

ON THE USES OF THE PAST BY THE MARQUIS OF POMBAL: THE HISTORY OF MEDIEVAL PORTUGAL IN THE *DEDUÇÃO CRONOLÓGICA E ANALÍTICA*...

FILIPE ALVES MOREIRA³⁰

The aim of this article is to analyze the most relevant passages devoted to the history of medieval Portugal in one of the texts written under the aegis of the Marquis of Pombal (Sebastião José de Carvalho e Melo, 1699-1782)³¹, the *Dedução Cronológica e Analítica*³² (hereafter *Dedução*). By doing so I will show how the uses of the past, even the most remote one, were strategic in mid and late 18th century political debates in Portugal. Even though this is a very well-known text, to my knowledge, there is still no work specifically dedicated to this subject.

The *Dedução*... was originally published in three volumes between 1767 and 1768³³. It appeared under the authorship of José Seabra da Silva, a jurist formed at the University of Coimbra who spent most of his career working at the highest courts of the Kingdom and was also a member of the Council of State and the main person responsible for the national archive (the “Torre do Tombo”). He was an influential politician during most of Pombal’s consulate³⁴. The real authorship of the text remains, however, debatable, and most critics believe that it was actually written by Pombal himself or by a number of authors writing under his orders. There are, in fact, several contemporary statements

³⁰ IF/University of Porto, Portugal. This work is funded by FCT through DL 57/2016/CP1367/CT002 and the project “Para a construção de um corpus pombalino: Parte I – Os Escritos Historiográficos Pombalinos” (PTDC/HAR-HIS/32197/2017).

³¹ Sebastião José de Carvalho e Melo was made the first Marquis of Pombal by King José I in 1769. There are several recent biographies of the Marquis of Pombal. See, for example, Kenneth Maxwell, *O Marquês de Pombal. Ascensão e Queda*, Lisbon, Manuscrito, 2015; Pedro Sena-Lino, *De quase nada a quase Rei*, Lisbon, Contraponto, 2020; a brief and updated synthesis in Andreia Lopes Fidalgo, “O Marquês de Pombal: Um reformador?”, in R. L. Jesus and P. M. Dias (eds.), *Atualizar a História: Uma Nova Visão sobre o Passado de Portugal*, Lisbon, Desassossego, 2022.

³² I use modern spelling when referring to this book.

³³ José de Seabra da Silva, *Dedução Cronológica e Analítica*, Lisbon, Oficina de Miguel Manescal da Costa, 1767-1768.

³⁴ Miguel Gorjão-Henriques, “José de Seabra da Silva e a sua família: Iconografia e mobilidade social no Antigo Regime”, *Direito e Justiça*, vol. 2, special number, 2013, pp. 77-155.

attributing to Pombal the authorship of this text, and Seabra himself admitted in a letter to a friend that the only thing he had given to it was his name. Since this was said in a private letter, there are no reasons for doubting his words. There is also one extant manuscript with notes and commentaries written by Pombal that proves that he played an important role in its composition³⁵. In any case, it is certainly a text that reflects his ideas.

The *Dedução* is a polemic work whose goal is to defend several political theses. The first volume is a demonstration of the damages that the Jesuits provoked in the Kingdom of Portugal, from 1540 (when they first arrived in Portugal) onwards. The second volume focuses on the relationship between the Church and the Monarchy, with special emphasis on the negative action of the Jesuits, and the third one is a collection of documents and other materials that were used in the former volumes. It is, therefore, a piece of anti-Jesuitism, the most remarkable of all the works belonging to Pombal's ideological and political campaign against the Society of Jesus. It was republished soon after in five volumes³⁶, and it was translated into several languages, including an abbreviated translation into Chinese ordered by Pombal himself³⁷. It had a big influence on anticlericalism during the second half of the 18th century, the 19th and even the 20th century. The years surrounding its composition were marked by conflicts between Portugal and the Holy See and by the expulsion of the Jesuits from Portugal, which occurred in 1759³⁸. The *Dedução* was intended not only as a justification of the Jesuits' expulsion but also as an incentive for other European Kingdoms and the Holy See to follow the same politics³⁹.

Though not strictly a historiographical text, the *Dedução* relies heavily on historical arguments in order to support its theses and sometimes follows a chronological structure. Since its main theme is the actions of the Jesuits, most of the text deals with events which occurred from the mid-16th century onwards. There are, however, some events of Portugal's medieval history the interpretation of which plays an important role in the

³⁵ On these questions, see, among others, Guilmar Araújo Alvim, *Linguagens do Poder no Portugal Setecentista: Um Estudo a partir da Dedução Cronológica e Analítica*, Phd Thesis presented to the Universidade Federal Fluminense, Niterói, Niterói, policopied texto, 2010: <https://www.historia.uff.br/stricto/td/1388.pdf> (consulted online on June 22, 2021), and José Eduardo Franco, "Os catecismos antijesuíticos pombalinos. As obras fundadoras do antijesuitismo do Marquês de Pombal", *Revista Lusófona de Ciência das Religiões*, no. 7/8, 2005, pp. 247-268.

³⁶ José de Seabra da Silva, *Op. Cit.* This is the edition I use.

³⁷ The existence of this translation can be explained by the traditional presence of the Jesuits in China. See Pierre-Antoine Fabre *et al.*, "The dynamics of anti-jesuitism in the history of the Society of Jesus", *Jesuit Historiography Online*, 2016: http://dx.doi.org/10.1163/2468-7723_jho_COM_192530 (consulted online on June 22, 2021).

³⁸ Nuno Gonçalo Monteiro, *D. José*, Lisbon, Círculo de Leitores, 2006, pp. 134-152.

³⁹ As for Pombal's diplomatic efforts on this question, see S. Gatzhamer, "Antijesuítismo europeu: Relações político-diplomáticas e culturais entre a Baviera e Portugal (1750-1780)", *Lusitania Sacra*, 2nd serie, vol. 5, 1993, pp. 159-250.

text's argumentation. Contrary to what happened with 16th and 17th-century history, the authors of the *Dedução* did not use many sources for medieval history. In what concerns historiographical texts, they relied mostly on 16th and 17th-century works, namely the Chronicles and Histories of the Portuguese Kings written by Duarte Nunes de Leão⁴⁰ and António Brandão⁴¹ and the Chronicle of Spain written by Estevan de Garibay⁴². They sometimes refer to the Chronicles of the old Kings of Portugal but give no specific information about them, except for the Chronicle of Afonso III written by Rui de Pina ca. 1515 which is the only medieval or late medieval chronicle they cite⁴³. This chronicle was first published, along with several other old Portuguese chronicles, by Miguel Lopes Ferreira in 1728, but the authors of the *Dedução* were probably using a manuscript version since they do not mention Pina's name. In what concerns historiographical texts, the *Dedução* is not, therefore, a particularly erudite text. Besides historiographical texts, its authors use medieval laws, mostly through the so-called *Ordenações Afonsinas*, the first official Portuguese law compilation, which dates from the mid-15th century and includes laws from the 13th century onwards, but remained in manuscript form (they would be published for the first time in 1792, soon after the end of Pombal's consulate).

The overall image of the Middle Ages as presented by the *Dedução* is a contradictory one. This is due to the polemic nature of the text, that sometimes provokes incoherencies depending on what theses are being defended. Thus, at the beginning of part 1, the *Dedução* presents the Portuguese Middle Ages as a splendid time in which arts, literature and commerce flourished, royal power was strong and prestigious, the Church and the Crown had their own sphere of influence and some charismatic figures (like Kings Duarte [r.1433-1438], Afonso V [r.1438-1481] and João II [r. 1481-1495] and Prince Henrique [1394-1460]) played influential roles in politics and society⁴⁴. However, at the beginning of part 2⁴⁵, a summary of the relationships between European monarchies and the Church from the 4th century onwards is presented, and there we are told that those were ignorant and obscure times. The reason for the first statement was that, in order to sustain Portugal's decadence after and due to the Jesuits' entrance in the Kingdom, the *Dedução* needed to create an image of splendor for previous times. There are also statements on the traditional fidelity of the Portuguese to their kings and some examples of medieval

⁴⁰ Duarte Nunes de Leão, *Primeira Parte das Chronicas dos Reis de Portugal Reformadas*, Lisbon, Pedro Craesbeeck, 1600.

⁴¹ António Brandão, *Terceira Parte da Monarchia Lusitana*, Lisbon, Pedro Craesbeeck, 1632.

⁴² Estevan de Garibay y Zamalloa, *Los XI Libros d'el Compendio Historial de las Chronicas y Vniuersal Historia de Todos los Reynos de España*, Anvers, Christophoro Plantino, 1571.

⁴³ See, for example, José de Seabra da Silva, *Op. Cit.*, pt. I, vol. 2, p. 386.

⁴⁴ *Id., Ibid.*, pt. I, vol. 1, pp. 1-3.

⁴⁵ *Id., Ibid.*, pt. II, pp. 1-6.

figures are presented, such as Egas Moniz, who offered his own life to prevent Afonso Henriques, the first King of Portugal (r.1139-1185), from rendering vassalage to the King of Castile, and Martim de Freitas, the governor of Coimbra who refused to give the city's castle to other than King Sancho II (r.1223-1248)⁴⁶.

But besides these general remarks, there are four aspects of medieval Portuguese history that are crucial to some of the *Dedução's* main theses: the origins of Portugal, the legendary *cortes* (that is the parliamentary assembly) of Lamego of 1143, the *cortes* of Coimbra of 1385 and the *Beneplácito régio*, that is the right for Kings to confirm and ratify rules and decisions of the Church. The origins of the Kingdom and the *cortes* of Lamego and Coimbra are treated in part 1 of the *Dedução*, whilst the *Beneplácito* is treated in part 2. These facts are used as historical arguments to contradict or to deny the legitimacy of some of the Jesuits' thoughts and actions.

One of the main accusations of the *Dedução* against the Jesuits is the role they played in the dethroning of King Afonso VI (r.1656-1683). This dethroning was decided, after a complex political process, at the *cortes* of 1668⁴⁷. Many pages of part 1 of the *Dedução* are occupied with this question. The *Dedução* not only criticizes the Jesuits' action across this process, accusing them of spreading false rumors about King Afonso VI and of forging prophecies but also denying the very legitimacy of the *cortes* for dethroning Kings⁴⁸. In doing so, the authors of the *Dedução* use a complex set of political, juridical, and historical arguments intended to contradict consensualist theories of royal power and the popular origins of the Portuguese monarchy, which ultimately sustained the legitimacy of the *cortes* for dethroning Kings. The *Dedução* distinguishes several types of political organizations, namely monarchies and republics. According to it, in republics, people have supreme power and authority, whereas, in monarchies like Portugal, Kings have supreme power and authority. And, as one would expect, the *Dedução* states that Kings derive their power from God alone, without the intermediation of the people. These general principles shape the *Dedução's* view of Portugal's history and sometimes provoke original readings of some of its episodes.

One such case is the story of how Portugal became a Kingdom and how its frontiers were established. Generally speaking, old Portuguese chronicles and histories present-

⁴⁶ *Id., Ibid.*, pt. I, vol. 1, p. 251. Both of these narratives are legends created or transmitted by 14th and 15th centuries Portuguese chronicles, namely the so-called *Crónica Geral de Espanha de 1344* (Egas Moniz) and the so-called *Crónica de Portugal de 1419* (Martim de Freitas). Martim de Freitas's story, however, must have been known by the authors of the *Dedução...* through Rui de Pina's *Crónica de D. Sancho II* (ca. 1515).

⁴⁷ Ângela Barreto Xavier and Pedro Cardim, *Afonso VI*, Lisbon, Círculo de Leitores, 2006.

⁴⁸ For 18th century debates on the nature and functions of the Portuguese *cortes*, which had reunited for the last time in 1698, see Pedro Cardim, "O quadro constitucional. Os grandes paradigmas de organização política: A Coroa e a representação do reino. As cortes", in J. Mattoso, *História de Portugal*, vol. 4, Lisbon, Editorial Estampa, 1993, pp. 145-150.

ed two views of this question⁴⁹. Medieval and early 16th-century chronicles stated that the origins of Portugal as an autonomous entity were based on the decision of King Alfonso VI of Leon and Castile (late 11th century) to create a countship which included the territory between the rivers Minho and Mondego and donate it to his illegitimate daughter, Teresa, when she married Count Henry of Burgundy (ca. 1096). Then, after the death of Count Henry (ca. 1112), their son, Afonso Henriques, would command a rebellion against his mother and eventually become the main ruler of the countship (1128). Once in command of the countship, Afonso Henriques would win many battles against the Moors. Before the first of those battles, that of Ourique in 1139 (in which, according to 15th, 16th, and 17th-century chronicles, Jesus appeared to him) his men would give him the title of King, a change that the Pope would accept a few years before Afonso Henrique's death in 1185. Some late 16th-century chronicles, however, stated that the Kingdom of Portugal had existed long before Afonso Henriques and that its right to autonomy rested on the multi-secular presence of the same people in the same territory⁵⁰. This conception was influenced by some ideas of humanist historiography and intended to deny, on a historical basis, the rights of the Spanish Kings to rule in Portugal, an issue which had gained considerable importance after King Sebastião's death without heirs in 1578.

Both views could be used for proving that Portuguese Kings depended on his people's will for ascending to the throne, and that, therefore, the people could, at any time, dethrone Kings. This could not be accepted by Pombal's ideology. The *Dedução*, then, presents a different version of the origins and historical legitimacy of Portuguese monarchy and its territory. According to it, Portugal's beginnings as a Kingdom rested not on Afonso Henriques, nor on his grandfather, but on his great-grandfather, King Fernando I of Leon and Castile (r. 1037-1065)⁵¹. According to the *Dedução*, he was the first Christian King to conquer Portuguese territory from the Moors. Since this was a conquest based on the principles of a just war, he gained full rights to that territory. We can say that this is only half-true. Christian Kings prior to Fernando I of Castile and Leon had conquered what was to become the Portuguese territory located up to the river Douro. Fernando's military campaigns, though important, had been responsible only for conquering lands located roughly between the river Douro and the river Mondego, namely the cities of Coimbra, Lamego and Viseu. But the reason why Fernando I of Castile and Leon is so

⁴⁹ Filipe Alves Moreira, "As cores e as origens de Portugal entre o conde de Barcelos e Fernão de Oliveira", in Isabel de Barros Dias and Carlos Carreto, *Cores. Actas do VII Colóquio da Secção Portuguesa da Associação Hispânica de Literatura Medieval*, Lisbon, Universidade Aberta, 2010, pp. 147-156.

⁵⁰ Such is the case of Fernão de Oliveira's *História de Portugal*. A recent edition is to be found in the second volume of *Obras Pioneiras da Cultura Portuguesa*, Lisbon, Círculo de Leitores, 2018. See also José Eduardo Franco, *O Mito de Portugal. A Primeira História de Portugal e a Sua Função Política*, Lisbon, Roma Editora, 2000.

⁵¹ José de Seabra da Silva, *Op. Cit.*, pt. 1, vol. 2, p. 386.

important to the *Dedução's* line of argumentation is that he divided his Kingdom among his three sons. Following Fernando's will, after his death his eldest son, Sancho, became the King of Castile, whereas Alfonso became the King of Leon and Garcia became the King of Galicia, which included also the territory located between the rivers Minho and Mondego. For that reason, the *Dedução* argues that the Portuguese territory owned his kingship status to a King's decision alone, without any intervention of the people or other authority. Once constituted as an independent political entity, Portugal was to remain so regardless of its sovereign's title, and its sovereignty would be inherited without the need for the people's or any external authority's assent. So, the *Dedução* states, what happened at the battle of Ourique was simply the change of title of Portugal's main ruler from Count to King⁵². As for the rest of Portuguese territory, that is the portion held by Moors south of the Mondego river, the *Dedução* says that it was conquered by Afonso Henriques and his immediate successors, with the exception of the Algarve, which had been conquered by the Castilian Kings Fernando III (r. 1217-1248) and then Alfonso X (r. 1248-1282), who decided to donate it to his son-in-law, Afonso III of Portugal (r. 1245-1279)⁵³. Once again, according to this version, everything was dependent upon the King's will and actions alone. There are, therefore, no historical reasons that support the people's right to dethrone Kings. The reference to the Algarve is an interesting one. The *Dedução* cites the Chronicle of Afonso III (which is, as I've said, the only ancient Portuguese chronicle cited in the text), but omits the fact that, according to this chronicle, those mainly responsible for conquering the Algarve were not the Castilian Kings (nor the Portuguese), but the military order of Santiago, whose Portuguese branch was by then not independent from the Castilian one. By doing so, the *Dedução* clearly highlights the importance of royal power for the expansion of the Portuguese territory.

Besides rejecting the legitimacy for *cortes* to dethrone Kings, the *Dedução* also denies that the *cortes* had unlimited rights to elect Kings or to limit their power. In order to prove this, its authors explain what were, in its origins, the aims of the *cortes*. In this respect, the *Dedução* argues that the *cortes* were a consultative and not a deliberative institution⁵⁴. The *cortes* advised Kings but had no power to decide anything, and the only reason for their very existence was that Kings should listen to the people's opinions on matters of public interest and had no other way for doing it. Once stronger and efficient central institutions were created, the *cortes* lost power and declined. That was one extra reason for the *cortes* of 1668 to be considered illegal and illegitimate.

The *Dedução* also offers an interpretation of the two Portuguese medieval *cortes* that were used to sustain opposite views, namely the *cortes* of Lamego of 1143 and the *cortes*

⁵² *Id., Ibid.*, pt. I, vol. 2, p. 388.

⁵³ *Id., Ibid.*, pt. I, vol. 2, pp. 388-389.

⁵⁴ *Id., Ibid.*, pt I, vol. 2, p. 450.

of Coimbra of 1385. The *cortes* of Lamego of 1143 never existed. They are a forgery created by late 16th-century Portuguese historians with nationalist purposes⁵⁵. According to the forged minutes of these *cortes*, they established, among other things, the rules of succession for the Portuguese monarchy, denying the rights of women. This was meant to reject the rights of Filipe II of Spain to the Portuguese throne since he was the son of a Portuguese princess. But according to some interpretations of this forged text, the *cortes* of Lamego were also a way for the Portuguese people to accept or elect Afonso Henriques as their King. The *Dedução* doesn't deny the historicity and the relevance of these *cortes* but defends that their role was to create a fundamental law for the hereditary succession to the Portuguese throne and that Afonso Henriques' legitimacy derived from inheritance and conquest rather than choice or election. And fundamental laws, the *Dedução* argues, can be revoked by no one, not even by Kings⁵⁶. So, contrary to what the Jesuits said during the 1668 events, no one has the right to replace Kings whose legitimacy rests on the fundamental law.

As for the *cortes* of Coimbra of 1385⁵⁷, the *Dedução* admits that they elected João I (r. 1385-1433) to succeed his half-brother Fernando I (r. 1367-1383)⁵⁸. This was, however, the *Dedução* states, an exceptional case, explained only by the fact that, according to the fundamental law of succession established at the *cortes* of Lamego, no one filled the criteria for accessing the throne after Fernando's death. In 1668, when King Afonso VI was dethroned, there was no successional issue, so the historical example of the *Cortes* of 1385 did not serve as a legitimate antecedent. Medieval and Early Modern Portuguese chronicles also maintain that the throne was legally empty after the death of King Fernando, but, of course, make no reference to the *cortes* of Lamego⁵⁹ nor to any type of fundamental law for the hereditary succession to the Portuguese throne which had been established by Afonso Henriques.

⁵⁵ See M. Gloël, "António Brandão and the invention of the 'Cortes de Lamego' in 1143", *Revista de Historiografia*, vol. 33, 2020, pp. 179-192. José Domingues ("A reforma das ordenações do reino de Portugal", *e-Legal History Review*, no. 16, 2013, pp. 45-49, 81), has called attention for a 15th century document from Tavira, Algarve, that mentions an ancient law made by an unknown Portuguese King but said to be from the time of the Battle of Ourique (1139). Domingues thinks this might be an allusion to the *cortes* of Lamego, but I see no basis for saying that. To say that something was from the time of the battle of Ourique was simply a way for saying something was quite old, just like we nowadays say that something is as old as the Cathedral of Braga.

⁵⁶ José de Seabra da Silva, *Op. Cit.*, pt. I, vol. 2, pp. 450-460.

⁵⁷ See, among many others, Armindo de Sousa, *As Cortes Medievais Portuguesas (1385-1490)*, vol. 1, Lisbon, Instituto Nacional de Investigação Científica, 1990, pp. 291-294, and Maria Helena da Cruz Coelho, *D. João I*, Lisbon, Círculo de Leitores, 2005.

⁵⁸ José de Seabra da Silva, *Op. Cit.*, pt. I, vol. 2, pp. 450-460.

⁵⁹ The oldest and most important chronicle devoted to this king is that of Fernão Lopes, the first Portuguese royal chronicler, which was written ca. 1440.

Part 2 of the *Dedução* deals, as I have already said, with the relationship of the Monarchy with the Church, with special emphasis on matters of censorship. Its main goal is to contradict the Jesuits by sustaining the superiority of royal power except for strictly religious matters and that only the State, not the Church, has the authority to censor books that deal with profane matters. The historical background of this dispute is the reform Pombal has enacted of the official institutions of censorship by creating the “Real Mesa Censória” in 1768⁶⁰. Prior to the establishment of the “Real Mesa”, censorship was exercised by the State, the Inquisition and the Church, but from now on the State would be the sole responsible for it, except for purely theological works. The pages devoted by the *Dedução* to censorship are, therefore, a way of legitimizing this reform. Once again, historical arguments are invoked to defend the *Dedução*’s claims, but few of them have anything to do with the medieval history of Portugal. This is not surprising, seeing that the focus of attention was the censorship of printed books. There are, however, some references to the so-called *Beneplácito régio*, that is the right for Kings to confirm and ratify rules and decisions of the Church⁶¹. According to the *Beneplácito*, no papal bull could be applied in Portugal without the approval of the King. This was first established by King Pedro I, who ruled between 1357 and 1367, but the *Dedução* says that the *Beneplácito* existed long before that. In order to sustain the antiquity of the *Beneplácito*, the *Dedução* cites several medieval laws and documents related to medieval *cortes*. The first of these laws and documents is precisely a response by King Pedro I to a request made at the *cortes* of 1361⁶². Nevertheless, among the cited laws there is one by João I⁶³ that refers to the *Beneplácito* and says that the King is following the same procedure his predecessors had used. This was an intelligent way for the *Dedução* to suggest the antiquity of the *Beneplácito*. The *Dedução* refers also to the fact that King João II (r. 1481-1495) suspended the *Beneplácito* in 1487 but affirms that this was a temporary measurement due only to political reasons, namely the negotiations this King had with the Holy See in order to legitimize his illegitimate son, Dom Jorge⁶⁴. The supremacy of the State over the Church was, therefore, not a novelty in Portugal’s history according to the *Dedução*, which meant that the reinforcement of the role of the State in censorship was thus legitimated not only by political principles, but also by history.

⁶⁰ Rui Tavares, *O Censor Iluminado. Ensaio sobre o Pombalismo e a Revolução Cultural no Século XVIII*, Lisbon, Tinta da China, 2018.

⁶¹ Margarida Garcez Ventura, “Elementos para a compreensão da vigilância do rei sobre o seu reino: O beneplácito régio”, in Maria de Fátima Reis (coord.), *Poder Espiritual/Poder Temporal. As Relações Igreja-Estado no Tempo da Monarquia (1179-1909)*. *Actas do Colóquio*, Lisbon, Academia Portuguesa da História, 2009, pp. 441-449.

⁶² José de Seabra da Silva, *Op. Cit.*, pt. II, p. 75.

⁶³ José de Seabra da Silva, *Op. Cit.*, pt. II, p. 76.

⁶⁴ José de Seabra da Silva, *Op. Cit.*, pt. II, pp. 83-85.

All the passages of the *Dedução* I have been analyzing show how, contrary to what one might expect, medieval history played an important role in some of the Marquis of Pombal's ideas. The history of medieval Portugal was, therefore, being written and rewritten also in the pages of the *Dedução*...