

## Social Exclusion: Practice and Fear of Exile (*degredo*) in Portuguese History: A case study of Castro Marim Timothy Coates

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*Coutos* or legal havens in medieval and early modern Portugal are a subject that has escaped the attention of many, if not most, historians. Other than Professor Humberto Baquero Moreno who has written extensively on this subject, little else has been developed in the literature. This is not too surprising if one also considers the current state of crime and criminality studies for the early modern period in Portugal. This is still an area ripe for future research.

My interest for *coutos* was a result of my first work, *Convicts and Orphans*, which is a study of the changing relationship between the crown and the ordinary person. Institutions such as the judiciary, the galleys, *misericórdias*, *câmaras* and such are all important and it is critical to understand their roles, but my focus was on people, not institutions. I was especially fascinated by the manner by which the crown solved its never-ending manpower needs of running a global empire. How these people (i.e. orphans, prostitutes, *degredados*, etc.) adapted to their local environments explained a great deal to me in terms of the duration and geographical spread of Portuguese influences around the world. After all, it was through the Portuguese language and the Catholic faith that the Portuguese identified themselves to a large degree. These were some of the ideas that emerged from writing *Convicts and Orphans*.

The early modern Portuguese crown used the legal system as a method of providing emergency manpower wherever needed at that moment, in spite of all the legislation to the contrary. In other words, it is not that there was no system and convicts were just sent away to various colonies, as some have claimed in their writings. Rather, there was a very well defined legal system and series of laws stating exactly where and for how long a person should be sentenced for a given crime. The agents of the state did not follow these either. The crown and its legal system just ignored the detail of the law and shifted sentences to meet pressing imperial needs at the moment. None of this was completely clear until I was able to view what was going on chronologically and geographically and then contrast that with what was supposed to be happening. Once I understood the metropolitan model, the actions of the courts in Goa and in Brazil made sense as well. They were simply imitating the actions of the courts in Lisbon.

Two important sub-components of these larger systems were the use of internal exile and the system of providing manpower to the galleys. Both of these are chapters in *Convicts*. Very little work had been done on either topic. The galleys and their labor shortages were actually not just a Portuguese problem. Any power that maintained galleys faced a scarcity of rowers. Unfortunately, the

Portuguese records are not as complete as the Spanish or the French, but other studies on how these systems worked were very helpful to understand the Portuguese case. Sentences to work in the galleys were some of the harshest handed down by the courts; ten years was a life sentence. Certificates of completion of a ten-year sentence in the galleys are exceeding rare, but they do exist. On the other hand, internal exile was one of the mildest punishments. In Brazil, this would have been exile to the far north (Maranhão) or maybe the extreme south (Sacramento). In India, typically this would have been a sentence to Diu or perhaps somewhere along the Malabar coast. In Portugal over the period from 1450-1850, internal exile came to mean a sentence to Castro Marim. While writing *Convicts and Orphans*, the little town of Castro Marim kept popping up in the records, and I filed it away as another project for the near future.

Since 1995 I had been working in fits and starts on a study of Castro Marim. Right away, I realized that the wealth of Inquisitorial processes on sinners sent to Castro Marim meant one of two things. Either I would have to educate myself about how the Inquisition functioned and start examining their mountain of *processos* or I would need a co-author who had already done it. My friend Geraldo Pieroni had just finished his work on the Inquisition and exiles to colonial Brazil. I knew that he would be the perfect person to co-author this little study with me. He had also come across Castro Marim with great frequency and was curious about the town. He accepted the idea and we began working. Of course, in 1995 we were also both employed full time as professors. This and the difficulty of finding

materials slowed our project quite a bit.

My co-author had the *processos* of the Holy Office to work with and I found very little produced by the state. The 1755 earthquake also damaged Castro Marim and their municipal archives only start after 1760 or so. The Holy Office never visited Castro Marim on one of its visitations, which is more than a little odd. They used Castro Marim as their favoured site of internal exile in Portugal and sent hundreds of sinners there. They traveled all over Portugal and even went several times to Brazil, but they never visited Castro Marim. Why not? The only conclusion that I can reach is they did not want to uncover whatever new sins might have been going on there. My section of the work is organized by questions and answers, answers that came from reading the secondary literature, from the scraps of documentation that I was able to find, and more importantly from logic and common sense. The research was funded by the Gulbenkian Foundation and the Luso-American Foundation. The *câmara* of Castro Marim supported the publication of the results in the form of the book *Castro Marim: da vila do couto à vila do sal*, in 2002. A projected English language edition of the book will be called *Castro Marim: The Town that Sin Created*. While the judicial concept of the *couto* is well defined in the historical literature in Portugal, this little book on Castro Marim does not have any parallels (at least none that I am aware of). Curiously no native Portuguese has undertaken such a project so far.

Internal exile to Castro Marim ended around 1850. After that date, two trends developed: the creation of the modern prison and the continued use of exile to Portuguese Africa. The former is a pretty well-worn

path, especially in the case of France and England. The continuation of *degredo* is much more interesting. I think, since it becomes linked with Portuguese efforts to establish a presence in Angola. Exile to the colonies in Africa for convicts from Portugal was ended in the 1930's by the *Estado Novo* and replaced by an agricultural penal colony in Sintra. Either forced colonization to Portuguese Africa or the penal colony at home would make excellent topics for a future study.

This work has led me to question the social importance of exile or exclusion. *Degredo* is a very old punishment; the first *degredado* that I know of is Moses, banished to the Sinai. This is really a cultural concept as well. I think that *degredo* was both a very humane and practical punishment on the one hand while also being cruel. For most early modern Europeans, such as the Portuguese, the world was their village or town. They were born, lived and died in the same place. Those who left were the exceptions. Being forced to leave your hometown, your family, parish, your friends to make your way as a newcomer elsewhere, where you had no ties, was a very cruel punishment. On the other hand, it cost the state very little (judicial and transportation costs if overseas) and had the double benefit of ridding the society of those who had broken its norms while providing a Portuguese presence in a given site. It was also more humane than the other options: corporal punishment (cutting off an ear for example), time in prison, or sentences to the galleys. Of course, convicts were sometimes given corporal punishments but by the late sixteenth century with the growth of the empire these punishments faded. Time in prison was normally for those awaiting their

sentences, once a sentence was handed down by the court, it was rare for the punishment to be more time in prison. The galleys were another system altogether, mentioned above.

The way that I see Portuguese society, it tends to be inclusive. By that I mean it is more the norm than say in my own society in the United States, for example. This underlines why *degredo* was an effective and feared punishment in the Portuguese World. To a certain extent, it also explains the longevity of *degredo* as a punishment and the effective absence of the death penalty (as administered by the state) in Portugal. *Degredo* had a tremendous impact on Portuguese society for hundreds of years. In *Convicts*, I estimate that around 50,000 Portuguese were relocated by one court or another in the Empire from 1550-1755. If you include the last fifty years of the eighteenth century, these numbers begin to rise rapidly. The overall numbers in the nineteenth century are greater still.

#### Bibliography

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