

# ***Weapons of the Weak* in Portugal during the Early 20th Century: The Example of the Central Alentejo<sup>1</sup>**

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## Abstract

This article explores James C. Scott's concept of weapons of the weak, taking advantage of the possibilities of applying it to the social history of rural Portugal. Using the example of the Central Alentejo region during the early twentieth century, I analyze the characteristics of the most common types of daily resistance practiced by the lower classes in the region (such as stealing acorns and olives or poaching and livestock trespassing), specifically focusing on their social aspects as an act of resistance. To do this, I use newspaper reports and archive material from the district authorities as well as documentation on the cases tried at the Arraiolos District Court during the ten-year period between 1908 and 1918.

## Keywords

Weapons of the Weak, Produce Theft, Poaching, Livestock Trespassing, Alentejo.

## Resumo

No seguinte texto aprofundaremos no estudo do conceito *armas dos fracos* (weapons of the weak) de James C. Scott, para aproveitar as potenciais possibilidades da sua aplicação na história social rural portuguesa. Por meio do exemplo do Alentejo Central nos inícios do século XX, analisaremos as características das práticas de resistência quotidiana mais comuns executadas pelas classes populares da região (furto de bolotas e azeitonas, caça furtiva e invasão de gados), e especificamente mostraremos o seu caráter social e de resistência. Para isso, utilizaremos documentação jornalística e arquivística da administração distrital, assim como as causas judiciais do Tribunal de Comarca de Arraiolos durante a década de 1908 até 1918.

## Palavras-chave

Armas dos fracos, Furto de frutos, Caça furtiva, Invasão de gados, Alentejo.

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## 1. Introduction

In 1985, James C. Scott published *Weapons of the Weak. Everyday Forms of Peasant Resistance*. With this book, the American anthropologist and political scientist sought to draw attention to the excessive emphasis that social scientists had given to the large but exceptional collective peasant movements, in detriment to “*everyday* forms of peasant resistance” (hereinafter EFPR), which, according to Scott (1985: 29), shaped “the prosaic but constant struggle between the peasantry and those who seek to extract labor, food, taxes, rents, and interest from them.” These ‘weapons of the weak’ did not simply replace but also complemented these collective movements. A good example of this was the “silent, embittered, vengeful campaign of poaching, burning and rural terror [...] which erupted into epidemics of incendiarism and cattle-maiming” that followed the agricultural “Captain Swing” riots in England (Hobsbawm and Rudé, 1975: 17).

According to Scott (1985: 290), class struggle is present in “*any* act(s) by member(s) of a subordinate class that is or are *intended* either to mitigate or deny claims (for example, rents, taxes, prestige) made on that class by superordinate classes (for example, landlords, large farmers, the state) or to advance its own claims (for example, work, land, charity, respect) vis-à-vis those superordinate classes.” The difference between EFPR and other types of resistance is that the first are based on “foot dragging, dissimulation, false compliance, pilfering, feigned ignorance, slander, arson, sabotage, and so forth” and have very specific features: “they require little or no coordination or planning; they often represent a form of individual self-help; and they typically avoid any direct symbolic confrontation with authority or with elite norms” (Scott, 1985: 29). This strategy of resistance is not altruistic or even selfless in nature, but instead, very much to the contrary, “is, first and foremost, a struggle over the appropriation of work, production, property, and taxes. ‘Bread-and-butter’ issues are the essence of lower-class politics and resistance” (Scott, 1985: 296). In fact, it is not easy to ascertain whether the people who carried out these actions were mainly motivated by economic aspects (the appropriation of resources) or social aspects (resistance), so that “even if we were *able* to ask the actors in question, and even if they could reply candidly, it is not at all clear that they would be able to make a clear determination” (Scott, 1985: 291). In other words: “there is not ‘nice’ social crime here and ‘nasty’ anti-social crime there. Crime –in the sense of being on the wrong side of the law– was, for vast numbers of undifferentiated working people, normal” (Thompson, 1972: 10). Faced with these problems, researchers working on this topic have preferred to disregard

the work of categorizing social crime and instead focus on demonstrating, insofar as possible, the social nature of the crime.

The concept proposed by James C. Scott has made it possible to open countless suggestive research avenues into peasant protest and resistance, with significant echoes in numerous historiographic spheres, such as Brazil or Spain,<sup>3</sup> to the point that the term the “Scott effect” has been used in the latter country (Casanova, 2000). Although Portuguese historiography has important links with these countries, the “Scott effect” has not met with such success in Portugal (Palacios Cerezales, Ferreira and Neves, 2013: 16). Indeed, Scott’s work and theoretical proposals have been known about by Portuguese academics since the start of the twenty-first century (Godinho, 2004), appearing in the pages of a number of anthropological research works that sought to analyze resistance to the *Estado Novo* in a series of rural Portuguese communities (Alpiarça, Couço, Aivados, Aljustrel) (Fonseca, Freire and Godinho, 1998; Godinho, 2001; Freire, 2006; Fonseca, 2006 and 2007). At a later stage, other anthropological studies have dealt with the ‘weapons of the weak’ in analyzing certain types of social resistance that were carried out during the time of the *Estado Novo*, such as cross-frontier smuggling (Fonseca and Freire, 2009; Simões, 2009 and 2014; Godinho, 2011; Rovisco, 2013). Despite the importance (and success) of this research from the field of anthropology in understanding the strategies of social resistance adopted by rural Portuguese society during the *Estado Novo*, Portuguese social historians have not used the concepts of James C. Scott to carry out research that analyzes Portuguese rural conflict in other periods from this renewed perspective.

A good example of this is the case of the Alentejo region in the early years of the twentieth century. Despite the existence of a number of now classic studies (Cutileiro, 1977; Pereira, 1980) that show how the rural population in the region generally carried out crimes that could be considered ‘weapons of the weak,’ the specialized literature on rural conflict in the Alentejo in the early twentieth century has been limited to a group of equally classic research works that focus on analyzing trade union movements and agricultural strikes by rural workers in the region between 1910 and 1913 (Ventura, 1976; Pereira, 1983a; Pereira 1983b).

In this article, I seek to use the work of Scott, and in particular the concept of EFPR, to analyze the social conflict that took place in rural communities in the Alentejo in the early twentieth century from a new perspective, one which complements the studies

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<sup>3</sup> See, for example, the studies dedicated to James C. Scott in *Raízes* (Menezes and Gestermeier, 2013) and *Historia Social* (Cabana Iglesia and Cabo Villaverde, 2013).

referred to above. To do so, I use the geographic framework of the sub-region of the Central Alentejo (which for practical purposes corresponds to the district of Évora), as this is the area where the largest number of the most significant social conflicts involving rural workers from the Alentejo took place during this period (Pereira, 1983a; Pereira 1983b; Redondo Cardeñoso, 2018). In turn, I will use the decade from 1908 to 1918 as the chronological framework, since this is a period that was marked by considerable political and social unrest in the region in question. Studying the Central Alentejo between 1908 and 1918 reveals that, despite the rise of ‘modern’ expressions of collective protest (such as strikes or meetings), the working people in the rural parts of the Alentejo in the early twentieth century generally continued to make use of traditional rural practices of individual, anonymous resistance. More generally, this research will show that EFPR were not only used to organize resistance by rural Portuguese communities during periods that were especially hostile towards social movements (as revealed by research into the *Estado Novo*), but that, instead, they were also commonplace during the cycles of expansion of collective action (such as the early years of the First Republic).

In this study, I use newspaper articles and archive documentation. The articles were consulted in *Notícias d'Évora*, the main newspaper in the region at that time, although I also utilize other contemporary newspapers from the Alentejo (*A Voz Pública*, *Democracia do Sul*, *A Folha do Sul*, *O Bejense*, *A Folha de Beja*, etc.).

The archive documentation is taken from two sources in the Évora District Archive: the records of the Civil Government of Évora, where I examined the correspondence issued by the district authorities; and the records of the District Court of Arraiolos, a municipality in the Évora district. This enabled me to carry out our research at a more local level by analyzing complaints and lawsuits referring to different practices that can be considered as EFPR.

## **2. Social Conflict in the Central Alentejo in the Early Years of the Twentieth Century**

Portugal experienced a number of important changes during the early years of the twentieth century, resulting from the appearance and spread throughout the country of new political ideologies (Republicanism) and social ideologies (the workers’ movement). In the Alentejo, Republicanism was warmly welcomed, as seen by the election of Brito Camacho as the deputy for the district of Beja in 1908 and 1910, and the workers’ movement began to spread among specific groups of workers in the region, especially the

miners in the district of Beja (Guimarães, 2001: 233-238) and the *corticeiros* (cork workers) in the districts of Évora (Redondo Cardeñoso, 2018: 28-29) and Portalegre (Ventura, 2012), all of whom engaged in class struggles that called into question secular labor relations in the Alentejo.

With the arrival of the First Republic, the workers' movement spread to rural workers who represented the vast majority of the working class in the region. As previously mentioned, these workers were behind a number of extremely important social conflicts (the agricultural strikes of 1911 and 1912) and a significant associative movement, which, by 1913, comprised more than 120 trade unions, representing some 25,000 workers. The epicenter of this trade union movement was the district of Évora (Ventura, 1976; Pereira, 1983a; Pereira 1983b; Redondo Cardeñoso, 2018). Subsequently, from 1914 onwards, other types of social conflicts occurred (strikes, meetings, demonstrations, and uprisings), brought about as a result of price increases and problems with the supply of basic products in Portugal following the outbreak of the Great War (Redondo Cardeñoso, 2017).

Nevertheless, social conflict among the working classes in the rural regions of Portugal was not only limited to trade union actions but was also channeled through other expressions of resistance that had been in use for decades. The clearest examples of this 'traditional' conflict were the concentrations or demonstrations of unemployed workers, which occurred in the Alentejo during periods marked by employment crises (Cutileiro, 1977: 95; Pereira, 1983b: 28; Palacios Cerezales, 2011: 108-109 and 182). Portuguese rural workers also used other types of individual strategies of resistance to defend their interests against the elites. A good example of this can be seen in the "permanent, lukewarm strike" by the workers of the Alentejo, who produced less than they were capable of producing in order to prolong their periods of employment and to increase the number of jobs (Cutileiro, 1977: 81-82). Other forms of individual resistance were small-scale rural crimes, committed with "the characteristics of a latent form of social revolt" (Pereira, 1980, 135). According to Scott, many of these rural crimes could be considered as EFPR.

All of these traditional strategies of individual resistance, such as rural crimes, continued to be in widespread use in the Portuguese countryside throughout much of the twentieth century, despite the spread of the workers' movement and its forms of organization (through trade unions) and protests (through strikes and meetings). A good example of this is the introduction of the Decree of May 3, 1911, which created the *Guarda Nacional Republicana* (Republican National Guard, or GNR):

For a long time, villages have complained about the lack of a rural police force that guarantees free movement along roads and paths, and protects their properties from frequent assaults by vagrants and wrongdoers, who steal their produce and damage the crops.<sup>4</sup>

Without doubt, the Alentejo was one of the main areas of the country where these types of crimes took place in the early years of the twentieth century, since the first rural companies of the GNR were created in districts in the region (Portalegre, Évora, and Beja), soon receiving praise from the deputies associated with the southern landowners for their efforts in quelling crime in rural areas (Palacios Cerezales, 2011: 221-222). After consulting the documentation, I noted that a wide range of rural crimes were committed throughout the Central Alentejo, and three types in particular: stealing crops, specifically acorns and olives; poaching; and livestock trespassing.

### 3. Theft of Acorns and Olives

One of the most widespread expressions of EFPR in rural society was the theft of crops and, for this reason, this particular crime has received the most attention in the literature. There are several references that show that this practice was common in Portugal. For example, in a study about the Coimbra region during the nineteenth century, Irene Vaquinhas (1995: 123) refers to the ancestral practices of collective land use (“cutting scrub or gathering firewood in the woods and forests of others”) that, following the implantations of the liberal property rights, were prosecuted as theft or robbery. In the case of the Alentejo, Pereira (1980: 147-150) refers to the fact that such thefts of agricultural produce frequently took place in the latter part of the nineteenth century. Furthermore, in the neighboring Spanish province of Badajoz more than half of the thefts recorded in the late nineteenth and early twentieth centuries were of agricultural produce, mainly olives and acorns (Baumeister, 1996: 199-209). The same study also revealed that 90% of thefts of this kind were carried out by rural workers, namely those belonging to the lowest echelons of rural society. Such a result is a good indication of the social nature of such offences.

Unfortunately, the documentation from the Arraiolos District Court makes no reference whatsoever to any court proceedings relating to the theft of agricultural produce, although this does not mean that thefts of this kind did not occur. For example, in January

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<sup>4</sup> *Diário do Governo (DG)*, nº 103, 4/V/1911, p. 1813.

1909, a landowner from Vimieiro, a parish in the local municipality, complained to the Civil Governor about “having suffered immense thefts of acorns.”<sup>5</sup> Nor does it mean that the Arraiolos District Court did not prosecute cases of theft, as there were several lawsuits involving the theft of firewood.<sup>6</sup> The Court simply did not prosecute cases involving the theft of agricultural produce.

As indicated by Pereira (1980: 147), stealing, and especially the small-scale theft of agricultural produce, is one of the aspects of criminal activity in the Alentejo region that is most frequently overlooked by statistics, as very few of these offences actually came to court. This situation was revealed by the farmers who attended the First Agricultural Congress in 1888: “the theft of produce, firewood, and brush is quite frequent, and it takes place in conditions that make it very difficult to prove anything with regard to the person or persons who committed the offence.” I also discovered complaints about the laxity of justice, such as those presented to the Civil Government by the main landowners of Portel in 1909, indicating that the local judge “does not pass judgement on breaches of the municipal ordinances,” meaning that there were “proceedings which had been in abeyance for 3 years, causing serious losses to the inhabitants of the local municipality.”<sup>7</sup>

Here, it is important to note that the 1886 Penal Code, which was in force during the years of our study, did not impose any penalties for thefts of less than 500 réis if the affected party did not present a complaint, while in the specific case of those committed “on the lands of others in order to collect produce and eat it in the same place,” the penalty was limited to a reprimand (*Código Penal Português*, 1919: 125, art. 430).

Faced with the difficulties of arresting the perpetrators of these thefts and the levity of the penalties imposed, it was logical that the efforts of landowners and the authorities were more focused on dissuading delinquency rather than on prosecuting thefts that had already been carried out. Furthermore, as indicated by Pereira (1980: 152), many of these offences, which were “associated with the rural working population’s need for survival,” were accepted to some extent by the local landowners and the gentry of the Alentejo, since this served as a type of supplement to their wages mainly during the winter months when

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<sup>5</sup> Arquivo Distrital de Évora (ADE), *Governo Civil de Évora*, Correspondência expedida, Copiadores/3<sup>a</sup> Repartição, cx. 14, liv. 12, Ofício n° 31, 23/I/1909.

<sup>6</sup> These cases included several women in Monte Barroça accused of theft by Jose Mariano Rodrigues. They were said to “have entered several times onto his property, known as Barroça, stealing firewood from him.” ADE, *Tribunal de Comarca de Arraiolos*, Processos criminais, Mç. 686, n.ºs 2396, 2427, and 2429.

<sup>7</sup> ADE, *Governo Civil de Évora*, Correspondência expedida, Copiadores/1<sup>a</sup> Repartição, cx. 23, liv. 14, Minuta n° 193, 17/VI/1909 and Minuta n° 329, 25/XI/1909.

the Alentejo suffered from significant employment crises caused by the halting of agricultural work.

However, despite the absence of references to the theft of agricultural produce in the legal documentation studied, these types of offences were common in the region, as is suggested in another type of documentation.

For example, in November 1910, the Ministry of Internal Affairs sent a letter to the different Civil Governors throughout the country, asking for their opinions about the future creation of the GNR. In his reply, Estevão Augusto de Cunha Pimentel, at that time the maximum authority in the district of Évora, wrote:

There are times when due to a lack of work in the countryside, wages are low, and for this reason the majority of the people from the countryside prefer to steal hanging fruit, as, in this way, having persons who will buy the stolen fruit for a small amount, they obtain a higher income than the salary for their work.<sup>8</sup>

Similarly, the local press contains a series of complaints and reports about the numerous thefts of agricultural produce, such as oranges<sup>9</sup> or grapes,<sup>10</sup> but, above all, of olives and acorns, just as in Badajoz.

For example, at the end of November, 1916, the theft of 8 *arrobas* (approximately 11 kilos) of olives from the estate of Parreira was reported in the local municipality of Évora. Over the following weeks, other thefts of olives were reported in different parts of the same local municipality: 7 *arrobas* from Montinho da Piedade, 20 from the estate of Ponte Quebrada, and another 3 from the estate of São Vicente.<sup>11</sup>

Complaints about the theft of acorns were even more common. In December, 1907 and 1908, the press called for police to be sent to the *montados* (cork and holm-oak stands) in the region to control the thefts of acorns.<sup>12</sup> In fact, requests for the authorities to stop these types of thefts were repeatedly presented to the regional authorities by landowners from several municipalities in the district of Évora, such as Redondo<sup>13</sup> or

<sup>8</sup> *Ibid.*, Copiadores/3ª Repartição, cx. 14-A, liv. 14, Ofício nº 272, 11/X/1910.

<sup>9</sup> *Notícias d'Évora (NE)*, 16/I/1917, p. 1.

<sup>10</sup> *Ibid.*, 8/IX/1918, p. 1.

<sup>11</sup> *NE*, 29/XI/1916, p. 1; 8/XII/1916, p. 2; 13/XII/1916, p. 2; 19/XII/1916, p. 2.

<sup>12</sup> *Ibid.*, 22/XII/1908, p. 2 y 25/XII/1908, p. 2.

<sup>13</sup> ADE, *Governo Civil de Évora*, Correspondência expedida, Copiadores/3ª Repartição, cx. 14-A, liv. 16, Ofício nº 10, 12/I/1914.

Móra.<sup>14</sup> In particular, a large number of requests were presented to the Civil Government from Portel. In November, 1908, a police unit was sent to the district “in order to suppress the thefts of acorns,”<sup>15</sup> having already been in action in Reguengos and Mourão.<sup>16</sup> Two years later, in December, 1910, the administrator of Portel sent a letter to the Civil Government indicating that “it is absolutely necessary for a military force to be there in order to prevent any type of conflict between the guards of the properties and the acorn thieves.”<sup>17</sup> In November, 1916, a number of landowners from Portel once again requested two units to be sent to protect their *montados*, because “the theft of acorns has reached major proportions.”<sup>18</sup> The large number of complaints from farmers and orders from the authorities is a clear sign that the theft of acorns and olives was a major headache for the landowners and authorities in the Central Alentejo region.

Faced with the impossibility of identifying the social origin of the individuals who carried out these thefts, as any information about them in the court documentation is lacking, the only option is to identify the social nature of these offences using other indirect evidence. The most important of these is the fact that all of the references found in relation to the theft of olives and acorns date from the months of November, December, January, and February —the winter months— when cyclical employment crises affected the Alentejo due to the halting of agricultural work. It is reasonable to suppose that the thefts of olives and acorns were intended to bolster the impoverished family economy of the most underprivileged social classes during the hardest months of the year. On many occasions, these thefts were used to make food for self-consumption, as acorns were traditionally eaten by the poorest sectors of society in the Alentejo (Fonseca, 2004: pp. 73-77). In other cases, the produce was sold on a small scale in order to obtain a little money to bolster the domestic economy. For example, the Civil Governor informed the mayor of Estremoz that many of the acorns stolen from the parish of Vimieiro —referred to at the start of this section— “are normally sold at the weekly market in this town [in Estremoz].”<sup>19</sup>

As indicated by the correspondent from Santo Aleixo<sup>20</sup>, in the newspaper *O Bejense*:

<sup>14</sup> *Ibid.*, cx. 14-A, liv. 17, Ofício nº 462, 30/XII/1914.

<sup>15</sup> *Ibid.*, cx. 14, liv. 12, Ofício nº 300, 24/XI/1908.

<sup>16</sup> *Ibid.*, cx. 14, liv. 12, Ofício nº 299, 21/XI/1908.

<sup>17</sup> *Ibid.*, cx. 14-A, liv. 14, Ofício nº 341, 5/XII/1910.

<sup>18</sup> *Ibid.*, cx. 15, liv. 19, Ofício nº 585, 28/XI/1916.

<sup>19</sup> *Ibid.*, cx. 14, liv. 12, Ofício nº 32, 23/I/1909.

<sup>20</sup> A parish of Monforte, a municipality in the Portalegre district, bordering on Estremoz, a municipality in the Évora district.

The business of stealing acorns at this time of year was normally carried out here by extremely poor creatures, who were often driven to carry out this deplorable activity due to hunger, but, even so, they did this as discreetly as possible. Today, and for the last half dozen or so years, this has changed, and they steal as blatantly as possible; and it is noteworthy that perhaps the poor are those who steal the least, and that it is the decent and well-off citizens who benefit the most from these actions.<sup>21</sup>

In short, the poorer rural classes in the Alentejo commonly committed minor thefts of olives and acorns. By doing so, they obtained additional food and income to supplement their impoverished family income, especially during the winter, when there was little agricultural work available. However, apart from obtaining this extra income, by carrying out these thefts, the lower classes in the Alentejo also demonstrated their resistance to any further decline in their living conditions.

#### 4. Poaching

As previously mentioned, several authors (Scott 1985: 291; Hobsbawm and Rudé, 1975: 17) have pointed towards poaching as one of the main manifestations of rural resistance. Special mention should be made here of the study by E. P. Thompson (1977) of poachers and the passing of the Black Act in 1723, which not only punished those who hunted or stole animals but also those who were merely found carrying weapons in the woods.

However, Portuguese historiography has paid little attention to this problem. We have only the studies of Mário do Carmo (2000 and 2005), who makes a number of references to poaching in his historical analyses of hunting in the Lower Alentejo region during the twentieth century. Despite this, there are references that show that hunting and the abuses associated with it were a common problem in the Portuguese countryside, particularly so in the Alentejo region, during medieval and modern times (do Carmo, 2000: 21-29; Fonseca, 2004: 112-114). For this reason, it comes as no surprise that there is abundant legislation in Portugal aimed at controlling poaching.

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<sup>21</sup> *O Bejense*, 7/XI/1918, p. 2.

At the end of the nineteenth century, the control of poaching was in the hands of the municipal authorities, through their bylaws (*Códigos de Posturas Municipales*), such as the *Código de Posturas da Camara Municipal do Concelho d'Arrayollos* (1892), which dedicated a whole section to hunting under the title of “Rural Police.” The State did not start to take control over legislation regarding poaching until the early twentieth century. The first step was the creation of the Forest Regime through the decrees passed in 1901, 1903, and 1905,<sup>22</sup> which established private hunting reserves in the territories subject to this regime. During the times of the First Republic, in 1911, the GNR took over the responsibility of controlling the “practice of hunting and fishing;”<sup>23</sup> and two years later, in 1913, the first hunting law was passed.<sup>24</sup> All of this legislative process was marked by two main courses of action; increasing the area of private hunting reserves and cutting back on the amount of public land, thereby affecting the poorest hunters (do Carmo, 2000: 51).

There are references to poaching in the documentation from the Arraiolos District Court, specifically from 44 lawsuits, all dating from between 1910 and 1917. The majority of these lawsuits involved complaints brought against men who acted individually, although there are also some that refer to hunting carried out on a collective scale. The forest guard of the Matta estate, a property that was subject to the Forest Regime, reported twelve individuals who were found on the property on October 15, 1910, “all armed with shotguns, and who were hunting.”<sup>25</sup> These included the brothers Joaquim António and Francisco António Tirapicos, both of whom were rural workers, resident in Sabugueiro. They were also reported for poaching on the Matta estate on different occasions during the months of October, November, and December, 1913.<sup>26</sup> Another example of a poacher who was a repeat offender is Leonardo Clemente, also a rural worker resident in Arraiolos, who was reported in September 1914, 1916, and 1917 for hunting in different parts of the district.<sup>27</sup>

The fact that the Tirapicos brothers and Leonardo Clemente were rural workers is highly illustrative. Furthermore, the majority of those who were reported to the Arraiolos District Court for poaching were also rural workers, which provides us with a clear idea of the social nature of much of the poaching that took place in the Alentejo region in the early twentieth century. In this case, do Carmo (2000: 153) differentiated between those who

<sup>22</sup> DG, n.º 296, 31/XII/1901; n.º 294, 30/XII/1903; and n.º 161, 21/VII/1905.

<sup>23</sup> *Ibid.*, n.º 103, 4/V/1911, p. 1813.

<sup>24</sup> *Ibid.*, n.º 158, 9/VII/1913, pp. 2542-2543.

<sup>25</sup> ADE, *Tribunal de Comarca de Arraiolos*, Processos criminaes, Mç. 67, n.º 2327.

<sup>26</sup> *Ibid.*, Mç. 67, n.º 2359 and Mç. 68, n.ºs 2373 and 2386.

<sup>27</sup> *Ibid.*, Mç. 68, n.º 2375 and Mç. 69, n.ºs 2451 and 2477.

poached for food and those who did so without being driven by this need. As previously mentioned, many of the practices that could be considered as EFPR were not solely in the hands of the poorest classes. For example, on one of the occasions when Leonardo Clemente was arrested, he was in the company of António Ruço, a lawyer by trade.<sup>28</sup> This same individual was arrested on five other occasions for poaching in the forest of Mata de Val de Flores, on different days in the autumns of 1914, 1915, and 1916<sup>29</sup>.

In the few cases where it is possible to read the statements of detainees and/or witnesses in the documentation from the Arraiolos District Court, it is clear to see how they attempted to defend themselves by feigning ignorance, a typical strategy of EFPR. For example, the twelve people detained for hunting on the estate of Herdade da Matta in October 1910 alleged:

... that they were intending to leave (the estate), that they had been seeking the owner of the estate in order to ask his permission to hunt, but they were told that he was not there, and, as they had heard that people hunted on other properties, they therefore decided that they were free to hunt anywhere, and had entered, but, on seeing that it was not the case there, they were leaving.<sup>30</sup>

The landowners affected by poaching complained to the judges of the excuses they made, which frequently led to the poachers being absolved: "... lying, they state that they went to drink water, and others, lying in the same way, say that they entered the property to find an animal they had shot and injured, and which had fallen inside."<sup>31</sup>

An analysis of the press articles and institutional documentation shows that poaching, and especially the failure to respect hunting seasons, was a problem that affected several municipalities in the district of Évora. For example, in August 1916, the newspaper *Notícias d'Évora* published a series of complaints about the large number of individuals who caught partridges out of season in the fields of the municipality.<sup>32</sup> We also found similar complaints for Montemor-o-Novo<sup>33</sup>. These types of complaints were even presented to the national government; in 1910 and 1913, circulars were sent to the Civil Government of

<sup>28</sup> *Ibid.*, Mç. 69, n.º 2451.

<sup>29</sup> *Ibid.*, Mç. 68, n.ºs 2390 and 2416 and Mç. 69, n.ºs 2451, 2462 and 2472.

<sup>30</sup> *Ibid.*, Mç. 67, n.º 2327.

<sup>31</sup> *Ibid.*, Mç. 69, n.º 2477.

<sup>32</sup> NE, 11/VIII/1916, p. 2; 20/VIII/1916, p. 1; and 23/VIII/1916, p. 2.

<sup>33</sup> *Democracia do Sul*, 3/VIII/1912, p. 2; *A Folha do Sul*, 27/VIII/1913, p. 2.

Évora in order to establish the necessary measures to ensure proper compliance with hunting legislation.<sup>34</sup>

In this type of documentation, we can also find information about the social nature of poaching. The weekly newspaper from Évora, *A Voz Pública*, recognized that hunting “is not only a recreational activity for the rich and prosperous, but also a resource for the poor,” adding that “when there is a lack of work, hunting is often the only source of sustenance for poor workers, who find in it some relief for their misery.”<sup>35</sup> Also, as in the case of the theft of acorns and olives, poaching was not undertaken solely for self-consumption but also led to a small-scale economic activity that produced a certain income. For example, in December 1908, *Notícias d’Évora* denounced the sale of partridges that had been caught with traps.<sup>36</sup> The following year, the Civil Government informed the Évora police that it was common to see “on sale in this city’s market and streets, sauces made from birds, as well as others in cages, which do not display the slightest appearance of having been shot, and it is clear to see that they were caught with nets, traps, and the like.”<sup>37</sup>

Like the small-scale theft of agricultural produce, poaching served to supplement the income of the most underprivileged classes, which meant that, on some occasions, the authorities were lenient towards poachers. There are several examples of this: in December 1913, the Civil Governor called on the mayor of the municipality of Borba not to release individuals arrested by the GNR, as had been done with a hunter from whom the guard “had seized six traps when they were hunting.”<sup>38</sup> Also, a lawyer representing the owner of the estate of Monte da Oleirita, in Arraiolos, complained that, “more than once, the most excellent judge of this municipality has absolved an offender of the regulations of the forestry police, even when the said wrongdoing was absolutely proven.”<sup>39</sup>

Just as we saw with the theft of acorns and olives, poaching in the Alentejo region was not only an extremely widespread activity, which seriously concerned the authorities and landowners, but it also had a clearly defined social nature. It was generally carried out by the lowest classes in the region, especially rural workers, as we saw in the example of Arraiolos. By hunting, poor rural inhabitants were not only able to supplement their impoverished

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<sup>34</sup> ADE, *Governo Civil de Évora*, Correspondência expedida, Copiadores/3ª Repartição, cx. 14, liv. 1, Circular n.º 16, 3/V/1910 and Circular n.º 256, 22/IV/1913.

<sup>35</sup> *A Voz Pública (VP)*, 17/VIII/1907, p. 2.

<sup>36</sup> NE, 24/XII/1908, p. 1.

<sup>37</sup> ADE, *Governo Civil de Évora*, Correspondência expedida, Copiadores/3ª Repartição, cx. 14, liv. 13, Ofício n.º 255, 15/VII/1909.

<sup>38</sup> *Ibid.*, cx. 14-A, liv. 16, Ofício n.º 514, 26/XII/1913.

<sup>39</sup> ADE, *Tribunal de Comarca de Arraiolos*, Processos criminais, Mç. 69, n.º 2477.

household incomes with food and money but could also demonstrate a certain degree of rebelliousness towards the ban on making use of the natural resources of the countryside.

## 5. Livestock Trespassing

Livestock trespassing was a problem in Portugal from at least the second half of the nineteenth century onwards. For example, livestock trespassing in olive plantations and vineyards, as well as on arable land, spread throughout the Coimbra area in parallel to the disappearance of common pastureland (Vaquinhas, 1995: 119-152). Some references indicate that the same problem occurred in the district of Évora during the same decades (Cutileiro, 1977: 20-21; Fonseca, 2004: 121-122). Other studies have shown that this was a persistent problem in other parts of the Iberian Peninsula during the first decades of the twentieth century (Redondo Cardeñoso, 2013).

Portuguese legislation from the end of the nineteenth century onwards came to deal with this problem. The 1886 Penal Code made it possible to indirectly prosecute livestock trespassing on other people's land, since it punished "those who destroy, either wholly or in part, any crops, vines, allotments, plantations, nurseries, or sowed land that belongs to another" (*Código Penal Português*, 1919: 138, art. 477). Also, the control of livestock grazing was legislated for in the bylaws. In the bylaws of Arraiolos, for example, it was not only prohibited to graze livestock on private property without the owner's permission but also to graze them "by the sides of municipal roads, paths, or public rights of way" (*Código de Posturas da Camara Municipal do Concelho d'Arraiolos*, 1892: 37). In the early twentieth century, the Republican authorities granted the GNR the power to "safeguard the conservation of pastureland belonging to the inhabitants."<sup>40</sup> The importance of offences associated with livestock trespassing can be clearly seen in the documentation from the Arraiolos District Court, where it was the most frequently prosecuted offence, with a total of 69 lawsuits between 1908 and 1918.

Nevertheless, it should be noted that many of these complaints were brought against individuals who did not belong to the most underprivileged classes in the region. For example, in as many as 18 cases, the accused were landowners, including Jose Joaquim Angelo and Antonio Silva, who were reported for allowing their livestock to graze in another farmer's olive grove—the former with 110 sheep and the latter with 80 pigs.<sup>41</sup> This

<sup>40</sup> DG, n° 103, 4/V/1911, p. 1813.

<sup>41</sup> ADE, *Tribunal de Comarca de Arraiolos*, Processos criminaes, Mç. 68, nos 2368 y 2382.

should not come as any surprise, because, as shown in other studies, livestock trespassing was one of the rural offences most frequently committed by large-scale livestock owners (Redondo Cardeñoso, 2013: 22).

Together with these major landowners, we also find other individuals from less privileged backgrounds who were reported for illegally grazing a handful of animals that were probably intended for self-consumption. For example, António Carrasqueira, a rural worker, was reported for having livestock on land planted with crops, with the complaint indicating that he was “accustomed to committing these types of abuses,”<sup>42</sup> and Ventura França, also a rural worker, was reported for having eight chickens eating wheat on another person’s property.<sup>43</sup> Once again, in the few cases where we have information about the statement made by those accused, the defendants feigned ignorance before the court. For example, António Eduardo Espada, reported for having two pigs in a bean field, alleged that “he had ordered one of his sons who was ten years old to watch over the two pigs, and was unaware if he let them enter the plaintiff’s property or not, and that he has always behaved well.”<sup>44</sup>

Another type of documentation provides more information about livestock trespassing. A reading of the press reveals that these types of occurrences took place in different municipalities of the district. For example, on December 1, 1914, *A Voz Pública* published five complaints about illegal grazing in Móra, Mourão, and Reguengos;<sup>45</sup> a few months later, *Notícias d’Évora* indicated that between March 15 and 17, eight individuals were reported for allowing their livestock to graze illegally in Arraiolos, Portel, Alcáçovas, and Montemor-o-Novo.<sup>46</sup> Just as was the case with poaching, the proliferation of these offences led to the victims repeatedly requesting the police to protect their property, as the Director of Southern Agricultural Services did with the Civil Governor of Évora in March 1914.<sup>47</sup> Also, there are sometimes suggestions about the social nature of livestock trespassing, especially because many of the offenders were “owners or herders of goats and pigs, without their own land,” which means they had to trespass on other people’s land in order to feed them.<sup>48</sup>

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<sup>42</sup> *Ibid.*, Mç. 68, n<sup>os</sup> 2430.

<sup>43</sup> *Ibid.*, Mç. 68, n<sup>o</sup> 2413.

<sup>44</sup> *Ibid.*, Mç. 69, n<sup>o</sup> 2487.

<sup>45</sup> *VP*, 1/XI/1914, p. 2.

<sup>46</sup> *NE*, 24/III/1915, p. 2.

<sup>47</sup> ADE, *Governo Civil de Évora*, Correspondência expedida, Copiadores/3<sup>a</sup> Repartição, cx. 14-A, liv. 16, Ofício n<sup>o</sup> 133, 11/IV/1914.

<sup>48</sup> *A Folha de Beja*, 14/III/1918, p. 2.

In summary, the analysis of livestock trespassing in the Alentejo once again shows that this was not only a widespread activity but that, on numerous occasions, it was also clearly a social problem, especially when those involved owned only a few animals and had no other means of feeding them other than by committing these minor offences on other people's land. Through these actions, the poorest offenders not only obtained additional resources in their attempts to guarantee the economic subsistence of their families but also, as with poaching, resisted the loss of access to specific natural resources in the countryside.

## 6. Conclusions

The concept of EFPR proposed by James C. Scott has made it possible to open new and interesting avenues for the study and analysis of the strategies of peasant resistance. However, this concept has received little coverage in Portuguese historiography and its use has been confined to a number of anthropological research studies into rural resistance during the years of the *Estado Novo*.

As shown in this text, a more detailed analysis of EFPR could offer major possibilities for the historical study of rural Portuguese society during previous periods. A study of the Central Alentejo region in the early twentieth century reveals how the country's rural population commonly used certain types of practices, such as stealing olives and acorns, poaching, and livestock trespassing, in order to take advantage of certain natural resources, despite the fact that the authorities classified these actions as criminal offences. Through these practices, the most underprivileged members of society in the Alentejo not only obtained immediate dietary and/or monetary benefits, allowing them to supplement their fragile household incomes (especially during the periods without work during the winter months), but also individually demonstrated their resistance to being unable to access basic resources for their survival.

Furthermore, the fact that these practices coincided with a period of mass social mobilization in the Alentejo, marked by agricultural strikes and the expansion of trade unionism among rural workers between 1910 and 1913 as well as the social protests caused by subsistence problems during the Great War, reveals that the repertoire of protest and resistance by the lower classes from the Alentejo (and Portugal in general) was not only limited to protests associated with the workers' trade unionism; it was multi-faceted and expressed in very different ways, many of which had already been developed before the appearance of the workers' movement.

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