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Crime in the long-term historical trend: quantitative approaches

- 1 Historical crime studies have often relied on quantitative approaches that reconstruct long-term crime rates. A landmark in the 1970s was the creation of the IAHCJ (International Association for the History of Crime and Criminal Justice), that brought together researchers from several countries whose works have established new approaches for trends on crime over time. The most important finding regarding Europe was the drastic fall in crime rates in the last centuries.¹ Historical crime trends have been empirically observed in different regions and countries, showing a drop in interpersonal violence expressed in homicide rates (Gurr, 1981, 1989). The extensive literature on the subject also detects changes in crime patterns with the decline of violent behaviour in long-term trends. Generally, the changes in criminal patterns tend to supplant predominantly spontaneous violence, closely associated with notions of honour and strong ritual content, by more premeditated aggression, involving calculation and purpose (Spierenburg, 1994). Both phenomena reveal important changes in forms of social interaction and use of violence, which in turn indicates a progressive control and ordering of social space and the pacification of daily life by internal and external mechanisms of self-control of violent impulses.
- 2 The international historiography on criminality has come to rely heavily on quantitative approaches, to a large extent by the archival work of organization and identification of judicial collections. Long-term statistical treatment of the sources

allowed crime to become a theme in social history, making it possible to criticize the limitations of an essentially legal history, and brought to light a series of themes related to popular culture, gender, honour and patterns of social relations.² As James Sharpe points out, “quantification must be limited in its ambitions, extremely cautious in its methods [...] this is not to say that, where appropriate and possible, it is not an essential exercise, and that it cannot yield some important conclusions” (Sharpe, 1999, 28).

- 3 The main debates can be grouped into two. First, the empirical observation of the fall of interpersonal violence over extended periods of time, which roughly encompasses the process of construction of modern states. Second, the explanation of the changing trend in light of the civilizing process theory, as conceived by Norbert Elias, in terms of long-term changes in social configuration that led to profound cultural changes towards self-control of aggressive impulses in daily life (1993).³ Approaches anchored in statistical reconstruction of violent crime over long periods have, therefore, advanced theoretical discussions in a contrastive way through empirical evidence that elucidates long-term processes and can only be observed from a broader time perspective.
- 4 The last two decades have seen a rise in the number of researches on crime and public order institutions in Brazil. There is a consolidation of the theme that was previously absent in our historiography. Several studies, mainly focused on the nineteenth and twentieth centuries, have given us a better understanding of the police and justice actions and practices of crime and punishment in different regions. Nonetheless, larger quantitative works are still not usual, given the scarcity of reliable numbers and the strenuous work to build databases. In Latin America as a whole, interest, research and dialogue between researchers working on the topic is also growing.⁴
- 5 Criminality is evidently a statistical concept, referring to rates constructed from the sum of events over a given period in relation to a given population. Nonetheless, this is not the only possible approach for crime studies. There are other types of historical sources, such as debates in the press or in parliament, or the construct of “criminality” discussed in the juridical field, that can shed light to the theme. Obviously, quantification does not exhaust itself as a data-producing tool but, on the contrary, demands an even more meticulous analysis effort to understand data and trends considering the historical context and its conjuncture.
- 6 Generally, when trying to reconstruct empirical evidence of crime to put it in a long-term perspective, we deal with two issues. The first refers to theme relevance, the second to the feasibility of observing it in this perspective. The theoretical question that permeates this debate is what we investigate when reconstructing crime rates to identify variations over time. The most accepted answers, which may or may not be congruent depending on the approach, are: 1) through quantification of crime, we are elucidating the action of the mechanisms of social control and its effectiveness throughout space-time; 2) the decrease or increase of these rates indicate changes in patterns of social conduct and acceptance of violence. Imbrications between the two phenomena is a problem found in the sources used, the lawsuits filed in court or police records. Hence why many authors emphasize that what we have access to is the action of the justice system, being difficult or even impossible to determine how much the data collected would correspond to the phenomenon of violence as it actually happened. This implies that the contribution of historians to a history of violence using court registers remains problematic.

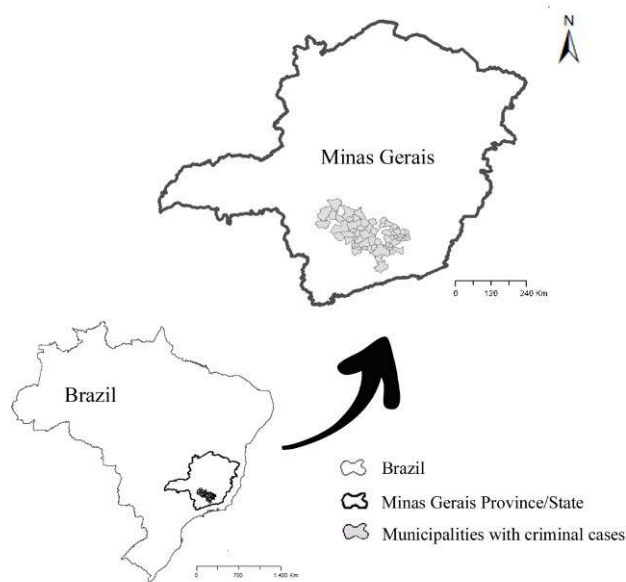
- 7 Criminal justice sources provide us with the data needed to assess state action and its ability for social control through increasing monopolization of the capacity to legislate and to do “justice”, that is, to legitimize its authority over a given territory. Moreover, if we take both processes as complementary and correlated, we may think that lower homicide rates or violent crimes may indicate effective control of social spaces, establishing “peaceful” forms and resources for conflict resolution. When trying to observe drastic changes in crime levels, a significant increase in homicides or crimes against property, for example, it is necessary to control other variables that allow us to distinguish an increase in criminal action from an increase in control and execution of these actions. Legal changes that imply greater criminalization, expansion of courts and police apparatus are indicators that allow us to control results and find out what is really going on.
- 8 When analyzing the data the first questions that come to mind are: can we trust records that may result from intentional changes made by the institutions responsible for carrying them out? Can we rely on files that may represent a random and uncontrolled sample of what has been recorded? As V.A.C. Gatrell and T.B. Hadden (1972) state, we must start from the idea that a fall in homicides, for example, if real, must be supported by other circumstances that would explain it, such as an increase in number of police or surveillance apparatus, the introduction of public lighting, presence of magistrates and courts in the area and so on. Even if we accept that, as postulated by interactionist approaches we cannot speak of increasing or decreasing crime; we may still observe the process of change in the justice system and construct hypotheses about its possible consequences. However, these are exactly the arguments we believe can be challenged by the evidence brought by historical sources.⁵
- 9 To the question of what we are measuring, whether variations in criminal practices or the capacity for control reflected by the increase in judicial production, we are convinced that the answer is both. Simply because it is impossible to separate one phenomenon from the other, crime is something produced by the act of criminalizing. However, having dismissed the more innocent and simplistic conceptions about it, we believe it is possible to control the data in order to isolate the effects of contamination from one to the other. An increase in the rate of violent crime does not necessarily reflect an increase in the ability to punish it. In the period under review in this study, in the absence of effective police forces, most cases were initiated by complaints from the victims and witnesses reporting to diligent inspectors, who were unable to exercise effective preventive control over their areas of action. As we will argue, it is precisely the quantification that allows us to determine what we are measuring.⁶

Judicial sources and the reconstitution of long-term crime trends

- 10 The first half of the nineteenth century represents in Brazil’s political history the period of construction of the nation-state. A long road had to be traversed before the consolidation of the Brazilian imperial state, already established in the second half of the nineteenth century. The crisis of the colonial system combined with the Portuguese court transfer will undergo an accelerated process of political-administrative restructuring. The independence and subsequent periods brought the effort to construct a centralized administrative machine capable of ensuring the monopoly of power and territorial integrity.

- 11 When compared to Europe, the consolidation process of the Brazilian nation-state was fast. In most of Western Europe the construction of national states took centuries, through a slow accumulation of forces, conditioned by internal evolutionary transformations to territorially circumscribed social formations (Elias, 1993, ch.2).
- 12 The predominance of an elite of slave owners whose interests were identified with the interests of the state was decisive for the success of constructing a centralized national power. The central themes that occupied the foreground in the national political arena were questions of national unity and reorganization, expansion and strengthening of the bureaucratic machine, largely inherited from the colonial period and necessary for consolidating the new power arrangement.
- 13 The establishment of a central power, capable of exercising a monopoly of jurisdiction over the national territory, took place through a continual process of struggle and negotiation within certain agencies and social groups of regional bases. The conquest of the “legitimate monopoly of the use of violence and taxation”, the application of justice and social order, develops in a social framework whose dynamics is extremely ambiguous (Elias, 1993).
- 14 In nineteenth century Minas Gerais, the administrative structures were already in place, due to the early establishment of the metropolitan government machine in its territory. The development of trade around the mining economy led to the implementation of the administrative machine, accelerating the territory occupation process. Urbanization, trade and administrative action, as well as sociability patterns and culture, were brought from the metropolis and marked its social configuration (Souza, 1985; Holanda, 1960; Iglésias, 1974). These municipalities were some of the most important in the central mining region and corresponded approximately to the district of Rio das Mortes area, which, at the beginning of the nineteenth century, was the most inhabited region of Minas Gerais. In 1808 it had 154,869 inhabitants out of a total population of 433,000. The number of enslaved workers totalled around 38,000. Throughout the century the region was consolidated as a supplier of food to the coastal market, since its privileged geographical position made the region the route through which all goods circulated. In this way, these villages became centers for the redistribution of imported products brought from Rio de Janeiro. Throughout the 1800s, the region continued to be an important centre of economic, political and administrative activities in the Province. It is important to note that the region presented some dynamic and populated centres in its eastern side as well as less developed areas in the west and is a representative sample of a broader scenario.

Map 1. Brazil, Minas Gerais State/Province and the municipalities with criminal cases, 1830-1929



Documental research and database: Ivan de Andrade Vellasco (UFSJ) e Cristiana Viegas de Andrade (UFSJ). Map Source: IBGE Digital 2010. Cartography and Geoprocessing: Cristiana Viegas de Andrade.

- 15 The serial character of the document allows the analysis of crime trends over time and space. However, two issues require discussion: unrecorded crimes and missing documents. For those investigating crime in history, the problem of the “dark figure of crime” is doubly posed (Biderman, 1967, 16-33). On the one hand, as with any crime statistics, we must assume a number of crimes are not reported or prosecuted by the justice system; on the other, the lack of compiled statistics and the presumption of unpreserved records.

Unreported crimes

- 16 The existence of unreported crimes afflicts both past researchers and those who study current data. What should be made clear is that the database presented here allows for a broader understanding of registered crime, not all criminality. Unreported crimes can be selective, or not, according to the social practices adopted by a specific group. Therefore, in order to study crime using the database presented here one should bear in mind the importance of these practices. In this regard, and for the reasons stated, we are on firm ground, at least in relation to violent crimes. Let us then return to the question of hidden crime, not prosecuted by the legal system.
- 17 We have already discussed the eighteenth-century reality in a less distorted way, since it does not carry biases caused by deliberate security policies or problems derived from statistical manipulations. In addition, because the trends in this research were reconstructed from a massive number of cases reporting very different situations, many of the problems presented can be overcome.⁷

- 18 In the suburbs of Arraial do Brumado, and the parish of Congonhas, surrounding the village of Queluz, João Africano, a free black man who lived in the property of Ensign Felix Pinto Ribeiro, was murdered. His body was found on 18 May 1828, in the garden of his house. It was missing his head and right arm. According to the witnesses, the accused was a black man, a slave owned by Carlos de Tal, a resident of Lagoa Santa, whose name was unknown and who had escaped from Felisbino's troop and came from the region of Sabará. He was on his way to Rio de Janeiro. The accused was found with clothes and other belongings of the murdered man, suggesting that the defendant had killed João Africano in order to rob him.⁸
- 19 In March 1910, the corpse of Antônio Ribeiro was found at Raimundo's Farm, in the district of São Sebastião do Curral. The corpse was already partly decomposed and mutilated by the action of pigs, dogs and vultures. On the side of the body was a deep stab that according to witnesses was made by Miguel José da Silva over a title of a house that Ribeiro demanded from him.⁹
- 20 On 29 August 1879, at the Arraial do Espírito Santo do Itapeçerica, in the city of Tamanduá, Clemente José de Souza was punched and stabbed to death by José Coelho Fernandes. According to witnesses the crime was motivated because the murdered man set fire to the defendant's fence and offended him verbally. Clemente's corpse was found by Francisco Carneiro Xavier in the Itapeçerica River on 22 September of the same year.¹⁰
- 21 In November 1874, the corpse of the slave Manoel was found in the Rio das Mortes, under the Old Bridge of Miranda, near the farm of Celestino José de Almeida. He had been tied up, beaten and pierced on his face and neck. Found eighteen days after the crime, his body was already decomposing. According to witnesses the crime's motive was a bundle of clothes found by the victim, which belonged to a slave of the farm owner.¹¹
- 22 We believe these examples, varying in time and space, show some important aspects for understanding the social configuration and its implications. A great number of cases begin with the location of a corpse, sometimes by animals. It is interesting to note that even if these are the bodies of foreigners, they were often identified by witnesses who had clues and information that allowed justice to suspect and indict those responsible. In the villages, even the most urbanized ones, in the parishes and districts, anonymity is not very well accepted, because daily community dynamics imply the inexistence of strangers. Foreigners, then, are immediately identified and observed through the places. Thus, the possibility of unreported disappearances, the concealment of corpses and actions in secret are greatly reduced. The systematic reading of the documentation, in addition to information gathered from municipal judges, justices of the peace and correspondence of police authorities, reinforces the notion that the detection of murders and violent physical offenses by justice was very close to reality.
- 23 Douglas Hay's argument about the "accidental nature" of criminal records should be considered here (1982). He argues that the indictments that initiated legal proceedings were largely motivated by grievances and that the volume of proceedings is unaffected by a deliberate policy of social control and the type of judicial action we understand today. His conclusion comes from the analysis of source origins. For similar reasons, we argue that the judicial sources of the nineteenth and early twentieth century Brazil, which we have been working on for years, are more reliable than any of the official statistics produced. First, we need to consider that the primary activity of the control

apparatus over the long period analyzed was to contain violence. This information often appears in official correspondence between justices of the peace, magistrates and provincial secretaries and is also predominant in the provincial and ministerial reports. Secondly, the legislative apparatus has had little to no change in the course of the two centuries, leaving out the possibility that changes in the justice system may have influenced variations in its action in relation to different types of crime. We are far from problems related to the debate of the processes of criminalization caused by interests of the bureaucracy itself and control agents. Distortion usually caused by the authorities themselves in order to camouflage or inflate statistics to demonstrate effectiveness is of no concern, simply because there was no understanding the phenomenon was the responsibility of the direct action of the authorities, nor a result of security policies promoted by state organs. The same holds true for fluctuations caused by changes in institutional practices derived from security and control policies in response to demands from public opinion, because they do not occur in almost the entire period. Third, the analysis of a voluminous set of criminal cases in different localities and covering long periods verifies most dealt with registration and the control of violence. Modernization theories, which attempt to explain the reversal observed in judicial records between violent and property crimes in nineteenth-century Europe are not the reality observed.

- 24 From a total of 8,176 cases registered between 1830 and 1930, 4,377 were the result of justice action, the work of its agents, prosecutors, judges and inspectors. The rest were registered by the victims; or, in the case of corpses, reported to the authorities by those who found them. Witnesses are not only those who saw the crime, but also those who heard about them, reported the occurrence and described the physical and psychological characteristics of the defendant. It shows the inexistence of anonymity in social relations. Moreover, outsiders were arrested with the collaboration of inhabitants. This does not mean that the crimes were investigated, but they were reported.

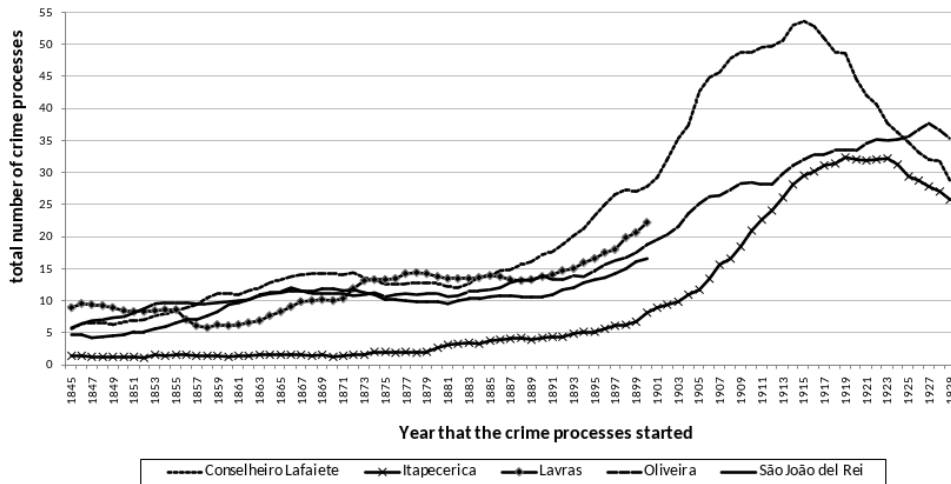
Missing records

- 25 The second issue to be discussed is the representation of documents in face of losses in the document collection. To verify it we observed trends in the volume of criminal processes over time, for the different forums (Figure 1).
- 26 Most of the curves make a similar upward trajectory, with similar growth patterns. This leads to two conclusions. The first one, of a methodological nature, provides us with a relative certainty about the collections' representativeness; although they might have suffered losses in specific periods, they maintain a quantitative consistency when the volumes are compared over time. The pattern repeated in the different collections reveals a similar long-term trend, suggesting that crime in the populations studied reflected changes in society. The second conclusion to be drawn from Figure 1 is more hypothetical. It is that by presenting similar patterns in the volume of processes these curves' consistency suggests that the different localities, reveal a movement that reflects both the increase in judicial production (consistent with the impact of more general changes in the patterns of social control and law enforcement, such as the expansion of justice administration and action of police officers and their scope) as well as the projections of demographic expansion in the time-period observed.

27 In addition to crime processes, we also have imperial statistics that provide information about crime contained in reports of the Justice of the Empire and reports from the provinces. Unfortunately, until 1843 the reports of the Justice Department of the Empire presented only statistics related to the court. From then on, there are sparse statistics by province, which do not allow direct comparison with our sample. However, a map contained in the folder report of 1849 shows that homicides and physical offenses in Minas Gerais, in the year 1848, summed a total of 85 cases in the whole province, while the number registered in our database is 23, accounting for just over a quarter of the total (27%). Although no definitive conclusions can be drawn from these figures, we can say that the number of criminal records in relation to the respective populations collected in this research is higher than that registered by the Justice of the Empire.¹² If we assume, then, that the data collected by the court was rather flawed, and that much of the information was not passed on to the central administration, the set of crime cases studied here presents a more complete picture of the scope of the judiciary's work than the imperial statistics.

Figure 1. Total number of criminal cases by year of occurrence (15 years moving average). Conselheiro Lafaiete, Itapecerica, Lavras, Oliveira e São João del Rei, 1845-1929

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Source: Database of Crime Processes of Conselheiro Lafaiete, Itapecerica, Lavras, Oliveira e São João del Rei, 1800-1939.

28 Regarding Minas Gerais provincial reports, there are ten statistical maps with the totality of crimes judged by juries for particular years between 1836 and 1855. These present only part of the judgements that occurred, because they exclude those adjudicated by the judges.¹³ Another problem is the presence of only tried cases, excluding registered crimes that were not judged. Even with these restrictions, a comparison is possible with a portion of the documents contained in our database. However, the geographic identification of the events poses a problem. Crimes of different municipalities and districts are grouped according to the term or municipality where the jury met to deliberate the verdict, not the place where the crime was

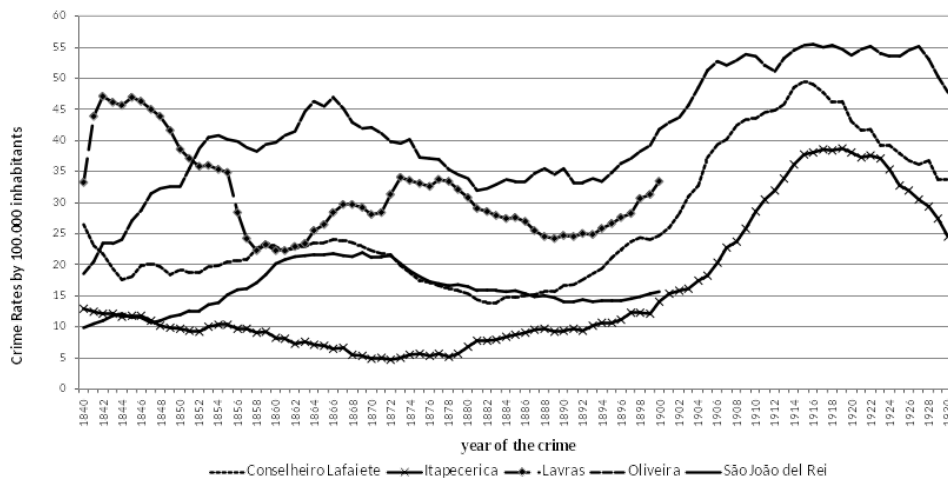
committed. The impossibility of disassociating the totals listed by municipality or district makes it impossible to compare the data referring to the crime cases and those of the provincial reports. The only statistical document with the quantification of crimes called “List of crimes committed in the State and reported by the police authorities during 1911” was found in the Police Chief’s correspondence of the Republican period.¹⁴ In this publication, there was data from Oliveira about two crimes; Itapecerica regarding one crime; and Queluz about 18 crimes committed during 1911. Compared to our records from the same year we have, respectively, 22, 40 and 45, out of a total of 107 only in these three municipalities, with 91 physical injuries. The Police Chief’s Map shows a total of 147 crimes across the state. Again, the study data is more robust than the figures in the official statistics when found.

- 29 The uniformity in the increasing pattern of recorded crime cases together with the greater complexity and detail in the information given by these documents provides firm ground to the use of criminal processes to study long-term criminality. We work, therefore, from five large “skeletons” that, although incomplete, allow us to propose and investigate more comprehensive models that provide a better image of the once-existing “body”.

Figure 2. Crime Rate (15 years moving average). Conselheiro Lafaiete, Itapecerica, Lavras, Oliveira e São João del Rei, 1840-1930

Image

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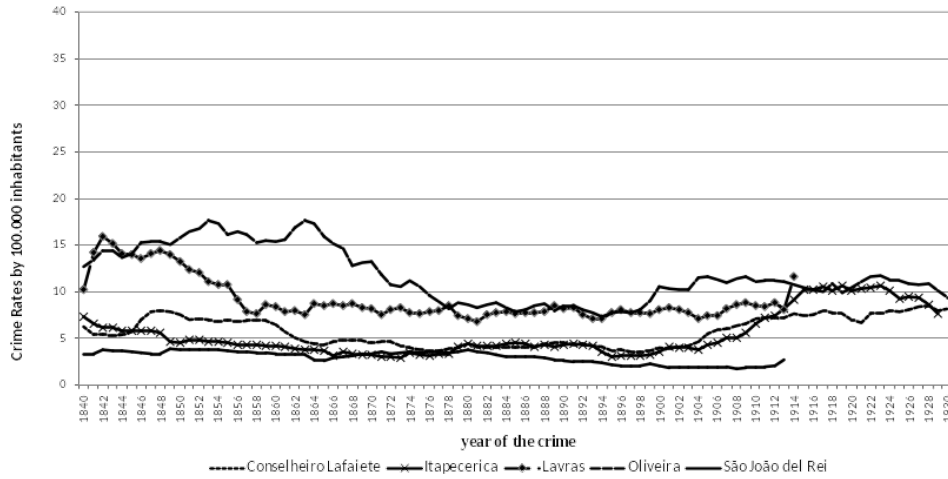


Source: Database of Crime Processes, Cunha Matos (1981), and Censuses of 1872, 1890, 1920 and 1940.

Figure 3. Murder and attempted murder rates (15 years moving average). Conselheiro Lafaiete, Itapecerica, Lavras, Oliveira e São João del Rei, 1840-1930

Image

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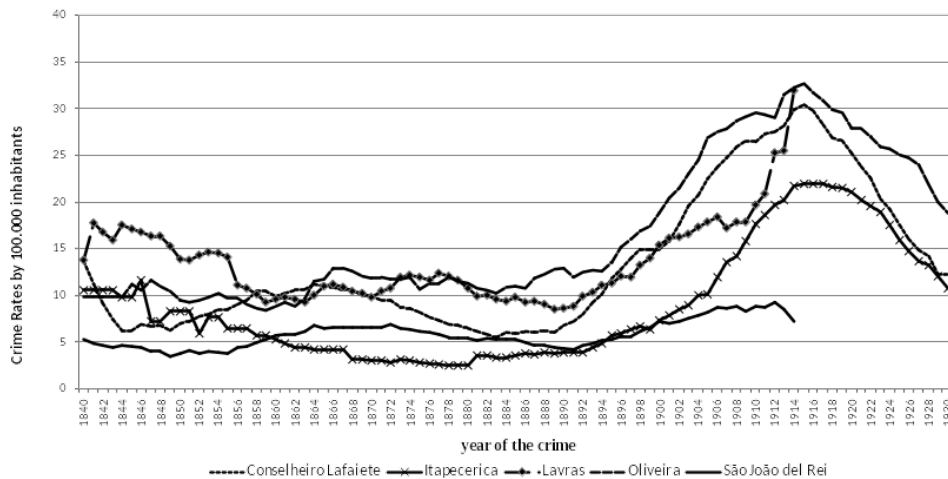


Source: Database of Crime Processes, Cunha Matos (1981), and Censuses of 1872, 1890, 1920 and 1940.

Figure 4. Bodily injury Rate (15 years moving average). Conselheiro Lafaiete, Itapecerica, Lavras, Oliveira e São João del Rei, 1840-1930

Image

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Source: Database of Crime Processes, Cunha Matos (1981), and Censuses of 1872, 1890, 1920 and 1940.

30 Finally, the reconstruction of the demographic data allows us to calculate the annual crime rates for each Forum, within their geographical limits of action, as shown Figures 2, 3 and 4. Interpretation of this data implies the analysis of other sources to understand variables that would explain them. Thus, the extensive correspondence exchanged between judges, delegates and local authorities, and the province's presidency, secretariat of justice and police chief, highlighted evidence of different patterns according to geographic place of the crime, and peaks of violence.¹⁵ Next, we will analyse the figures above using information from the correspondence and focus on the Tamanduá village.

Violence, crime and justice in the village

31 In 1826, the village of Tamanduá (now called Itapecerica), 24 leagues northwest of São João del-Rei, was the centre of a vast area divided into four districts. It included 38 villages with a population of approximately 27,000 inhabitants, a third of which were slaves. At that time, it was a region of agriculture and subsistence, with some surplus being traded in the villages of Sabará, Pitangui and São João del Rei. In this period Tamanduá had a size of 486 square leagues which was divided between the districts of Tamanduá, Campo Belo, Bambuí, Espírito Santo do Itapecerica, Formiga and Piuí. Its territory had paths that connected the province of Goiás, the backlands of Paracatu and the village of Pitangui.

32 The quantitative analysis of the data allowed us to observe long-term aspects and the spatial distribution of crime in different categories. The documents cover the period from 1830 to 1929 and presented different aspects of the crime, such as type of weapon used and its motivation; and show information about the courts, such as conviction fees and jury system, among others. Here, we will look at the crime rate over a century and its spatial distribution. We disregarded records from previous decades for the small numbers which clearly indicated a documentary loss when compared with criminal maps of the provincial reports.¹⁶ To calculate crime rates (Figure 5) it was necessary to reconstruct population data for each region by calculating exponential growth rates (Table I).

Table I. Population and exponential growth rate. Itapecerica 1826-1940

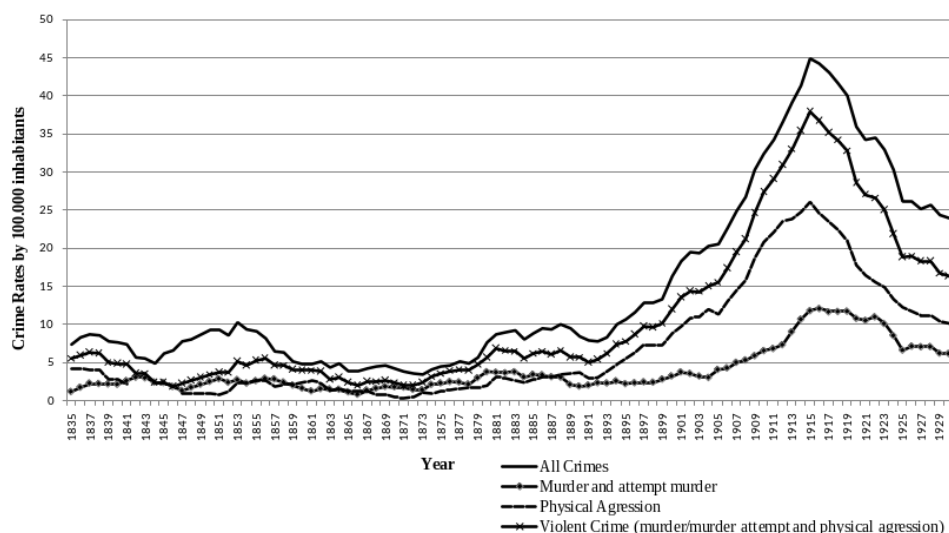
Year	1826*	1872**	1890**	1920**	1940**
Population	14,637	44,019	61,523	99,102	120,246
Exponential Growth Rate a year		2.4%	1.9%	1.6%	1.0%

Source: *Cunha Matos (1981); **Censuses of 1872, 1890 and 1940.

Figure 5. Crime Rate according to type of crime. Ten years moving average. Itapecerica, 1832-1930

Image

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Source: Database of Crime Processes of Itapecerica, 1800-1939.

- 33 The results were surprising in two aspects: first, already expected, the high rates recorded in the first decades, which began to decline in the late fifties and remained more or less stable for two decades (Figure 4); second, the astonishing upward curve starting around 1880 and rising in the following decades, with violent crime reaching rates of 80 per 100,000 inhabitants in the second decade of the twentieth century.

The routine of policing and justice

- 34 To analyse the data some background information is necessary for context. In November 1830, the justice of the peace for the curate of Campo Belo sent a letter to the president of the province.¹⁷

I came here to request your Highness as the justice of the peace of the parish of Bom Jesus de Campo Belo, where unfortunately I work, it has been impossible to ban the scorn that has been made daily against the forum, the citizens and the law. There are daily games, riots, robberies, murderers, and they happen so often [...] that there were three last month [...]. On November 16th at 8am three young friends of Rogério Ferreira de Oliveira enclosed João Soares Roiz outside the churchyard, almost beating him to death [...]. But the criminals were not put in jail as it happens in many other cases here since the officials who were supposed to work for the justice are of the same ilk of the bandits, always finding a way to alert and set the criminals free [...]. I cannot even dare to use prisons and the law to avoid the worse because the delinquents [...] are always armed and prepared, working in groups. For that reason, I would like to make an urgent request of at least two honest soldiers who would move here, and when needed some more. Being that the bandits that do not use prohibited arms are just a few [...]. This is the only way I find to the maintenance of the law, order and peace.¹⁸

- 35 Together with the host district, Tamanduá, Campo Belo, Espírito Santo do Itapecerica and Formiga show the highest crime rates over the century. The situation described by

the letter reproduced above can be seen in other correspondence sent by other authorities from that region. Armed men confronting each other in daylight in the squares and streets of the villages; impunity spread due to complicity with guards and the justice inability to assert its authority. Travellers who crossed the border of the village towards Goiás and Paracatu described their experiences drawing the same picture of disorder and violence.¹⁹

36 The village was the last one on the west side of the Comarca, and provided a gate and passage to the Sertão, an immense territory that lacked state control. The administrative arm did not reach these regions of scarce population, places that attracted armed bands and fugitives who, from there, easily put themselves beyond the reach of the law.

37 In 1838, a petition submitted to the justice of the peace of Santo Antônio do Monte parish and addressed to the president of the province showed the same problem. It requested measures by the authorities to control violence:

Having your lordship passed the rod of this judgment to the substitute judge, and then to another deputy, the murderers José Gonçalves Leonardo, Antônio da Costa Paes, José Manoel da Silveira appeared insulting the public without any respect to the law or the authorities. And so, the officers require your landlord as the current judge to send convenient force in order to punish them because they are afraid to lose their lives in the hands of such bandits that are publicly armed.²⁰

38 Again, a complaint about armed bandits acting freely, out of any control of the law and the inexistence of armed forces able to stop them. The lack of any documentation of justice attesting to the arrest and trial of criminals linked to bands and armed bands indicates that these groups had been out of order and completely unreached by the law in this region for a long time. Of the total number of existing cases, 79% deal with crimes against the person, from which 27% refer to homicide or attempted murder (mostly, practiced between acquaintances, neighbours and equals).

39 The arm of the law did not seem to reach the worst challenge to the order: the armed bands. Among all documents these episodes are rare. Crimes resulting from disputes between acquaintances and family members, involving drink, jealousy and betrayal make up nearly 70% of the entire sample. The data seems to confirm that the primary function of local justice in the period was to control conflicts between those who came under their jurisdiction because they were within reach and had no means of escaping, common men and women. Such is the case of Felicidade Umbelina de Jesus, who, in August 1829, ran from the defendant Manoel Simpliciano, who was making a false statement. She fell, injuring her arm. Following the incident, she filed a lawsuit against the defendant.²¹ Maria Antonia who in 1832, in the Camp of Our Lady of the Candles, appeared before the justice of the peace for a forensic examination, accusing Jose Antonio of causing her injuries.²² Cândido Ferreira Ribeiro, who, in 1849, sought justice and denounced Vicente Ferreira for the abduction of the slave Joaquim Crioulo and who was taken by officers to São Bento do Tamanduá's jail.²³

40 Justice represented an instance of control and mediation of conflicts that constantly arose among ordinary people. Those who, for lack of personal resources to act on their own, shared an agreement about rules, forming a space for “the poor and respectable man to make his conflicts public” (Aufderheide, 1976, 275). This idea is reinforced by the fact that crimes involving property, theft and robbery represent only eight per cent of the total, including gambling disputes, small sums, domestic animals, destruction of

fences and so on. Contrary to the crime pattern that would characterize modernization, where crimes against property would predominate in detriment of interpersonal violence, we see — and this holds for the entire period of about a century — the persistence of violence between equals, strongly marked by notions of honour and affirmation of masculinity (Sharpe, 1996). The authorities' day-to-day effort seems to be to control conflicts between those within their reach — men and women with address and occupation title — and to legitimize themselves by their ability to impose order and punish the most extreme forms of violence. They did so with virtually no significant resources, which were only requested from the central authorities in cases of armed bands or extended conflicts, and rarely for criminal cases (Velasco, 2007).

41 In 1837, in the village of Formiga, the justice of the peace wrote:

I have found many embarrassments [...]. It is almost impossible for me to be able to carry out my duties because of the lack of anyone who helps me in the tasks that are in my charge. I do not have police guards able to catch criminals who infest my district. In order to avoid any disorder or turmoil [...] the police are increasingly diminished for lack of executors [...] and to end similar attacks I request to your Honour 6 soldiers and one commander, only that will allow me to maintain the peace and tranquillity of the inhabitants of this district, and thus will prevent the murders that are perpetrated, if not all at least in part.²⁴

42 The village of Tamanduá shows many different conflicts. Disputes between judges, sometimes involving the National Guard and pedestrians; complaints against justices of the peace and against injustices and arbitrariness; accusations of prosecutors on the “lack of strength of local authorities to restrain the excesses of the criminals”; requests for the suspension of the justice of the peace, all this indicating a bad picture.²⁵ In February 1842, Pantaleão José da Silva Ramos, Judge of Tamanduá, wrote to the president of the Province denying the request for eight soldiers to be sent to São João del Rei:

Secondly, with murders being carried out in all parts of this region, and with this being repeated with audacity and frequency never seen before, justice of the peace demand extra force to be able to comply with the law. Thirdly, the inexistence of a descent jail makes it impossible to apply justice, since prisoners escape very easily, there is only one way to effectively prevent this disorder, it is to keep permanently soldiers here.²⁶

43 There are constant complaints about the absence of the authorities, for lack of appointment or because appointees did not take their posts. In April 1844, Manoel Jacinto, public prosecutor, wrote to the provincial president:

A horrible thing has just happened in this village and it has alarmed everyone. On the 7th of this month at 7 o'clock in the evening, a Portuguese merchant named Manoel Sebastião de Ornelas was murdered, but the murderer was not revealed until now, despite some effort made by the authorities. I think it is my duty to remind your Honour to send the appointed municipal judge, it would be of great advantage to have him here to help get the killer.²⁷

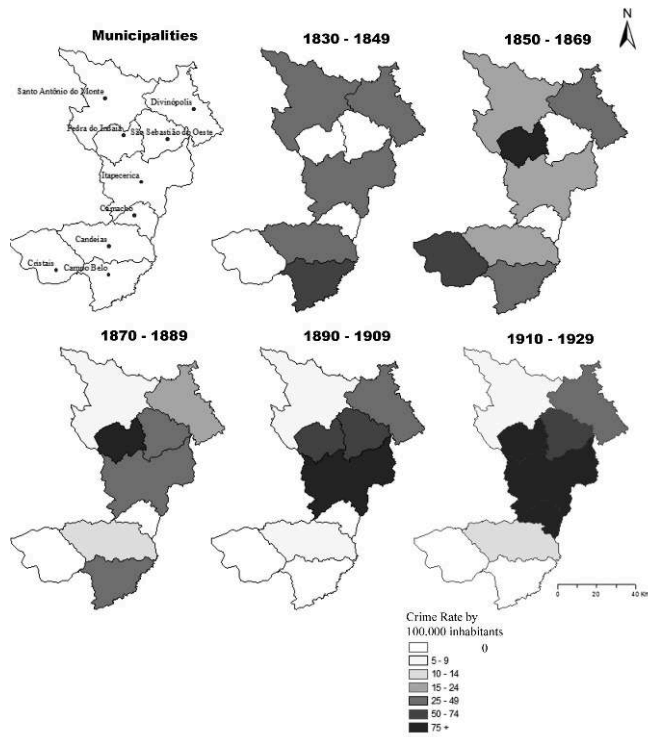
44 However, despite this picture, the police were acting to promote the peace and tranquillity of the inhabitants by controlling the daily murders. The downtrend of crime rates observed from 1852 to 1879 may be indicative of this. Furthermore, the mail between local judicial agencies and provincial authorities between 1850 and 1860 became more regular and secure. Certainly, the Code of Process reform of 1841 produced changes that were reflected in the presented results.²⁸

- 45 Finally, let us analyse the dramatic rise in the final decade of the Empire, and more markedly in the Republican period. Before we tackle this data, we will observe crime and its territorial distribution. Maps 2 and 3 present the crime rates in space and time to observe differences and continuity.

A georeferenced reconstruction

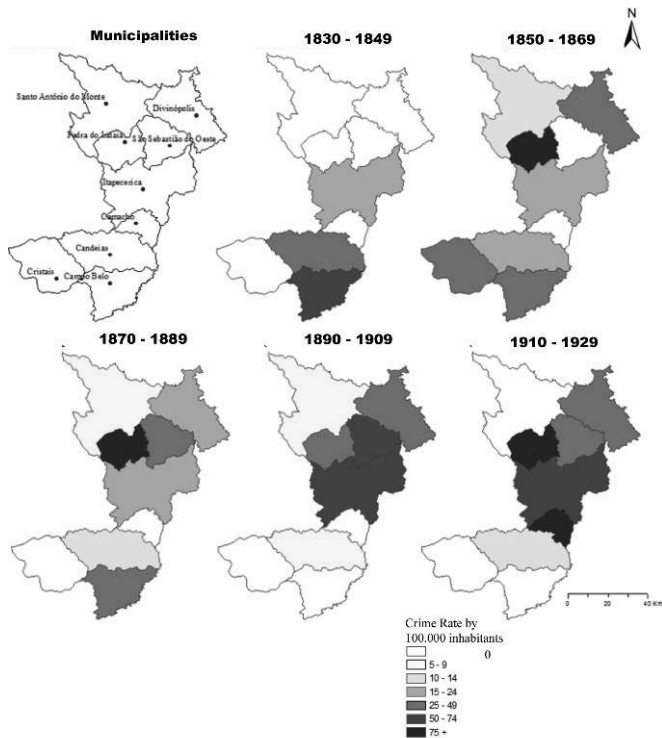
- 46 Georeferencing crime allows a more secure observation of the event. Both maps (2 and 3) show that during the Empire (until 1889) the peripheral areas have higher density, with rates declining throughout the period. Divinópolis, Pedra do Indaiá and Campo Belo show the highest incidence of crime and violence.
- 47 In Campo Belo, crimes were mainly by slaves against masters and slave drivers. Moreover, the documents indicate police investigations to capture convicts and fugitives. In July 1832, the ordinary judge Gregorio Luiz de Cerqueira wrote to the president of the province informing him of his compliance to the ordinance of 11 February, and that he would investigate the denunciation given by Vicente Ferreira de Souza Lobato, commander of the detachment of Indaiá, on murders and robberies the complainant claimed to have been perpetrated by *criollos* in the Prata stream, Bambuí district. Judge Gregorio reported: “I went to the village of Bambuí in a hurry, because it appears to me [...] that in the places indicated by the whistle blower, the messengers who carried the bags from the province of Goiás were attacked”.²⁹ The district of Bambuí bordered Pedra do Indaiá district, entrance to the “sertão,” a territory of robbers and bandits during the first decades. The presence of bandits and the placement of the ordinary judge to the region who took care of an ordinance of the presidency of the province, show the efforts to contain the bandits’ actions in the area and the necessary mobilization of the justice apparatus. Divinópolis, formerly Espírito Santo of Itapecerica district, was a region of permanent conflict. The reduction in violence observed in the last two decades of the Empire was followed by its resurgence at the end of the 1890s, with the establishment of the West Minas Railway.
- 48 News from “Gazeta de Oliveira” on 5 May of the same year stated that “acts of brutality and conflicts are things that we witness daily. The workers of the West Minas Railway are always involved in these matters.”³⁰
- 49 Again, on 10 February 1897, the correspondence of the justice of the peace of Espírito Santo, with news of West Minas, reported that “the overnight trains, which brings an excessive number of employees, in addition to the many that already exist in a factory of that company, created a permanent picture of conflicts and aggressions unable to restrain them for lack of policeman.”³¹
- 50 However, most evident in the maps is that the sharpest growth of violence in the Republic was concentrated mainly in the central municipality area, the county seat, where judges of law and county, public prosecutor and police force were placed. As shown in Figure 5, violent crime rates peaked around 1915 at 80 per 100,000 people.

Map 2. Crime Rates by 100,000 inhabitants, by municipality and 20 year periods. Forum of Itapecerica, 1830 to 1929



Documental research and database: Ivan de Andrade Vellasco (UFSJ) e Cristiana Viegas de Andrade (UFSJ). MapSource: IBGE Digital 2010. Cartography and Geoprocessing: Cristiana Viegas de Andrade.

Map 3. Violent Crime Rates by 100,000 inhabitants, by municipality and 20 year periods. Forum of Itapecerica, 1830-1929



Documental research and database: Ivan de Andrade Vellasco (UFSJ) e Cristiana Viegas de Andrade (UFSJ). MapSource: IBGE Digital 2010. Cartography and Geoprocessing: Cristiana Viegas de Andrade.

- 51 At a first glance, the spatial distribution could be interpreted as a consequence of the action and expansion of the judicial administration over time, justifying why the central map area contains the largest number of events and the highest density of crime. However, the picture seen in the correspondence is much more revealing of a state of disorganization in the social control apparatus. Moreover, the hypothesis that the growth of violence in these areas results from an increasing capacity to monitor and punish crime would have to be supported by data indicating a broader range of justice and control capacity, and a significant increase in police forces. But the correspondence indicates exactly the opposite.
- 52 It remains to consider economic fluctuations and their possible impacts on violence. Although we lack economic data on the region at the turn of the century, there is no indication of an economic decline in this period or subsequent decades. Considering news in periodicals and the export data of the time, the arrival of the railroad to Itapecerica in 1891, as part of the advance of the West Minas Railway, seems to mark a period of expansion, even with the public finances crises of the First Republic (Santos, 2009).

Interpretative hypotheses in search of a conclusion: from the expansion of imperial justice to republican disorder

- 53 Results for all regions confirm the hypothesis that the increase in recorded crime presented in Figures 2, 3 and 4 represents a real increase in the violent crime rate in the final years of the Empire and, especially, the following decades. Two immediate aspects are shown. First, the expected high crime levels in the first republican decades; second, the astonishing upward trend beginning at the end of the 1880s that gets higher in the following decades, with violent crime reaching rates of fifty-five per one hundred thousand inhabitants in the second half of the twentieth century. When the types of crime are considered, the explosion of interpersonal violence, represented by physical offenses, is unequivocal, even when not accompanied by its most lethal outcomes. Most physical offenses involved serious assaults, which, for the most part, did not result in homicides by mere chance. Likewise, the judicial criteria that classified certain aggressions as attempted homicide and others as a physical offense are unfathomable. The occurrence of an upward curve in all the surveyed regions eliminates the hypothesis of regional variations given by local variables; even when considering regional differences present at the time, such as population structure, urbanization and economic specificities. The phenomenon is widespread.
- 54 For the rise in the number of crimes registered involving violence in the different regions to be a result of an increase in police action and its ability to monitor and punish, data would have to show an increase in the number or reforms that indicated significant changes to the structure of police forces and functioning of the judiciary. However, the data indicates exactly the opposite. For the years 1881 and 1882, the provincial law established an effective of 1,000 soldiers in the police force for the whole province.³² In 1903, the police had an effective force of 1,600 soldiers and 83 officers, according to a message sent to the assembly by the president of the state, Francisco Antônio de Sales, in which he affirmed that “it reigns in all the state relative tranquillity.”³³ In 1914, the police force comprised of 2,664 men, including officers, that rose to 2,894 in 1920.³⁴ Without entering merits of recruitment, training and armament conditions of the police force, comparing only the rates, the ratio between per capita police remained low, although it increased in time, as shown in Table II.

Table II. Police Rate per 100.000 inhabitants. Minas Gerais State, 1872-1920

Year	1872	1890	1900	1920
Number of police officers	672	1,190	1,567	2,894
Poulation	2,102,689	3,184,099	3,594,471	5,888,174
Police Rate for 100,000 inhabitants	32,0	37,4	43,6	49,1

Source: Population Censuses of 1872, 1890, 1900 and 1920, and “Relatórios Provinciais”(Reports from the Provinces).

- 55 However, this data should be seen with caution, since the official numbers of divisional contingents were rarely complete for long periods. At various times, these numbers were drastically reduced. In 1899, the then president of the province, Francisco Silviano de Almeida Brandão, proposed to the police that “without inconvenience or prejudice to the public service and with great and necessary relief for the treasury, the number of battalions could be considerably reduced, which is manifestly excessive, like the squad population itself. A more modest and less expensive organization imposes itself as a necessity”. He continued to ask the government for authorization “not to fill the posts of judges, substitutes and prosecutors” and to remove them after constitutional time, transferring their functions to officials allocated in neighbouring counties. Furthermore, these forces were often redistributed and deployed to act in emergency situations, in response to frequent requests from municipal authorities. Added to that the routine of exclusion and desertion and the almost inexistence of training. In the 1920s, a police force commander estimated that around 90% of the troops had not had any training.
- 56 The highest increases in violence in the Republic were concentrated in the central area of the municipalities; areas where the judicial apparatus (municipal and civil courts, public prosecutor and headquarters of the detachment of the police force) was located, and from which the power to control justice was radiated. Most likely, data on the most peripheral areas and districts followed the same trend of increasing violence, since, as the authorities’ correspondence shows, the degree of judicial disorganization and lack of police personnel there was more severe. We believe that the legal documentation for these locations will no longer appear in our data due to the breakdown of judicial counties, a consequence of the emancipation of districts and division of municipal areas. Officials were used only in punishment activities, involving search and arrest, in addition to direct confrontations. Their surveillance role was almost nil. For this, there were justices of the peace, quarter inspectors and delegates, unpaid positions, although the justice of the peace could charge fees. Moreover, the changes in the 1890 criminal code do not reflect directly in our data, since the criminalization of beggars, vagrants, “capoeiras” and such contraventions did not appear in our judicial records. The impact of this kind of change would be reflected in police records, as studies focused on police and urban order show.³⁵
- 57 On May 18, 1893, the prosecutor of the Itapecerica district wrote to the state police chief:
- I bring to your knowledge [...] the state of anarchy in this district, the district of Espírito Santo of Itapecerica, which lately has been the place where the most audacious criminals are exhibited [...] a horrible conflict took place a few days ago when several people were injured, without any knowledge of any authority, because there were none there. On the 15th of this year, the soldier José Candido Rodrigues, who serves as an officer was treacherously [...] offended with two shots when passing through the streets, without knowing who did it.³⁶
- 58 In 1894 a telegram addressed to the chief of police from the delegate of Itapecerica stated: “I require force, arms and ammunition, conflicts several places, many wounded.” In an 1898 telegram: “assassin groups invaded city assaulting public forces, judicial authorities; force without ammunition; assassination attempt against sergeant delegate and several soldiers.”³⁷ In police and justice mail, we find abundant evidence of the deterioration of public security, involving the absence of judicial authorities, lack of weapons and police officers, as well as ample evidence of the aggravation of

daily violence and impossibility of control. Regarding local authorities, complaints of abuse of power, especially of delegates, partisanship and persecution of opponents increased, alongside accusations of riots, lynchings and murders committed by the police authorities themselves, with their superiors approval, confirming the picture already known of *coronelismo*, patronage and politicization of justice and security apparatus.³⁸ The federalization of justice implied making it an instrument of state governors' policy, which gained control over nominations of judicial offices, delegates and police chiefs, and tied them to attempts to control local politics. Clientelism was the basis of government relations with municipalities, and the authoritarianism that characterized the period is implied in the instrumentalization and subordination of justice to local interests (Martins, 2012). In Minas Gerais, the Law of September 1903 promoted a reform of the judiciary. It extinguished counties and posts, redesigning the institution and attaching it to the state government.³⁹ Moreover, there were the repeated cuts in the public budget.

- 59 The growing loss of the monopoly of legitimate violence by the state, given the process of privatization of violence by local power groups, resulted in the increasing inability to provide justice and security; and its consequence was an exponential increase in conflict and violence.⁴⁰
- 60 On 23 October 1845, the justice of the peace of Capela Nova das Dores, Antônio Henrique Pereira, wrote to the president of the province denouncing “the scandalous patronage and low procedure of the district police subdelegate [...] Jacob Lopes de Farias and his protégés, especially his son-in-law, Manoel Antônio Coelho, who is threatening everyone, invading farms, attacking slaves. He is known as a criminal in this district for shooting a poor man.” He added that the subdelegate itself “appears in the Arraial das Dores surrounded by armed people, he looks more like a bandit chief than a police authority.” The document also states: “Inform the Chief of Police immediately giving all the necessary action and so answer.” The next document describes the measures taken by the police chief in order to remove the subdelegate.⁴¹
- 61 In November 1919 a letter from members of the public was sent to Artur Bernardes, the state president, requesting that an authority go to Catas Altas da Noruega, to investigate another subdelegate.
- Joaquim Henrique Baptista, for private reasons, sent soldiers to beat Francisco Justino at his own house. But Justino was not there so they destroyed his backyard and stole work tools, with the witnesses of his family [...] in order that the laws of the country may be challenged, otherwise the clumsy and criminal politics of Queluz will do everything so that the light of truth does not appear.⁴²
- 62 On the side of the document was an annotation asking the delegate of Queluz, who was nominated by the government such as the subdelegate denounced, for clarification.
- 63 The two examples above illustrate the differences we want to point out. While in the first case the request was answered promptly and measures taken to restrain the local authorities, in the second the appeal made to the president of the province was passed along to the accused himself and no further action was taken.
- 64 In correspondence of 18 April 1906, the subdelegate of Espírito Santo do Itapecerica district communicated his efforts to carry out his functions and requested the police chief to provide “good books that can serve as a guide for the installation of processes,” in addition of money to rent a house to the local detachment and authorization to request the “transmission of telegrams from authority to authority [...] and train

tickets to the soldiers [...] on the West Minas Railway.” In its margin is the following opinion, probably from the secretary of the police chief:

There are no funds for police stations costs; in the context of the distribution of forces, it seems to me, the districts do not appear; consequently, the detachment there was provisional; the subdelegate does not have the power to transmit telegrams and requests for passes can only be done through the delegate.

- 65 A red ink notation on the lower corner of the paper, signed by the chief of colice, records: “should not be answered, to be archived.”⁴³
- 66 Indifference and disbelief in the institutions, given their association to local authorities with political power and the support of state governments may explain the loss of legitimacy and the ability to engender loyalty on the part of the population. As José Murilo de Carvalho affirms about the Republic, “a vision between cynical and ironic power, the absence of any feeling of loyalty, it is the other side of the coin of the non-existence rights. Loyalty was possible in relation to monarchical paternalism, more in accordance with the values of incorporation, not in relation to republican liberalism” (1987). Moreover perhaps, from then on, population control has progressively been limited only to its punitive side, leaving the laws and courts for those who had the political power to use.

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Archives

APM Arquivo Público Mineiro: PP Fundo Presidente de Província; POL Fundo Chefia de Polícia.
Itapecerica: Processos crime do Fórum de Itapecerica/.

NOTES

1. Johnson, Monkkonen (1996), P.C. Spierenburg, P. Spierenburg (2008), Graham, Gurr (1969).
2. See Sharpe (1999), Godfrey *et al.* (2008).
3. See also, Spierenburg (1994), Velasco (2004).
4. Salvatore *et al.* (2001), Aguirre, Buffington (2000), Johnson *et al.* (2013).
5. Sharpe (1999).
6. Sharpe (1999).
7. In England “the notorious imprecision of population data, deficiencies of sources, shifts in the legal definition of homicide, changes in age structure as well as improved medical possibilities, surely have to be accounted for.” Eisner (2001, 628).
8. Queluz Forum, Conselheiro Lafaiete, Cr 032-20, 1828.
9. Itapecerica, Processos Crime do Fórum de Itapecerica (thereafter Itapecerica), Cr 32-04.
10. Itapecerica, Cr 05-03.
11. Forum of São João del Rei, Arquivo do IPHAN, São João del Rei, PC 26-03.
12. The total of cases analysed in this study may not correspond to 27% of the total number of crimes committed in the Province of Minas Gerais. If we compare the population size, for example, in 1921 the whole Comarca do Rio das Mortes (not only the 5 forums studied here) had a total of 3.240 inhabitants, while the whole Province had 16.728 (according to the nominative lists of inhabitants of Minas Gerais Province), so the Comarca had 19% of the Province’s population.
13. Data from the provincial records were collected from documents with information about jury processes, called “*Mapa geral dos julgamentos proferidos pelo júri em Minas Gerais no ano de... e nos municípios abaixo relacionados*”. Among the mail of judges and magistrates we located maps sent by the judges which were summed to the total. For example, Arquivo Público Mineiro, Belo Horizonte (thereafter A.P.M.), SP PP 1/18 — Box 44 — dates 10/09/1836 to 31/03/1837, doc. 2 and Box 45 — dates 20/04/1837 to 19/02/1838, doc. 13. Maps from the provincial records can be accessed here <http://www-apps.crl.edu/brazil/provincial/minas_gerais>.

14. A.P.M., POL 3, CX 06 1910-1912 PC03, Secretaria de Polícia Gabinete de Identificação e Estatística Criminal — Anexo ao Relatório da Chefia de Polícia do Estado de Minas Gerais 1912, Belo Horizonte Imprensa Oficial Estado de Minas Gerais 1912.
15. For a deeper analysis of the Itapecerica case, see Vellasco, Andrade (2018).
16. Vellasco (2010), <http://www-apps.crl.edu/brazil/provincial/minas_gerais>.
17. According to the Criminal Procedure Code of 1832, the judicial organization in the counties established the positions of judge of law, a maximum of three, to be appointed by the Emperor and chief of police, one of the judges in the big cities. In the villages, a municipal judge, appointed by the court and provincial presidents, and a public prosecutor were also established. In the districts, there was the elected judge of the peace. With reform in 1841, the position of delegate emerged which absorbed most of the powers of the judges of the peace.
18. A.P.M., PP 18, cx 203, doc 03.
19. “seems [...] that a lot of criminals, persecuted by the Justice, come to seek refuge there [...], thus contributing to increase their population.” Saint-Hilaire further noted that the “inhabitants did not enjoy at all a good reputation”. Saint-Hilaire (1975, 91-93).
20. A.P.M., PP 18, cx. 205, doc. 23.
21. Itapecerica, Cr 01-02.
22. Itapecerica, Cr 01-02.
23. Itapecerica, Cr 02-15.
24. A.P.M., PP 18, cx 42, 45, 46.
25. A.P.M., PP 18, cx 42, 45, 46.
26. A.P.M., PP18, cx, 60, doc 05.
27. A.P.M., PP118, cx. 320, doc. 08.
28. See Vellasco (2004).
29. A.P.M., PP 18, 302, doc. 07.
30. <http://acervo.izap.com.br/imagem.php?Imagem=cache_1893_05_07_297_18930507002.JPG> (Accessed 18 June 2017).
31. A.P.M., POL 9, xx 27, Pc.35-38.
32. <<http://brazil.crl.edu/bsd/bsd/488/>> (Accessed 18 June 2017).
33. <<http://brazil.crl.edu/bsd/bsd/u2415/>> (Accessed 18 June 2017).
34. <<http://brazil.crl.edu/bsd/bsd/u298/>> <<http://brazil.crl.edu/bsd/bsd/u304/>> (Accessed 18 June 2017).
35. Bretas (1997) and Huggins (1985). Concerning colour and social condition, only two documents from 1890 mention “forro” (freed slave), and another two mention the colours black (1909) and creole (1915). The absence of this information in the documents studied here makes research in this field impossible. See Ribeiro (1995).
36. A.P.M., POL 8, CX. 35, pc. 03-07.
37. A.P.M., POL 9, CX. 27, pc.35-3.
38. Coronelismo is a concept that characterizes the Brazilian political system in the Old Republic. It was a pact between the municipal power and a colonel, increasing his power resulting in bossism, sponsorship, electoral fraud and the disorganization of public services. Leal (2012), Carvalho (1997). For an analysis that seeks its roots in the political organization of the Empire, see Bieber (1999).
39. <<https://www.lexml.gov.br/urn/urn:lex:br:redes.virtual.bibliotecas:revista:1889;000558432>> Coleção das Leis e Decretos do Estado de Minas Gerais 1903. Imprensa Oficial do Estado de Minas Gerais.
40. The role of police authorities in the Republic is defined with exactness by Victor Nunes Leal: “The figures of the delegate and the deputy police officer are especially prominent. The appointment of these authorities is of high interest to the dominant situation in the city and constitutes one of the most valuable benefits of the state in the political agreement with the local

chiefs. Embarrassing or disturbing business or opposition initiatives, closing eyes on the pursuit of political enemies, denying favours and haggling rights to the opponent — are different modalities of the state government's contribution to consolidating the prestige of its allies in the municipality. But none of this, as a rule, compares to this decisive triumph: to put the state police under the orders of the local situationist chief." Leal (2012, 35).

41. A.P.M., SP PP 1/18 CX 167 DOC 06, 07.

42. A.P.M., POL 8, CX 31, PC 12.

43. A.P.M., POL 9 - cx 28, pc.01-04.

ABSTRACTS

This article analyses the methodological problems inherent in reconstructing criminal statistics over time and presents findings in relation to crime trends in Minas Gerais (Brazil) between 1830 and 1929. The first part of the article presents an overview of current work on the reconstruction of crime trends in Brazil and its relevance to the social history of violence and crime. In the following two sections, the problems and methodological solutions that made it possible to analyse a database built from crime registers are discussed. Census data is used to calculate trends over time. Finally, several hypotheses about the analysis of the data are put forward.

Cet article analyse les problèmes méthodologiques inhérents à la reconstitution des statistiques criminelles longitudinales et présente des résultats relatifs à l'évolution de la criminalité dans le Minas Gerais (Brésil) entre 1830 et 1929. La première partie présente un aperçu des travaux actuels sur la constitution de séries statistiques retraçant les évolutions de la criminalité au Brésil. Leur pertinence pour l'histoire sociale de la violence et de la criminalité est interrogée. Dans les deux sections suivantes, les problèmes et les solutions méthodologiques qui ont permis d'analyser une base de données constituée à partir des données pénales sont examinés. Les recensements de population sont utilisés pour calculer des évolutions longitudinales. Enfin, plusieurs hypothèses relatives à l'analyse de données sont avancées.

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