated at the time of their dispersal. The second volume entered the Italian state collections after 1866-1867, while the first volume had already been diverted two decades earlier, as a result of a probable theft or illicit sale, to a private collection in England, where it was divided into two volumes. Repurchased by the Italian state in 1884, it was incorporated into the Biblioteca Laurenziana. Here, in 1968, due to a technical decision aimed both at their conservation and an attempt to return them to their original state, the documents were unbound and have been preserved as such (pp. 32-33). The whole set has long been known to historians, having been the subject of several studies and a partial catalog; all of this contemporary historiography is also outlined in the introduction to the book by Rita Costa-Gomes.

Let us end with some brief suggestions for a closer look at the question of the “content of form,” that beautiful expression of New Philology, a study area that would certainly appreciate the research carried out into this collection. Such suggestions can only constitute a tribute to the excellence of what was done in Rita Costa-Gomes’s text, which has just been summarized.

It is clear that the main conclusions to be drawn from the codicological, paleographic, and custodial history of the letter collection are naturally limited by the extremely troubled history of the grouping together and later division of this set of documents. But it is also certain that the studies already made by E. Borges Nunes, A. D. Sousa Costa, Martin and Ivana Elbl (this one only partial), and Rita Costa-Gomes herself, have resulted in the gathering together of a large amount of information, while also formulating hypotheses that would be fundamental for making an overall comparative analysis. In the labyrinth of their minutiae, these studies appear to suggest that continuing along this path will largely bear fruit when a joint examination is made of the sets of documents that currently exist, and which, furthermore, make use of some highly sophisticated technical means.

We believe that this is a question worth returning to, as it may be useful for the examination of certain aspects that have been less studied until now, such as the way in which

the letters were originally accumulated and managed by Dom Gomes, or the less clear phases of the transformations undergone by the set of documents. In a hopefully not too distant future, the analysis of the actual documents themselves (especially "the margins," also an important consideration for New Philology) could be similarly resumed in a joint project, which would then bring together all the valid studies thereof, and which would take the notes made in the margins into account (something that this edition has, quite legitimately, chosen to exclude [p. 31, note 66]). It should be noted (marginally) that even without the incorporation of this broader scope, it would have been useful to include some images of the manuscripts. It would also have been particularly interesting to systematically survey the old call numbers, and compare them, as well as to establish a table of correspondences between the paginations and call numbers defined as most relevant through an in-depth study and the chronological ordering of the edition.

In terms of a more direct analysis of the "contents of the form," one aspect to be further investigated would be the archival nature of the collection. As has already been noted, Rita Costa-Gomes starts from Giles Constable's definition of "letter collections," considering the one that she has edited to be "archival." There is some confusion regarding the use of concepts such as "collection" and "archive," which seems to derive from the American practice of conserving "archival collections" in libraries. In fact, an abbot's letters would hardly be a "collection"—if we wish to use here the traditional distinction between an archive and a collection (the former is innate, organic, and independent of the accumulator's will, while the latter is deliberate). While this is debatable in certain contexts, it has the merit of preventing us from considering Dom Gomes, albeit somewhat anachronistically, as a "letter collector" (even if an "archival" one). These documents, which do in fact appear to have been kept along with others that are more "purely administrative," were most certainly just part of a larger set, namely the abbey's archive. Hence the fact that they naturally remained at the abbey when Dom Gomes himself left the institution. Perhaps they would be placed next to other collections amassed by the abbey's managers, classified in the best possible way for the subsequent retrieval of their information. The great interest in the letter collection's transformation into a memorial and historical testimony, from the seventeenth century onwards, should not preclude the study of the uses that were made of such documents before this, either by Dom Gomes or by the successive abbots and monks. It would therefore also be interesting to broaden the research undertaken into the organization of monastic archives to include a study of the constitution of documentary "processes" and the creation of instruments for the retrieval of information, which Dom Gomes must surely

have had in order to be able to manage hundreds of letters; or the transformation of archives through the elaboration of “cartularies,” as well as other practices adopted for the organization of monastic archives. For a later period, it would be important to study the transformations that took place in monastic and civil archivistic procedures from the seventeenth century onwards, which are generally less well known than the advances that were made in historical criticism and the editing of sources. Finally, it would be worthwhile to investigate the effects of the archival proposals that were made during the period of the Enlightenment, with its “classificatory mania,” the rapid destruction of previously existing organizations, classified as archaic, and thus the beginning of a process of disqualification of pre-modern knowledge, both of which were happily continued by the new disciplines and practices of conservation and public availability that were pursued in the nineteenth century.

The new “social history of the archive and archival practices” provides several methods and examples for conducting this type of work. The assumption of the “authorial nature” of archivists (Patrick Geary has studied this question for medieval Europe, but it is frequent in other epochs) is now an accepted fact and has given rise to a wide field of studies. Rita Costa-Gomes’s book opens up some attractive clues pointing in this direction and, as far as we are concerned, does not close them, but instead offers us a most stimulating new beginning.

Sá, Isabel dos Guimarães. *O Regresso dos Mortos: Os Doadores da Misericórdia do Porto e a Expansão Oceânica (Séculos XVI-XVIII)*. Lisbon: Imprensa de Ciências Sociais, Universidade de Lisboa, 2018, 331 pp. ISBN 978-972-671-485-9.

Juan O. Mesquida¹

Scholars of confraternity studies are well acquainted with the work of Isabel dos Guimarães Sá, one of the most prolific researchers in recent times on the history of the Portuguese *Casas da Misericórdia*, the lay welfare societies of a pious nature that were ubiquitous in Portuguese territories throughout the period of early modern history. Sá revisits her favorite research field in order to study the multifaceted wealth of knowledge that she extracted from the wills entrusted to the Misericórdia of the city of Porto in northwest Portugal. To a large extent, her work draws upon the long tradition of French historians, such as Michel Vovelle, Georges Duby, Pierre Chaunu, and many others, who combed through testamentary documentation to learn more about the spiritual devotions and material economies of the people they studied.

After delving deep into the rich archives of the Porto Misericórdia, Sá succeeded in producing *O Regresso dos Mortos*, the return to life of the dead, or what I would rephrase as a way of “conversing with the dead.” The title of her book aptly encapsulates what she has managed to do with the testaments. Readers will enjoy the ideal blending of her serious scholarship with descriptions of characters whose humanity and environments she has brought to life in a very familiar manner.

Casas da Misericórdia played a crucial role in Portuguese territories during the modern era. They formed an informal extensive network of male lay societies devoted mostly to pious philanthropic endeavors. Aside from the usual devotional activities, their members engaged

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in the dispensation of alms to various kinds of poor and needy people, and in the running of hospitals or hospices. Practically all the cities and towns in Portugal, as well as in Portuguese America, Africa, or Asia, hosted a Misericórdia.

Another important task that corporations of this type performed was the execution of wills. Due to the stable internal organization of Misericórdias and their informal associations with other Misericórdias elsewhere, many testators entrusted the implementation of their legacies to them. This was especially true of those who died far away from their homes and their families or relatives. To introduce the reader into this specialized world, Sá devotes the first chapter of her book to a detailed explanation of the complex procedures involved in the handling of testamentary wills by the management of the Misericórdias.

In the second chapter, readers are taken on a historical tour of the city of Porto during the sixteenth and seventeenth centuries. The city experienced considerable economic and political development during those years, mostly by becoming an important entry point for Brazilian sugar. Later on, towards the end of the seventeenth century, Porto began to export to England the now world-famous wine that bears its name. As the city grew in importance, so too did its Misericórdia.

Chapter three delves deep into the different forms of gift-giving and the types of conditions stipulated by donors for their pious bequests. It explains the different forms of treatment that were given to donations and testamentary gifts. Sá devotes much of the chapter to a detailed classification of the many different types of testators that were to be found among the 257 wills that she studied. Donors are classified by gender, social status, and, whenever possible, profession. Taken together as a whole, this group of donors paints a vivid picture of the Porto society of that time, many of whose members lived and died abroad. Sá pays special attention to the female donors and the rich insights of gender history that the documents portray. The chapter ends by describing how the Porto Misericórdia

benefited financially from the process of handling gifts and legacies, enabling the institution to upgrade its facilities.

Those donations and bequests that were made through the *Misericórdias* or similar corporations acquired a sacralized character. Whether the donor explicitly said so or not, it was understood that pious gift-giving belonged to the realm of strategies for ensuring a blissful afterlife. Chapter four briefly explains to the reader the mechanisms that connected gift-giving with religious rituals, in order to understand the expression of their sacredness while also describing the more material or earthly consequences of processing the money or providing alms.

Following a short description in chapter five of the sources that Sá consulted in the archives of the Porto *Misericórdia*, the next five chapters occupy two thirds of the book and are devoted to discussing the stories of different donors. It is not difficult to imagine that the documentation she chooses to include was guided by what might yield the most color and texture to the history of Portugal in Europe and the colonies, relating, above all, to the Portuguese scattered around the world and the many aspects of social, economic, and cultural history contained in those manuscripts.

Sá begins with the testaments of Diogo and Pantaleão Ferreira, a son and his father. By reading what the documents do and do not say, she manages to unravel a complex family history. Diogo was an illegitimate son who had done well trading in Spanish America while managing to conceal the condition of his birth. His father was a respectable citizen of Porto who ignored the existence of Diogo and bequeathed most of his inheritance to a legitimate son who had been expelled from the Jesuits for inappropriate behavior.

It took twenty-five books to complete the testamentary will of Lopo de Almeida, a cleric from a prominent aristocratic Portuguese family who spent most of his life in Spain serving the Spanish monarch, Philip II. Despite his clerical status, his inheritance reveals more concern with finances than with religion. The detailed itemization of his clothes,

jewelry, and household goods and furnishings, which included their market value, is a trove of material culture during the sixteenth century. Almeida was one of the largest donors of the Porto Misericórdia, to which he bequeathed most of his goods. The reasons why he chose the Misericórdia are unclear, as nothing linked him to the city, but Sá advances an insightful probability based on Almeida's delicate defense of the Spanish monarchy.

Two very different donors were traders who had made their fortunes in Malacca. Belchior Pais was unmarried and bequeathed most of his goods to the Porto Misericórdia. This allowed the Misericórdia to build its church and facilities. The choice of beneficiary had much to do with the close connections of his family and their trading relations with the management of the Misericórdia. His will affords a wealth of documentation for studying the social history of his own case: an illegitimate son who had lived with his legitimate siblings, and who owned large numbers of slaves. The second testator, Bernardim Ribeiro de Barros, had a stable family life in Malacca. He also took responsibility for supporting an illegitimate daughter of his deceased brother. As was often the case of those intending their legacy to travel across continents, he donated small amounts to all the Misericórdias involved in sending the bequeathed money to their beneficiaries living overseas, in order to guarantee their cooperation.

Using the stories and the high degree of detail contained in the wills from East Asia that are kept at the Porto Misericórdia, Sá has written a collection of vignettes with an almost cinematographic quality. One of the first Portuguese traders with Japan, António de Faria, left twenty-nine slaves in his will, all of whom are individually listed, to be sold in order to pay his debts. Similarly, António Monteiro, a trader based in Macao, had twenty-six slaves. His story is particularly intriguing as he left provisions for the education and marriage of two young girls, whom he did not recognize as his daughters, but for whom he showed great concern. His nephew, Domingos Monteiro, also left a testament with the Misericórdia. For several years in the last quarter of the sixteenth century, he had been the commander-in-chief

of the Japanese fleet from Goa, passing through Malacca and Macau. In addition to illustrating how Portuguese commercial networks operated, his will offers a very vivid case-study of the bureaucracy and transactions involved in the executions of wills requiring the transfer of goods across continents and through various *Misericórdias*. This group of wills contains the only case of a donor who bequeathed income from Portugal to someone in Asia. Unfortunately for the beneficiary, an unexpected heir in Portugal complicated the execution of the inheritance. There is also the case of a priest, André Coutinho, whose religious calling had come late in life, following his activity as a trader for many years, and who had returned to Portugal, although not to Porto but to Vidigueira, where some of his patrons or social relations lived. Last in this group is Manuel Tomé, from Macao, stipulating in his will that financial support be provided for nine women and orphan girls, mostly relatives of his friends. He wished some of his revenue to be invested in maritime loans to support them.

Most of the wills studied in chapter ten come from Portuguese citizens based in Brazil or with relatives there. Sá has managed to disentangle some often complicated routes and legal procedures and disputes in the execution of wills. A large part of this section is devoted to the life of some women. One of them, Isabel Duarte, was married to a member of a family from the wealthy shoemaking class of Porto who had acquired his wealth trading in Angola. But surprisingly, she did not get much from him and made her own wealth by means of moneylending in Porto. Another interesting case is that of the wealthy trader, Filipe Correia, whose inheritance mostly consisted of a series of loans and who entrusted the *Misericórdias* of Salvador de Bahia and Porto with his fortune. He trusted that the confraternities would effectively recover his loans. Much more transpires in the chapter, such as stories of social ascent as well as disputes between the patricians within the Porto *Misericórdia* and those who were excluded, just to name a few.

As Sá concludes in the epilogue, the institutional setup and the social and political influence of the Misericórdias, in Porto and elsewhere, made them highly sought-after executors of testamentary wills. This was especially true for single males who died in the colonies. *O Regresso dos Mortos* has become a requisite reference for scholars studying the history of bequests and all the related legal intricacies related to the tradition of Catholic Europe and Christianized territories in other continents during the early modern era. The work will arouse similar interest among those researching Misericórdias and confraternities in general. Isabel Sá has also written a rich piece of social history in which she has demonstrated her acute skills of analysis and interpretation, acquired through her many years of excellent work. It comes as no surprise that *O Regresso dos Mortos* won the prestigious award of the Academia de Marinha “Fundação Oriente—Embaixador João de Deus Ramos” in 2019, an award that promotes research into the Portuguese maritime presence in Asia.

Díez del Corral Corredoira, Pilar (Ed.). *Politics and the Arts in Lisbon and Rome: The Roman Dream of John V of Portugal*. Oxford: Voltaire Foundation/Liverpool University Press, 2019, 304 pp. ISBN: 978-1789620122.

António Filipe Pimentel¹

With the prestigious seal of the University of Oxford and included in the *Studies in the Enlightenment* series, edited by Pilar Díez del Corral Corredoira—a lecturer at UNED (Universidad Nacional de Educación a Distancia—Departamento de Historia del Arte), and a young but respected researcher into the cultural relations that existed between the Iberian kingdoms and pontifical Rome in the eighteenth century—an important anthology of studies was recently published, devoted to a particularly significant period in Portuguese history: the reign of John V (Dom João V), roughly corresponding to the first half of the same century (1706-1750).

As the introduction makes quite clear, “this book was conceived to highlight the role of John V and his particular obsession with Rome, in an attempt to better understand his cultural policy and the new image of Portugal that emerged during his reign” (Díez 10). In this sense, besides the editor of the series (who is responsible for the chapter dedicated to elucidating the complex history of the *Academia de Portugal* in Rome), the other authors of the texts in the anthology all belong to a group of researchers who were essentially recruited from what can best be described as ‘the new generation of historiographers’ from the areas of political history, art history and musicology.

The members of this group are David Martín Marcos (a lecturer at the same university, but in the area of early modern history), Marília de Azambuja Ribeiro (Assistant Professor of Early Modern History at the Federal University of Pernambuco), Danielle Kuntz (Assistant Professor of History of Music and Literature at Baldwin Wallace University—Berea, Ohio, USA), Cristina Fernandes (a full-time researcher at the Institute of Ethnomusicology at the Faculty of Social and Human Sciences of the Universidade Nova de Lisboa—INET-MD), Fernando Miguel M. Jalôto (with a master’s degree in music and a PhD student in the same department), Giuseppina Raggi (a researcher at CES-Center for Social Studies at the University of Coimbra), and Iris Haist (with a PhD on the Italian Baroque

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sculptor Pietro Bracci and currently the temporary curator of the Graphic Arts Collection at the Art Collections, in Chemnitz, Germany).

All of them started their research careers in the second half of the 1990s. They are also all united by the dynamic nature of their research, and especially by their common interest in the Portuguese political and cultural reality between the seventeenth and eighteenth centuries. As a whole, they reflect a new and important practice of networking, and the exchange of experiences at an international level. This work, defined as “a real cross-disciplinary publication” (as explained in the introduction), “does not pretend to cover all sides of that complex period but merely [to] offer the reader a glimpse of the most recent outcomes of new research,” as well as “to disseminate knowledge about this splendid king and the arts of his period among English speakers” (Díez 10)—and this is certainly not the least of its merits.

Indeed, despite the pioneering interest of American historian Robert C. Smith,² followed by George Kubler,³ the French Yves Bottineau⁴ and Germain Bazin⁵, the important contributions of Aurora Scotti,⁶ Marie-Thérèse Mandroux-France,⁷ and Pier Paolo Quieto,⁸ the impact of important international exhibitions, such as *Roma Lusitana—Lisbona Romana* (Rome, 1990-91)⁹ and *The Age of Baroque in Portugal* (Washington, 1993-1994),¹⁰ (whose catalogs also involved a major scientific collaboration), the notable collection *Giovanni V do Portogallo (1707-1750) e la cultura romana del suo tempo*¹¹ and, after the end of the millennium, the essential book by Angela Delaforce on the royal patronage of John V and the Portuguese elite of that period,¹² it is possible to state that “certain traditional interpretations, remnants of nineteenth and early twentieth-century history, allocate a peripheral role to Portugal, which is, to say the least, a complete misinterpretation of Portugal’s (historical) pre-eminence and

² “João Frederico Ludovice, an eighteenth-century architect in Portugal.” In *Art Bulletin*, Chicago, vol. XVIII (3), 1936; “The Building of Mafra.” In *Apollo*, London, vol. XCVII (134), 1973.

³ Kubler, George and Martin Soria. *Art and Architecture in Spain and Portugal and their American Dominions, 1500 to 1800*. Middlesex, 1959.

⁴ “Le goût de Jean V: art et gouvernement.” In *Bracara Augusta*, Braga, 27:64 (76), 1973.

⁵ *Les palais de la foi, le monde des monastères baroques*, Fribourg, 2 vols., 1980.

⁶ “L’attività di Filippo Juvara a Lisbona alla luce delle più recenti interpretazioni critiche della sua architettura con una appendice sui rapporti Roma-Lisbona.” In *Bracara Augusta*, Braga, 27:63 (75), 1973.

⁷ “La Patriarcale du Roi Jean V de Portugal.” In *Colóquio Artes*, Lisbon, 2^a série (83), 1989; (with Preaud, Maxime), *Catalogues de la collection d’estampes de Jean V, roi de Portugal*, Lisbon and Paris, 3 vol., 2003.

⁸ *D. João V de Portugal. A sua influência na arte italiana do século XVIII*, Lisbon, 1990.

⁹ Roca, Sandra Vasco; Borghini, Gabriele; Ferraris, Paola (a cura di), Rome, 1990.

¹⁰ Lavenson, Jay A. (ed.), Washington DC, 1993, cat.

¹¹ Roca, Sandra Vasco; Borghini, Gabriele (a cura di), Rome, 1995.

¹² *Art and Patronage in Eighteenth-century Portugal*, Cambridge, 2002.

of its magnitude” (Díez 11). And all this in spite of the parallel movement developed by Portuguese historiography (with particular emphasis on the contribution made by the history of art, through the study of the great royal enterprises) following the publication of the pioneering work by Ayres de Carvalho,¹³ and especially since the last decade of the twentieth century,¹⁴ culminating, in recent years, in the monumental exhibition *A Encomenda Prodigiosa. From the Patriarchal Basilica to the Royal Chapel of St. John the Baptist*,¹⁵ in the important collective work *The Chapel of St John the Baptist in the Church of Sao Roque: The Commission, the Building, the Collection* (published in Portuguese, English, and Italian Editions),¹⁶ and in the no less relevant exhibition *From Rome to Lisbon: An Album for the Magnanimous King*.¹⁷

In this context, and given that “for many reasons, this interpretation is still quite dominant in our disciplines” (history, art history, and musicology), the objective of the work can be defined as follows: “to conduct a more balanced assessment of the true value and importance of John V’s Portugal and its role in the artistic milieu of eighteenth-century Europe,” thereby stimulating “new researchers to tackle Portugal’s history, art and music” and, naturally, leading to a reinforcement of the attention paid to the subject “in English-speaking countries” (Díez 11). Stating, without reproach, that “the (Portuguese) royal court was one of the most brilliant and flamboyant in Europe during the reign of John V,” the book seeks to demonstrate this premise, deliberately leaving outside its field of analysis the large royal enterprises (the Palácio da Ribeira, Mafra, the Royal Chapel of St. John the Baptist, the Aqueduto das Águas Livres, or the Patriarchal Basilica, as well as the important role played by the architect Ludovice), as these are already sufficiently analyzed by the historiography of the previous generation. Neither claiming to be “an exhaustive account or a ‘companion’ for the period of John V” (Díez 12), the book instead focuses on areas that are less frequently addressed: thus, it is more innovative and, above all, more illustrative of the possibilities offered by “deeper research into this fascinating period” (Díez 11).

¹³ *A Escultura em Mafra*, Mafra, 1950; *D. João V e a arte do seu tempo*, Lisbon, 2 vols., 1960-1962.

¹⁴ Just to mention the most important ones: Pereira, José Fernandes (ed.), *Dicionário da Arte Barroca em Portugal*, Lisbon, 1989; Rossa, Walter, *Além da Baixa, Índícios de Planeamento Urbano na Lisboa Setecentista* (Master’s Degree dissertation, Faculdade de Ciências Sociais e Humanas da Universidade Nova de Lisboa, 1990); Pimentel, António Filipe, *Arquitetura e Poder: o Real Edifício de Mafra*, Coimbra, 1992 (2nd ed., Lisbon, 2002); Saldanha, Nuno, *João V Magnífico: a Pintura em Portugal no Tempo de D. João V (1706-1750)*, cat., Lisbon, 1994; Pereira, José Fernandes, *Arquitetura e Escultura de Mafra: Retórica da Perfeição*, Lisbon, 1994; Moita, Ana Paula (et al), *Lisboa e o Aqueduto*, Lisbon, 1997, cat.; Vale, Teresa Leonor M., *A Escultura Italiana de Mafra*, Lisbon, 2002.

¹⁵ Pimentel, António Filipe (ed.), Lisbon, 2013, cat.

¹⁶ Vale, Teresa Leonor M. (ed), Lisbon, 2015 (London, 2017).

¹⁷ Vale, Teresa Leonor M. (ed), Lisbon, 2015, cat.

Organized in two parts—*Rome, paradigm and propaganda* and *Lisbon: creative reappropriation*—it brings together in the first part, in addition to the aforementioned contribution by Pilar Díez del Corral on the *Academia de Portugal*, texts by Martín Marcos (on the mechanisms of the construction of the Roman image of the Portuguese monarch), Marília de Azambuja Ribeiro (who deals with the use of the press by the Portuguese Crown, as an instrument of Roman affirmation), and Danielle Kunz (who delves into the allegorical representation of the Portuguese king and court, within the framework of the Roman Arcadian cultural circle and the specific framework of the musical order of Alessandro Scarlatti). The second part of the book, in turn, includes texts by Cristina Fernandes (looking at the relationship between music, ceremony, and architecture from the point of view of adapting the Roman models to the physical space of the Patriarchal Basilica of Lisbon), Fernando Miguel Jalôto (reconstituting the quite exemplary biographical path of the Neapolitan singer, composer, librettist, and poet Antonio Tedeschi between the court of John V and that of Joseph I), Giuseppina Raggi (underlining the active role of Queen Maria Anna of Austria in defining the artistic policy of John V through his protection of the opera as a musical genre and his responsibility in the construction of aulic theaters), and, finally, Iris Haist (who focuses on the monumental order of the Italian statues of Mafra, a process that she reconstructs in detail, proposing new attributions for the authorship of the group of unsigned images).

Conceived like a mirror, the two groups of texts find in Rome their point of union: in the *sui generis* appropriation of the ceremonial and festive model provided by the papal city for the benefit of a Caesarean (regalist) conception of power that would, in turn, serve as a model for the city of Lisbon. The subtitle chosen by Díez del Corral for her own text on the Portuguese Academy—“emulation and strategy in the papal city” (Díez 93)—sums up perfectly the general framework that guides this work, which has its starting point in the introduction entitled “*il viaggio mancato: John V and the origins of his vision of Rome*.” It is in the ambitious (and failed) program of the Portuguese sovereign that the whole of this perspicacious anthology finds both its historical (in the sense of historiographical) anchor and its literary anchor as an effective and seductive narrative.

The king’s plan was most likely conceived even before the end of the War of the Spanish Succession (1701-1714), in which Portugal was to participate from 1703 onwards, precisely in an attempt to strengthen its international role after the long period of oblivion corresponding to its dynastic union with Spain (1580-1640) and the complex cycle that followed the Restoration (1640-1668). Although it was finally thwarted (following the strong

opposition that it encountered both internally and from the European powers, who feared the consequences of such a prolonged absence of the young king, amid the expansionism of the new Spanish dynasty and the historic turbulence of the still fragile monarchy of the Braganza), this plan had, in fact, been meticulously drawn up between the monarch and the small group that surrounded him and enthusiastically supported the project at the court (Díez 3-4).

For two years, the monarch (traveling incognito) and his impressive entourage proposed to visit Flanders, England, the Netherlands, Germany, Italy (from Naples to Rome, without forgetting Venice—where he was to spend his carnival—Florence, and Turin), France, and finally Madrid, from where he would return to Portugal, crossing Andalusia. For that purpose, the illustrious Theatine Manuel Caetano de Sousa wrote a detailed guidebook, in which he developed 210 questions designed to guide the royal traveler in his inquiries about the “moral and natural state” of the powers with which he would come into contact. As stated in Díez del Corral’s contribution to the anthology, “looking at the detail and extent of the plans he laid out for his European tour (*Kavalierstour*), one cannot ignore how that *viaggio mancato* affected his whole life” (Díez 1).

And indeed, it was not, objectively, accidental that the long tour focused on the set of states on which the Portuguese strategic interests were focused: in addition to England (a former ally, with which the controversial Treaty of Methuen was signed in 1703), Flanders, and the Netherlands (to which Portugal was linked by cultural and commercial ties), the group of countries visited also included the German Empire, France, and Spain: the three Catholic powers said to be of the first magnitude, and whose inner circle the monarch was determined to join. And also Italy, from north to south, at the center of which was Pontifical Rome: a shining diplomatic stage that precisely defined the hierarchy of the Catholic powers.

Once the plan had been thwarted, John V concentrated his diplomatic efforts in Rome from 1716 onwards, where, thanks to the impressive financial resources that Brazil’s gold and diamond mines had provided him with, he was able to project an affirmative image of the Portuguese Crown, which would radiate throughout Europe, precisely through the (direct and indirect) channels of diplomacy. Thanks to this publicity operation, Portugal would effectively position itself as a first-rate Catholic power in which, as this book demonstrates, the arts and the panegyric would play an instrumental role.

But it was this same national reality (as a Catholic power) and Portugal’s own dimension as a Christian empire that stimulated the internal use of the aura that would be consecrated in the pontifical treatment of the Most Faithful Majesty. The concession of this

title, in 1748, crowned the work of his reign in a purely Caesarean fashion through an open declaration of enlightened regalism. With the construction of what we would today call a prodigious database (cultural, artistic, festive, and ceremonial), Lisbon thus became an extraordinary and creative reappropriation of Rome (imperial and papal), being simultaneously a paradigm and the main focus of investment in terms of Portuguese advertising. Precisely because the ideological basis of the Portuguese Monarchy itself deterred any literal appropriation, an extension was imposed on a European scale (France, England, Spain, the Netherlands, and, it is now known, also Germany) of this obsessive search for a prodigious source of information that would instruct the city's construction within the framework of a diplomatic network of true choice.

In 1755, five years after the monarch's death, the tragic Lisbon earthquake destroyed many examples of his efforts, turning the work of the modern historian into a task of genuine archaeology. Likewise, a peculiar process of *damnatio memoriae* would soon take place, melding together the readings of historiography throughout the nineteenth and much of the twentieth century—perhaps because, as Russell-Wood said (quoted by Díez del Corral at the end of her introduction), “whatever he undertook, Dom João V did in great style.”¹⁸ And that is yet another obstacle that the historian has to surmount.

But the year should not end without mention of another illustration of the benefits of promoting deeper research into this fascinating period: Angela Delaforce's equally remarkable book, *The Lost Library of the King of Portugal*,¹⁹ a monumental reconstitution of the central core where all the information underpinning the monarch's reformist work would be brought together, forms a notable diptych with this book. Above all, they complement one another in their (clearly achieved) goal of “disseminating knowledge about this splendid king and the arts of his period among English speakers”. And both will surely stimulate new and enriching research about the true value and importance of “John V's Portugal and its role in the artistic milieu of eighteenth-century Europe”.

¹⁸ Russel Wood, Anthony J. R., “Portugal and the world in the age of Dom João V.” *The Age of the baroque in Portugal*, p. 28.

¹⁹ London, 2019.