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# Police authority and popular behaviours (Lisbon, c. 1867-1910)

*Maria João Vaz*

## I. INTRODUCTION

The founding of the modern state implied enacting legislation designed to ensure the hegemony of state power throughout the entire extent of both the territory and the population. In seeking to instil compliance with the law and penalise any infractions, the state implemented mechanisms able to achieve such objectives. Correspondingly, in the Portuguese society of the second half of the 19th century, the establishing of police forces represented a central factor within the framework of a more global dynamic striving to build and strengthen formal mechanisms for social control and the imposition of state power. Henceforth, these police forces would play an important role in the development of the state and the domination and control that it wielded and, over the course of time, gradually substituted by other forms of policing, including measures involving popular participation within the scope of ensuring public law and order prevailed.

The organisation of police forces and their development in the 19th century reflects an issue that has already attracted substantial interest from historiography, with varied analytical approaches and with occasionally divergent interpretations. Some authors perceive in the launching of these police forces a response to problems raised by increasing levels of criminality, a mechanism for combating insecurity and disorder that played an important role in the emergence of a consensual society. In turn, other authors attribute the founding of police forces to the need of the elites in power for a tool deployed to maintain their dominant positions, controlling the social order, disciplining the new industrial working class, particularly in urban contexts.<sup>1</sup>

Indeed, Portugal, in the second half of the 19th century, accompanying an international trend, the importance of establishing modern police forces became affirmed with renewed strength and urgency. The Legal Charter dated 2 July 1867 stipulating the founding of the *Polícia Civil de Lisboa* (Lisbon Civil Police), determined the setting up of a police force for Lisbon, the kingdom's capital. The force would answer to the district civil governor, the entity representing the central political order to organs of local power. This would be denominated the Civil Police in order to ensure a clear differentiation with the already existing militarised police forces and would have as its core objective the prevention of crime and guaranteeing security, order and public stability.<sup>2</sup>

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<sup>1</sup> Emsley, Policing and its context. Taylor, Crime, policing and punishment. Gonçalves, Civilizing the police(man).

<sup>2</sup> The same law establishes the creation of an identical police force for the city of Porto, the second largest Portuguese city.

This was already a hierarchically and bureaucratically organised police force, designed above all for urban contexts, with its police guarding and patrolling public spaces, unarmed but in uniform, a measure considered as dissuading criminal practices<sup>3</sup>. This police force thus joined the other police forces that were already present in Lisbon and with compliance of its objectives requiring proximate and daily interactions with the population that lived and worked in the city.

In this article, we seek to analyse the way in which a significant proportion of the Lisbon population welcomed and interrelated with this new police force that began public patrols in 1867. This was a relationship interspersed with challenges and confrontations with the police force encountering major obstacles to establishing its own recognition and authority.

## II. THE LISBON CIVIL POLICE

The need to set up a civil police force in the main cities of Portugal dates back to the first liberal experience (1820-1823). In 1821, parliament received a public security plan that foresaw the launching of a civil police force with the core function of preventing criminality. This was a constantly affirmed failure but that nevertheless took time to overcome. This demand grew in strength in the wake of 1834 with the establishing of an order in Portugal that proclaimed liberalism and the subsequent return to the country of many of the political exiles. Some had experienced, to a greater or lesser extent, lengthy periods of exile in France or Great Britain, where they came into contact with the policing systems in effect there.<sup>4</sup> In particular, those who had fled to Britain would have experienced the early years of the Metropolitan Police, founded in London in 1829. Within a transnational circulation of ideas and models, this was the type of police organisation that received majority backing in Portugal and thus came to be adopted.

The context of serious political violence and social conflict ongoing in Portugal through to 1850, ensured delays to its founding. At the beginning of the second half of 19th century, in 1855, the Portuguese parliament debated the non-existence of a civil police force, designed to prevent crime, but justified as stemming from the violent behaviours of the population. Following the proposal to establish an unarmed police force in Lisbon, similar to the Metropolitan Police in London, one member of the parliament responded that he considered such a measure inopportune, explaining this as due to 'the diversity in the customs and character of the two peoples, the British and the Portuguese'. Such diversity, he maintained, would hinder the affirmation of a civil police force in Lisbon from being able to act without the assistance of a military force: 'I see that our people do not yet re-

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<sup>3</sup> Later, at the end of the 19th century, it will be considered an inadequate measure for the detection of crime.

<sup>4</sup> In Portugal, after the first victory of Liberalism (1820, there were periods of return to Absolutism: 1823 to 1826; 1828 to 1832). From 1832 to 1834, there was a civil war that opposed liberals to absolutist and ended with the victory of the Liberals. During these periods, several liberal politicians lived in exile, in France and in England. After 1834 they occupied relevant government functions.

spect, disgracefully, anything other than an armed soldier, and I do not know whether they would respect any such man if not duly armed.<sup>5</sup>

While implementation came at a later date in comparison with other European cities, there were in the meanwhile repeated affirmations of the need to set up police forces, purpose designed for the prevention of crime, in the main Portuguese cities that would subsequently be expanded to the rest of the country. The justification presented invariably revolved around having to combat criminality in Lisbon, perceived as constantly rising, as a means of modernising the city through endowing it with professionals primarily dedicated to ensuring law and order across its geographic extent.

In fact, the number of crimes recorded in Lisbon was very significantly higher than those registered in other parts of Portugal both in absolute terms and relative to the number of inhabitants living there. In 1859, the data conveys the leading role played by Lisbon in terms of the incidence of crime in Portugal. This was far and away the district with the most crimes and in both absolute and relative terms. With a national average of 1.2 crimes per thousand inhabitants, the district of Lisbon accounted for around 5 crimes per thousand inhabitants. No other national district even reached an average of two crimes per thousand inhabitants.<sup>6</sup>

While the lack of reliability of these then contemporary statistics, especially as regards criminal practices, at the time they did serve to justify many of the decisions taken by those in power, in particular as regards reforming and founding police forces in the city of Lisbon.

Through to 1867, various measures were proposed and put into practice for organising the police in Lisbon but all turned out to be only of brief duration. The exception was the setting up of the Guarda Municipal de Lisboa (Lisbon Municipal Guard) in 1834 with the set objective of ‘keeping the public quiet, enhancing security in the city, without threatening its liberty.’<sup>7</sup> Hence, from 1867 onwards, two police forces, the military style Lisbon Municipal Guard and the Lisbon Civil Police, as its title suggests a civil based institution, were encharged with maintaining public law and order and general peace in the city. Alongside these, there were the actions of the traditional police authorities made up of individuals or groups who, very commonly on a voluntary basis, implemented security strategies as a secondary activity.

Lisbon became the most policed city in the country and hence rendering the detection of crime by the authorities easier. Thus, it was also correspondingly easier for the population to gain access to intervention by the police authorities given their common presence in the social life of the city both in places of work during the working day and, most especially, in the places and times of leisure.

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<sup>5</sup> Diário da Câmara dos Deputados, session 23 de May 1855; intervention of the deputy Silvestre Ribeiro.

<sup>6</sup> The data on crime were published in Boletim do Ministério dos Negócios Eclesiásticos e da Justiça, n.º 2, Lisboa, Imprensa Nacional, 1860, pp. 4-21. The data on the population were published in Censo da População do Reino de Portugal no 1º de Dezembro de 1890, Lisboa, 1896. About the crime in Lisbon in this period, see: Vaz, *O Crime em Lisboa*.

<sup>7</sup> Law of 3 July 1834 that establishing the Guarda Municipal de Lisboa.

### III. MEANS AND FUNCTIONS OF THE LISBON CIVIL POLICE

The Civil Police officers were divided into four police divisions with each attributed one of the city's neighbourhoods. In each division, there were police stations with a number defined in accordance with the characteristics of the site and its inhabitants. The scope of police action was also set out in terms of the streets and squares under surveillance being attributed to each respective police station.<sup>8</sup>

In 1867, Lisbon was allocated a maximum number of twelve police stations on the grounds that this would always enable swift reactions by police officers. The stations were specifically located in order to be able to provide reciprocal backup and support in case of any such need and enabling larger numbers of men to be deployed to curtail any unrest.<sup>9</sup>

Initially, the plans indicated a total of 250 officers with each station having its own commander. The peak of the command structure came with a government appointed general police commissioner. Under the orders of the district civil governor, the general police commissioner was responsible for commanding the police force, supervising the entire police service and undertaking its inspection. The structure also defined the role of special commissioners, within the framework of each respective division, responsible for criminal investigations. The members forming the base of the police hierarchy, the corporals and officers were not there to undertake criminal investigations but rather to send to the commissioners all of the information obtained as regards crimes and infringements.<sup>10</sup>

While the debate over the limitations on individual freedoms resulting from setting up a police force might only ever have attained very modest dimensions in Portugal when compared with what took place in Britain, for example, over the founding of the Metropolitan Police of London, there were some concerns expressed on this issue. Additionally, the different Civil Police Regulations systematically warned as to the need to ensure police actions did not come into conflict with the individual freedoms of citizens.

Even if clearly dealing with a somewhat rhetorical concern, this did gain material expression not only in the repeated affirmations about how police officers might only make arrests in flagrante delicto (otherwise detentions could only follow either a written order signed by the police commissioner or a judge issued mandate) but also in the concerns expressed over preserving private spaces where the police may only enter after having been requested to do so.<sup>11</sup>

The competences and functions of the Lisbon Civil Police were stipulated by the force's own Regulations, which determined that the police service took on a permanent charac-

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<sup>8</sup> Charter of Law of 2 June 1867, that establishing the Policia Civil de Lisboa and publish the Regulations for this police force.

<sup>9</sup> Charter of Law of 2 June 1867, art. 11.

<sup>10</sup> Charter of Law of 2 June 1867.

<sup>11</sup> The Guarda Municipal de Lisboa could proceed to arrests, delivering the detainees to the commissioners of the Policia Civil de Lisboa.

ter.<sup>12</sup> All members of the force were obliged to turn up and provide service whenever necessary and exempted only when on leave of absence or sick.<sup>13</sup> The police officers received specific prerogatives due to be observed in their interactions with members of the public. They correspondingly state that ‘The commissioners and police guards are not to be disturbed in exercising their functions’ and that ‘any insults, acts of disobedience or resistance to their mandates are punished in accordance with penal law as if made against administrative or judicial magistrates.’<sup>14</sup> Furthermore, they also defined the boundaries for policing actions:

*The acts of civil police officers or any others deemed equivalent that disturb citizens when exercising their individual liberties that the law guarantees them, are deemed as abuses of authority» and «the civil police officers or any others deemed equivalent that engage in abuse of authority, illegally arresting and holding arrested any individual for more than twenty-four hours without due charge, in those cases where it is illegal to hold them, shall incur the penalties stipulated by the law.*<sup>15</sup>

The men joining the Lisbon Civil Police had to meet certain requirements.<sup>16</sup> They needed to be able to read and write in a country in which the illiteracy rate stood at 80%; demonstrate their physical robustness, ‘good appearance and an age of between 22 and 40’. They were also required to demonstrate ‘excellent behaviour’ and having completed army military service. They also had to commit themselves to working for the Civil Police for a minimum of five years.

In addition to the functions directly connected with preventing criminality and maintaining public law and order, the civil police officers were attributed a vast set of tasks with broad social significance, designed to contribute towards a consensual ambience and the general wellbeing of the city. Such functions above all focus on the desire to discipline the popular classes and cultures within the city’s scope in addition to guaranteeing public hygiene in urban spaces. The main function of the Civil Police officers and corporals was to patrol the city streets by day and by night with the objective of protecting ‘effectively the security of people and property and the other rights of citizens’. However, the majority of their tasks involved disciplinary actions for particular behaviours along with the repression of habits, often very deeply rooted, in particular of popular groups, considered as undesirable and needing to be eradicated from the urban public space. In this sense, among others, they should strive to ensure compliance with the Municipality’s Positions and Regulations, in particular as regards sanitary inspections,

<sup>12</sup> From 1867 until 1910 there are three Regulations for the Policia Civil de Lisboa: Regulamento para os Corpos de Policia Civil de Lisboa e Porto. Criados pela Lei de 2 de Julho de 1867 (Lisbon: Imprensa Nacional, 1867). Regulamento dos Corpos de Policia Civil aprovados por Decreto de 21 de Dezembro de 1876 (Lisbon: Imprensa Nacional, 1877). Regulamento da Policia Civil e Judiciária de Lisboa aprovado por decreto de 12 de Abril de 1894 (Lisbon: Imprensa Nacional, 1894).

<sup>13</sup> Charter of Law of 2 June 1867, art. 18.

<sup>14</sup> Ibid., art. 25.

<sup>15</sup> Ibid., art. 42 and art. 43.

<sup>16</sup> Regulamento para os Corpos de Policia Civil de Lisboa e Porto. Criados pela Lei de 2 de Julho de 1867 (Lisbon: Imprensa Nacional, 1867).

verifying that commercial establishments met the appropriate conditions, maintained their buildings and the utilisation of public spaces while also performing assistance roles, accompanying lost or abandoned children, providing first aid in case of injuries, assisting the sick, alienated and drunk individuals they encountered in the street, transporting the sick and injured to places of treatment; they were also to deal with fires; oversee traffic movements and prevent accidents; preventing load and carriage pulling animals from maltreatment by their owners; prevent the usage or carrying of forbidden weapons; suppress begging; strive for compliance with the norms of decorum and decency in public spaces, preventing, among others, prostitutes from causing scandals; monitoring the beggars and other persons considered of 'poor behaviours'.<sup>17</sup>

The police officers were compulsorily dressed in uniform and unarmed while they might be carrying a *terçado*, a short-bladed sword, in a period when men generally had the habit of carrying penknives and knives. Such was reinforced by the ban on carrying walking canes or umbrellas, objects that swiftly transformed into weapons in the many interpersonal conflicts that took place in the city. They also carried a whistle that served for calling up reinforcements whenever necessary.<sup>18</sup>

The police were forbidden from entering private residences without the prior authorisation of the owners except whenever so requested. Their scope of action was the public space. They also defined the set of disciplinary measures for police actions so as to ensure officers did not apply their authority in order to gain personal benefits. Hence, among other stipulations, they were not able to enter taverns or whore houses; they were not able to ask for loans or to act as guarantor; they received no tips or gratuities; they were also not able to request free entry into public performances.

The development of the Civil Police force between 1867 and 1910, when the monarchy was deposed in Portugal, headed in the direction of attempting to affirm how police officers should act in an impersonal manner, according to a type of bureaucratic professionalism. The number of full time officers would continue to rise and stood at over 1300 men in 1910<sup>19</sup>. Furthermore, some police officers began specialising in criminal investigations following the setting up of a specific unit in 1894.

Lisbon became the most closely policed and watched city in the country. Considering its population, according to the 1864 Census, there was a total of 163,763 inhabitants in Lisbon, should the 250 maximum number of officers have been met, there would be one police officer for every 655 inhabitants, a ratio significantly greater than that existing in London for the similar period.<sup>20</sup>

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<sup>17</sup> Regulamento para os Corpos de Policia Civil, 1867. Regulamento da Policia Civil e Judiciária de Lisboa aprovado por decreto de 12 de abril de 1894 (Lisboa: Imprensa Nacional, 1894).

<sup>18</sup> The use of a pistol became mandatory in 1836, under the dictatorial regime.

<sup>19</sup> The final increase in the numbers of Lisbon Civil Police officers considered here took place on 28 May 1902.

<sup>20</sup> See: Taylor, *Crime, policing and punishment*, p. 88.

The relationship between the number of police officers and the number of inhabitants in the city of Lisbon would also head downwards over the course of time as while the city's population would rise at a good pace, the number of Civil Police officers would rise at an even faster rate. According to the 1878 Census, the population of the city of Lisbon totalled 187,404 inhabitants, with the Civil Police deploying a maximum of 350 officers, thus, one civil police officer for every 535 inhabitants. In 1894, following another rise in the number of officers but with the population having surged to 301,206 inhabitants in the meanwhile, the ratio became 1 civil police officer for every 376 inhabitants. In 1900, with the city's population at 356,009 and with the number of civil police officers having been boosted to 1,125 men in 1898, the ratio dropped back to 1 civil police officer for every 316 inhabitants. This was also prior to another expansion in the police force in 1902 that then deployed 23 police station commanders, 112 corporals, 235 first class officers and 1,069 second class officers.<sup>21</sup>

Hence, the trend was very much in favour of a rising number of civil police officers in the city of Lisbon all the while developing greater diversity and specialisation in their functions. The rise in their numbers was able to outstrip the increase in the population they served and correspondingly ensuring a greater presence in the social life of the city. Hence, Lisbon became an ever more policed environment over this period.

The civil police force established a clear presence in the city's social life. Furthermore, the desire to impose a police force that engaged in actions defined by rigour and the search for consensus emerged in the norms stipulated for its actions. In addition, the fact of remaining practically unarmed while on patrol, which restricted the scope for their imposing authority through brute force and threat of weapons, was designed to ensure more consensual, more persuasive and more peaceful interactions with the members of the population the police officers encountered while out on patrol.

In the rules and diplomas regulating the actions of the Civil Police, two further aspects particularly stand out. On the one hand, police disciplinary procedures and actions were set out so as to inhibit the police, preventing them from abusing their authority or gaining personal benefits. On the other hand, efforts targeted establishing a police force able to serve as a reference for the population in general. In this sense, there were recommendations such as, when in contact with the population, police officers were to set the example and correspondingly 'applying in all their interactions with citizens, the greatest of maturity and urbanity'. Officers were to maintain attitudes of firmness and energy and simultaneously prudence and moderation. The disciplinary regulation for the Lisbon Civil Police force thus reflected the prevailing ideal of what was considered a good citizen. Police officers were to strive not only for the observation of the ideals, values and legality defended by the socially dominant groups, capable of stating and defending the norms and laws to which all citizens were subject. The civil police force was therefore encharged with setting the example for the rest of the population.

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<sup>21</sup> Law of 28 May 1902. Data on population were taken from Censo no 1.º de Janeiro de 1864 (Lisbon: Imprensa Nacional, 1868). Censos de 1878 (Lisbon: Tipografia Universal, 1879). Censo da População do Reino de Portugal no 1º de Dezembro de 1890 (Lisbon: Imprensa Nacional, 1896).



The competences and ways in which the civil police officers were to engage in their actions and their respective behaviours were defined in the Regulations handed down to command and control the police institution. Nevertheless, the ways in which they actually acted and behaved, just how they interrelated with others depended not only on the regulated behaviours demanded of them but were also conditioned by their own social identity and certainly in addition to the individual personality characteristics of each civil police officer.

The relations between the population of Lisbon, in particular certain popular strata of this population, and members of the Lisbon Civil Police were very variable and dependent on concrete situations. The same person might at one moment criticise and express disgust at the actions of the police and, in some following moment, be requesting their intervention. On some occasions, members of popular groups engaged in deep collaboration with police actions while on other occasions demonstrating their bitter opposition to such actions. There was never any total rejection nor any constant cooperation with the popular groups inhabiting the city, and the members of the Lisbon Civil Police even while confrontation and hostility rose to the fore on many occasions.

#### **IV. DISOBEDIENCE, AGGRESSIONS AND INSULTS TO AUTHORITY**

The founding of the Liberal state, capitalist and bourgeois, led to the affirmation of a new operational logic and the imposition of new behavioural norms. Society as a whole should function according to a vast normative and legal framework, with criminal law practices demonstrating the clear objective of preserving the existing social structure. Therefore, police repression preferentially targeted the popular, mass strata, above all in urban contexts, with the set goal of somewhat brutally eradicating their ways of life, expression and leisure in order to chasten their habits, to instil in them ideas around respect for property and working discipline, among other aspects, within the scope of nurturing a liberal and consensual society.

In acting in accordance with the normative framework and the values belonging to the socially dominant groups, policing actions frequently collided with the habits prevailing among the lower strata of society, their ways of living, working and their leisure activities. The police were very often perceived by the common folk of Lisbon as a strange and hostile element in defending interests, norms and values, ways of being and behaving that were not their own. This clearly constituted the source of the greatest number and most serious misunderstandings and confrontations between civil police officers and popular urban groups. There were various situations that triggered conflicts between the population and the police and with abundant illustrations of such occurrences.

Between 1888 and 1892, 13% of arrests made by the Lisbon Civil Police were accounted for as 'disobeying authority', a situation that remained constant through to at least

1910.<sup>22</sup> Such disobediences, slander and assaults on authority were offences otherwise absent in the national panorama but in Lisbon constituted one of the most common forms of crime. In Lisbon, in 1893, 1894 and 1895, the type of crime that led to the largest number of convictions was that of disobedience and resisting authority, essentially for threatening police authority.<sup>23</sup>

Many of these acts of disobedience stemmed from the intervention of police officers in the daily routines of the population with a clearly disciplinary objective. Such was the case for many coach drivers and carters approached by the police who considered that they were in some way disturbing the circulation and hindering the movement of people and vehicles. In a considerable number of cases, the disobedience of authority, insulting and assaulting of police officers resulted from the actions that followed such approaches.

A carter was arrested on 1 August 1902 for being, along with the wagon he was driving, blocking the movements of a Carris de Ferro tram. In addition to insulting the passengers on the tram and, when presented to a criminal court, he attempted to flee with it thus becoming necessary ‘to use force for restraint’.<sup>24</sup> Another carter got arrested on 6 June 1902 for trying to get up a very steep road with a wagon that was too heavily overloaded for the animal to cope with according to the judgement of the police officer. This carter also insulted and assaulted the officer with a punch and a bite when getting arrested.<sup>25</sup>

However, the coach drivers and carters were not the only workers to demonstrate such behaviours. A fish seller was arrested on 8 September 1910 for disobeying an officer who had ‘on more than one occasion’ ordered the ‘removal of a stall with fish that had been set up on the lateral footpath of a public thoroughfare’, alleging that this was blocking ‘the legal transit of passers-by’.<sup>26</sup> On this same date, a pedestrian was also arrested for disobeying an officer who had ordered the removal of railings from a building<sup>27</sup> and, two days earlier, another man was arrested for not having moved on from his spot in a square when the police officer ordered him to. He was there selling postcards and the police deemed he was interfering with passers-by.<sup>28</sup> Still another man ended up arrested for not obeying when a police officer ordered him to move on from the entrance to a building where he was stood shouting; calling for a woman to come out and speak to him.<sup>29</sup>

<sup>22</sup> Mapas estatísticos do ano de 1888 da Polícia Civil de Lisboa; Mapas estatísticos do ano de 1889...; Mapas estatísticos do ano de 1890...; Mapas estatísticos do ano de 1891...; Mapas estatísticos do ano de 1892... (Lisbon: Imprensa Nacional, 1889-1893).

<sup>23</sup> Data on convictions: Alfredo Luís Lopes, *Estudo Estatístico da Criminalidade em Portugal nos anos de 1891 a 1895* (Lisbon: Imprensa Nacional, 1897).

<sup>24</sup> National Archives (Lisbon, Portugal)–ANTT (thereafter NAL), Fundo Crime Antigo de Lisboa, n° de transferência 1958, Cx. 2, n° 62 (provisional number).

<sup>25</sup> NAL, Fundo Crime Antigo de Lisboa, n° de transferência 733, Cx. 2, n° 37 (provisional number).

<sup>26</sup> NAL, Fundo Crime Antigo de Lisboa, n° de transferência 2069, Cx. 2, n° 77 (provisional number).

<sup>27</sup> *Ibid.*, n° 71 (provisional number).

<sup>28</sup> *Ibid.*, n° 62 (provisional number).

<sup>29</sup> NAL, Fundo Crime Antigo de Lisboa, n° de Transferência 1958, Cx. 2, n° 46 (year 1902) (provisional number).

Such minor acts of disobedience made up the day-to-day relationship of the masses with civil police, disobedience in the face of a frankly disciplinary and constantly intrusive attitude towards the livelihoods of the popular classes. There are situations of disobedience that occurred between individuals reprimanded by officers that generally ended up with the former getting arrested not for the gravity of the act that triggered the admonishment but rather for contesting the police action. In a central Lisbon square, an officer would tell a man sat on the floor to get up. The man did not obey, stating that he had no such obligation to do so. He was arrested for the crime of disobedience and subsequently sentenced to one and a half months imprisonment.<sup>30</sup>

In fact, this disciplinary task was clear in the majority of policing actions, frequently resulting in situations of confrontation between the individuals targeted by such reprimands and the police officers and commonly leading to the arrest of the former. However, those who were already present and witnessing the occurrence would sometimes opt to intervene and challenge the policing action. On 26 December 1910, a man was urinating on the pavement having been warned by a police officer who was witnessing the act. However, a stonemason who was passing by 'got involved in the service of the officer', stating that 'if it were him, he would not dare to advance against him', while simultaneously putting his hands in his pocket 'making reference to pushing some iron' into the police officer. This led to the grounds for his arrest, which led the transgressor then attempting to assault the police officer in refusing to accompany him.<sup>31</sup>

Some of the assaults on officers took on a serious nature, preventing them from turning up for duty for periods of a greater or lesser extent. Such was the case of an officer, assaulted and wounded to the lip, who was not able to turn up for work for various days.<sup>32</sup> On 26 February 1881, an officer was assaulted in the street after having attempted to restore order inside a food and drink establishment. His life was reported as in danger.<sup>33</sup> Another officer was stabbed with a knife by a worker who had been told to get off the pavement where he was, according to the officer, blocking the traffic.<sup>34</sup>

Some of the arrests made were contested by those in attendance and to the extent of attempting to help the detained to flee in a frontal and hostile challenge to the police action. On 17 October 1901, on a street in the city centre, a man was arrested for disobeying a police officer who had ordered him to get off the pavement. Three other individuals, saying that this was 'badly done', sought to ensure the arrestee was able to escape. They instead all ended up under arrest following the intervention of other officers who were in the vicinity.<sup>35</sup>

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<sup>30</sup> NAL, Fundo Crime Antigo de Lisboa, n° de Transferência 733, Cx. 3, n° 62 (year 1902) (provisional number).

<sup>31</sup> NAL, Fundo Crime Antigo de Lisboa, n° de transferência 14, Cx. 1, n° 86 (provisional number).

<sup>32</sup> Diário de Notícias, 1 January 1881, p. 1.

<sup>33</sup> Ibid., 28 February 1881, p. 1.

<sup>34</sup> Ibid., 11 March 1881, p. 1.

<sup>35</sup> NAL, Fundo Crime Antigo de Lisboa, n° de transferência 733, Cx. 1, n° 3 (provisional number).

Within the scope of their disciplinary framework, civil police officers particularly sought to clamp down on drunkenness, the second largest cause for arrests made in Lisbon between 1888 and 1892, a situation that also did not undergo any significant change prior to 1910.<sup>36</sup> The consumption of alcohol was then perceived extremely negatively, disturbing the habits of work and life that the force wished to see respected. There were many men arrested for drunkenness who then contested their arrest through resisting and insulting the officers.

Disobedience, resisting and insulting authority represent the daily facts of life that reflect the prevalence of hostile attitudes towards the actions of the police and both a failure to recognise their authority as well as not sharing in the norms and values that the officers were encharged with upholding and defending. The police force, put forward as a solution to the problem of rising criminality and disorder, acted in ways designed to be impersonal and professional in the sense of fostering a disciplined society, obedient and observing the law and the order that the socially dominant groups wished to see implemented.

Even though the defendants involved in such disobedience, slander, insults and assaults on authority belonged almost exclusively to the popular groups, the criticism of the police actions did not exclusively arise from these classes. There was a generalised perception that the civil police officers lacked in training and their actions were poorly targeted with the affirmation of the need for them to become a moralising and instructional example to society as, should this not occur, they would become another factor fostering disorder rather than guaranteeing security: 'One of the elements to maintaining order and internal security is the policing organisation; but for this to perform its mission, it should be moralising, strong but prudent and, in many cases, instructive, and benevolent without inequalities; otherwise, this might well turn into an element promoting disorder'.<sup>37</sup>

Some of those arrested accused the officers of recourse to violence and maltreatment when they appeared in court; a fact that the police officers sought to devalue, arguing that such was no more than a strategy designed to denigrate their actions.<sup>38</sup> Accusations of violent treatment made by those arrested and charged resulted in some criminal processes, sometimes undertaken with a great deal of authority. The lawyer for one defendant, facing charges of murder, set out a defence that, in addition to putting forward reasons testifying to the innocence of his client, a rural labourer from the outskirts of Lisbon also accused the police authorities of using violence against the defendant in efforts to extract a confession, which they did not achieve.<sup>39</sup>

<sup>36</sup> Mapas estatísticos do ano de 1888 da Polícia Civil de Lisboa; Mapas estatísticos do ano de 1889...; Mapas estatísticos do ano de 1890...; Mapas estatísticos do ano de 1891...; Mapas estatísticos do ano de 1892... (Lisbon: Imprensa Nacional, 1889-1893).

<sup>37</sup> Guimarães, *Curso de Sciencia da Administração*. See also Hespanha, *Guiando a mão invisível*, p. 289.

<sup>38</sup> NAL, *Fundo Crime Antigo de Lisboa*, n.º de Transferência 733, Cx. 2, n.º 30 (year 1902) (provisional number).

<sup>39</sup> NAL, *Fundo Crime Antigo de Lisboa*, n.º de Transferência 985, Cx. 1, n.º 10 (years 1901/1902) (provisio-

The press also published criticisms of the authorities and alleging abuse of authority by some police officers. *Diário de Notícias*, the newspaper with the largest national circulation figures in this period, referred to how a police officer decided to follow a man who was arguing with a woman, arresting him and alleging that he both resisted and failed to show respect for the police. Presented in court, the man was freed and the police officer responsible for his arrest was termed as displaying 'a tendency towards an excess of authority'.<sup>40</sup>

The police force, however, had few resources and technical means to effectively comply with their function of preventing and prosecuting crime. Police investigations did take place, especially after 1894 and the founding of the *Policia Judiciária e Preventiva de Lisboa* (Lisbon Judicial and Preventive Police Force), but they were only rudimentary, based on some know-how and objects and above all leveraged by the witness accounts of those present or who knew the victim or those suspected of criminal acts. This drew criticism from among the population accusing the police force of failing to comply with their primary function: preventing and suppressing crime. This perceived the police as agents from a strange group, sent to restrict their activities that they did not perceive as socially reprehensible while allowing the criminals to go about their business. When, in 1893, the body of a murdered woman was discovered, the police encountered major difficulties in discovering the author of this crime. The population then staged violent demonstrations against police actions and their lack of any effective capacity to prevent and repress criminality.<sup>41</sup>

The Lisbon Civil Police was still only a recently founded institution that was going through a process of legitimisation that also involved the professional learning of its members. While criticised by many, they were also subject to campaigns of support with the Civil Police having clearly elected ensuring that their authority prevailed among the population as their main task. Indeed, this is generally the first task that the public institutions designate for themselves: gaining recognition of their authority among the communities in which they act.<sup>42</sup> This purpose emerges clearly out of the actions of the Lisbon Civil Police but the repeated challenges and clear hostility is also equally in relation to their actions among the popular strata of Lisbon society, which constituted a priority target for their actions. In general, the response of the police authorities was to strive to further strengthen their authority and demonstrate the power that had been delegated to them. Generally, among the broader population, the demonstrations of authority tended to lead to a deepening of the resistance, disobedience and criticism, frequently insulting in tone and content, of the activities carried out by the police force.

Such was the generalised nature of this opposition to the police that it led to declarations in defence of the police and criticism of the population for not concurring with

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nal number).

<sup>40</sup> *Diário de Notícias*, 27 January 1881, p. 1.

<sup>41</sup> *Galeria dos Criminosos Célebres*, vol. II (Lisbon: Palhares, 1897), pp. 80-95.

<sup>42</sup> See: Garland *The Culture of Control*.

police authority. Such a position affirmed that there was an «inveterate vice and an unequable pleasure of the Portuguese to talk badly about the police», and blaming parliament itself for the example that it set:

*Should a police officer make some small infringement, the world comes down on the police corporation like a ton of bricks and the case gets long articles in the newspaper and causes appeals to be made in parliament. – What does the minister of the Kingdom say to this scandal of officer 229 from third division having assaulted Mrs Maria Antónia? Under what regime do we live, President? What measures has your Excellency President of the Council taken as regards this most serious case? Really, the police is the target of all ill-will, all of the hatred and all of the anger.<sup>43</sup>*

Such criticism emerged from various sectors of society, including the press. When the press did not support police actions, the counter accusation charged the newspaper with acting against security and public order:

*The people present in turbulent neighbourhoods are constantly in open conflict with the agents of authority. [...] Very often, rowdy sailors would cause reasons for police interventions so that they could enjoy doing battle with the security officers. The people are always on the side of the sailors and the reportage also on the side of the sailors and the people who cause disorder.<sup>44</sup>*

They published articles in which they sought to affirm the importance of police actions and police officers in defence of general security: ‘Before the existence of these police, who deal with so much unfair hatreds and with all the weight of such ingratitude, nobody was safe whether on public paths or at home. [...] Today, thanks to the much defamed police, we are able to go through the most labyrinthine and eccentric neighbourhoods of the capital, at any time of night with a gold purse in each hand and nobody is going to touch us’, while adding that the importance of the police force extended beyond combating crime to also include assisting those who fall sick in the public domain, getting them to hospital, among other actions of a civic character.<sup>45</sup>

In fact, the police also received expressions of support and congratulations. When police actions that sought to capture the perpetrator of some serious offence ended successfully, the population would show its support by clapping and saluting the officers responsible. On other occasions, regular members of the population would, according to their own sense and values of justice, assist the officers in countering crime, helping to arrest those who had broken the law or providing relevant information enabling the capture of criminal suspects. Members of the population helped officers capture two individuals who had ‘contended’ with a woman, making her drop her 3-year old daughter she

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<sup>43</sup> Galeria dos Criminosos Célebres, vol. IV (Lisbon: Palhares, 1900), p. 203.

<sup>44</sup> Ibid., p. 205.

<sup>45</sup> Ibid., vol. II, 1897, p. 84.

was carrying. As the arrested persons refused to accompany the police, some bystanders intervened and employed ‘muscular force to lead them to station’.<sup>46</sup>

Some interventions sought to praise and compliment the role of assistance and civic behaviours of Civil Police officers, for example affirming: ‘The police is the corporation that provides the greatest level of services. [...] In healthcare, security, public order, in afflictions of all the types that we might experience, we always think it better to have a police friend and protector close to hand ready to supply us with assistance’.<sup>47</sup> However, it was finally through its role in preventing and combating criminality that ensured the police force might improve their relations with the population of Lisbon, in particular the popular groups inhabiting the city. While these proved the source of the overwhelming majority of individuals involved in crime, they were also the source of the majority of victims of their crimes. These were the persons that most sought out assistance from the police. They were not the elite members of society that sought to protect themselves and their assets through the actions of the police but rather came from the socially disadvantaged layers of society who most needed and who actively sought protection and security from the police. They correspondingly made an enormous number of complaints to the police in this way seeking mediation in the conflicts that they had become immersed in and thus attempting to protect their own interests. The police force was correspondingly requested not only to rule on the conflicts that emerged in public spaces but also that took place within homes, in domestic family contexts.

## V. CONCLUSION

In Lisbon, the rise in police activities over the course of the second half of 19th century, the diverse, different reforms, the increase in the number of police officers and the technical means and resources made available ensured more effective police actions in the prevention and repression of crime. This fact furthermore enabled an increase in the number of crimes detected and investigated by the authorities and with a level of occurrence that we today know. The argument that criminality was relentlessly rising was deployed as the main justification for the need to found a civil police force dedicated to preventing and combating crime in the city of Lisbon. However, the actions of the police certainly also contributed to boosting the number of crimes detected and reported to the authority underpinning the idea, even if possibly artificially, that criminality was on a constantly rising trend, especially in the city of Lisbon.

From the state’s perspective, it was important to affirm its capacity for vigilance, implementing norms and imposing its authority and coercive power, in particular in the city of Lisbon, the capital of the kingdom and the empire. However, the apparatus of the liberal state, still under construction, held only a limited capacity to control the totality of the territory and its population, especially as regards the observance of criminal laws.

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<sup>46</sup> NAL, Fundo Crime Antigo de Lisboa, n° de transferência 12, Cx. 2, n° 87 (provisional number).

<sup>47</sup> Galeria dos Criminosos Célebres Portugueses, vol. II, 1897, p. 84.

They therefore opted to prioritise channelling the resources they had available into the largest city in the kingdom and the leading political, administrative and cultural city in the country. The power and the authority of the state was thus above all experienced in Lisbon, leading to greater demands over compliance with the law and correspondingly greater intransigence and intolerance for any actions in breach of the law.

The police emerged as a solution for the rise in criminality and public disorder, acting within the scope of implementing a disciplined and obedient society that observed the law and order that the dominant social groups wished to see established. It was above all attempting to fulfil this disciplinary task that clashed most strongly with the popular attitudes and behaviours, resulting in a high number of charges for disobedience, resistance, insulting and violence against the authorities.

The members of the Lisbon Civil Police represented the authority of the state and held important discretionary activities in applying the law, deciding in each precise moment just who should be reprimanded and what might be allowed. Furthermore, it was the members of the population who, displaying behaviours that the law criminalised, ended up most frequently in conflict and direct opposition to the police officers. The role of the Lisbon Civil Police officers was to implement the then established legal framework, seeking to impose its norms and values, ways of living and socially engaging that were frequently not then shared by the population inhabiting the city. This was the main factor driving the lack of understanding of police actions among representative sectors of the Lisbon population who, therefore, grew hostile towards the police.

At a first level, the police officers were the first to exercise their discretionary powers over just what constituted a violation of the law and duly deserved to be punished even while it would be the courts that would later rule on whether there had been any effective violation of criminal law and determine the appropriate penalty according to the juridical framework in effect. The police force was the state authority closest to the population. The inhabitants of Lisbon would daily pass by civil police officers who correspondingly became the closest representatives of the law and the means through which that law was experienced and thereby conditioning the relationship the mass population built up in relation to their rulers and their representatives.

However, due to the different functions and situations in which the police might appear in the lives of the people of Lisbon, their attitudes towards officers and the force in general tended to remain ambivalent. There was systematic recourse to the police in attempts to ensure their interests prevailed in mediation over their conflicts. However, there was also constant criticism and hostility towards police actions. While acceptance of police actions became, step-by-step, greater, it would nevertheless remain fragile throughout a long period of time and subject to swift breakdowns. With the passage of time, there emerged a rising level of acceptance of policing actions and becoming understood as something that made up part of daily life in the city. Simultaneously, there was also a growing understanding that the actions of the police did not only bring benefits to the socially dominant groups. Among the working population, the police gradually develo-



ped more positive relationships even while always remaining rather unstable and easily breaking down. The attitudes of the population towards the police force therefore reflected the ambivalence with which penal law may be perceived. In seeking to punish behaviours that were frequently not assimilated negatively by the general mass of the population, the law and police actions might thus be considered as simultaneously a tool of justice and a system of oppression.

## VI. BIBLIOGRAPHY

Clive Emsley, *Policing and its context. 1750-1870* (London: Macmillan, 1983).

David Garland, *The Culture of Control. Crime and Social Order in Contemporary Society* (Oxford: Oxford University Press, 2001).

Gonçalo Rocha Gonçalves, *Civilizing the police(man): Police reform, culture and practice in Lisbon, c.1860-1910* (Milton Keynes: Thesis of Doctor of Philosophy, Faculty of Arts, History Department, The Open University, 2012).

Pedrosa Guimarães, *Curso de Sciencia da Administração e Direito Administrativo: reflexões feitas na Universidade de Coimbra, 2nd edition* (Coimbra: Imprensa da Universidade, 1908).

António Manuel Hespanha, *Guiando a mão invisível. Direitos, Estado e lei no liberalismo monárquico português* (Coimbra: Almedina, 2004).

David Taylor, *Crime, Policing and Punishment in England, 1750-1914* (London: MacMillan, 1998).

Maria João Vaz, *O Crime em Lisboa. 1850-1910* (Lisboa: Tinta-da-China, 2014).