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Documentary Evidence in Early Modern Portugal and Overseas

A Window to Literacy Practices

[\(Versão pré-impressão\)](#)

ABSTRACT: Court files have provided a great revolution in the way we consider written culture in Modernity. Significantly, many testimonies brought into the light of our days are undeniable evidence of literacy among segments of the population traditionally placed in the shadows (Lyons 2010). The handwritten productions that we can find in civil, ecclesiastic and inquisitorial cases allows us to reconstruct more than just communication mechanisms outside the law. In fact, their search, seizure, handling and archiving are essential for understanding their use as documentary evidence. Moreover, such writings also bring into the light of our days personal perceptions about human relations, the everyday life and the impact of certain historical events. It is my purpose to discuss at what level personal informal manuscripts could be used as incriminatory evidence, the several roles they played even beyond the legal disputes, and how the modern researcher can explore this sources to study the literacy competence in the early modern Portuguese empire.

KEYWORDS: criminal justice, writings, evidence, literacy, Portuguese empire

Secret documents written by prisoners can tell us much about the Portuguese history of literacy. According to an inquisitional set of rules, under the title *“Dos Remédios que os Inquisidores hão-de usar para que os presos se não comuniquem por escritos”*¹ (“Remedies that inquisitors should use so that prisoners do not communicate with each other through handwritings”), several prisoners were violating the prisons laws of exchanging information. This document, possibly dating from the first decades of the 17th century and made by the General Council of the Holy Office of Inquisition, shows several strategies to discover prisoner communication networks and reveals how prisoners dealt with the obstacles to the production, circulation and reception of the

¹ ANTT: TSO, mç. 15, n.º 28.

messages. Certain goods were wrapped in paper and cloth, chicken feathers were used to write, charcoal as ink, pots and other kitchenware to conceal messages, cats as messengers, and so on. Despite these measures, various marginal correspondence ended up being seized, scrupulously examined and, finally, attached to legal proceedings.

This is just one of many circumstances that explains why a variety of informal handwritings can be found in judicial records. Their appearance, though not always clear, was far from being an accident. Alongside other types of evidence –confessions, testimonies, suspicion and judgment – manuscripts and printed materials were being used as *documentary evidence*.² This term is a notion that was brought into use not until the middle of the nineteenth century, and even then had a less defined meaning than nowadays. Nevertheless, this kind of evidence was starting to become more and more apparent in Portuguese early modern jurisprudence.

In this paper, the main focus is to exhibit, from an ongoing post-doctoral research project, the existence of several *ordinary writings* (Lyons 2007) as the first steps of documentary evidence in the Portuguese early modern period. It will be argued how such manuscripts show the dynamic relationship between writing abilities, writers' motives and social control in the early modern Portuguese empire.

On Evidence Gathering

Among the plethora of proceedings in civil, inquisitorial and ecclesiastical matters, it is possible to collect several examples of personal writing. However, due to poor preservation conditions, many of the existing files have been lost. This compromises systematic study and gives an incomplete image of the use of writing abilities and genres in the everyday life of earlier times.

Regarding their value for the contemporary researcher, judicial archives provide socio-cultural and linguistic data, especially in the case of such personal

² Documentary evidence is a form of evidence that consists of any document (printed or handwritten) with writings on it, that is submitted, examined and allowed as evidence in a trial. In this paper I take into account only this sort of written proof, instead of considering several other physical evidence, in order to focus the study on literacy competence.

writing. Thanks to the research of the project *Post Scriptum* under the coordination of Rita Marquilhas (University of Lisbon), thousands of Portuguese and Spanish informal letters (from the 16th century to the beginning of the 19th century) have been discovered in regional, national and even international archives.³ In fact, more recently the study of letter writing in early modern societies has offered new insights not only into the usage of the language, including its varieties and cultural practices, but also in terms of the meanings of the materials (Daybell 2012; Daubel & Hinds 2010; O’Neill 2015; among others).

Besides personal letters, there are all sorts of ordinary writings used as evidence in the courts. However, it is not always possible to accurately assess the reasons for the selection and attachment of such documents. Compared to oral testimonies, they were not considered as strong evidence, yet still provided relevant data for someone’s conviction⁴. In general, it was possible to obtain them through several ways:

- By voluntary deliverance;
- Thanks to denunciation;
- By seizure;
- Through intercepted mail (private or public).

In several cases, it is possible to recognise the existence of such writings only from the description made on the criminal record or due to oral testimonies. After all, privacy was deeply conditioned by social restrictions – especially when concepts such as morality, sexuality and spirituality remained a public matter. However, the absence of potential documentary evidence is not always easy to explain. It could depend on the relevance of content or the physical conditions of the original, or even the discretion of judicial officers. Judicial officers had to frequently overcome several obstacles in the understanding of the written word, with regards to its authorship and/or addressee, especially when the source was kept in anonymity; authenticity vs. forgery of documents (either being handwritten or printed); other actors involved in the writing,

³ Our main goal at the project *Post Scriptum* is to collect and publish Portuguese and Spanish informal letters, written during the early modern period.

⁴ Concerning the law of proof in early modern Portugal and Europe, here are some suggestions (among many others): Ferreira 1730-1733; Langbein 1996; Macnair 1999; Madero 2009; Morais 2010; Pessoa 1913; Sampaio 2010.

as well as in the postage process; finally, the message itself – due to general grammatical errors, the nature of the physical medium or the use of techniques to make it undetectable.

At this level, we can practise the very first stages of forensic sciences, albeit with obvious lack of objectivity and systematic analysis in comparison to what constitutes modern documentary evidence.

Documentary Evidence and Writing Skills

Our findings in the judicial archives clearly demonstrate at what level the essentials of reading and writing were accessible to a higher proportion of common people than traditionally considered by historians, thanks to free education (Kamen 2000), but also to domestic education and several other non-formal opportunities, like in the context of instruction in a craft or trade (Fonseca 2006). This may be surprising to us nowadays, but court transcripts were used as a popular method of teaching Portuguese. As a matter of fact, some teachers used to present printed or handwritten texts, originally from judicial proceedings, for calligraphy training in the context of the development of early literacy skills. Despite being common, this practice was condemned by ecclesiastical and civil authorities, for it would not have instilled adequate principles in the education of the new generations. In fact, this concern was justified by a model of literacy in which alphabetic writing was associated with morality, religion and civilization (especially since the 17th century in the Iberian territories and their colonies overseas) (cf. Baker 2007).

Moreover, it can be argued that literacy competence among lower strata benefitted from the dissemination of written culture thanks to the advent of print. In one hand, the knowledge of certain models and structures would be spread through letter-writing manuals and printed models, vocabularies, vernacular language grammars, textbooks for mother-tongue teaching and guides for learning foreign languages, among many others. It is also possible to point out the consequences of the written culture through several legal proceedings, not only concerning to censorship. There is often documentary evidence in inquisitorial records against individuals who were clearly consistently exposed to a wide range of literacy practices – teachers,

students, printers, booksellers, as well as merchants and businessmen (mainly Jews and *Conversos*⁵). In the context of the Portuguese Inquisition, these men and women were mainly convicted for heretical proposals and *Jewish guilt*, and the ownership of forbidden books and suspicious writings – including the content of personal letters – played an important role in their trial.

Amongst the Portuguese judicial archives, the modern scholar can observe different writing abilities through various genres, ranging from private messages and letters to commercial correspondence, forged papers, pamphlets, prayers, spells,⁶ drawings,⁷ instructions to currency counterfeiting, ship's logbooks, cargo record books,⁸ lists of all kinds, financial accounting, memoirs of exceptional events (for example during time in prison), and family trees, amongst others. Depending on the nature of such productions and the reasons why they were attached to legal proceedings, each one not just represents a literacy event, but works as evidence of "literacy-in-action" (Brandt & Clinton 2002:348), where literacy acts as a social agent. Moreover, these documentary evidences suggests how literacy appeared as consequence of several factors besides schooling, like personal needs, economic demands and spirituality (Houston 2013; Lyons 2012). Evidently, the practice of literacy had a crucial social role, from the upper to the lower strata of society, and leads us towards the understanding of human relations, beliefs, intimacy and public/privacy boundaries. On the other hand, documentary evidence, in their variety, also confirm how both literate and illiterate people, even in rural society, would have

⁵ The word *Converso*, as well as the expression *New Christian*, were applied in the Iberian kingdoms and refer to baptized Jews and their descendants. Generally, it also point out the suspicion of secret adherence to Judaism. They have both a pejorative connotation and are synonyms of *Marrano*.

⁶ For instance, it is possible to find the well-known magical formula *abracadabra* as a part of a ritual to heal malaria sufferers (as stated by Quintus Serenus Sammonicus, physician to the Roman emperor Caracalla) circa 1675. The small writings were written by Diogo Lopes Velho, a lieutenant of infantry. They should be used as an amulet and individuals would also have to say some common Catholic prayers, such as the Our Father and Hail Mary. Only one got to the Holy Inquisition. Despite showing a curious mistake – by adding an extra syllable: *abradacadabra*, instead of *abracadabra* – it is an important evidence of one popular healing, where superstition meets religion. Could this be an example of a common level of writing in early modern Europe – copying without understanding the content (Houston 2013)? (ANTT: TSO: IE, file 7415.)

⁷ Amongst the Inquisitorial files, they were mainly evidence of superstitious practices and beliefs, as well as of sorcery.

⁸ Frequently found in files concerning debts and other similar legal disputes. For instance, in the following reference, it was a case of lost, stolen, damaged or destroyed goods: ANTT: Feitos Findos, Conservatória da Companhia Geral de Pernambuco e Paraíba, mç. 6, cx. 8, n.º1 (18th century).

been been constantly exposed to the practice of writing (Marquilhas 2013; Eckerle 2013). However, the ways in which promotion of literacy occurred among the lower strata are still to be comprehended (Kamen 2000) in their whole extension and possibilities, particularly in Catholic kingdoms, such as the Portuguese empire.

Personal manuscripts, each with their own goals, add “a further stone to the foundation work for a new history from below [...] with a newly-keen ear for real speech and subtle meaning” (Hitchcock 2004:295). Documentary evidence in early modern Portuguese criminal records challenges us to reanalyze more deeply the processes by which individuals constructed meanings and self-awareness. Such sources, in the context of the ecclesiastical, the inquisitorial and the civil courts, reveal not only the degrees of persecution undertaken by the Holy Church and the royal power, but also several strategies against their control, where writing played an important role.⁹

For instance, let us consider letters seized from Jewish networks in the 17th century (among several inquisitorial records), and correspondence, as well as pamphlets (among civil records), exchanged in the context of the civil war that took place in the government of King Miguel (1828–1834).¹⁰ Although motivated by completely different issues, in both cases writers had the urge to transmit confidential information under close surveillance and use correspondence as a strategy to ensure family ties and friendship at long distance (from exile to Portugal and vice versa).

Another interesting example where literacy serves transgressive purposes is a case of currency counterfeiting. In a civil legal proceeding built against Manuel Tavares Coutinho¹¹ (1825), a servant, there is a letter written with the goal of obtaining instructions to make counterfeit coins. He asked a friend, who happened to be a goldsmith previously condemned for counterfeiting. The answer to this demand contrasts in its dimension and content. Being concerned with the transmission of

⁹ It is necessary to point out that, in Portugal, the Holy Office of Inquisition was a royal court, instituted by King João III.

¹⁰ Both available at the Portuguese National Archive (ANTT – Torre do Tombo), the last one in two different documentary collections: *Processos Políticos e Devassas do reinado de D. Miguel*, and also in *Intendência Geral da Polícia* – where hundreds of seized letters can be found in miscellaneous sections.

¹¹ANTT: Feitos Findos, Processos-Crime, Letra M, mç. 71, n.º 76, cx. 157.

precious information, the addressee, Francisco Soares Antunes de Carvalho, wrote a short, enigmatic message, delaying the presentation of the requested information. In this way, the writer adjusted the message to the circumstances. After all, such practice was a crime against the crown, and both of them could be already under surveillance.

Victims, Offenders and Writers' Motives

Although letters tend to be more conventional in the early modern age (Bergs 2007:29), particularly with regard to politeness, formulaic sequences and genres, there are cases in which creativity may have been inspired from spoken discourse and/or lack of skills in written discourse. In the huge variety of writings found, this quest for documentary evidence reveals more about popular everyday writing, including ephemeral genres. However, we only have access to what inquisitors and judges decided it was worthwhile to preserve as testimonial evidence in the context of legal disputes. There are fewer examples of writing belonging to women, although these examples demonstrate intentions as diverse as business, seduction and creativity. After all, functional skills were needed for survival (Baker 2007) and were even used as instruments of power, regardless of social status, language knowledge or literacy competence.

Interest in certain types of text depended on the content, circumstances and participants involved. Some records are more likely to have documentary evidence, concerning specific accusations – such as bigamy, solicitation, Judaism, conspiracy, sodomy, obstructing the course of inquisitorial justice, sorcery and superstition. These ordinary documents are important not so much for their content, but because of their existence (Lyons 2007). Due to their very nature, they reveal a diversity of details, not only for what they convey; but for what they imply in their dissemination or, in the opposite sense, in their private ownership. Documentary evidence could be used in more ways than solely to convict criminals. In fact, it could provide:

- A way to obtain evidence – direct or indirect - of a new offence;
- An alternative source of information;
- A strategy for identifying all those involved in a certain social network and, therefore, finding further guilty persons.

Yet, even the most reliable results could not be considered as solid evidence to convict offenders. In order to illustrate the great variety of genres, themes and situations, I will introduce and give more specific details on several examples, awarding particular attention here to the Portuguese Inquisition. For a better understanding of the presented texts, the material transcribed is standardized in what concerns morphosyntax (except for the enclitic forms), word boundaries, abbreviations (all expanded), use of capitals and punctuation.

Communicating Behind Bars

Inside prisons, restrictions were one among many factors that influence the quality and availability of resources, including restrictions on speech itself. Poor reading and writing abilities were not an obstacle strong enough to inhibit the interaction between individuals, even under close observation. It is possible to identify verbal and non-verbal strategies, mainly through the details described by guards and the content of complaints made by cellmates. Messages could preserve an author's identity or hide meaning. The economy of words and use of figures of speech were obvious keys to ensure success in such marginal interactions. Both strategies worked as a code that could be deciphered only by those who shared insider knowledge.

The *beef pot strategy* was well known among prisoners – but it went awry for one imprisoned doctor, Miguel Nunes, aged 33, convicted for persevering in the Law of Moses. Despite knowing the risks, he needed to comfort his wife and sent her a small note on the 28th January of 1601. On the same day the guards intercepted the small wrapped paper – written on a page of a book – in a clear violation of secrecy in the inquisitorial prison at Coimbra (Figure 1).

Figure 1 – Miguel Nune's note to his wife. (PT/TT/TSO-IC/025/00889). Image courtesy ANTT.

Due to the physical medium, the small paper was attached and transcribed to the defendant's file. There were no doubts concerning its authorship, and the addressee – also in the exact same prison – was soon revealed. In addition, there was a strong suspicion about the delivery of several notes and warnings in Latin, giving some hope to other *conversos* or revealing judicial procedures.

It is possible to observe common features of the genre in the message. The context clearly affects the quality of the discourse and itself leads to linguistic economy, making the content difficult to interpret. On the other hand, the absence of punctuation and capitals also compromised its understanding. Here is a revised version, preserving the original content:

Send me a sign if this is delivered, so that I can rest. Be patient. When was the day, if someone else came. About the cans, nothing, nothing, nothing, it's very, very well and it will be. I'm afraid the wound came from the imprisoned guard or from outside.

Sincerely yours until death.¹²

This message also suggests the existence of verbal/non-verbal (the *sign*), linguistic (taking advantage of sentences' juxtaposition, repetition of words and the absence of certain points of reference in the speech) and strategic resources in the interaction of this couple. The author also makes use of a remarkable variety of speech acts considering the dimension of the writing: there is a demand, an encouragement, an inquiry about two issues, gratitude and some news. After all, it was an opportunity too precious to be missed.

This scenario does not differ much from the interaction that took place in the same prison, allegedly around 1600. Ana Fernandes, aged 52, was married to a tax-gatherer. She and her two sons, Brás and Diogo, were persecuted and imprisoned, but not at the same time. Once again, we are facing an interaction driven by familial motives and concerns, between New Christians.¹³ The messages exchanged were very brief, following previous attempts at contact in which mother and son tried to reach each other without raising the guards' suspicion by non-verbal interactions, in which the exchange of specific objects would confirm the identity of the sender (Ana) to the addressee (her son Diogo, aged 30).¹⁴

¹² The original message was the following: "Mandai sinal se é este dado, para que repouse. Paciência. Quando foi o dia, se veio mais alguém. Das conservas nada, nada, nada, está muito, muito bem, e estará. Temo que a ferida veio do guarda preso, ou lá de fora. / Verdadeiro até [à] morte." ANTT: TSO: IC, file 889, folio [13A front and back].

¹³ See previous footnote (4).

¹⁴ They can be seen in two different places: ANTT: TSO: IC, file 2398 and ANTT: TSO: IC, file 37.

The analysis of such manuscripts by the judicial authorities was a considerably difficult activity. They were often, as in this case, made of easily degradable material, with handwriting that was difficult to read, and displayed notoriously bad syntax, spelling and discursive consistency. Ana Fernandes' messages present a peculiar handwriting and are not easy to decipher, which shows how poor her writing skills were. When asked about her writings, her son Diogo stated that she was illiterate in an attempt to avoid a more severe punishment and to keep further interactions secret. However, the evidence was strong enough to prove the opposite to be true.

Empowerment Through Literacy

For this topic, I have chosen a few cases where there is a strong perception about the power of writing skills as a way to claim justice and/or to achieve social prestige. For Vicente Nogueira, letter writing was an important part of his plan to fool the Inquisition. The 45-year-old Catholic clergyman from Lisbon and ex-Associate Judge at Casa da Suplicação (a Supreme Court) was convicted of sodomy. In December 1630, he not only wrote a letter to be used as evidence, but also sent a paper to be seen only by his partner, the priest Álvaro Pires, where he explains all the details of the plot (Figure 2).¹⁵

Figure 2 – The secret plan and the forged letter are revealed. (PT/TT/TSO-IL/028/04241). Image courtesy ANTT.

Vicente relied on the usual practice of voluntary delivery to the authorities, unaware he was to be betrayed and exposed. Nevertheless, such findings did not affect the final court decision.

It is common to find situations in which the writer has the intention to use letter writing as an incriminatory strategy. This was the case for Maria da Fonseca, a woman abandoned by her husband. A letter from 1661 proved to be an important vessel for her to demand justice.¹⁶

¹⁵ Both letters are available at <http://cards-fly.clul.ul.pt/teitok/postscriptum/pt/index.php?action=home> as PSCR1383 and PSCR1384 (xml codes).

¹⁶ ANTT: TSO: IL, file 142, Folio 6 front to 7 front.

Mister Pascoal Coutinho,

I've heard that, despite being married to me, you pretended I was dead in order to marry another woman, a thing I had never expected from you. But these are the ways of the world. And you also took all my assets and left me with no home, two causes that were enough to report on you to the church. However, considering you are my husband by name, I won't denounce you, and I haven't said anything to the vicar, because I'm sure you'll remember me by sending me something for my maintenance. Because every honest woman with her husband away suffers from this kind of need.

I hope you will help me as an honest man. And if you don't do as I say, I'll arrange things on my own, and I warn you that it will be cheaper to do what I say than to try the strictness of the Holy Inquisition.

And as I trust you'll do everything, I hope God keeps you as it is my wish.

1st May 1661, AD, Maria da Fonseca.¹⁷

She blames her husband for bigamy, an offense against the values of the Holy Church. Through a letter of reproach, she describes the complete scenario, making clear that Pascoal Coutinho was aware of his immoral conduct. When Maria claims that she did not intend to denounce him, the context of delivery of the letter clearly demonstrates the opposite. On the other hand, in some passages, what appears to be a simple justification – “because I'm sure you'll remember me by sending me something for my maintenance” – takes the form of a demand, by putting pressure on the addressee. At this level, Maria plays with the common sense about basic rules of conjugal life, through a conscious choice of words and hidden meanings.

Another woman, Leonor Caetana, felt the need to expose a priest, André da Conceição (circa 1734). This is how one of the letters began:

Jesus, Marie, Joseph

Sir, or better saying, great charlatan,

¹⁷ Translated by Clara Pinto, from Portuguese: “Senhor Pascoal Coutinho,/ Tenho por notícia que vossa mercê, sendo casado comigo, me fez morta para se casar com outra, o que nunca esperei de vossa mercê, mas são coisas deste mundo. E também levar vossa mercê todo o meu remédio e deixar-me posta na rua, causas eram estas muito bastantes para me valer da igreja. Mas atento a ter vossa mercê nome de meu marido e por isso o não acuso nem dei disto parte ao vigário geral por me parecer se lembrara vossa mercê de mim, com me mandar com que me sustente, que as mulheres honradas sempre em falta de seus maridos passam necessidades destas. [...] / E advirto-lhe que mais barato lhe há-de ser o fazer o que lhe peço, que experimentar o rigor da Santa Inquisição [...]”.

Your mercy holds some demon from hell, if you're not one of them, or a minor son his slave, who is tempting so subtly the souls. Tell me if you have found in a book approved by the Inquisition the doctrines that Lucifer has taught us, he, who wanted to be superior to God. Tell me if Jesus Our Lord, when he was in this world, did he ever do such dishonest actions with the women who were with him, like those you have done to us. [...] ¹⁸

Between recriminations, she tried to persuade him to confess his faults to the Holy Office. Leonor intended to provoke a spontaneous reaction from him by using irony and sarcasm. It is interesting to observe the creative accusatory salutation.

Furthermore, she reveals an acknowledgment of the value of letter writing to set out her own defence. However, André seems to have understood her intentions and tried to use the same strategy to prove that he was not alone being guilty of solicitation.

Language and Symbolic Power

The institutions of early modern discipline – ranging from superior to trial courts – are not to be considered as having always clear boundaries concerning their jurisdiction. For conventional religious and spiritual concerns, inquisitional and ecclesiastical courts were chosen to convict offenders who endangered the public from a moral and behavioural point of view.

In another case, from the eighteenth century, limited resources led to a peculiar choice. The amount of letters preserved by the Holy Office concerning the priest Bernardo de São José¹⁹ is impressive and relates to his crime: heretical proposals. Whilst being a spiritual director and confessor, he dangerously inspired various nuns to follow his doctrine. At the moment of his arrest in his convent, in April 1761, authorities found forbidden books (manuscripts with prophecies about the

¹⁸ Original version in Portuguese: “Jesus Maria José/ Senhor/ ou para melhor dizer grandíssimo embosteiro/ Vossa mercê cerra algum demônio do inferno, se o não é, é filho menor seu escravo que assim anda tentando as almas tão sotilmente. Diga-me se achou em algum livro que passasse pela santa inquisição as doutrinas que nos ensinou o Lúçifer, que se quis fazer mais que Deus. Diga-me, Nosso Senhor quando andava no mundo obrou alguma vez com as mulheres que seguiu que as ações tão torpes que connosco obrou [...]”. ANTT: TSO: IC, file 3326, folio 20 front.

¹⁹ ANTT: TSO: IL, file 8619.

return of King Sebastian and others from Bandarra) and more than two hundred letters from a single nun describing mystical revelations, as a sort of spiritual exercise based on the false doctrines he used to preach – which included not only some variations of the Catholic dogmas, but also other blasphemies, such as superstitions concerning Sebastianist myths (Figure 3).²⁰

Figure 3 – A superstitious writing. (TSO, mç. 22, n.º 123-2) Image courtesy ANTT.

Figure 4 – Recycling printed pages. (PT/TT/TSO-IL/028/06276) Image courtesy ANTT.

Whilst he was imprisoned, further writings were found, mainly correspondence between Bernardo and another prisoner, Alexandre Bulhões.²¹ Alexandre's approach was more pragmatic, showing concern for other prison mates, and whom they could trust. Bernardo, on the other hand, had spiritual concerns and took the opportunity to defend himself in his letters.²² Ironically, he had chosen the front page of a treatise on criminal and civil law to write some of them (Figure 4).²³

Finally, there are situations where a completely illiterate individual has used writing abilities to demonstrate the symbolic value of a manuscript. In many cases involving communities where illiterates formed the vast majority, the written word was believed to have some sort of supernatural power. The healer Manuel Marques Ferreira is one paradigmatic example from the first decade of the eighteenth century. Against the interests of the King and the Holy Church, men and women worked in the shadows to bring hope and cures (either mental and/or physical) to the most desperate situations²⁴. Even though Manuel was unable to read or write, his use of a particular manuscript book made, deliberately, quite an impression on his public

²⁰ Sebastianism is a movement or cult that arised after the disapearence of King Sebastian (1554–1578) in the battle of Alcazarquivir. This event led to the lost of the independence of Portugal in favor of Philip II of Spain. This movement started in the context of the Spanish dominain (1578–1640) with the belief that King Sebastian, deemed a Messiah, had not perished and that he would return to restaure Lusitanian greatness (Suárez 1991).

²¹ ANTT: TSO: IL, file 6276.

²² Just a few were included in Bernardo's case file, while many others can still be found in the miscellaneous archives from the Holy Office of Inquisition.

²³ *Tractado practivo juridico civel e criminal*, from Manuel da Costa Franco, in an edition from 1764.

²⁴ For a better understanding of this matter through Portuguese Inquisitorial records, see Walker 2005.

(Figure 5). Manuel and his two followers used to consult the manuscript in their superstitious practices, making a big impact with their performance. Supposedly, these healers could decode the indecipherable language present in that manuscript, mainly composed of scribbling, crosses and Stars of David. In truth, they were indecipherable as a result of having been made by someone without literary skills, with the clear intent to simulate writing. This document is a precious testimony of how magical properties could still be attributed to reading and writing abilities.

Figure 5 – A sort of writing. (PT/TT/TSO-IC/025/08583) Image courtesy ANTT.

Conclusions

This project began by a general analysis of evidence gathering, in order to give further information on what is today considered *documentary evidence*. Above all, it was my concern to give contextual meanings in order to better understand the judicial interest in writings, how Portuguese early modern judicial institutions gain access and dealt with them. Consequently, I discussed the argument that personal writings considered to be documentary evidence, in both their variety and creativity, are an important source for the study of literacy practices.

The evidence that has been examined forms just a small example of the gigantic profusion and potential of these sources. This sample of cases evokes past human trajectories and highlights the relation, traditionally located in the higher social groups, between everyday life and written culture. In order to fit the goals and dimension of this article, I have presented and briefly analyzed only a few cases, mainly from the Portuguese Inquisition, housed in the Portuguese National Archive, in Lisbon. Thanks to systematic research, many more documents can still be found. Although it is impossible to access every sort of personal writing ever made, criminal records can, undoubtedly, provide us with a fuller picture of the relevance of literacy for men and women in the early modern period in Portugal and overseas.

Reading and writing were not, after all, remote achievements in the early modern age. Whether or not they had poor reading and writing skills, these men and

women were able to play significant roles in their societies. They could, in fact, become active agents, not just in the shaping of their own lives, but also of society and culture, values and beliefs, and the nature of resistance against a superior power – whether it be God or a King. As stated by Howard (2012:3), “through writing they could become historical actors, and their complex writing defies the generalizations about lives of uniformity or passive victimhood”.

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IC – Inquisição de Coimbra ('Coimbra Inquisitorial Court')
Processos ('files'): 37, 889, 2398, 3326, 8503.

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Processos ('files'): 7415

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