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FROM SLAVE TO FREE LABOR IN THE
BRAZILIAN SUGAR INDUSTRY: THE
POLITICAL-ECONOMY OF SOCIAL
CONTROL AND CRIME IN PERNAMBUCO,
1850-1922

MARTHA DIANE KNISELY HUGGINS

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THE POLITICAL-ECONOMY OF SOCIAL CONTROL AND CRIME IN
PERNAMBUCO, 1850-1922

University of New Hampshire

PH.D.

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FROM SLAVE TO FREE LABOR IN THE BRAZILIAN SUGAR
INDUSTRY: THE POLITICAL-ECONOMY OF SOCIAL
CONTROL AND CRIME IN PERNAMBUCO, 1850-1922

BY

Martha Knisely Huggins
B.A., California State University, 1967

DISSERTATION

Submitted to the University of New Hampshire
in Partial fulfillment of
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in
Sociology

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ABSTRACT

FROM SLAVE TO FREE LABOR
IN THE BRAZILIAN SUGAR INDUSTRY:
THE POLITICAL-ECONOMY OF SOCIAL CONTROL
AND CRIME IN PERNAMBUCO, 1850-1922

by

MARTHA KNISELY HUGGINS

University of New Hampshire, May, 1981

Between 1850 and the turn of the century the dominant mode of production in the export sector of Pernambuco shifted from a slave to quasi-capitalist. The labor transition was not an evolutionary outgrowth of existing work relations - it involved struggle and coercion. The first part of this research shows how repressive social control effected the transformation of the mode of production; the second part looks at a product of the transformation, crime.

This research focuses on a frequently overlooked type of human intervention, social control, as a source of structural change, and places the motives of modernizing elites in a less positive light than usual. The study shows that an elite used repressive social control to transform the mode of production from slave to quasi-capitalist in order to secure the material

supports for their structure of domination. But, of course, social control effected the labor transition through intermediate social processes. In the case under review, and theoretically in other contexts, as well, the criminalization of behavior fueled structural change. The data on social control are police and presidential reports, arrest statistics, penal codes, legislative records, and the newspaper editorials covering a seventy-two year period.

The second part of this study examines crime as a product of social structure and of structural change. There is a tradition in sociology from Durkheim (1964) to Park (1924) suggesting a relationship between social disorganization and certain forms of deviance. In a different vein, radical criminologists such as Quinney (1977) and Spitzer (1975) argue that it is particular forms of social organization, rather than disorganization which produce crime.

This study used elements of both social organization and disorganization theory to understand the relationship between social structure, social change, and crime in Pernambuco. The data lent support to both approaches. Deep-cutting disruptive changes were associated with increases in crime in both the slave/feudal and quasi-capitalist modes of production. At the same time, crime increased with the increases in socially-structured inequality.

This dissertation was funded by a Latin American Teaching Fellowship from the Fletcher School of Law and Diplomacy, Tufts University, and by the Ford Foundation. The data were collected and translated during the two-year period the author was a Visiting Professor at the Universidade Federal De Pernambuco (Departments of Economics and Sociology), Pernambuco, Brazil.

CHAPTER I

THE CONSTRUCTION AND PRODUCTION OF CRIME

Labor Supply, Social Control, and Crime

Historians have argued that the transition from slave to free labor in the Northeastern province of Pernambuco, Brazil, was accomplished by voluntary methods of recruitment (Reis, n.d.a.) and that the shift to free labor was "nearly painless" (Eisenberg, 1974: 213), due to "the pressure of large numbers of free, rural poor" (Levine, 1979: Ch. 2) "in a position of complete dependence and submission vis-a-vis the sugar planters" (Reis, n.d.a.:32). At the same time, two of these historians (Eisenberg, 1974; Rise, n.d.a.) give evidence that there was a great deal of planter dissatisfaction with the quantity and quality of free labor, as indicated by proposals for forced labor laws and for stricter enforcement of the vagrancy statutes.

The contradiction between claims that the transition to free labor passed without a struggle and reports that formal action was taken against unwilling free workers provided the focus for this research on social control and crime. If Pernambucan officials, in fact, helped landowners obtain a work force by criminalizing marginality, then the labor transition was not as conflict free as some historians have suggested. Furthermore, if two ingredients for social conflict, namely social control and crime, can be shown to

have played a critical role in structural change, then we will be able to cast new light on some traditional research problems in economic development and social change.

Pernambuco

Pernambuco is one of eight states in the Brazilian Northeast. Its capital, Recife, is located on the Atlantic in the zona da mata, or forest zone. Beyond the zona da mata lies the scrub land of the agreste; the arid backlands of the sertão are farthest from the sea.

In 1977, the bus ride from Recife to the backlands city of cabrobó took twelve hours; in 1880, during the last decade of the Brazilian Empire, it took one stalwart traveler on horseback twelve days (Gardner, 1975:88). From the coastal capital to the Pernambucan interior the traveler passes through three distinct cultural and geographical regions.

The journey begins in the humid coastal forest zone. Rich dark soil and an abundance of rainfall (up to eighty inches annually) made the coast ideal for sugar cultivation, a fact discovered by the early Portuguese colonizers. By the mid-sixteenth century, within fifty years after the discovery of Brazil, the zona da mata had become a highly prosperous sugar-producing region. Until the abolition of slavery in 1888, Europeans grew rich while their slaves died producing sugar for the international market.

Between the zona da mata and the backlands lies the agreste. By the time the bus reaches Caruarú, its capital, prickly pear cactus, scrub brush, and livestock have -

replaced the lush green sugar cane and fruit trees of the littoral. During the colonial and Imperial periods, ranches of the agreste supplied coastal sugar plantations with animals to power the mills and to pack processed sugar to Recife. The agreste was directly linked to the international market in the nineteenth century only during the United States Civil War, when cotton was grown in the humid mountain oases (brejos) that dot this semi-arid region of transition.

The stark sertão appears a few hours after the bus leaves Caruarú; now the fruit trees, grasses, and sugar cane of the zona da mata have completely disappeared. Here, dry soil and scrub brush dominate; even the prickly pear must be cultivated.

Towns like Ouricuri in the driest part of the sertão get less than twenty-four inches of rainfall annually; other sections of the backlands get up to forty inches a year, but poor soil and intense evaporation render much of the precipitation useless. Drought is a constant threat to life in the Sertão. The people in towns along the River São Francisco-- Cabrobó, Orocó, Belem do São Francisco -- can turn to the river when there is no rain. Those further away -- Exú, Salgueiro, the lowlands of Ouricuri -- must depend entirely on the rains to water their meagre crops and livestock.

Research Problem

For over three centuries, Pernambucan planters used slave labor to produce sugar for an international market. Between 1850 and the early twentieth century, the dominant

mode of production changed from slave-based to quasi-capitalist. Changes in the international political economy initiated this transformation, while new forms of social control, directed at criminalizing free marginals, carried it forward.

Such social controls were an outgrowth of planters' dwindling resources, produced by shifts in international trade. Social controls, in turn, checked the resource drain and promoted further structural transformations. By emphasizing the pivotal role of social control in social change, this research sheds new light on theories of control, change, and crime.

Much of the literature on social control has focused on how social regulation emerges from and reflects the social structure. Chambliss (1964) showed how shifts in labor supply and demand influenced the focus and content of vagrancy laws in Europe and North America. Reusche and Kirkheimer (1968) related forms of penal punishment to such material factors as labor supply and the degree of impoverishment of the population.

This study does not take issue with such linkages. In fact, it strengthens the support for them by showing how changes in material conditions influenced the amount and type of social control in nineteenth and twentieth century Pernambuco. However, the model goes beyond that relationship to theorize also about the influence of social control on social structures. The research focus at that point shifts from social control as the product of socio-structural change to examining it as

the promoter of further structural modifications.

Several theoretical currents in the literature on social change assign causal importance to endogenous sources of change. The most frequently discussed internal origins of change are evolution (Spencer, 1897) and contradictions (Mao, 1967; Marx, 1906). Much of the sociological literature on evolutionary change argues that structures evolve in a linear fashion by an incremental combination of emerging systemic elements. On the other hand, when endogenous change is powered by contradictions, the clash of systemically generated opposites produces qualitative structural modifications.

Another dominant current in the social change literature examines the role of deliberately-induced structural change. Direct action for social change has taken many forms: revolution (Cuba in 1959); wide-reaching democratic reforms (Mexican land distribution, 1934-1940); technological modernization of the productive system (Brazilian Northeast after 1890). Part of the literature on human intervention examines the role of political and economic elites in social change. An off-shoot of that literature emphasizes the positive role of elites in modernization (Eisenstadt, 1973; W. Moore, 1963).

Without denying any of these sources of change, this study focuses on a frequently overlooked type of human intervention, namely social control, as a source of social change; this tends to show the less attractive side of modernizing elites. These aspects of social change are easily overlooked since there is a tendency to view change as positive, and hence to disregard situations where it is retrogressive and/or

accomplished by coercive means.

Particularly neglected by most modernization analyses is structural change initiated to regulate a potentially disruptive situation, where one set of changes is used to block another. For example, a dominant class may restructure some aspects of the social system in order to forestall other changes that could threaten its privileged position.

This study shows how an elite used repressive social control to transform the social structure in order to assure material support for its continued dominance. But, of course, social control effected social change through intermediate social processes. In the case under review, the criminalization of behavior fueled structural change.

Consequently, crime is central to this research. But besides questioning why some people commit crime, this study asks why some behaviors are defined and regulated as criminal. These questions can be answered, in part, by information about the distribution and supply of material resources. Such an approach to social control and crime is suggested by theories of crime that focus on the political economy.

It is a central postulate of political-economy theory that the economic system is not politically neutral. The system of production and distribution is structured by class relations of power and domination (Balkan, 1980). The politics of production and distribution, in turn, shape crime and social control.

The principal contemporary sociologists to focus on

the political-economy of crime and social control are Richard Quinney (1977), Steven Spitzer (1975), and Ian Taylor et al (1973). These authors explain crime and control in terms of the political economy of capitalism. Richard Quinney's model of crime has two elements, crime control and criminality. Both phenomena are shaped by the politics of production and distribution under capitalism.

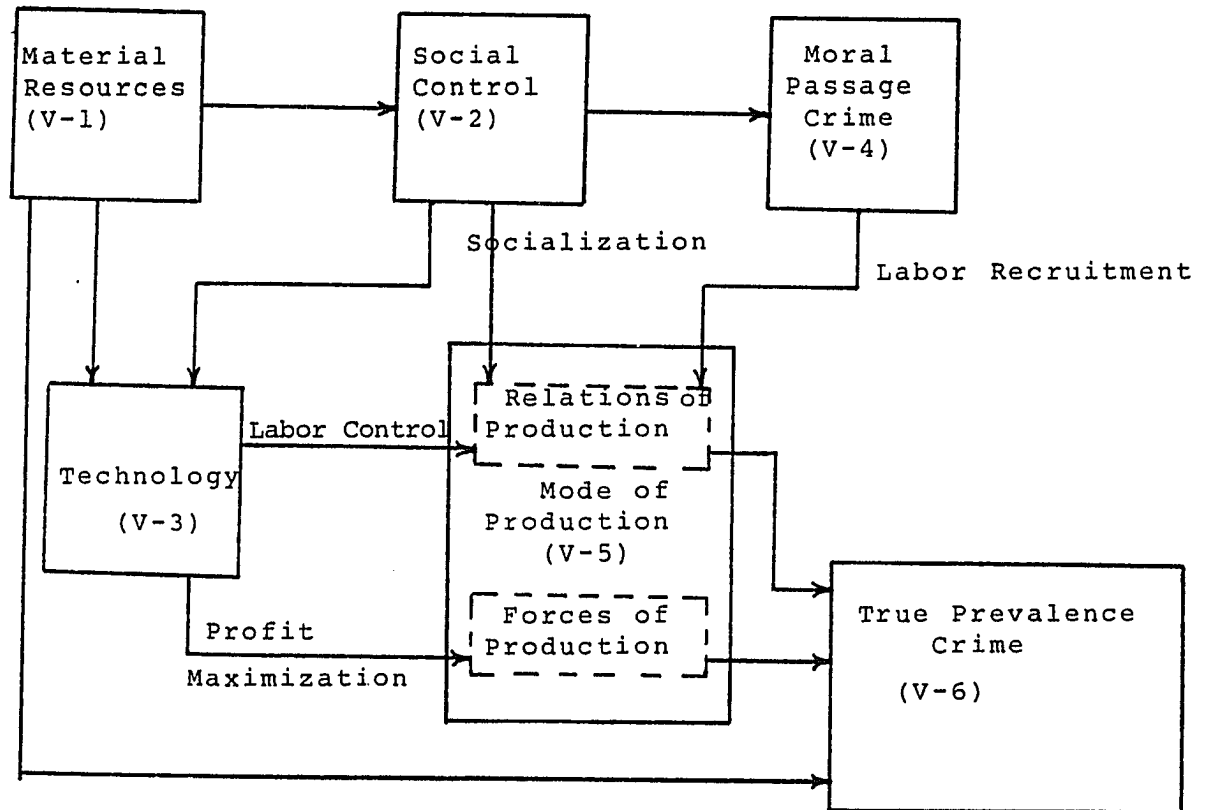
Steven Spitzer (1975) argues that crime and deviance are products of capitalist relations of production. According to Spitzer, populations become eligible for management as deviant when they "disturb, hinder or call into question" some aspect of the social relations of production. Capitalist relations of production generate social threats; state force regulates the threats for the capitalist class.

Ian Taylor et al (1973) follow Quinney and Spitzer in viewing social control as central to a theory of crime, and in seeing crime and control as products of the political economy. Taylor et al argues that contemporary crime must be understood in terms of the "rapidly changing economic and political imperatives that underpin on the one hand the 'lay ideologies' and on the other 'crusades' and initiatives that emerge periodically...to control the amount and level of deviance..." (Taylor et al, 1973).

These arguments are a first step in theory building, but of course, they raise many questions. How do patterns of production and distribution shape crime and control in non-capitalist political-economies? Do fluctuations in

material conditions influence crime and social control? What is the role of crime and control in social change: do they merely reflect material changes, or can they also promote structural change? Through a case study of social control and crime in Pernambuco, a traditional society in transformation from a slave to quasi-capitalist mode of production, I intend to examine these questions. Figure A presents the central relationships in this analysis.

Figure A
Theoretical Model



Material resources (V-1) include any physical goods or economic services such as land, labor, and their products, that contribute to the production of wealth¹. In Pernambuco, the critical resources were those that provided the material basis for planter power. Much of the sugar barons' power was founded on their exclusive ownership of the land which others needed for survival. The planters' power also derived from their positions as directors of economic production and owners of the instruments of production (slaves, tools, mills). Additional support for planter power was the profit from sugar sales.

Changes in the international political economy eroded two of the planters' resources: labor supply and wealth from sugar sales. The 1850 forced cessation of the African slave trade had an immediate impact on the supply of labor; declining world sugar prices more slowly eroded planters' profits. To complicate matters, the slave population began to shrink just when agricultural output was being expanded to compensate

¹Strictly speaking, resources (V-1) are a part of the mode of production (V-5), since they make up part of the forces of production. The forces of production include natural resources and, in the case of a slave system, the labor force. Page 14 gives the rationale for according separate variable status to some aspects of the mode of production while also using the mode of production (which includes those elements) as a separate variable.

for the drop in world sugar prices.

Until milling technology had been improved, the only way to increase output was by larger labor inputs; the shortage of slaves necessitated pulling free labor into the export sector. However, free people were unwilling, and to a certain extent unable, to take the slaves' place. Consequently, as the number of slaves decreased, the severity of social control over labor increased: with a diminished slave population, landowners could not afford to have free workers engaged in activity that did not produce wealth.¹

As labor problems deepened and world sugar prices continued to fall, the Imperial and Provincial Governments introduced a subsidy program aimed at salvaging the sugar industry by up-grading technology.² Changes in Technology (V-3) had two objectives and promoted the transformation through two different processes. Only one of the objectives was clearly articulated by the planters and the government: mill modernization would reduce production costs and keep planters competitive in an international market where prices were falling.³

¹The Model presents the relationship between material resources and social control as V-1 → V-2.

²Technological change is defined as a modification of the physical instruments of production.

³The model suggests the profit maximization motive by the arrow from material resources to technology (V-1 → V-3), and from technology to the mode of production (V-3 → V-5).

Planters and politicians only indirectly acknowledged that mill modernization would facilitate social control over labor: modern mills would reduce the labor dependence of the sugar industry and give employers greater control over the work force.¹

Capital improvements facilitated the transformation by modernizing the forces of production and by restructuring the social relations between free workers and employers. Of course, state-initiated repression against unwilling workers offered one solution to labor shortages; technology provided another, for mill modernization threw people out of work and increased the labor surplus. The population surplus became a resource landowners could use to restructure relations between themselves and wage laborers; workers' competition for jobs drove wages down, making it possible to secure labor at the lowest possible pay. Moreover, mechanization contributed to the employers' control over the more troublesome workers: those who wouldn't play by the planter's rules were replaced by machines, or by more willing workers displaced from other jobs by technology.²

Unemployment was beneficial to landowners, but costly for workers: crime was a by-product of workers' economic displacement. However, technological modernization did not

¹The labor regulation motive is suggested by the arrow between V-2 → V-3 and V-3 → V-5.

²The labor regulation function of mechanization cautions against a simplistic interpretation of Marx: changes in technology do not necessarily lead to modifications in work organization; technology can be used to deliberately restructure work relations.

take hold until the end of the nineteenth century. Yet, the quantity and quality of labor had become an issue soon after the cessation of the African slave trade. As the slave force declined, state-initiated repression against labor emerged as the official response to labor shortages.

A "moral passage" was the legitimating mechanism in this drive against free marginals. Moral passages are public crusades in which one-tolerated behavior is redefined as deviant and treated as criminal. (Gusfield, 1976).¹ There were two stages in Pernambuco's moral passage that transformed marginality into a criminal status. Each stage was characterized by different strategies of social control against labor.

The general model hypothesizes that social control (V-2) restructured the social relations of production through two processes, socialization² and coercive labor recruitment.³

¹Note that the designation "moral passage" suggests nothing more than a period of moral redefinition, and says nothing about morality per se. In fact, the nineteenth-century "moral passage" in Pernambuco could be regarded as immoral from some ethical perspectives, since it involved developing an ideological justification for increased repression against the free population.

²The socialization function of social control is indicated by the arrows V-2⇒V-5.

³The labor recruitment function is indicated by the arrows V-2→V-4→V-5.

The preparation of free Pernambucans for work in the export sector functioned throughout the moral passage, although socialization became more repressive as abolition approached. Coercive labor recruitment was an aspect of the more pervasive worker socialization process, but was most prevalent during the latter stages of the moral passage.

The model uses moral passage crime (V-4) to symbolize coercive labor recruitment. When increases in crime are the result of a moral passage, new boundaries between acceptable and unacceptable behavior have been created; the actual incidence of problematic behavior remains relatively stable, Pernambuco's nineteenth century moral passage provided the ideological justification for treating idlers as criminals; moral passage crime gave planters a mechanism for overcoming labor shortages.

However the transformation involved far more than just the shift from slave to free labor. Transforming modes of production involves structural changes in production techniques and in the social relations between workers and non-workers. A closer examination of the internal organization of several modes of production suggests the scope of the Pernambucan transformation.

Modes of Production

The mode of production (V-5) is the most critical variable in this study from the standpoint of the number of other factors that interact with it. A mode of production describes the way people organize (or are organized) for survival. It

includes the forces of production (machines, instruments, tools, raw materials, natural resources, human beings¹) and the social relations between producers and those who own and control the production process.² In short, a mode of production includes the objects of work, the instruments of production, and the form of work organization.

Hindess and Hirst (1975) distinguish one mode of production from another according to the means of appropriating surplus labor.³ In a feudal mode of production⁴ one group secures surplus labor from another by means of feudal rent; in the slave mode of production, a property relationship makes

¹That is, the knowledge, talents, aspirations and needs of human beings (Hurley, 1976).

²Two aspects of the mode of production, technology and material resources, are accorded separate variable status in the model (V-1, V-3), as well as being included in variable five (mode of production). By holding these elements of the mode of production apart from the articulated combination of elements, while also including them in it, the model can show how changes in specific aspects of the mode of production facilitate its transformation.

³Surplus labor refers to the work a laborer performs beyond that required for survival.

⁴In Hindess and Hirst's (1975: Chapter 5) classification, the feudal mode of production is a particular set of relationships between workers and non-workers that can exist in socio-historical contexts outside the feudal period (1975: 242). Other scholars, (Deere, 1975; Denisoff and Wahrman, 1979) have classified work organization in certain parts of Latin America feudal. When Furtado (1973; 54-55) claims that the work structure of Brazil's sugar economy was not feudal, he utilizes a different set of differentiating criteria than this author. For a discussion of the points of disagreement, see Chapter II, footnote 1, Page 40.

some humans an alienable possession of others; in the capitalist mode of production, one group secures surplus labor from another through wages (Hindess and Hirst, 1975).

Although societies may contain more than one mode of production, one mode is usually dominant. Before the abolition of slavery, Pernambuco's rural zone had two separate but interrelated labor systems. A slave mode of production was dominant and produced the cash crop, while a feudal mode.¹ supplied non-profit-producing support services to the export sector. A capitalist mode of production began to emerge as abolition approached, but during the post-abolition years covered by this analysis, feudal work arrangements and wage-labor shared the labor force. When the research period ends in 1922, neither a feudal nor capitalist mode of production is dominant, and the mode of production is quasi-capitalist.²

This analysis must incorporate both the dominant and secondary modes of production to understand the complications of the transition. The change in labor organization involved more than exchanging free labor for slave; it consisted of turning feudally organized free producers who were marginal to the export sector into wage-earning cash-crop producers. This chapter and the next show why that transformation was much more complicated than changing the few slaves who were still active in the export sector at abolition into wage laborers within the same sector. An examination of the internal organization of the three modes of production will

¹The feudal mode of production includes several different labor forms. These are discussed in Chapter II.

²Feudal work relations mixed with wage labor.

illustrate the role of resource ownership and distribution in social control. That discussion will also highlight some of the main stumbling blocks in transformation of the mode of production.

Slave Mode of Production

The slave mode of production consists of a social division of labor between workers and their owners, tied together by private property relations (Hindess and Hirst, 1975: Chapter 3). The labor force is the property of one group, and has no legal or social existence apart from its owners. Besides owning the labor force, the master possesses all other elements necessary for production (tools, land, etc.), and receives the entire product of the slave's labor.

Since slaves are legally separated from the means of maintaining themselves, their master must provide upkeep. From the master's perspective, upkeep is a necessary cost of production because slaves, like other forms of property, must be maintained to retain their value as capital.¹ One way the slave mode of production is distinguishable from the feudal and capitalist is in the master's provision of subsistence

¹This should not suggest that masters maintained their human capital in mint condition; high slave mortality rates belie that. It merely suggests that slave owners had to maintain slaves at the minimal level or this labor force would not be able to work for the owners.

resources to the labor force.¹ Because subsistence is provided, workers are under no structural compulsion to exchange labor for survival commodities.²

Feudal Mode of Production

The feudal mode of production takes its form from the structure of land holding. Preconditions include concentration of landownership in a few hands, and a division of estate land into a portion that benefits the landowner ("demense land") and a section that provides subsistence for the worker ("rented land") (Hindess and Hirst, 1975: 238-239). Feudal rent, paid as in-kind gifts, cash, or work on demense land, secures the worker's right to self-support on rented land.

Feudal relations of production are characterized by the worker's effective possession of the means of subsistence (rented land and rudimentary tools) but lack of juridical ownership over those means. The non-producing class owns the means of survival; ownership is the basis for appropriation of surplus labor from feudal tenants. The concentration of

¹In nineteenth century Brazilian slavery some of the human chattel were permitted to plant crops for self-support and dispose of the surplus for cash. Some urban slaves hired out by their masters had to use some of their earnings to maintain themselves. These cases do not invalidate Hindess and Hirst's argument; they merely suggest that some slaves at some times are under more of a subsistence compulsion than others. Field slaves during peak production periods are under a weaker subsistence compulsion than urban slaves for hire.

²This does not deny that slaves faced very real forms of physical coercion, it merely suggests the lack of an indirect form of structural coercion to labor.

land ownership acts as a powerful mechanism of social control: the free producer is under a structural compulsion to labor or produce in-kind gifts for the landlord in order to use the land necessary for survival.

Capitalist Mode of Production

Under capitalist relations of production, the worker is divorced from ownership or even de facto possession of the means of production and subsistence. The worker's labor power¹ has become a commodity bought and sold on the open market; wages paid to workers secure their surplus labor. As in the slave and feudal modes of production, key resources are held by one segment of the population. In contrast to these other systems, the segment without effective ownership survives by selling its labor power and using earnings to purchase commodities from the owning class.

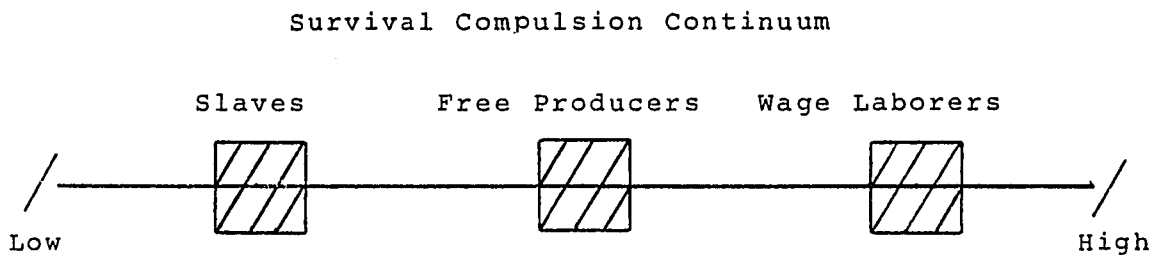
In the capitalist and feudal modes of production, the owners of key resources do not provide subsistence to the work force, and the workers lack direct control (ownership) of the means of survival. This structural configuration forces workers to supply surplus labor to the owning class, either as rent-service or wage-labor, in order to insure their own survival.

¹Capacity to labor.

Survival Compulsions

Because wage laborers are dependent on one segment of the population for both earning and survival commodities, they are under the greatest "survival compulsion" of the three forms of labor. Slaves are under the least survival compulsion, since subsistence is provided; free producers directing their own subsistence cultivation are in the middle; the survival compulsion is strongest for wage laborers, as they must sell labor power in order to purchase items of personal consumption. These variations in survival compulsion suggest a "survival compulsion" continuum.

Figure B



Bars mark the location of each mode of production within the continuum to suggest that compulsion varies within modes of production. Changes in social, economic, or political conditions may lead to shifts in survival compulsions. For example, when an export-dependent slave economy loses international buyers, subsistence may be withheld, with slaves hired out to support themselves and their masters. The

combination of economic expansion and a scarcity of labor in a feudal economy may lead to the eviction of squatters and the decay of feudal relations of production. Without land for subsistence, former feudal free holders must work for wages in order to purchase survival commodities. If wages are low, laborers must endure longer hours just to secure enough money to support themselves.

A recognition of the survival compulsion built into each mode of production assists in understanding some of the conflict during the Pernambucan transformation. Much of the struggle surrounding the transformation of the mode of production was a product of alterations in survival compulsions. Turning free holders into cash-crop producers involved alterations in informal land-lease agreements. The free population did not accept the more demanding rental agreements without a struggle.

As the transformation progressed, officials turned to direct repression against the free population. Eventually, technological improvements in milling helped sugar producers gain greater control over the work force. However, these technological changes, and the larger transformation, produced new problems and exacerbated old ones.

By-Products of Socio-Structural Change

Up to this point the mode of production has been a dependent variable in the model. However, this study does not restrict structural transformation to that position, for

such theoretically diverse scholars as Marx (1906) and Durkheim (1964) have pointed to the value of viewing socio-structural changes also as causal variables. Whether the theorist claims that transforming the mode of production simultaneously alters the superstructural elements dependent on it (Marx, 1906), or that rapid social, economic, or political changes cause social disorganization and anomie (Durkheim, 1964), the message is the same: structural change produces new structures and new problems.

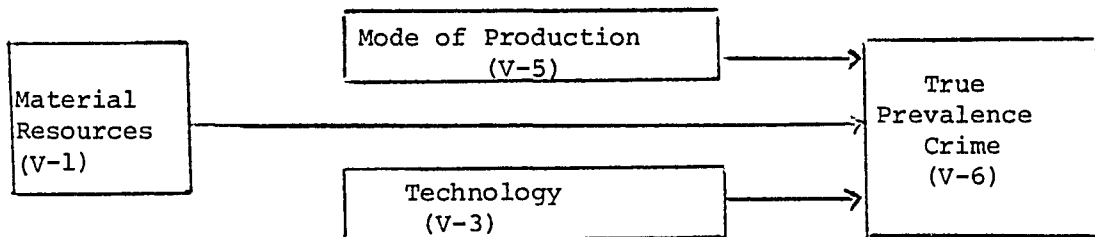
One such emergent problem in Pernambuco was crime. Why are some types of crime more likely than others to be produced by real changes in the environment? One answer is that certain kinds of change cause social dislocations. There is a tradition in sociology from Durkheim (1964) to Park (1924) suggesting a relationship between social disorganization and certain forms of deviance.

Moreover, political scientists such as Olson (1971) and Feierabend (1971) have demonstrated a relationship between certain types of change and collective violence. Many economists (Wilbur, 1979) have noted the socially destabilizing effects of rapid economic change; the Dutch criminologist Bongers (1969) has demonstrated a relationship between economic dislocation (e.g., unemployment) and crime. The work of these authors makes it reasonable to hypothesize a relationship between economic and social dislocation and crime.

In a different vein, radical criminologists such as Quinney (1977) and Spitzer (1975) argue that it is particular forms of social organization rather than disorganization,

which produce crime. Most radical theories of crime begin with the mode of production, or system of production that links human labor to the environment (Balkan, 1980:13). Radical theory holds that class-based modes of production generate problem populations. These problem populations become eligible for management as deviants when their behavior threatens the structure of production and distribution.

Both social organization and disorganization theory provide guidelines for this analysis. Radical theory hypothesizes a relationship between socially-structured inequality and crime; while social disorganization theory proposes a relationship between social change and crime. A model of the central variables in the analysis of social structure and crime follows.



The crime produced by socio-structural conditions is labeled "true prevalence" crime (V-6). The analysis of true prevalence crime begins with the assumption that fluctuations in some crime rates are the product of real changes in the behavior of the population, rather than shifts in social control strategies and priorities. The model suggests that true prevalence crimes were the result of three separate factors: material resources, technology; the mode of production.

Material Resources

The first major assault on traditional social organization

came with the cessation of the African slave trade. The loss of slaves (V-1) disrupted both landowners and the free rural poor: landowners were in trouble because their labor force was shrinking; free squatters suffered because planters imposed more demanding land-lease requirements on them in order to secure a workforce (Reis, n.a., 10).

Another major assault on critical resources came when Brazil began losing international sugar customers (V-1). Since the Pernambucan economy survived by supplying international buyers with sugar, decreases in world sugar prices and changes in world purchasing habits had a negative impact on the entire province. However, planters could still hope to recapture a portion of the world market if production costs could be reduced.

Technology

Subsidized mill modernization (V-5) offered a way of cutting costs and increasing output. The modern refineries represented more than a change in technology; they had a profound impact on rural social organization. The refineries eroded traditional settlement patterns and social relations in the sugar zone by replacing slow-paced, labor-intensive agriculture with capitalistically-oriented agribusinesses (Pang, 1979). Almost every segment of the rural work force was downwardly mobile with modernization; some workers were totally stripped of their means of subsistence ("marginalized") by labor-saving technology.

Mode of Production

In one respect, the socially disruptive effects of

technological changes cannot be separated from the social dislocations produced by the larger transformation of the mode of production (V-5). However, the transformation as a whole spawned problems that stretched beyond those produced by changes in any one element of the mode of production. In 1890, two elements of the mode of production were undergoing change: slavery had been abolished and the new social relations of production between free laborers and employees were being worked out; during the same period, the second stage of mill modernization began. Chapter five examines the types of crime produced by the transformation, as well as the forms of criminality associated with the different modes of production.

Data Sources

The relationships hypothesized in the model are elaborated through a variety of primary and secondary sources. Secondary data are the foundation for the analysis of material resources and technology. Primary sources describe social control and crime. Both primary and secondary sources provide the background for the transformation of the mode of production. The essay on sources in Appendix A describes the data sources in more detail.

CHAPTER II

ENGENHO À USINA: A SHORT HISTORY OF LAND, LABOR, AND TECHNOLOGY IN PERNAMBUCO

Introduction

The history of Pernambuco covered in this study can be conveniently divided into three periods.¹ The first ("Engenho: 1850-1880:) focuses on the engenho plantation² and the slave mode of production associated with it. The second ("Engenho Central:³ 1880's") is really a subsection of the first and begins in the eighties with the introduction of centralized mills. Production and work in that period were organized similarly to the first, but with a dwindling slave population planters began turning to free labor. During the eighties, Brazil abolished slavery (1888), became a republic (1889), and began a program of technological modernization aimed at regaining the Northeast's supremacy as a world sugar supplier.

The final period ("Usina:⁴ post 1890") includes the shift from traditional and centralized mills to sugar

¹The author has created this periodication for analytical purposes. Actually, the engenho period stretches back to colonial times and the usina to the present.

²Engenho refers to the plantation complex as well as the mill where cane is ground.

³Central mill.

⁴Sugar refinery.

refineries (Usinas). The refineries reduced the sugar industry's labor dependence and introduced a change in work organization. However, in spite of modernization, the sugar industry declined after the turn of the century as Brazil lost foreign sugar consumers. During the first decades of the usina period, planters continued the struggle to pull free producers into the sugar economy; after the turn of the century, labor-saving technology and the loss of foreign markets made this effort less necessary.

The Sugar Cycle and Dependency

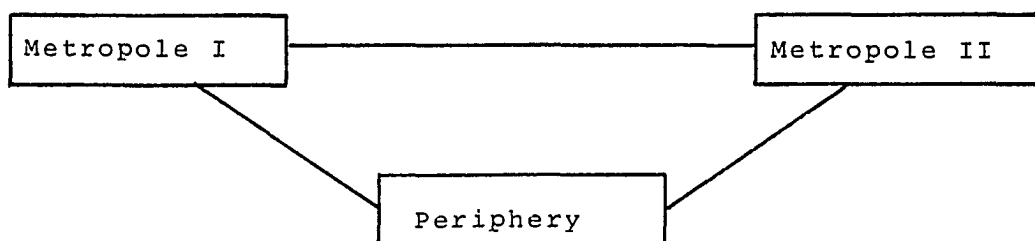
For over three centuries slaves had produced Pernambucan sugar on large estates (engenhos) for an international market. By the middle of the nineteenth century the slave population had begun to decline, and by the turn of the century foreign markets had all but dried up. For a time, slave scarcity posed a serious threat to sugar production; eventually technological modernization and the loss of international markets would alleviate the labor shortage. However, mid-nineteenth century planters lived in a different historical period from twentieth century producers: sugar barons of the last century had to balance slave depletion and the transition to free labor with a renewed demand for Brazilian sugar.

Before discussing the engenho and its "patriarchal clan" (Prado, 1967) some background must be given on Brazil's position as a peripheral nation in an expanding world mercantilist system. Brazilian sugar production began in the sixteenth

century and during much of the next century the Northeast was the world's chief sugar supplier. The sugar cycle was the first of Brazil's three export cycles; it was followed by the gold and diamond cycle of the eighteenth century; coffee provided the country's chief export earnings during the nineteenth century. Although each cycle concentrated on different primary products, their natural history was the same : drive for quick profit; regional concentration of economic activity; export boom; resource depletion; decline in the world demand for the export product; and economic stagnation (James, 1959).

Brazil's export dependence should make it clear that a study of Brazil cannot focus on that country alone. Rather, the focus must be on a dependency structure because Brazil was born of mercantilist expansion, which meant that events abroad strongly influenced its economic and social growth. In its dependent position, Brazil fueled capitalist expansion by supplying industrializing nations with raw materials and by purchasing luxury consumption goods from the nascent European industries.

Rather than the more common dominant-periphery relationship, the dependency structure of the colonial period was a triad (Stein and Stein, 1970):



Metropole I consisted of, first, the Dutch and later Great Britain; Portugal was an intermediary (Metropole II); while Brazil was on the periphery. Both Brazil and Portugal occupied a disadvantaged position in the dependency triad vis-a-vis Europe. Portugal's inferiority was set by the terms of the Methuen Treaty (1703) which gave the British preferential tariffs and extra-territorial rights in Brazil in exchange for protecting Portugal from Napoleon. Most of the revenues Portugal earned from its colony's sugar were used by Portuguese elites at home to maintain an aristocratic life style and ensure a privileged position among other European elites (Stein and Stein, 1970: 21-22, 24-26). The story was similar in Brazil: planters used revenues to purchase slaves and the trappings of aristocracy rather than to improve agricultural efficiency and technology. The dominating metropolitan powers were not so short-sighted; Great Britain's development was accomplished by transforming its internal economic and social structures using raw materials from peripheral societies to fuel its own industrialization (Stein and Stein, 1970: 67).

Dependency had serious consequences for Brazil. One-by-product of Brazil's export dependence during the sugar cycle was a concentration of economic activity in the northeast such that a small elite held the bulk of earned income and other assets (land, slaves) (Furtado, 1963). A central contradiction of the plantation system was that the engenho was part of a capitalist system but was run by a pre-capitalist

landed aristocracy (Genovese, 1967). Due to the engenho's embeddedness within a larger economic system, the economic well-being of periphery elites was vulnerable to fluctuations in foreign supply and demand. Even though they were financially vulnerable, sugar planters took almost no action to ensure some measure of independence from economic irregularities (Reis, n.d.a.). While refusing to recognize economic vulnerability, the aristocratic spirit of the planters absorbed capitalist acquisitiveness and directed it into channels more acceptable in slave society: accumulation of land, slaves, and luxury consumption goods (Genovese, 1967), neglecting improvement in sugar cultivation and processing.

As long as there were sugar consumers and abundant labor inputs, planters were nevertheless in good shape. The time-honored solution to the recurrent setbacks produced by the vagaries of the world market was to conquer new markets and/or increase output by greater labor inputs. However, planters faced a new challenge after the end of the African slave trade in 1850 when the labor-intensive sugar industry began losing its preferred slave workers. The final blow to the Northeast's economy came when Brazil began losing foreign sugar consumers and had to turn to the relatively stagnant domestic market.

The Engenho Period: 1850-1880

The basic elements of the sugar cycle were latifundia, slavery, monoculture, and production for export. Before discussing the basic features of the sugar cycle during the engenho period, it would be useful to illustrate briefly their variation during each of the three periods. The latifundia system had its origin in large land grants distributed in the colonial period to a small number of individuals who came to control, limit, and block access to the land. During the engenho (1850-1880) and central mill periods (1880's), landownership remained in the hands of the few; in the usina period (post-1890), landownership became still more concentrated. Monoculture and export production were permanent features of the sugar cycle, although export earnings, of course, fluctuated with shifts in world demand. During the central mill period, the engenho's slave mode of production was replaced by a quasi-capitalist one; the transformation had been kicked off in 1850 with the forced cessation of the African slave trade.

Land

Portugal colonized Brazil by awarding land grants (sesmarias) measuring between seventeen and fifty square miles to anyone with the desire and means to use the land properly (Dean, 1971). But applicants' means must have influenced awards more than their enthusiasm because once in

Brazil, the awardee was expected to develop the sesmaria as a source of taxable exports and protect it against foreign interlopers.

Even without invasion, however, all was far from calm in the early days of settlement. Overlapping sesmarial boundaries, due to the sometimes corrupt and usually unsystematic land awarding procedures, provoked land disputes. Some disputes were taken to the hopelessly clogged colonial courts (see Schwartz, 1973); most commonly, landowners dealt with each other and with poachers themselves. A frontier morality coupled with an over-burdened and sluggish court system engendered force and violence as the most efficient way to determine who would hold the land.

The very size of sesmarias makes it clear that the awardees were anything but individual homesteaders, a suspicion bolstered by Gilberto Freyre's (1945) observation that manual labor was not a part of the aristocratic landowner's world view. According to Freyre the first awardees were men with "a love for display and grandeur and a distaste for manual work" (1945:19).

But not all the early colonizers of Brazil were wealthy aristocrats. While the landless included a mix of poor farmers from the Azores and Madeira, Portuguese artisans (Schwartz, 1973a), and deported criminals (Russell-Wood, 1968), the majority of the landless were slaves. Aside from the slaves, Freyre (1945:35-36) divides the first arrivals into two groups: "horizontal" and "vertical" founders.

The vertical founders came from Portugal with sufficient capital to establish themselves as sugar planters, living "almost like feudal lords". The sugar barons brought a life style and social status from Portugal (1945:37) that was "not only maintained in Brazil but improved by them with the rapid prosperity of cane agriculture and the sugar industry..." By contrast, the "horizontal" founders were men continuously migratory, "whose spirit of adventure and love of individual freedom were too strong to let them settle down... (the frontiersmen) were simple and even rustic in their social tastes and habits..." (Freyre, 1945:36). What Freyre alludes to, but does not specify, is that one group (vertical founders) owned land (and slaves to do their work) while the other was landless. From the beginning of colonization into the modern period, land more than anything else defined status, life style, and indeed, life chances in Brazil. Romance aside, the horizontal colonizers' migratory life style was due less to their "spirit of adventure" than their lack of land in a system where, as one early traveler observed, "the land has masters and they have the power to stop strangers from using it" (in Reis, n.d.a.:7).

Sugar

The first sugar plantations of Pernambuco were established in the middle of the sixteenth century. By the seventeenth century, Pernambuco led the world in sugar production. The Northeast's sugar economy continued to prosper

for the next fifty years, but in the 1650's its prosperity ended as Caribbean sugar edged Brazil out of traditional markets.

After 150 years of decline, sugar exports began increasing again in the early nineteenth century in response to European and North American population growth (Eisenberg, 1974:14). During the period of renewed prosperity between 1800 and 1880, Pernambucan sugar production rose twenty-fold (Denslow, 1974:1), and the absolute volume of sugar exports reached a level (after 1830) five hundred percent above the apex of the colonial sugar cycle (Eisenberg, 1975:4). However, even during the export booms of the nineteenth century Brazil had to fight to retain a dominant position in the world sugar market. A serious threat to her superiority came in the early part of the century when Europeans turned their backs on Brazilian sugar in favor of continental beet sugar. That caused serious problems for Pernambucans because at mid-century, Europe purchased over sixty percent of Brazilian sugar exports (Denslow, 1974:15).

Planters lost more than their sugar consumers when Europe entered the sugar market, for cheaply-produced European beet sugar drove down world prices. The excess of beet sugar meant that Brazilian exporters could not raise prices by withholding supply, so planters simply had to produce as much sugar as possible at the going rate (Eisenberg, 1974:14). However, the only way to increase productivity in the technologically-poor sugar industry was by larger

labor inputs. What made that problematical was that after mid-century, the slave population was declining and free workers were not stepping forth to fill slave vacancies.

Brazil turned to the United States as European sugar producers gained an increasing portion of the continental market. The transition was temporarily successful as sugar sales to North America rose rapidly in the seventies and eighties. By 1889 North Americans were buying more Brazilian than European sugar (Eisenberg, 1974:22). However, prosperity was short-lived because the United States eventually turned to sugar producers closer to home. After the beginning of the 1890's exports to the United States declined steadily; by the early twentieth century North Americans consumed less than five percent of the Brazilian Northeast's sugar. With the loss of foreign markets, Brazilian producers turned to the relatively small domestic market, only recovering a portion of the world market for a brief period during World War I.¹

The Engenho

The Portuguese engenho plantation was the instrument of occupation and settlement of the Northeast, created as a sub-sector of the European economy to produce staples for

¹Brazil captured a portion of the world market for brief periods after World War I, but this summary only covers the pre-1922 variations in the sugar cycle.

external consumption. Plantations were the locus of population in a dispersed pattern of settlement and most of the Brazilian population was gathered into what Caio Prado (1967:334) has called "patriarchal clans" living on plantations. These clans consisted of all those participating in plantation life from "the plantation owner...to the humblest slave and agregado (squatter) who formed part of his retinue" (Prado, 1967:334).

Engenhos were in some respects extremely dependent on foreign supply and in other respects quite independent. Dependence was engendered by primary product specialization which deflected any tendency toward industrialization and made it necessary to obtain sophisticated agricultural equipment and luxury consumption goods outside the country. On the other hand, as a result of geographical isolation, engenhos themselves had to produce food and clothing for their work force and some items for the plantation family.

It would be a mistake to see the engenho as no more than the locus of production for export. Each was a state within a state, the planter at its head. Due to such factors as isolation, the sugar baron's distrust of urban bureaucrats and the urbanites' distaste for the crudeness of rural life, engenhos were relatively free from outside interference. The landowner coordinated plantation services, beginning with the provision of a priest (usually a close relative) who watched over the spiritual life of the engenho's "patriarchal clan". The priest had very little opportunity to countermand

the planter's notions of morality (if there was a discrepancy) since the priest was more "dependent upon (the plantation master) than upon his bishop" (Freyre, 1945:38).

The engenho priest was the first line of defense in the planters' war against disorder. On each engenho a planter-headed militia stood ready to step in when religious control failed. The private militia was recruited from squatters, to put down slave revolts, resolve family feuds, settle land disputes, or determine the outcome of elections (Levine, 1974). The squatters were kept in line by dependence on the planter and his land; beatings and evictions were the price they paid for failing to respect the engenho order. After the colonial period when conditions really surpassed the control capabilities of the planter, the National Guard or Provincial Police were summoned. The winning side was determined once the National Guard appeared, since guard units were composed of municipal residents answerable to officers who were almost always the municipalities' largest landowners (Eisenberg, 1974).

The system of granting land to moneyed aristocrats established the link between landownership and power, and the isolation of their plantations forged it. Urban bureaucrats could not police effectively the rural areas, so landowners were left the task of maintaining the level of law and order necessary for uninterrupted sugar production. The government bureaucrats seemed quite willing to give over some of their power to the landowner because they needed him to perform the state's taxation, enlistment, and electoral enrollment

within the engenho's domain (Caio Prado, 1967:335). The upshot was that each planter served as executive, legislative, and judicial authority on his land, exercising as many rights as force of arms would allow. Moreover, Eisenberg (1974) shows that in time the traditional power of the land owner was bolstered by the badge of political office.¹

Labor During the Engenho Period

The Northeast's geography and climate were favorable to sugar cultivation, and transportation costs were minimal due to the short distance between the sugar zone and the coast. Only an abundant labor force was lacking (Eisenberg, 1974). After failing in their attempt to enslave the indigenous population, planters began importing West African slaves to fill the labor void. Slavery quickly became the most important institution in Brazilian society. At the peak of the seventeenth century sugar boom, slaves outnumbered free people in the Colonial population by three to one. Slaves were most concentrated in the regions of export production. During the sugar cycle, the northeast held the bulk of the slave population; in the eighteenth century slaves were heavily concentrated in the gold and diamond regions of the center-south; the coffee economy of the nineteenth century was the

¹For a case study of the links between land ownership and political office in a Pernambucan municipality, see Eisenberg (1974: Chapter 6).

impetus for an increased concentration of slaves in southern Brazil.

At the time of Brazil's independence from Portugal (1822), approximately forty percent of the Brazilian population was slave; most of those slaves were in the center-south. The proportion of slaves in the Pernambucan population at mid-century had fallen to twenty-one percent. Even though Pernambucan planters had a relatively small slave force, they utilized the remaining slaves in the most profitable way: three-fourths of the Pernambucan slave population worked in the export sector (Eisenberg, 1974).

Slaves powered the export sector, but were not the only workers in the plantation zone. The free were numerous and formed a number of strata differentiated from one another by such factors as, type of work, skill, skin color, and region of residence. In spite of those real or imagined differences, the impoverished rural population shared one fact in common: their dependence on the senhor and his land.

The sections to follow will focus on the various strata of the free population, especially the work roles of free people during the engenho period. Before that, additional background on the labor systems of the rural zone.

The Dual Plantation Economy

The Northeast's system of agriculture and labor organization (latifundia, monocrop plantation agriculture, and slavery) had a profound impact on socio-structural arrangements.

The masters and slaves were clearly delineated by their differing position in the sugar production process; all other workers less directly linked to the export sector have been labeled "unclassified marginals" (Prado, 1967:328).

According to one estimate (in Prado, 1967:328), unclassified marginals constituted half of Brazil's colonial population of twelve million. It must be recognized that marginality was a product of an export-oriented economic system in which slave labor was dominant. Free workers were outside the export sector because the widespread use of slaves created a shortage of stable employment (Prado, 1967: 325-326). Equally important, free men and women exercised a good deal of self-exclusion. The extensive use of slaves in all forms of work produced an association between slave status and manual labor. By remaining outside the export sector, free men and women differentiated themselves from slaves.

However, we may not assume that because the free population was marginal, its services were inconsequential to the life of the system. In the first place, a surplus population is always valuable when labor requirements exceed the existing pool. The Northeast was no exception. Free men and women were pulled into the sugar economy periodically when the slave force was insufficient to the task as, for example, during export booms created by fluctuations in world demand. Of even greater importance, free men and women performed a number of services that guaranteed the success of sugar production. For example, squatters provided the slaves' food as well as serving in

the landowner's private militia.

Consequently, it seems more fruitful to delineate different labor systems and their functions than to focus strictly on the dominant mode of production, relegating to marginal status all workers who do not directly contribute to export production. Approaching the problem in this way, we see that the rural zone had two separate but interrelated labor systems: a slave mode of production powered the export sector, while a surplus population of feudally organized¹ free workers provided support services for the sugar economy.²

The distinction between feudal and slave modes of production captures the distinct social relations of production within Pernambuco's nineteenth century dual economy in a way that Prado's dichotomy between slaves and unclassified marginals cannot. The slave-feudal distinction suggests an economy with different labor systems, each characterized by

¹Celso Furtado (1963:54-55) maintains that the Northeast's plantation social structure was capitalist, not feudal, for two reasons. On the one hand, plantations produced for an external market; on the other, feudalism is only possible where a lack of durable goods severely limits the accumulation of wealth. One may agree that the Northeast's economy was a part of a capitalist economic system without also conceding that the plantation system was without feudal elements. This study uses Hindess and Hirst's (1975) criterion for classifying modes of production; within their scheme, the variables of commodity production/circulation and wealth accumulation are secondary to the mechanism of appropriating labor.

²This is an ideal-typical differentiation and there were some exceptions to the designation. Some slaves were engaged in domestic labor and some of the free population was employed in sugar production (millers, cane transporters). However, the distinction holds for the majority of slaves and free workers.

different systems of resource distribution and unique relations of production. Each sector of the dual economy had a unique form of socio-economic organization; both sectors were essential to the economic life of the system.

However, the dual economy posed a major stumbling block to the transformation. The Pernambucan transformation involved turning feudally-organized free producers into wage laborers in the export sector. The incongruity between feudal and capitalist forms of work organization complicated the transformation: the feudal relations of production had to be destroyed down before free workers could become full-time wage laborers.

Labor: Free Workers

At the beginning of the nineteenth century, free people made up almost four-fifths of the Pernambucan population. Most of the free, plantation population was squatters (Eisenberg, 1974:183). The indigenous population was the first to be reduced to the status of squatter by landowners, to be followed by impoverished immigrants from Portugal, the Azores, and Madeira. As time passed, manumitted slaves and half-castes were also forced into squatter status. It is not surprising that squatters were so abundant on engenhos; the status was inescapable in a region of such extreme concentration of land ownership.

The squatter's life was highly uncertain. The most he could expect in the zona da mata was informal land occupancy rights. One nineteenth-century traveler's observations

highlight the violence and precariousness of squatter life:

(The squatter) lives in fear of his landowner. He cannot be sure of awaking in the same place as he lay down to sleep. He shelters himself in a miserable thatched hut on some one else's land...He does not live there so long as he behaves himself...but only so long as he wants to subject himself to serve as an instrument of lust...(in Eisenberg, 1974:184).

However, there is no reason to assume that the squatters were without resentment; Levine (1974:30) reports that landowners seldom left their houses without a body guard (capanga) for protection from angry squatters seeking to avenge personal dishonor or their indiscriminate eviction from plantation land.

Landowners justified their harsh treatment of moradores by citing their squatters' lack of responsibility:

This horde of men lives without rules, without morals, without respect for the rights of others, except when there is fear of the use of absolute or despotic measures... at present the landowner is at the mercy of the worker, squatter...who lives on the property until the day when he can trick the landowner. Achieving his purpose, he leaves without giving the least satisfaction to the landowner...(in Eisenberg, 1974:184).

After hearing the landowners' side of the story, it is time to take a look at the actual terms of exchange between plantation masters and moradores. The planter conceded a plot of poor land on the outer margins of the estate where the squatter and his family could build a mud hut and plant a food crop. In return, moradores were required to surrender a portion of their produce to the engehno work force, guard the estate against intruders, and serve in the planter's private militia. These rental obligations remained in force until the simultaneous decline of the slave population and

the growth of sugar production after the 1850's; from then on, moradores had to perform all of the usual services plus work a few days of each week in the cane fields.

Seasonal Migrants

Seasonal migrants to the zona da mata made up another segment of the free, rural population. The migrants or corumbas descended upon sugar plantations annually to escape the ravages of the dry season in the sertão. Backlands slack season and cane harvest was fortuitous because it assured planters a larger labor force than the slaves or moradores alone provided. Once on engenhos, many of the corumbas became day laborers; most left the zona da mata at the end of the harvest.

Salaried Workers

Salaried skilled workers formed another segment of the free plantation population. Engenhos needed a number of workers other than those directly associated with sugar production -- specialists like ironsmiths, bricklayers, and coopers. Some of those specialists were slaves, but a good number were free. Schwartz (1973a) reports that the first Portuguese expeditions carried a number of artisans to Brazil, but as time passed, free slaves and half-castes with in-service training filled these jobs.

The mill workers constituted a particularly important segment of the skilled plantation population -- people like the

mestre de acucar (sugar master), who was in charge of the mill and something of a chemist in his own right. The purgador was another key link in the operation because he removed the sugar's impurities; next in line was the refinador who refined the sugar after it had been treated by the purgador. These and other millers were in great demand during the period of economic expansion (1850-1880) when the number of mills increased two-fold (Reis, n.d.a.:16). Once expansion ceased and mill consolidation began,¹ many men who had enjoyed a position at the top of the sugar industry's occupational pyramid lost their jobs.

Lavradores de cana (Cane Growers)

Lavradores de cana form the final category of the free plantation work force. In the first decades of colonization the Portuguese encouraged farmers in the Azores and Madeira to migrate to Brazil (Schwartz, 1973a). Once in the colony, many of those farmers became lavradores. Lavradores were a small proportion of the free population but materially the most comfortable (Schwartz, 1973a). In many respects, lavradores resembled sharecroppers, but it would be a mistake to categorize them as such because they were in fact an ancillary part of the planter class, since they came from the same social background, though without the control of land that would have

¹In 1888, there were 1800 mills in Pernambuco, but this number declined to 900 by the 1920's (Reis, n.d.a.:4).

supported the life-style to which they aspired (Schwartz, 1973a:176-177). Like the landowners, lavradores were predominantly white; in contrast to other landless segments of the engenho population, lavradores enjoyed relative wealth and social status due to their ownership of slaves, work animals, and rudimentary agricultural equipment (Schwartz, 1973a).

Lavradores' significance for sugar production can be gleaned from the fact that in 1878 they grew over half of the sugar shipped from the province (Eisenberg, 1974:92). In spite of their important contribution to the economy, lavradores remained economically disadvantaged because their cane had to ground in the landowner's mill and a fourth to a third of the sugar surrendered to the planter, along with the by-products: molasses, rum, and waste products. More onerous lease arrangements held lavradores to clearing a portion of engenho land and establishing a new plantation complete with mansion, mill, and slave quarters (Schwartz, 1973a). When the lease expired, the cane grower surrendered all land and improvements to the landowner.

Other free workers in the rural zone included the pack-horse drivers, foremen, engenho administrators, and full-time body guards. A key group was the pack-horse drivers (almocreves). Almocreve was an occupation that linked the urban and rural areas. Pack-horse drivers carried goods from the port of Recife to the plantations and returned to the capital with loads of sugar for export warehouses. Prior to the arrival

of the railroads, the export economy would have ground to a halt without almocreves, for they transported most of the goods between the plantations and Recife; after the railroads began serving the plantations, almocreves lost their occupation (Reis, n.a.a:16-17).

Pack-horse drivers were relatively well off, next to the squatters, because "they owned a horse, and gun, and perhaps even a slave" (Reis, n.a.a:16). In spite of those minor symbols of wealth, almocreves had a bad reputation among landowners because their mobile lifestyle was thought to be well-suited to crime.

Summary: The Engenho Period

Sesmarias in the Pernambucan zona da mata were the locus of engenho plantations, which used slave labor to grow and mill sugar for an international market. The plantation house was the center of life on the sesmaria and more often than not the planter and his family lived on the estate with other members of the patriarchal clan. European population growth at the turn of the nineteenth century gave a breath of life to the sugar economy, and prosperity continued until the eighties when cheaper European beet sugar edged Brazil out of continental markets. With the loss of the European market, Brazilian exporters turned their attention to North American sugar consumers. The transition was temporarily successful, but in the nineties North Americans began buying sugar from producers closer to home. The Pernambucan economy declined

as foreign markets were lost: extreme dependence on foreign demand meant that the economic well-being of the society fluctuated with the vagaries of the world market.

Plantation work organization assumed two separate but complementary forms: a slave mode of production powered the sugar economy, while a feudal work structure accomplished the non-profit-producing work in the region. Between 1850 and abolition, the slave population declined rapidly due to the cessation of the African slave trade, interprovincial slave trade, deaths unbalanced by births, and private manmissions. The decline came at an extremely bad time: beginning in the fifties, there was increased demand for Brazilian sugar and the only way to increase output was by larger labor inputs. Since slaves were no longer a viable alternative, planters began turning to the free population for labor.

However, the task would not be so simple as merely to insert a free worker into a position vacated by a slave. It involved the more complicated procedure of turning feudally-organized subsistence farmers into full-time cash-crop producers. That was troublesome on two counts. First, the feudal work structure itself blocked the transition; second, certain characteristics of the free population militated against their easy movement into export agriculture. To begin with the latter first, previous experience had taught moradores to avoid plantation agriculture because they were overworked and used in jobs too dangerous for financially valuable human chattel (Reis, n.d.a; Eisenberg, 1974).

Furthermore, free people associated plantation work with slave status and avoided it as one way of differentiating themselves from slaves (Prado, 1967; Reis, n.d.a:25). If those reasons were not sufficient, the rigorous work discipline and concomitant loss of freedom offered additional incentive to shy away from the export sector.

The transition was further complicated by the fact that so long as moradores were excluded from export agriculture, they could not acquire the relevant skills and labor regimentation required to function successfully within that domain. Obviously, once moradores began working, they developed skills and become accustomed to the rhythms of the export economy. However, the squatters' mobility and certain elements of the feudal rent structure militated against such regular employment.

The moradores' ease of movement was a thorn in the side of planters. In fact, moradores moved so often that they were frequently described as "nomadic and rootless, incapable of settling anywhere for any length of time" (in Reis, n.d.a:6). Reis (n.d.a:24) reports that moradores' nomadism discouraged landowners from teaching them skills because planters never knew how long squatters could be counted on to remain on the engenho.

Feudal work organization itself blocked any easy transition. The Northeast's post-1850 feudal rent structure obliged the squatter to exchange some produce and labor in the export sector for the right to erect a hut and grow subsistence crops

on engenho land. In Hindess and Hirst's (1975) discussion of the general characteristics of the feudal mode of production, the authors note that feudal rent obligations create a division in the worker's day between "necessary labor" (subsistence farming) and "surplus labor" (cash crop production in the export sector): surplus labor extracted as rent more or less guarantees the worker's right to perform necessary labor.¹

A closer look at the internal logic of feudal work organization illustrates how it limited exchanging squatting rights for labor services. Theoretically, the squatter who gave too much time to cash crop production would have insufficient time for the family plot. When that occurred, the unpaid worker had no way of maintaining himself and no practical reason to trade labor for squatting rights. Thus, feudal rent was not a viable means of securing full-time workers. Furthermore, this system did not reward labor efficiency, nor did it encourage worker productivity. Therefore, the most planters could expect from squatters was half a week's work at the same level of productivity as customarily given. However, with a depleted slave population and increased demand for sugar, this was not sufficient. Thus, as the seventies closed, planters actively sought new ways of extracting additional work from free people.

¹For a further discussion of the concepts of "necessary and "surplus" labor, see Hindess and Hirst (1975).

The Engenho Central: 1880's

As the eighties commenced, sugar producers were facing decreasing revenues and searching for new sugar markets. In spite of economic downturn, planters could still hope to recapture a portion of the world market if sugar could be produced more cheaply. Modernization offered a way of lowering prices, but any attempt at salvaging the economy through technological improvement would fail if the sugar barons could not wrestle a portion of the free labor mixture of squatters, freed slaves, and migrants into a cheap, dependable work force.

Labor problems accompanied economic worries. The slave population had decreased by more than fifty percent between mid-century and the eighties (Reis, 1974:11), and free men and women seemed neither willing nor able to step into the slaves' jobs. Thus, even though there was an abundant free population, planters insisted that slaves were the only workers capable of keeping the sugar economy afloat. One leading landowner made it clear that a population surplus was not itself sufficient to stave off a labor shortage, warning that "of the 1600 engenhos which serve the Recife market, only one-tenth would be capable of grinding cane the day after the complete emancipation that is demanded by the abolitionists" (in Reis, 1974:8).

Mill modernization began in the 1880's with the introduction of central mills (engenhos centrais). Modern

mills brought more than a new technology. The central mill concept involved modifying the division of labor in the sugar industry. With the establishment of central mills, some of those with access to capital were able to own the technology to grind cane purchased from landowners who had the cane grown. The government believed that a division between agriculture and industry would encourage more efficient use of land and labor. Consequently, plantation masters could direct all their resources into land improvements, and mill owners could use their capital to update technology (Eisenberg, 1974:83).

In the eighties, the Imperial and Provincial governments introduced subsidies as an incentive for central mill construction. Politicians encouraged foreign business interests to build mills so that the infusion of outside capital would facilitate wage payment, thus inducing free people to work in the sugar industry (Eisenberg, 1974). Foreign-owned central mills were completed by the mid-eighties and Brazilian-owned mills appeared shortly afterwards.

The Brazilians met with some success as mill owners, but foreign-owned mills were dismal failures. There were several reasons why foreigners failed, not the least of which was their administrators' lack of experience as sugar manufacturers and the administrators' failure to learn Portuguese. But the principal reason for failure was the separation of land and mill ownership (Eisenberg, 1974: Galloway, 1958:300). The first foreign companies did not own the fields or control the labor from which they obtained cane and had to contract

with traditional landowners for supply. If the landowner did not like the mill's price, he would withhold supply and grind the cane himself.¹ As a result, central mill owners were squeezed between paying high prices for sugar cane or suffering shortages.

The failure of central mills highlights one of the major contradictions of the transition. The problem lay in the misalignment of the forces and relations of production. With the introduction of centralized mills, the forces of production (technology) in the sugar processing sector were revolutionized while the relations of production in agriculture were still pre-capitalist. The disjunction of the forces of production in one sector with the relations of production in a complementary one was problematical because the enlarged capacity of the mills and their greater efficiency made larger quantities of cane a necessity.²

However, the relations (and forces) of production in agriculture militated against higher agricultural output. Production could no longer increase by committing more slaves to agriculture because the slave trade had ended and the slave population was declining. At the same time, feudally-organized

¹Some planters resented the new factories and simply refused to cooperate, continuing to operate outmoded mills in spite of low sugar out-put and poor economic returns.

²Another factor behind the need for greater productivity was the low price of sugar on the world market; low prices meant that production had to increase in order to reap the customary profit.

free producers were not easily substituted for slaves (see pp.47-49). One way that the relations of production in agriculture could have been aligned with the forces of production in milling would have been to transform agricultural work organization from feudal to capitalist form. A first step would have been to make moradores into wage laborers by stripping them of squatting rights; once moradores had become dependent on wages as the only means of survival, landowners would gain greater control over their workers' lives. However, world sugar prices complicated the transition to wage labor since low prices prohibited paying free workers a wage that would give them an incentive to work harder at what they had traditionally avoided. Thus, from the eighties on, planters turned to repressive mechanisms to obtain the amount and quality of labor desired from free workers.

Before discussing labor during the central mill period, we must examine the motives for modernization more carefully. Most students of the Pernambucan sugar industry have emphasized planters' desire to cut production costs and produce cheaper sugar as the primary motive for modernization. While price reduction was clearly an important consideration for modernization, this research places equal emphasis on the hypothesis that modernization was introduced to reduce the labor dependence of the sugar industry.

This hypothesis gains plausibility if we recognize that labor saving technology was implemented when the sugar barons were simultaneously losing the only workers they

considered capable of running the mills, and having to turn to a free population unmotivated to work regularly and for long hours in the export sector. There is little doubt that the plantocracy recognized the severity of the threat because a participant at the 1884 Recife Farm Congress warned that even though two-thirds of the sugar cane ground in the state was cultivated by free laborers, its processing could not be done without slave labor, "the only one which under present conditions guarantees the readiness and continuity of the harvest" (in Reis, 1974:9).

However, technological change (engenho to central mill and, finally, usina) should not be separated from the transformation of the mode of production because the two are integrally related. Transforming modes of production involves modifications in the forces of production (tools, technology), as well as the relations of production. Some discussions of technological change fail to mention that changes in the forces of production are frequently implemented to promote modifications in the relations between workers and employers. Herbert Gutman (1976) did not make that error; he showed that one of the reasons North American textile mill owners modernized was to gain greater control over recalcitrant mill hands. Mechanization reduced labor requirements and increased the size of the surplus population, which drove wages down. Some of the workers who did not want to play by the owners' rules were replaced by machines; others were replaced by laborers thrown out of work by machines. Mechanization may have served a function of social control.

in the Pernambucan case as well.

Labor.

Before entering the usina period, a brief word is in order about the labor structure of the central mill decade. During the eighties, work organization resembled that of the engenho period, except that landowners were making greater use of free labor. However, a new stratum of the free population emerged during the seventies and reached maturity in the eighties. The Rio Branco or "free womb law" of 1871 stipulated that all children born to slave women after that date were free. Since the free womb law guaranteed gradual abolition, it had two qualifications. Ingenuos, as the children were called, were the wards of the mother's master until age eight when the master could free them and receive state indemnification; or the slave owner could support the child until twenty-one and gain the use of its labor but lose indemnification. According to Eisenberg (1974:158), most planters chose the latter course. In that way, they could continue to benefit from relatively captive workers even as the institution of slavery was crumbling.¹ But the days of planter reliance on slaves and ingenuos were drawing to a close.

Therefore, during the eighties the struggle between free workers and planters intensified. The conflict revolved around landowners' desire for a cheap, submissive labor force upon whom they could impose conditions rather than submitting

¹ According to Provincial Presidents' Reports (cited in Eisenberg, 1974:158), approximately 36,000 children of slave women (ingenuos) were born in Pernambuco between 1871 and 1887.

to the conditions labor imposed. With abolition becoming more of a reality each day, planters had to put together a reliable work force, either using what they already had or by drawing from labor pools outside the country. Planters and politicians were clearly aware of the latter alternative, since the Imperial and Provincial Governments drew up programs to stimulate immigration as early as the fifties (Eisenberg, 1974:198-199). However, immigration was not to be the answer to the sugar industry's labor problems. Immigrants never came to Pernambuco in large numbers, moving instead to the booming coffee economy of the center-south.¹ Consequently, Northeastern planters had to solve their labor problems from within Pernambuco.

The Usina Period: Post-1890

The end of the eighties saw the demise of two major institutions of Brazilian society up to that time with the abolition of slavery (1888) and the end of the monarchy (1889). A period of turmoil followed the establishment of the Republic, as Brazilians jockeyed for a position in the new state. Planters' fears that freed slaves would desert plantations in large numbers did not materialize, in contrast to their dire predictions (Eisenberg, 1974:182). However, labor problems persisted. The population of ex-slaves was

¹For a more thorough discussion of immigration programs and the varied reasons for Pernambuco's failure to attract immigrants, see Eisenberg (1974:198ff). In Rio Claro, Warren Dean shows how immigration programs operated to recruit labor for the center-south.

insufficient to power the sugar economy,¹ and free workers had not become the kind of labor force that planters desired.

The second stage of industrial modernization, therefore, began in the 1890's with the construction of sugar refineries (usinas). Usinas are large-scale central factories designed to mill the cane of many plantations (Hutchinson, 1957:41). After the central mills' failure to promote modernization, the Brazilian government established subsidies for sugar refineries. The refineries overcame the previous central mill failures because usineiros (usina owners) bought engenho plantations so as to control the cane fields and their laborers, as well as milling technology. The failures of the previous decade had taught modernizers that the new mills could not succeed unless owners had control over agriculture as well as milling, and hence the labor force in both sectors.

As usinas spread, they absorbed engenho plantations and in thirty years had reduced the number of engenhos by fifty percent (Reis, n.d.a:4).² As for traditional engenho

¹One year before abolition, there were 41,000 slaves in the province (IBGE, 1887). That put the proportion of slaves in the population at about four percent.

²Hutchinson (1957) reports that usineiros had a number of ways to secure engenho land. Besides having funds to purchase land, they had ways of forcing traditional engenheiros to sell. Usineiros would refuse to mill engenho cane, or take it and leave it to sour. After forcing the traditional landowner into bankruptcy, the usineiros would purchase the engenho land. It is interesting that these were the tactics used by engenheiros to secure the desired purchase price of cane from lavradores (See Schwartz, 1973a).

masters, a good number took advantage of government subsidies to become usiereiros; some sold their land and became cane suppliers (fornecedores): others left the plantation zone altogether (Eisenberg, 1974; Galloway, 1958:302; Reis, n.d.a.). There are no exact figures on how many landowners selected one or the other course of action, but Eisenberg (1974) holds that the majority remained in some part of the sugar industry. Eisenberg (1974) further argues that the usina elite did not differ markedly from the engenho elite and that the structure of the sugar industry remained the same.

One could take issue, however, with Eisenberg's assertion. Although the majority of usineiros may have been ex-senhores do engenho (traditional planters), it does not follow that the structure of the sugar industry was untouched by technological modernization. As usinas spread, social organization in the plantation zone changed from a Weberian "traditional type" to a more "legalistic" form. The differences can be seen in Hutchinson's (1957:43) comparison of the two types of industrial organization:

Whereas the engenho was owned by a family...the usina is a corporation...the corporation may even be (headed by) a family...(but) the plantation master (as) owner of lands and of slaves and ruler of small empires, disappeared. But in his place an even more powerful figure appeared, the usineiro, the land-factory combination director and representative of corporate power.

Hutchinson's description suggests that the usina's organizational structure placed a good deal of distance between decision-makers and workers and that workers came into less direct contact with those at the top of the pyramid

than had been the case on traditional engenhos. Once the usinas took root, the industry was no longer directed by independent planters making individual (frequently non-economic) decisions about planting and marketing, for increasingly "boards of directors were formed, decision-making became streamlined and more rational, and the management of refineries subject to outside scrutiny" (Pang, 1979:681).

Such changes in social organization are crucial to the analysis, since a different type of authority and control are associated with each type of social organization. Certainly, the resident senhor de engenho on an isolated plantation surrounded by slaves, squatters, and other members of the patriarchal clan had a different set of repressive and non-repressive social control options from the corporate usineiro operating within the structure described by Hutchinson (1957: 44):

The big house was no longer the home of a master and the scene of his family life and social activities. The top level of the social strata partially disappeared, and those who were left to do the agricultural work looked now to the factory for their instructions and pay, (and) to the new factory store for supplies...

Hence the usinas changed the structure of plantation authority as well as the range of social control options open to the directors of production. The usinas also brought changes in labor organization.

Labor

As usinas spread, the lot of the rural poor worsened. Squatter families were brusquely expelled from engenhos as

usinas consumed greater quantities of cam land (Levine, 1974). Levine (1974) reasons that eviction occurred because the forced dissolution of the old patriarchal planter-laborer relationship ended the right of the rural poor to raise food for their own subsistence. A complementary hypothesis is that expulsion represented an attempt to marginalize squatters in order to extract greater quantities of labor from them. The principle is simple: workers who maintain a family plot are under less structural compulsion to labor (see Chapter I) than those for whom wages are the only means of survival. If squatters are stripped of subsistence plots and forced to live on wages, they are more likely to work regularly. It is only by working that they can legally obtain the commodities required to survive.

Usinas did not spell disaster for everyone. The new technological configuration opened up opportunities for usina operatives. However, only a small portion of the free population was sufficiently skilled to enter these vacancies. Thus refineries were constantly plagued by labor shortages during the early stages of industrialization. It cannot go without mention that factory operatives and their families were in many respects worse off than squatters because the wives and children of the nascent proletariat were usually not employable in usinas, yet were forbidden to cultivate family plots as they had done on engenhos (Levine, 1979:31; Pang, 1979).

Agricultural workers (frequently ex-moradores) were now paid a daily wage, usually a seco, which is pay without

meals, clothing or medical assistance (Reis, 1974:17). However, wages were rock bottom between 1890 and the turn of the century (Table 3, Chapter 3), and squatting opportunities were denied many agricultural workers. Their standard of living had clearly deteriorated.¹ To make matters worse, improvements in milling technology had placed agricultural workers in a bad position to bargain. Unineiros could get along with much less field labor since refineries could extract the same amount of sugar from less cane. Agricultural workers were not the only losers with modernization. Many skilled and semi-skilled mill workers faced unemployment since refineries cut the labor requirements of the mill in half (Reis, n.d.a:10).

The change in production techniques and the uncompensated abolition of slavery also produced downward mobility for lavradores. Cane growers probably suffered a worse economic setback from abolition than landowners with a greater investment in slaves because, unlike the latter, lavradores had neither land nor capital other than slaves and animals. In addition, milling efficiency reduced the amount of cane required by refineries,² and hence the number of cane suppliers needed in the industry. Finally, lavradores lost with modernization because some of the ex-senhores de

¹See Reis (n.d.a: 23-29) for indices of the declining standard of living.

²According to Reis, the usinas could obtain the same amount of sugar from a much smaller quantity of cane.

engenho who remained in the industry became cane suppliers themselves, taking over this occupation from their former tenants, the lavradores, now without capital of their own.

Even the status of the traditional sugar planters was undermined by usina expansion. Under the usina system, many of the previously powerful landowners who did not become refinery owners were reduced to the status of cane supplier (fornecedor). However, before being totally stripped of their power, the planters-turned-cane-suppliers gained official recognition for their new occupation (Diegues, 1958:111). However, official recognition only secured a part of their lost honor, while the new technological configuration gave refinery owners power over the cane suppliers. In essence, the traditional planters-turned-cane-suppliers had traded power based on monopolization of land for a privileged status position within the emerging industrial order. In spite of official recognition of the occupation of cane supplier, fornecedores were only able to stabilize a minimum of the economic and political power that had been theirs as senhores de engenho.

The Sugar Economy of the Usina Period

All sugar producers in the 1890's faced serious problems because the export economy had begun its final decline. The new economic downturn commenced in the middle of the eighties when the price of sugar broke from an average of \$75.00 per ton (1879-84) to \$54.00 in 1884-89 (Denslow, 1974: 22). Modernization was seen as the answer to the commercial

crisis because the higher sugar-to-cane ratio would make Brazil competitive with beet sugar producers. Usinas overcame the problems that blocked central mill progress. But they failed to keep Brazil competitive in international markets because the world sugar supply was increasing faster than demand, and prices were falling (Reis, n.d.a:4). After the turn of the century, Brazilian processors were obliged to sell their sugar to the relatively stagnant domestic market.

The sugar refineries may have failed to save the sugar economy, but they helped to solve the sugar producers' labor problems by eliminating the industry's excessive dependence on labor. Labor requirements had been reduced in any case by the loss of international markets. However, the conjunction of two such developments that reduced labor dependency seems to have been overlooked by those students of the transition who use planters' failure to pass forced labor laws as evidence that free people were easily pulled into export agriculture.

That line of thinking is exemplified by Reis' statement that "since there was an ample supply of labor, harsh methods of recruiting were ill-advised because they were not only unnecessary but also costly" (Reis, n.d.a:12). In contrast to Reis, it can be argued that the plantocracy decelerated the forced labor campaign only after the turn of the century, and only because they simply did not need as many workers due to the coincidence of labor-saving technology and the demise of the sugar economy. Although Eisenberg

claims that, "in the era when the politicians finally abolished slavery, it was naive, if not presumptuous, to expect those same officials to countenance new forms of coerced labor" (Eisenberg, 1974:197), chapters III and IV show that landowners devised a number of schemes to coerce free people to work. A more realistic explanation than Eisenberg's is that after the turn of the century, landowners could worry less about squatters' irregular work habits because the landowners needed them less.

CHAPTER III

THE MORAL PASSAGE AND CRIME: ABOLITION AND THE CRIMINALIZATION OF MARGINALITY

Free Labor and the Transition

Between 1850 and 1880, Permanbuco's slave population was in decline while the sugar economy expanded. The intersection of those events made it inevitable that planters would have to find a new work force. Most students of the transition (Eisenberg, 1974; Levine, 1979; Reis, n.d.a.) claim that the shift from slave to free labor was relatively easy due to the presence of large numbers of free rural poor in a region where the absence of "free soil left (squatters) with nowhere else to go and (where) they consequently found themselves in a position of complete dependence and submission vis-a-vis the sugar planters who monopolized the land" (Reis, 1974:5). Reis adds that owing to those conditions, employers did not have to resort to anything but voluntary methods of recruitment and "harsh methods were ill-advised" (Reis, n.d.a: 12).

Reis and others have correctly noted that there was a large surplus of potential workers in the sugar zone on the eve of the abolition of slavery; they incorrectly assumed that workers who had been underutilized in the export sector could be freely substituted for slaves. As Herbert Gutman (1976) and E. P. Thompson (1966) have shown in their studies

of the North American and English working classes, sheer numbers of workers do not make labor transitions easy. The lesson of Gutman and Thompson is that men and women bring more to the job than their physical presence. Laborers bring relevant skills acquired in the process of working, a useful attitude toward work, and a concept of time commensurate with the form of work organization¹-- all attributes Marx called "labor power" (i.e., the capacity to labor).

Another problematic assumption is that the powerlessness of the rural poor made it easy to incorporate them into the workforce. While it is true that the squatters' individual power was both much less and far more vulnerable than landowners', the troublemaking potential of the rural free lay in many of them retaining squatting rights while landowners were trying to mold such free workers into a rural proletariat. Workers with land had a survival alternative to wages and were slow to become the kind of labor force planters demanded.

Introduction to the Problem

This analysis is guided by the assumption that repressive social control propelled the transition from slave to

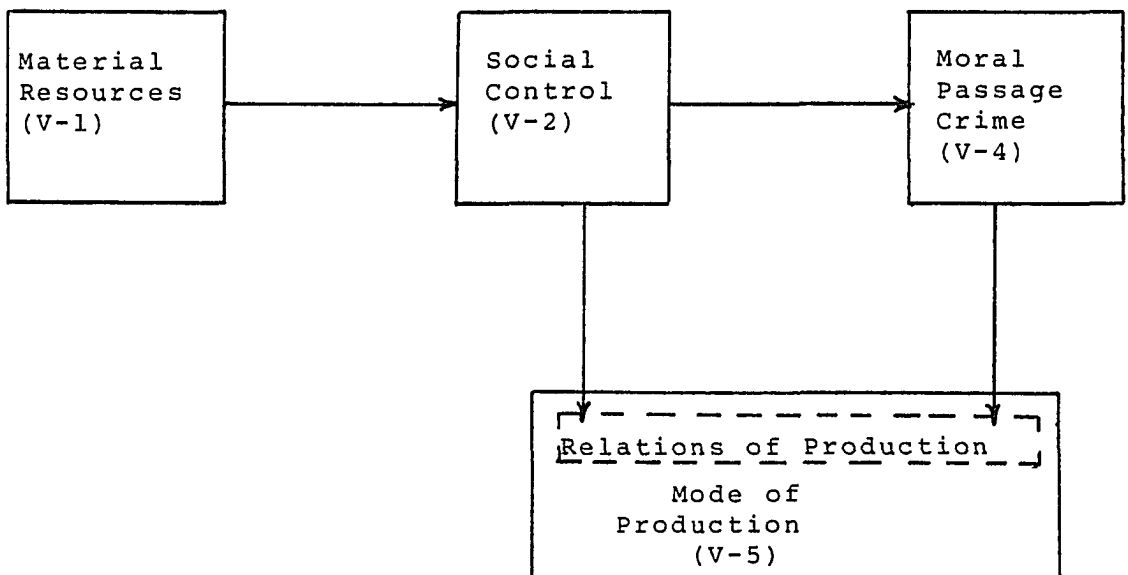
¹E.P. Thompson's (1966) argument is that the concept of time compatible with agriculture is different from that of the modern factory and that agricultural workers cannot become effective in the industrial sector until they have internalized its unique rhythms.

free labor, in contrast to that argument of most nordes-
tinists¹ that free labor was an evolutionary outgrowth of
existing work relations. Besides examining the role of social
control in the labor transition, this study will show that
increases in repression were a response to the interaction
of slave depletion, decreased sugar prices, and the need to
increase production.

The turning point in the transition to free labor
occurred when planters began defining marginality as a crimi-
nal status; the shift in definition was associated with
changes in social control strategies. An examination of the
period of redefinition provides insight into the processes
involved in the criminalization of deviance.

The model for this analysis follows:

Figure C



¹Specialists in the study of the Brazilian Northeast.

The model suggests that social control was the product of changing resource levels and that it facilitated the transformation of the mode of production¹ through two different processes. The primary objective of the more general process was socialization of workers into the export economy (V-2→V-5). Worker socialization was critical because the long-run success of the transition turned on converting a segment of the free population into a disciplined work force. Social control served also as a mechanism of labor recruitment (V-2→V-4→V-5). The labor recruitment hypothesis suggests that arrests for vagrancy and other public order offenses provided means of overcoming labor shortages.

Repressive socialization and punitive arrests were legitimated by a "moral passage" (Gusfield, 1969). Moral passages are periods of redefinition during which once-tolerated behavior is redefined as deviant and treated as criminal. The moral passage that turned marginals into idlers and provided the ideological justification for treating them as criminals gave planters a vehicle for overcoming labor shortages.

¹The way people organize to make a living. This change is frequently referred to as the "labor transition"; however, this is an abbreviated term for a process that involves changes in political, economic and social structures that reach beyond the more limited changes in the organization of labor. This study focuses on an aspect of the larger transformation of labor organization, and leaves other aspects of the transformation for the larger study.

The model represents socialization and labor recruitment as two separate processes. In fact, socialization includes labor recruitment. Socialization refers to all the strategies utilized to secure and mold free marginals into a cheap, dependable work force. The particular strategy of securing workers through their arrest guaranteed landowners a cheap workforce. However, we must not lose sight of the fact that such coercive labor recruitment was a late development in the moral passage: as long as there were still sufficient slaves to power the sugar economy, socialization and labor recruitment were largely non-coercive; as slaves became scarce and sugar prices fell, socialization and labor recruitment became more repressive.

Changing Resources and the Moral Passage

Increases in repression against the free population must be placed in the context of labor availability, sugar production, and sugar's selling price. Labor availability is the first piece of the puzzle. As long as slaves were plentiful, planters could afford the luxury of using the free population only for supplementary labor. When there were temporary labor shortages, free people were pulled into the export sector through the traditional mechanisms of feudal rent, supplementary wages, and corporal punishment. However, once free labor became the dominant mode, planters began searching for ways to place "free labor on a par with slave" (Falla, 1882), and the traditional means for labor

recruitment were replaced with broad-based coercive strategies.

Several developments joined after the seventies to increase repression against the free population. The market price of sugar broke from an average of \$87.42 per ton in the seventies to an eighties average price of \$69.25; in the decade of the nineties, prices fell to an average of \$48.92; price averages thereafter remained at about that level (Table 1). The falling prices of the eighties meant that some drastic adjustments had to be made if planters were to maintain their previous profits.

Planters' first adjustment to falling prices was to raise output; 1880's average annual output was almost double that of the seventies, and it rose still more in the nineties (Table 2). Furthermore, these substantial increases cannot be attributed to technological improvements, since the first central mills (largely failures anyway) did not begin operation until the 1885-86 harvest, and the big sugar refineries (USINAS) did not take hold until the turn of the century. Consequently, higher total output was due principally to larger labor inputs, which from the eighties onward could have come only from the free population.

In the absence of technology to increase productivity, there were three broad strategies to extract greater amounts of labor from free workers; planters could raise wages to give the free population a greater work incentive; landowners could evict squatters to force them into wage dependence; and/or they could use the repressive agencies of the state

Table 1: Average of Annual Recife Sugar Price Index and Range by Period, 1860-1914

<u>Period</u>	<u>Prices</u>	
	Average Annual Recife Price Index (Dollars Per Ton) ¹	Range of Annual Average (Dollars Per Ton)
1860-1869	\$87.09	(\$77.22- 97.99)
1870-1879	87.42	(74.43-101.64)
1880-1889	65.92	(43.66- 84.77)
1890-1899	48.92	(34.10- 69.93)
1900-1909	45.84	(27.40- 83.85)
1910-1914*	49.25	(33.45- 60.92)

*Figures were not available for the entire decade.

Source: Calculated from Denslow (1974:17-18).

¹Prices in United States gold dollars.

Table 2: Average Annual Sugar Production in Pernambuco and Range by Period, 1850-1915

<u>Period</u>	<u>Output</u>	
	Annual Average (Tons/Year)	Range of Annual Averages (Tons/ Year)
1850-1859	63,630	(47,630- 82,830)
1860-1869	58,880	(42,240- 77,880)
1870-1879	89,520	(45,540-141,900)
1880-1889	150,740	(101,300-205,700)
1900-1909	144,780	(97,570-216,700)
1910-1915	154,660	(132,000-176,000)

Source: Calculated from Denslow (1974:9-10).

to coerce the free into working for the planters for next to nothing.

Wages could have provided a non-coercive inducement for the free population to work in the export sector, but wages in the eighties and nineties were too low to reward free workers for doing what they had always avoided (Table 3). Furthermore, to merely maintain profits at the customary level, with sugar prices so low, planters had to find some way to prevent total labor costs from rising. It was especially difficult to reduce labor costs and shift to free labor since free workers required wages. However, the sugar barons apparently minimized the economic shock of the labor transition by cutting wages. Table 3 shows that both real and nominal wages began declining in the 1870's, and plummeted unevenly through the eighties, to hit rock bottom in 1890. Although nominal wages then climbed steeply in the nineties, real wages crept up slowly due to high inflation.

Wages from the middle of the nineteenth century to the early twentieth were not very much of a work incentive so planters were left with free laborers who lived up to their reputation of working only "long enough to obtain the most basic necessities" and behaving as if "to be free is to have the liberty not to work." The sugar barons thus were left with two remaining strategies to get more work from the free population. They could evict squatters and force wage dependency (marginalize squatters), and/or make greater use of the legislative and law-enforcement agencies to force

Table 3: Minimum Daily Wages of Unskilled Rural Labor in Pernambuco for Selected Years 1955-1910

<u>Year</u>	<u>Wages</u>	
	Nominal (Reis)	Real (Reis) (1852=100)
1855	580	330
1862	1,043	756
1874	1,000	625
1880	640	358
1882	800	345
1884	800	415
1886	500	319
1888	560	418
1889	600	255
1890	500	240
1895	1,200	283
1897	1,500	291
1900	1,200	396
1902	800	333
1910	1,030	N/A

Source: Eisenberg (1974:190).

squatters and other free persons into the plantation work force. Let us take up the question of marginalization first.

The central question is why would landowners force squatters off the soil and introduce a wage system, however inadequate, when revenues were poor and they could already secure labor in exchange for squatting rights? The answer is that under prevailing conditions landowners needed a greater amount of labor than they had previously had: with production expanding, planters required six to seven work days a week from resident moradores rather than the customary three or four.

Planters could gain much tighter control (e.g. more work days and greater productivity) over squatters by separating them from their means of support and forcing wage dependence as the only way to avoid starvation. The problem is clarified by Marx's story of "Mr. Peel," who took 3,000 "persons of the working class--men, women, and children--to Australia expecting them to work on his plantation. But with land available for the taking, laborers preferred to start their own farms and Mr. Peel was left without a labor force" (Marx, 1906).

The question of whether marginalization was used must remain open. Data on evictions are difficult to obtain because planters' informal expulsions of squatters were not recorded and travelers did not mention large-scale evictions. There is evidence for marginalization during the twentieth century (Hewitt, 1969; Taylor, 1969) and the careful researcher might be able to find it for an earlier period as well.

However, in order to limit this research to manageable proportions, the question of squatter evictions has been set aside and full attention given to the role of state-initiated social control in the transformation.

The Sources of Deviance and Social Control

The deviant label is usually applied to acts threatening to someone or something. It is essential to determine why some acts pose a threat and others do not. Steven Spitzer (1975) maintains that people are defined as deviant when they threaten the social relations of production in a particular system. Spitzer's dictum need not imply that deviants are motivated by revolutionary objectives, only that people are labeled deviant when their behavior and/or personal qualities represent a "significant impediment to the maintenance and growth of a system" (Spitzer, 1975). A population becomes a problem and a "social expense" when it undermines wealth accumulation.

By refusing to participate in Pernambuco's export sector as slavery declined, free people contributed to the erosion of planters' resources; without a large work force, production could not expand to compensate for low sugar prices. Those conditions turned the free population into a social expense. However, it is useful to remember that the free population was not always a debt; in fact, before the end of the slave trade, free men and women, as a surplus population, were part of the planters' resources, for they provided cheap back-up services for slave-powered engenhos. Free people became an

expense when the slave population declined and the free refused (directly or indirectly) to fill slave vacancies in the export sector. In Pernambuco, the threat to wealth accumulation was resolved by repressive social control: repression effected the transition to free labor and turned the social debts back into assets.

Let us now turn to conditions in the zona da mata and see how Spitzer's ideas fit the general model. As the previous chapter argued, Pernambuco's pre-1850 rural labor structure consisted of two separate but interrelated work systems: slaves produced the cash crop while a surplus population of feudally-organized free producers provided a number of extra-economic support services. However, it must be stressed that while free producers constituted the surplus population prior to 1850, they had not become what Spitzer calls a "problem population."

It is a mistake to equate a surplus population with a problem population because a surplus of unemployed can enhance rather than menace production by providing cheap, supplementary labor for employers who already have a more or less permanent work force. A surplus population becomes a social expense when it undermines the accumulation of wealth (Spitzer, 1975). The mono-crop, slave-powered agricultural system created marginals and laid the foundation for turning them into a problem population, but did not itself create the problem.

The Northeast's slave-dominated, export-oriented agricultural system created a surplus of unemployed marginals by

its very operation. In the first place, there was a shortage of stable work in the export sector due to the wide-spread use of slaves. Secondly, free people exercised a good deal of self-exclusion because the association between slavery and work gave manual labor a bad name. Finally, extreme dependence on foreign demand created large variations in labor requirements; when demand was high, some of the free population were pulled into the export sector; with export decline, large numbers of supplementary workers were left "stranded outside the social order in a condition of poverty" (Prado, 1967:19). Prado describes the Northeast's marginals as

individuals...with no proper means of livelihood, no fixed or decently paid employment, (who) maintained themselves by begging or (were) driven to some disreputable or dishonest way of making a living...(Prado, 1967:333).

According to a source cited by Prado (1967), forty to fifty percent of the population in the colonial period was marginal in the sense described above. However, by all accounts (Prado, 1967; Schwartz¹, 1973b, Levine,²1979), the

¹Schwartz (1973b) writes about the kinds of conflicts that were taken to court during the colonial period, but makes almost no mention of any widespread vagrancy problem or the crime of drunkenness.

²Levine reports that planters had trouble with squatters but indicates that the problems were within planters' control capabilities, suggesting that the situation was not so out of control that it required the assistance of outside authorities.

erratic work habits and nomadic life-style of the dependent poor were neither major social nor criminal problems requiring formal, outside intervention. At most, squatters were an inconvenience to landowners, but usually the problems they caused could be handled within the confines of the plantation. A squatter who did not produce the required amount of food or failed to supply supplementary labor was expelled from the property and his house and crops burned (Levine, 1979). State intervention was minimal, serving to supplement rather than supplant plantation-based social control. When it did come, state intervention was represented by national guard recruiters who swept through the countryside impressing idlers into the passing military units.

So long as slaves were plentiful there was no need to correct the undesirable qualities of the rural poor, but as the slave population declined planters began to look upon free peoples' unwillingness to work in an entirely new light. It was a simple fact that, with the slave population depleted, landowners could not afford to see free people engaged in non-wealth producing activities. Consequently, after 1850, being free and without work having irregular work habits, or simply moving around too much became problems for the planters, and ultimately for the police and law-makers.

This shift in the definition of marginality illustrates what Gusfield (1967) calls a "moral passage". A moral passage facilitated the transition to free labor by providing an ideological justification for increased repression against

the free population.

The transition's moral passage went through two stages, each involving different definitions of the labor crisis and ways of coping with it. Labor scarcity was the issue of the day during the first phase, kicked off by the forced cessation of the African slave trade in 1850. At that time, "labor scarcity" was equated with an insufficiency of slaves rather than a shortage of free labor. During the labor scarcity phase of the transition, traditional mechanisms of labor recruitment predominated; state intervention was generally not concerned with repression, being directed instead at limiting the slave drain and concentrating the remaining slaves in the export sector, the latter was accomplished by regulating planters' utilization of their bondsmen.

As the period progressed and planters incorporated more free people into the workforce, the issue of labor scarcity was replaced by talk of the "labor problem". That definition of the situation evolved because free workers failed to come forth in sufficient numbers to fill slave vacancies, and because their job performance was well below planters' expectations. Lest we assume that some particular new quality of the free population was totally responsible for the planters' change in posture, we must remember that with the slave force contracting and production expanding, planters could no longer allow free workers to remain outside the export sector. Planters wanted to make free labor equivalent to slave labor: with that attitude, any deviation from the master-slave

relationship was intolerable. In order to achieve their objectives in the labor problem phase, planters set aside many of the traditional mechanisms of control in favor of broader repressive strategies.

The Moral Passage: Labor Scarcity 1850-1880

Slaves

The cessation of the African slave trade posed a more serious threat to the labor supply than any other factor: even high slave mortality could be offset so long as nothing prohibited importation. Once the slave trade ended, however, planters began to think of alternative labor sources, but the emphasis was on supplementing rather than replacing slave labor. Planters began using free workers, although with great reluctance. As one powerful figure observed, slave labor still exists and "we are not accustomed to free labor...se we are like a man who has old habits and does not know how to adapt himself to new circumstances" (Falla, 1875).

Slave prices rose as their numbers declined, encouraging many landowners to divest themselves of slaves in order to pay debts. A regular slave trade developed between the Northeast and Center-South because coffee planters were hungry for slaves and ready to buy all the sugar barons could supply. During the first ten years of the inter-provincial slave trade, between one thousand and fifteen hundred slaves left Pernambuco annually, and by the time it ended in the early 1880's it is estimated that between 23,000 and 38,000 slaves had made the

journey from Pernambuco South (Eisenberg, 1975: 156-157). Eisenberg (.974:157) explains that the imposition of the high entry taxes in the Center-South after 1881 ended the inter-provincial trade and that taxes were levied to prevent a slave-drained Northeast from supporting abolition.

It may seem contradictory to claim that planters worried about a shortage of slaves then they were busily selling them to the Center-South. Indeed, not everyone supported the slave drain: two years after the inter-provincial trade began, Pernambuco imposed an exist tax of 100,000 reis on each slave leaving the Province; the tax was increased to 200,000 reis in 1859 (Eisenberg, 1974:156). Furthermore, some planters did not sell their slaves (after 1873), approximately four tenths of one percent of the slave population was sold annually (Reis, 1974:11), and even fewer planters divested themselves of their entire slave force. It is reasonable to assume that each landowner had a rough calculation of how many slaves he could sell (allowing for deaths) and still produce sugar with supplementary free labor.

Talk of abolition fed planters' fears about a labor shortage and as their fears increased, so did strategies to secure the remaining slave population. The free womb law was a nice compromise between the pro and anti-abolitionist positions in that it gave freedom to the children of slave women born after 1871 with the stipulation that freed children remain in the service of the mother's master until they reached twenty-one. In exchange, the dependent minors of slave women

were supported by the master. That clause helped planters retain the skeleton of a slave mode of production even as the slave population declined and generated a stratum of the working population that some held to be preferable to slaves, since if the slaves "dies, it is a loss of 1,300 reis or more to its owner; the same does not apply to the ingenuo who is always sent to do more dangerous tasks, since if he dies, it is his own loss" (Reis, 1974:9).

Laws guaranteeing gradual abolition and taxes on slaves sold to the south provided one way of maintaining the slave population at a level that could support the economy. In addition to those strategies, planters exercised a good deal of self-help by using slaves in the most efficient way--transferring slaves from domestic service into the export sector, and concentrating them in milling rather than the fields (Reis, 1974:10). Those adjustments seem to have been successful because although free workers outnumbered slaves on Pernambucan sugar plantations in the 1870's, slaves produced over half the annual output (Reis, 1974:7).

Provincial and municipal taxes provided additional insurance that slaves would be used in the most efficient way: concentrated in agriculture rather than employed in urban occupations. Taxes were levied as early as the fifties to discourage slave owners from using their captives in urban occupations. In 1852, a tax was imposed on slaves working as artisans and mechanics in Recife (Diegues, 1952-56: 49-50); in the 1870's, the city fathers began imposing taxes on the earnings of

slaves working as ganhadores (slaves for hire). Eventually all slaves working in the provincial capital were taxed so that "they might apply themselves to agriculture, leaving free workers the various (urban) jobs that slaves had performed" (Diegues, 1952-56: 50).

However, if taxation worked at all, it only attacked the problem of getting slaves out of the city and into the export sector. It had become patently clear by the seventies that even though planters could produce the cash crop with a relatively small slave force, free labor would eventually become dominant in the export sector. Many high ranking Pernambucans conceded that slaves would not be available forever, and that free workers had to be moulded into a disciplined work force.

Provincial President Cavalcante de Albuquerque (Falla, 1871) seemed aware of these points in 1871 when he warned that

the question of labor, involving the grave problem of substituting free labor for the actual instruments of production will soon impose itself on the state... (and) substitution is urged by the times...

But opinion was divided in the seventies over the economic implications of the loss of slaves. An optimistic assessment by President Cavalcante de Albuquerque (Falla, 1871) was that "in spite of the decrease in slave labor, agriculture has not wasted"; a more pessimistic observer in the seventies, President Periera de Lucena (Falla, 1875), reasoned that it was "giving up the slaves that prejudiced agriculture".

Free Labor During the Labor Scarcity Phase

Landowners could come up with a number of good reasons for clinging to slaves, not the least of which was their perception of the free population as lazy, unreliable, and totally lacking the "readiness and continuity" of slaves (in Reis, 1974:9). Even when planters could find enough free people who would perform plantation agriculture, they reported that they could not get a good day's work of these hired hands, because free workers only remained in the fields "long enough to obtain the most basic necessities " (Diario de Pernambuco, 1882).

However, the elite adopted a more generous attitude toward the free population as the slave shortage became acute, conceding that not all free people were a loss to the sugar economy--only a portion of them. President Cavalcante de Albuquerque even rejected the often heard claim that "our people are lazy and incapable of agricultural labor" (Falla, 1871), preferring to believe instead that even though a segment of the population was "profoundly demoralized, even lost," planters could obtain useful labor from the majority of free workers. In order to realize that objective, the President recommended in 1871 that the state establish agricultural schools to teach free workers the "sacred skills" of agriculture, with the Beggars' Asylum and the Orphans' School annexed to agricultural compounds so that destitute beggars and orphans could be "regenerated"

through work.

The Beggars' Asylum and Orphans' School are illustrative of the first-state-funded "retraining" programs directed at the free population. The Recife Commercial Association had been the moral force behind the establishment of the Beggars' Asylum in 1860. The institution's objective was to "correct and regenerate the unhappy victims of misery" (Falla, 1861). The state's rehabilitation program could not have been a smashing success since the first asylum was simply in a room in Recife's Pedro II Hospital with a capacity for twenty beggars. In the late 1870's, a permanent facility was completed (capacity 100) after a series of financial setbacks.

The Orphans' School (Colonia Orphanológico Isabel) was established in 1874 on the grounds of the Pimenteiras Military Colony in order to provide "abandoned orphans and free children of slave women an opportunity to become peaceful and moral citizens, useful to themselves and their country" (Falla, 1874). In the Colonia Isabel, children would study the arts, industry, and "above all," agriculture (Falla, 1874).

Note that the orphans' colony was established three years after the passage of the free womb law, to assist, among others, the orphaned children of slave women. The orphans' assistance provided by the colony made it possible to keep the children of slave women in agriculture even if the master freed them at eight. For, as "abandoned" ingenuos, they were eligible for "rehabilitation" and training in the

orphans' colony.

In 1874, the President of the Province voiced his support for the Orphans' School: "From an infancy that is miserable, ignorant, and abandoned come, soon or later, a whole class of no-goods..." (Falla, 1874). The President, Pereira de Lucena, stressed his commitment to elementary education, and reminded his constituents that "a society must educate its children" because moral and religious instruction along with elementary and professional education "clarify and elevate the spirit and give (orphans) the means to work." And "work", the President added, "in all cases removes crime" (Falla, 1874). For President Periera de Lucena, therefore, the Colonia Isabel offered great promise, since it would mount a frontal attack on crime by teaching orphans a trade.

If we cut through the laudable objectives of the Orphans' School and examine its goals more pragmatically, it is clear that the Colonia offered a way of socializing some free workers into the export sector. Remember that in 1871 Provincial President Cavalcante de Albuquerque pointed to the value of cooperation between institutions for indigents and business concerns; he argued that the economy could profit from annexing an orphans' school and beggars asylum to an agricultural disciplinary colony. President Cavalcante de Albuquerque reasoned that such cooperation would provide agriculture with an infusion of trained, disciplined free workers while rehabilitating the

"unhappy victims of misery" (Falla, 1871). The administrators of the Colonia Isabel must have concurred with that proposal because Provincial President Pereira de Lucena reported in 1875 that "in conformity with contractual arrangements...sixteen students of this...school were delivered to the owner of a...factory in order to learn the principles of milling" (Falla, 1875).

Summary: The Labor Scarcity Phase of the Transition

During the first decades of the labor transition, planters were worried about labor shortages because of the disappearance of slaves. Talk of abolition was met with laws to insure that it proceed gradually; the slave drain was attacked by taxation. Landowners could not see free workers as the dominant labor force in the export sector, and warned that abolition would result in a dramatic reduction in the production and export of our sugar, with fatal consequences for private and public wealth" (in Reis, 1974:8).

Planters had begun to complain about the undiscipline of free labor, but so long as free workers were merely supplementary to slaves, state-initiated remedies were relatively "soft" and directed at only a fraction of the free population. Broad-based repressive strategies would not be implemented until the eighties when the scarcity of slaves made it clear that the planters would have to do their work with the free population.

The Moral Passage: Labor Problems, 1880-1890

The first Recife Agricultural Congress (1878) best marks the beginning of the "labor problems" phase of the transition to free labor. At that convention, planters articulated what was to be the dominant social control strategy in the years surrounding abolition. One participant made the strategy abundantly clear in his call for a "severe police regime..., to which all individuals without trade or craft will be subjected" (in Eisenberg, 1974:196); another urged authorities to "oblige the lazy to work (because) the agglomeration of idle men in the large population centers is an imminent danger, a postponed and brutal revolution" (in Eisenberg, 1974: 196-197).

By the eighties, the battle lines had been drawn; the war was against the men and women who thought that "to be free is to have the liberty not to work" (Eisenberg 1974:195). Once the enemy had been identified, the battle strategy was clear: a planter/state alliance would orchestrate the transition while repression propelled it.

Another farm congress sponsored by the anti-abolitionist Sociedade Auxiliadora da Agricultura de Pernambuco was held in 1884. The 1878 convention had considered a number of issues besides the labor question, participants at the 1884 congress concentrated their attention on abolition and the consequent labor problems (Eisenberg, 1974:168). One conference participant reminded his fellow delegates that

although two-thirds of the sugar ground in Pernambuco was cultivated by wage laborers, "its processing cannot be done without slave labor, the only one which under present conditions guarantees the success of the harvest" (in Reis, 1974:9). Another worried planter warned that abolition would result in a "dramatic reduction in the production and export of our sugar, with fatal consequences to private and public wealth" (Reis, 1974:8). Their message was clear; without slavery the economy was doomed.

Slaves During the Labor Problems Phase

Most planters in the eighties still preferred slaves, although there was growing, if reluctant, acceptance of the necessity for free labor. Slaves were the first choice because "free labor is without discipline, bringing only workers with all the vices and defects of a dangerous population addicted to robbery, who work only to obtain the most basic necessities" (Diário De Pernambuco, 1882). The upshot was that even on the eve of abolition, planters still searched for a way to get the most out of their remaining slaves.

An editorialist in 1882 (Diário de Pernambuco, 1882), argued that one way to do this was by legally restricting slaves to the rural areas, since "slaves are...necessary for agriculture and (we must) use them for it only." He proposed reserving urban occupations for free labor because it "is useless to stubbornly pursue slave labor where it is not necessary." The author of that proposal argued that forcing free people to accept a disciplined work routine

in the city would facilitate the transition to free labor because the free would then be able to apply themselves to agricultural labor more successfully once they had worked steadily in the urban setting.

Planters' hysteria about the loss of slave labor and the substitution of free labor was really remarkable when one considers that by the eighties, slaves produced only one-fourth of the sugar shipped from the state (Reis, 1974:7), and that there was an abundance of cheap labor on sugar plantations in the years following the 1877-1879 backlands drought. Cuniff (1970) reports that it was not by chance that drought refugees ended up on sugar plantations. As urban density increased, Recife officials began moving drought refugees to sugar plantations where they could provide services to landowners hungry for cheap labor. However, in spite of what should have been an idyllic situation for planters (i.e., a surplus of impoverished migrants), landowners began calling for a law obliging free workers to perform agricultural labor.

Free Labor During the Labor Problems Phase

The same 1882 editorialist who wanted to restrict slaves to agriculture and free workers to the urban area suggested forcing free workers to sign work contracts because "there is not persistent work without force, and that is what the free worker presently needs" (Diário de Pernambuco, 1882). The editorialist reasoned that the best place to implement

the work contract proposal was in the capital city, Recife, where the initial indiscipline of free labor would not seriously threaten export production. Politicians came closest to realizing that objective in an 1887 Recife City Ordinance (Postura Municipal, 1887) regulating the employment of criados. Criados included all people working as domestic servants, as well as restaurant and hotel service workers. The 1887 statute stipulated that no one could be a criado in Recife without a contract certified by the Chief of Police. Presumably the Criado law kept some free workers under more discipline by binding them to an employer with the chief of police as the third party to the contract.

Nevertheless police officials had not been without weapons in their war against the undutiful free population. The vagrancy statute long since enacted with its accompanying termo de bem viver,¹ provided a means of extracting labor from unwilling workers. According to the Brazilian Penal Code (1830), a vagrant was any person lacking a fixed residence, without an "honest" occupation or one offensive to public morals or good customs. An individual adjudged vagrant was required to sign a termo de bem viver (kept by the local Justice of the Peace) obliging the law-breaker to secure honest employment within fifteen days. Failure

¹"Terms of good behavior" a written promise between the signer and the police to secure honest employment.

to do so, or rearrest for vagrancy, resulted in three years imprisonment. Vagrant children were sent to disciplinary industrial establishments until they reached twenty-one.

Vagabonds were not the only ones required to sign a termo. It was also designed for habitual drunks, beggars, and "turbulent" individuals who "offend good customs by words or acts (or who) offend the public peace or the peace of families" (Código Penal do Brazil, 1830). The latter stipulation was sufficiently vague to cover a lot of individuals. In so doing, the statute could provide a quick solution for labor shortages.

The main problem with the termo and vagrancy statute was that they were unenforceable, but it is interesting that there were few published complaints about the unenforceability of the statutes until the eighties. The eighties, however, marked a turning point; as the need for cheap labor increased so did programs to impress free workers into the labor force. In the year of abolition (1888), the Recife Chief of Police called for an agricultural penal colony for recidivist vagrants; two years later, the head of one of the major banks demanded additional poor-houses and asylums, and "strict penalties for vagabonds and beggars who did not enter such institutions" (in Eisenberg, 1974:197).

Apparently these proposals reached the Governor's ear, because in 1890 he recommended that the state establish a disciplinary agricultural colony for "all individuals who do not dedicate themselves to work, or who do not look for

it, or for being vagrants" (Mensagem, 1890). He added that idlers would be incarcerated whether they were out of work because "they can't find it" or because of "personal vice." The Governor reminded law enforcement officials that they could begin immediately "regenerating" the idle through forced work by sending idlers to one of the abandoned drought relocation camps now reopened for this purpose. The Governor's choice for the first agricultural penal colony was the Fazenda Suassana drought camp, conveniently located in a rich sugar municipality near Recife (Mensagem, 1890).

Transporting the people arrested for vagrancy and associated vices from Recife to the Fazenda Suassana could not have posed a major problem because a precedent had been set during the 1877-79 drought in the sertão for moving large numbers of backlands refugees in and around Recife to outlying areas. Moreover, officials did not have to let a lack of space keep them from strictly enforcing vagrancy laws because the abandoned refugee camps could house thousands. Roger Cuniff (1970:253) reports that at the peak of the great drought (June 1878) a refugee relocation camp similar to the Fazenda Suassana contained over eleven hundred families, or approximately 9,000 people.

Besides founding new correctional facilities to house idlers, politicians of the 1890's expanded the definition of vagrancy. However, it was the extra-legal definition that changed; the legal description of a vagrant was the same in the 1830 and 1890 Penal Code. Changing definitions

of the problem population can be seen in the target population of the agricultural colony proposed in 1890. It would house, in addition to vagrants, two new categories of deviants: "People not dedicating themselves to work" or "Not looking for it" (Mensagem, 1890). Thus in 1890 the able-bodied who could work but elected not to had joined the traditional vagrants to become the problem population.

In the nineties, the most popular strategies of labor recruitment continued to be law-making and enforcement. Politicians wanted forced labor laws while police officials called for institutions to make existing statutes enforceable. However, it appears that 1890's planters did not find additional penal colonies the answer to their labor problems. In 1893 Pernambucan politicians drew up a forced labor law entitled "Project 7" (Jornal do Recife April 7, 1893). Project 7 would have required agricultural workers to sign work contracts with landowners; it forbade workers from travelling between municipalities to seek employment without a travel voucher from the Justice of the Peace. Any agricultural worker without a contract and a travel voucher was subject to punishment for vagrancy. Landowners would literally have had the rural poor both coming and going with Project Seven: if agricultural workers did not sign a work contract, they were to be subject to arrest as vagrants, and the only way someone caught without a contract would be able to defer punishment would be to sign a termo obliging the law-breaker to secure honest employment within

fifteen days. Workers traveling to seek employment needed permission from the landowners' Justices.

In spite of its obvious utility to landowners, Project Seven was never passed. Eisenberg (1974:197) argues that such proposals did not become law because men who had just abolished slavery were not disposed toward new forms of coerced labor. Perhaps it would be satisfying to believe Eisenberg's interpretation but everything in this chapter suggests the contrary. In fact, planters and politicians began searching for ways to force free people to work as soon as slaves became scarce. A more plausible argument than Eisenberg's is that only when labor-saving technology and the loss of the world market had reduced the industry's labor dependence in the early twentieth century would state-initiated coercion become unnecessary to secure a work force.

However, during the nineties, politicians clearly declared their belief that state power must be used to regulate the undisciplined labor force. For example, Governor Correa de Araújo (Mensagem, 1898) was even more expansive of state power than previous officials in arguing that nothing short of a reorganization of the state's punishment apparatus could solve the vagrancy problem. The Governor's program included "penitentiaries...; asylums for beggars, correctional schools for minors...(and) penal colonies for recidivists..." He justified his proposal with the warning that "without those endowments, you can expect the black army of crime, and ex-convicts returning to society without

work habits, to return to their criminal careers" (Mensagem, 1898).

Change in the direction of the Governor's recommendations had begun earlier. The state converted the Orphans' Colony, Colonia Isabel, into a disciplinary industrial school re-named the Escola Industrial Frei Caneca. Everything suggests that the Orphans' School had become a complement to the sugar industry, for in 1887 the provincial president reported that (Falla, 1887) the school had an engenho with the capacity to turn out 5,000 kilograms a year of "excellent quality" sugar, as well as the machinery to make rum. In addition to providing skills for the sugar economy, the Orphans' School was training children as shoemiths, blacksmiths, tailors, and carpenters. The main objective of the Orphans' Colony-turned-industrial-school was "to create professionals for large and small farming as well as agro-industry (Mensagem, 1895). While the regulations of the Escola Frei Caneca did not specify that vagrant minors would make up much of the student body, it is likely that they did since the vagrancy law and termo stated that vagrants under twenty-one would be sent to such establishments.

Reorganization of the state's punishment apparatus was in full swing as the nineties drew to a close. Next on the agenda was Law 370 (Leis do Estado, 1899) which budgeted an additional agricultural disciplinary colony for adults and an industrial school for minors. The law outlined the institutions' objectives and stipulated that the inmate

populations of both institutions would be limited to beggars, drunkards, vagrants, and capoeiras.¹

Most past proposals for additional correctional facilities had become bogged down because the police had to await the construction of appropriate facilities before enforcing the vagrancy laws. This time the law-makers had been far-sighted enough to include in Law 370 a clause that made it possible to take more immediate action against the problem population. Article Five stipulated that individuals or associations could set up agricultural penal colonies. That gave landowners or corporate usineiros the go-ahead to turn their plantations into agricultural colonies to rehabilitate idlers; it also gave them a steady supply of cheap labor. The state also benefitted from this arrangement because it was spared the expense of maintaining a large inmate population. Whether landowners and the police actually worked together to realize the labor recruitment possibilities of Law 370 cannot be ascertained from the available data. It is clear, however, that Article Five gave them the go-ahead for such cooperation.

Law-making directed at pulling the free population into the export sector decelerated after the turn of the century. It was not until 1923 that a Governor's annual report again spoke of the criminal problem posed by idlers and vagrants. However, by that time the sugar industry's labor dependence had been reduced by technological developments and the loss of foreign markets. The highest state official, therefore,

¹Public dancers trained in one type of martial art.

could afford a more benevolent posture toward the poor, though not toward idlers. Governor Sergio Loreto (Falla, 1923) affirmed that vagrants, drunkards, beggars, and capoeiras were the state's "social parasites", but he recommended that police officials overlook the "legitimate paupers" among this population. Governor Loreto explained that legitimate paupers were those who "don't have the ability to work," as well as those with "the ability, but not the means" (Mensagem, 1923). However, no pressure was to be spared against those who have "the ability and the means (to work) but lack the desire"; they were, he said, "a stratum of dangerous indigents against whom preventive and repressive measures are necessary", a familiar litany from the late 19th century.

CHAPTER IV

CRIMES OF THE MORAL PASSAGE: PUNITIVE ARRESTS FOR LABOR RECRUITMENT

Introduction

There is little doubt that by the late 1870's planters and politicians were ready to use repressive means to secure workers for the sugar economy. No one could have made a stronger case for forced labor than the angry planter at the 1878 Recife Agricultural Congress who demanded "a severe police regime..., to which all individuals without trade or craft be subjected" (Eisenberg, 1974:196). Four years later, a newspaper editorialist insisted that, "there is not persistent work without force, and that is what the free worker presently needs" (Diário de Pernambuco, 1882).

These statements suggest the elite's readiness to use repression against unwilling free workers. However, readiness does not always translate into public policy. This chapter examines arrest statistics to see if the police carried out the elite's directives. The theoretical model (Chapter I) represents labor recruitment arrests as moral passage crime (V-4). The labor recruitment hypothesis proposes that certain crime rates increased because enforcement patterns changed in response to resource depletion.

Linsky's paper on crime waves (1979) discusses the problems of interpretation associated with rate fluctuations, and in his typology of crime waves lays bare the logic of

such changes. Two of Linsky's crime waves ("moral passage" and "true prevalence") correspond to two types of rate fluctuations. In "true prevalence" crime waves, actors actually change their behavior and in doing so move with greater frequency across already-established normative boundaries into non-normative behaviors; by contrast, in moral passages, crime rates increase, not because deviance has grown, but due to shifts in the placement and enforcement of normative boundaries (Linsky, 1979).

In order to make the case for moral passage increases, the researcher must demonstrate what seems paradoxical: increases in official crime rates and stability over time in the real occurrence ("real rate") of these types of behavior. Crime statistics are relatively simple to obtain; but demonstrating that there have been no real increases in such behavior requires independent information about the actual behavior patterns of the relevant population; evidence for the latter is usually much more difficult to obtain. Victimization studies and various qualitative historical documents could provide such data since both offer independent evidence on the amount of criminality in the population. Official crime statistics alone are insufficient since they vary according to the changing definitions of crime, as well as the actual incidence of particular behaviors.

Therefore, official crime rates can only provide part of the data to test the labor recruitment hypothesis. Since

victimization studies are unavailable, historical materials will be drawn together to provide information about the actual occurrence of certain kinds of deviance within the Pernambucan population.

Material Resources, Marginality, and Deviance

Chapter Two made the point that marginality (the deviant behavior in question) had been endemic to free status as long as slaves were the dominant labor force in the export sector. Contrary to what planters and politicians thought, or at least proclaimed, marginality was not a late nineteenth-century creation, it had been present in the population for a long time.

The prevalence ("true rate") of marginality had not changed markedly since the beginning of sugar production. Caio Prado (1967:19) estimates that over half of the Brazilian population was marginal to the export sector during the colonial period. Reis (1974:9) calculates that the bulk of the Pernambucan free population was still marginal as late as the 1870's.

Officials' original lack of attention to free marginals was the product of two related factors. In the first place, the labor requirements of the sugar industry were being met by slaves: in the 1870's slave labor produced over one-half of the annual output of Pernambucan sugar (Reis, 1974:7). By the 1880's, however, slave labor had become supplementary to free: slaves produced less than one-fourth of the sugar

shipped from Pernambuco annually (Reis, 1974:7).

As long as slaves were plentiful, planters could afford to overlook free marginals; once slaves became scarce, free people who were outside the export sector were recast as vagrants and idlers.

A narrow definition of vagrancy also accounted for the original lack of attention to free marginals. Prior to the moral passage, a vagrant was recognizable by what he/she did not have: an honest occupation and fixed residence. By the labor problems phase of the moral passage, an individual could be arrested as a vagrant for the already established reasons, and for what he/she did not do: vagrants were people not looking for work, or not dedicating themselves to it. Officials had added a motivational dimension to the definition of vagrancy.

The Labor Recruitment Hypothesis

If the assumptions of the labor recruitment hypothesis are correct, arrests of free marginals should be lower during the "labor scarcity" phase (1860-1870)¹ of the transition, since there were still sufficient slaves to power the sugar economy. Labor recruitment arrests should rise during the labor problems phase (1880-1900) when slaves were scarce and there was a demand for cheap labor to cut production costs.

¹The labor scarcity phase began in 1850, but since there are no arrest data for that period, this analysis of the labor scarcity phase begins at the first date for which data were available.

Labor recruitment arrests should decline at the end of the moral passage (post-1900) when the labor requirements of the sugar industry had been reduced by mechanization and the loss of international sugar consumers.

The Data

The data on crime were obtained from the entry logs of the Recife House of Detention (Livros de Entradas e Saídas da Casa de Detenção). In addition to the reason for detainment, the logs listed the inmates' sex, age, occupation, legal status (slave/free), marital status, birthplace, and parents' names. It was easy to determine the inmates' color, because official recorders elaborated on this aspect of the person's racial characteristics. Missing is information about the disposition of the cases; thus it is impossible to say if the inmate went on to trial or served time without formal judgment. Logs do record the length of detention, but this information cannot be used as a variable because fifty percent of the referrals to the house of detention (irrespective of crimes) left within three days of arrival; two-thirds were released within two weeks.

The short detention period, which applied to all types of crime, provides some insight into the criminal justice system of nineteenth and early twentieth-century Pernambuco. Justice was simple: anyone considered by an appropriate official or powerful citizen to be sufficiently deviant to accuse formally of criminal activity was taken

to the house of detention; after being held the individual was usually released without trial. Thus, the house of detention served primarily as a pre-trial holding facility,¹ rather than a post-conviction jail.²

Entry Logs as Arrest Statistics

Students of contemporary crime obtain data from a number of sources, each focusing only on a part of the deviant population. Victimization studies give the broadest view of crime, because they come closest to tapping the actual amount of deviance or crime in the given social unit, both reported and unreported. Arrest statistics narrow the problem population considerably, providing information only about those coming to the attention of the police and against whom law enforcement officials act. Court records shrink the criminal population still further, by restricting information to those lawbreakers going to trial. Convictions make

¹ Statistics on referrals to the house of detention indicate that in the periods examined there was a minimum of 1114 and up to 2818 referrals in a year. The figure may have been still higher in other years: Provincial President Castello Branco reported in 1865 that 4240 persons had been sent to the house of detention in the previous year (then only two of its wings had been completed) (Falla, 1865).

² The prison on the Island of Fernando de Noronha, approximately 300 miles off Pernambuco's shore was used as a federal prison for convicted criminals.

up only a portion of the prosecutions, while prison records tabulate only those ending up in jail.

Contemporary researchers might assume that the house of detention logs are comparable to prison statistics, since the logs provide information about an incarcerated population. Actually, however, the logs correspond more closely to arrest statistics than to prison records. The latter contain information on adjudicated criminals--people not filtered out at earlier points in the criminal justice system. The logs provide a broader picture because they represent the first point in the official filter, rather than the last.

Parameters of the Data¹

This study, like all others, must contend with the problem of missing data. A good deal of deviance never came to the attention of official social control agents. The logs, for instance, do not cover deviance handled by the very efficient informal system of justice, which included landowners' punishment of plantation inhabitants and the rural populations retaliatory crimes against one another and landowners. However, all students of crime must face the reality of undetected deviance. This study does not purport to examine the unknown; it focuses on crimes recorded

¹Technically, this case study is not generalizable beyond the context of mid-nineteenth and early twentieth century Pernambuco. However, the comparative socio-historian will note the similarities between the events described in this study and conditions in other socio-historical contexts.

in the logs books.

Other criminals lost to this study were the people detained in jails scattered throughout the province. In 1884 there were fifty jails in the province; Provincial President Freitas (Falla, 1884) reported that these jails had an official capacity for 937 inmates. However, Freitas reported also that forty percent of the fifty jails were a single room in a private residence, and that the majority of the Province's jails were in "ruins" or serious disrepair (Falla, 1884). The size and poor condition of the jails suggest that they may not have been officials' first choice as a detention facility.

Finally, the majority of slave deviance probably escaped arrest and detention because jail meant lost labor for the master as well as the expense of the detained slave's upkeep.

Sample

The most pressing sampling problem was the trade-off between a large sample with a short period of historical observation, or a long time-span but only a small sample. Theoretical considerations dictated the latter, since structural changes presumed to affect social control and crime took many years to unfold. In order to capture long-run fluctuations in crime rates, logs were examined at ten-year intervals over a span of sixty-two years.¹

¹A seventy-two year period is being examined in the larger study. However, there were no logs for the 1850s (lost or destroyed). Thus the first year in the sample is 1860.

The population for this study includes all people recorded in the logs of the Recife House of Detention over the course of eight years: 1860, 1870, 1880, 1885, 1890, 1900, 1910, and 1922.¹ I developed a standard code sheet to record the data from the logs; the code sheet is in Appendix D. The sample contained fifteen percent of all free people in the logs of the house of detention² and all of the slaves.³ The small number of slaves detained made it possible to secure information on all of them.

There were 2,848 inmates in the sample. However, the data could not be analyzed before making the fifteen percent free sample comparable to the slave universe. Multiplying the sample of free referrals by 6.66 created a free inmate population estimate. When the slave population for the four sampled years before abolition and the free estimate for all eight periods are combined the weighted sample contains 14,976 inmates. Table 1 gives the number of people (weighted sample) entering the house of detention during the sampled periods; Table 2 breaks the weighted sample down by the year and by civil status.

¹The ten-year sampling scheme was broken in 1885 to secure four sampling points before Abolition, including one just before that event; 1922 was chosen because of missing logs for 1920 and 1921.

²In order to obtain a 15 percent systematic sample in each log book every seventh case was coded, beginning at a randomly selected page. Coders worked forward and back from this page until all pages had been sampled. If the seventh case was a slave, the coder recorded the first free-status detainee that followed.

³All slaves were coded before the free sample was drawn.

Table 1: Number of Inmates in
the Recife House of Detention for
Selected Years, 1860-1922
(Weighted Sample)

<u>Year</u>	<u>Number</u>
1860	1,114
1870	1,543
1880	1,947
1885	2,811
1890	1,099
1900	2,438
1910	1,966
1922	2,058
Total	14,976

N.B. The total number of cases varies slightly from
able to table due to the weighting procedures
used on the sample of free inmates.

Source: Livros de Entradas e Saídas da Casa de
Detenção de Recife.

Table 2: Civil Status (Slave/ Free) of Inmates,
Recife House of Detention for Selected Years,
1860-1885

<u>Year</u>	<u>Civil Status</u>		<u>Total</u>
	Free (Weighted Sample)	Slave	
1860	912	202	1,114
1870	1,392	151	1,543
1880	1,792	155	1,947
1885	2,617	194	2,811

Source: Livros de Entradas e Saídas da Casa de
Detenção de Recife

Organization of Coding Categories

All data were recorded in Portuguese and translated into English before being coded for computer analysis. Since the variables of crime and occupation were open-ended on the code sheet, responses had to be organized into analytically similar categories prior to the data analysis. The section to follow described the recoding of the crime and occupation variables.

Crime

People were sent to the House of Detention for forty-five different charges during the sampled periods.¹ Before the data were analyzed, the forty-five criminal labels were grouped into five general categories of similar crimes:²

(1) interpersonal violence, except for murder;³ (2) murder; (3) theft;⁴ (4) public order violations, such as disorder, vagrancy, drunkenness, prostitution; (5) unspecified⁵

¹See Appendix E for the percentage of referrals in each category of crime.

²The Brazilian Penal Code (Codigo Penal do Brasil:1830,1890 (CPB) guided the categorization of crimes.

³This category included physical assault and other aggression against persons, including armed robbery, theft with violence: roubo (CPB No. 356). Murder was analyzed separately because an initial examination of the data indicated that those accused of murder showed a different pattern of background characteristics than those arrested for other forms of interpersonal violence.

⁴Stealing without violence: furto (CPB No. 330)

⁵A Person was frequently listed as a "suspect" or criminal", with no further information about the crime.

(See Appendix B for the crimes in each category). Only the first four categories were analyzed, since the arrests falling within the unspecified category were uninterpretable.

Occupations

There were one hundred and twenty-five occupations¹ in the sample. The occupations were defined and categorized in a two-step process. First the Pernambucan geographer Manuel Correa de Andrade (A Terra e O Homem no Nordeste, 1964) and this author established the function of each occupation within its regional historical context.² Then the occupations were grouped into nine functionally-similar categories: artisan; manual-non-artisan; business/clerical; civil service;³ non-domestic service; domestic service; day laborer;⁴

¹The occupations recorded in the entry logs were most likely a response to the question, "what is your job?". Apparently, the occupational self-definition was sufficient for house of detention records for job descriptions did not accompany the occupational titles. Since the logs provided no more than a job title, occupations could not be ranked according to skill level. Insufficient information also made it impossible to distinguish between many urban and rural occupations.

²The author, however, is wholly responsible for errors in occupational classification.

³Actually, there was no state civil service per se during the period under investigation, but most of the government positions so categorized eventually came under the civil service.

⁴There was no specification as to the nature of day laborers' work.

agricultural worker; and unemployed (See Appendix C for the categorized occupations).

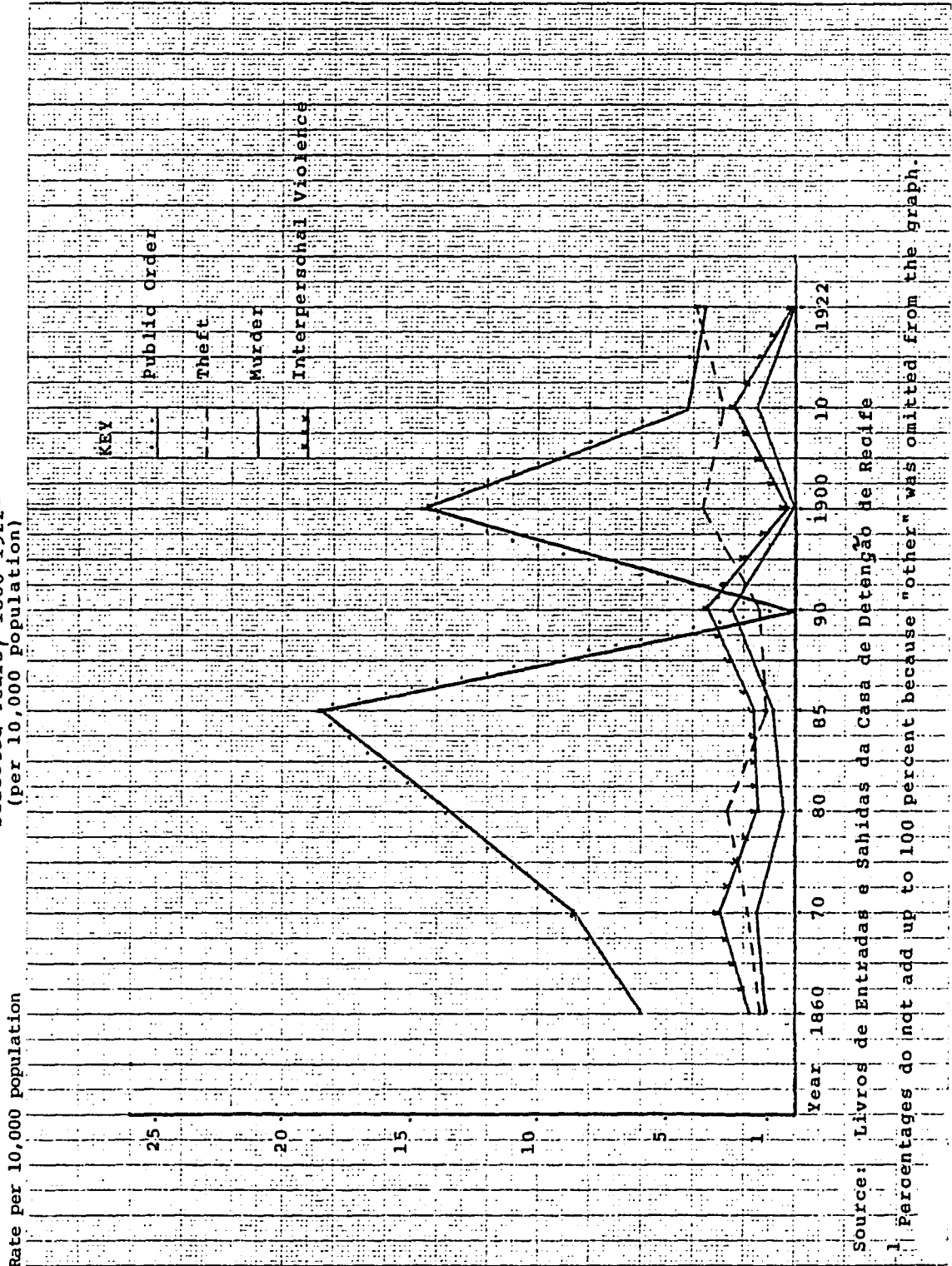
Arrests for Labor Recruitment

Since there is no reason to expect all crime rates to reflect labor recruitment arrests, this analysis begins by identifying the rate fluctuations for those crimes that correspond to the rhythms of the moral passage. Four crime categories are compared: interpersonal violence; murder; theft; public order violations. Chart A diagrams the rate variations of the four crime categories.

Rate fluctuations for public order crimes fluctuate more closely with the moral passage than do those for the other three crime categories. Public order violations peaked in 1880, 1885, and 1900; the most consistent increases were between 1870 and Abolition. The pattern was quite different for violent crimes (interpersonal violence and murder) and theft: thefts did not begin to increase steadily until the last decade of the moral passage; violence was low at all sampled points during the moral passage, except during 1890. (See Chart A).

Do house of detention statistics on public order referrals support the labor recruitment hypothesis? The answer comes from four types of information about arrests: (1) the timing of referrals; (2) the civil status of people arrested; (3) arrest labels; (4) referrals' occupations.

Chart A: Crime Rates, Pernambuco, Brazil for Selected Years, 1860-1922 (per 10,000 population)



10 Millimeters to the Centimeter

The timing of increases in public order arrests gives the first suggestion that these arrests were labor recruitment mechanisms. In the sampled years during the labor scarcity phase (1860, 1870), public order arrests were 6 and 7.5 per 10,000 population, respectively (See Chart A). By the beginning of the first decade of the labor problems phase (1880), public order arrests had increased to 11.5 per 10,000 population; five years later they rose to 18.5. In the middle of the labor problems phase (1890), public order referrals to the house of detention fell sharply, to less than one per 10,000 population.¹ However, in the last sampled period of the labor problems phase (1900), arrests for public order crimes climbed to slightly over 14 per 10,000 population. In the two sampled periods after the moral passage (1910, 1922), public order violations declined to 4 and 3.5 per 10,000 population, respectively.

Additional evidence that arrests were labor recruitment mechanisms comes from the increase in free people arrested for public order violations during the labor problems phase of the moral passage. We must remember that planters' remarks about labor problems demonstrated their concerns about the quantity and quality of free labor. The sugar barons held the free population totally responsible for their

¹The 1890 decline appears to run counter to the predictions of the labor recruitment hypothesis; however, the next section will argue that the decrease may be a function of referral practices rather than arrests.

labor problems; that definition of the situation grew out of a scarcity of critical resources.

Falling sugar prices meant that costs had to be reduced and sugar production increased just to reap the customary profits. Since slave importation had ceased, expansion was accomplished by committing more free workers to the production process. But free workers were unmotivated by the long hours and low wages, so public officials and the police responded by criminalizing the free workers' marginality.

Table 3 shows that free people were increasingly the focus of social control as the labor transition progressed. However, the most critical point of comparison for the labor recruitment hypothesis is between slaves and free arrests in the labor scarcity phase (1860, 1870) and the labor problems phase before Abolition (1880-1885). Between 1860 and 1870, there was a 59 percent increase in the number of free people sent to the House of Detention for public order violations; and by 1880, free persons arrested for such crimes had increased another 87 percent. Slaves on the other hand, actually remained constant in public order detentions between 1860 and 1870, and then increased by only 20 percent in the critical period between 1870 and 1880. As the moral passage progressed, referrals of free people for public order violations continued to climb steeply. In 1885, the last year for which a slave/free comparison can be made, 1,745 free men and women were sent to the casa for violating public order: a 74 percent increase over 1880. That increase is even more

striking when we realize that at the same time, referrals of slaves for public order violations decreased by two percent.¹ (See Table 3).

Further support for the labor recruitment hypothesis is indexed by the nature of the offenses found most reprehensible at the peak of the moral passage. Between 1880 and 1900, rates increased most among the crimes punishable by the vagrancy statute and the termo. Those statutes facilitated labor recruitment via arrests, for violators of the vagrancy statutes were ordered to secure honest employment within fifteen days or suffer imprisonment in an agricultural correctional facility.

Table 4 gives the combined percentage of arrests punishable under the vagrancy statute and termo.² The offenses covered by those statutes were drunkenness, vagrancy itself, disturbing the peace, and capoeiragem.³ Arrests legitimated by the vagrancy statute and termo will be labelled "labor recruitment arrests", in recognition of their association with a legal mechanism that had such labor recruitment

¹The decrease is not solely because there were fewer slaves in the population, since slave referrals for public order violations were still disproportionate to their number in the population: 61 percent of all slave arrests were for violations of public order; slaves made up only 11 percent of the Pernambucan population in 1872 and four percent in 1887.

²See Appendix B for the full list of public order crimes, including those not punishable under the termo during this period.

³Chapter III showed that these offenses emerged as punishable by the termo in the 1880's.

Table 3: Numbers, Proportions,
and Proportional Changes in Numbers
Arrested for Public Order Crimes of
All Slave and of all Free Detainees,
Recife House of Detention,
For Selected Years, 1860-1885
(Weighted Sample)

<u>Year</u>	<u>Detainee Civil Status</u>					
	Slave			Free		
	<u>N</u>	<u>% Change*</u>	<u>%**</u>	<u>N</u>	<u>% Change*</u>	<u>%**</u>
1860	100	NA	50	340	NA	37
1870	99	-1.0	66	539	+58.5	39
1880	120	+20.2	77	1006	+86.6	56
1885	118	- 1.7	61	1745	+73.5	67

*Percentage change from number detained for that crime in previous selected year.

** Percentage of public order arrests among detainees of a given status.

NA: Data not available

Source: Livros de Entradas e Saídas de Casa de Detenção de Recife

Table 4: Arrests Punishable Under the Vagrancy Statute and Termo¹ as a Proportion of all Referrals to The Recife House of Detention, and as A Proportion of All Public Order Arrests For Selected Years, 1860-1922

(Weighted Sample)

Year	Percent Termo Punishable to All Arrests	Percent Termo Punishable to Public Order
1860	.05	.77
1870	.35	.79
1880	.51	.84
1885	.51	.93
1890	. 2	. 2
1900	.54	.97
1910	.25	.95
1922	.35	.99

Source: Livros de Entradas e Saídas da Casa de Detenção de Recife.

¹The arrests punishable under the vagrancy statute and termo were: Vagrancy, Drunkenness, Disturbing the Peace, Capoeiragem.

potential.

Labor recruitment arrests constituted less than one percent of all referrals in 1860, increasing to thirty-five percent of the referral total in the second year of the labor scarcity phase of the transition. By contrast, in the first year of the labor problems phase, labor recruitment arrests increased to one-half of all referrals; in 1885 these arrests also constituted one half of all violations. In the middle of the moral passage (1890), labor recruitment arrests equaled only two percent of all referrals, but in the last period of the labor problems phase, such arrests again rose to fifty percent of all referrals. In the two years sampled after the moral passage (1910-1922), labor recruitment arrests fell to twenty-five and thirty-five percent of all referrals, respectively.

The final evidence for the labor recruitment hypothesis comes from the occupations of the law violators. The assumption is that public order arrest increases should be greatest for workers subject to frequent periods of unemployment, not necessarily because unemployed workers committed more public order crimes, but because people who were out of work were more likely to be on the street and easy prey for labor recruitment round-ups.

¹Further creditability is added to the labor recruitment argument by the evidence that 60 percent of the public order violators were out of the casa (and therefore conceivably at work) within three days, as compared with only 23 percent of those arrested for theft, 35 percent of those detained for interpersonal violence, and 7 percent of the people charged with murder.

The reason for expecting higher public order arrests among the unemployed is simple. Chapter III left little doubt that between 1880 and the turn of the century public officials had initiated a drive against idlers and vagrants. The campaign was, of course, economically motivated: cheap labor was the objective. It seems reasonable that people out of work and on the street would have a higher probability of arrest if the police were following officials' directives to pursue idlers.

There may be two questions at this juncture. In the first place, would not frequent unemployment among some occupational groups (especially, agricultural and day laborers) suggest that labor demand was low and therefore that there was no need to recruit labor through the subterfuge of arrest? In the second place, why examine public order arrests among unemployed persons: should not economic crimes rather than public order crimes be most sensitive to employment status.

In the Pernambucan case, high unemployment among some groups did not suggest low labor demand. If planters complaints about the labor supply are to be believed, labor demand in the export sector was high in the eighties and ninties. Labor recruitment arrests and repressive socialization were necessary because free people elected unemployment¹ over work in the sugar sector.²

¹See Levine (1979) for a discussion of employment possibilities in nineteenth century Recife.

²The free population avoided the export sector for many reasons, see Chapter II for a discussion.

Why examine public order arrests among unemployed persons when it is economic crimes that might be expected to be most sensitive to employment status? In fact, there is every reason to expect an association between employment status and economic crime; that issue will be taken up in the next chapter. However, the argument at this point is that during the moral passage all crimes assumed a secondary position to public order violations. With a drive against idlers, the meagre resources of the Pernambucan police were pressed to their limit just maintaining the public order; other forms of criminality had second priority.

This analysis therefore compares the public order arrests for occupations presumed to have high unemployment and between job mobility against the arrests of workers in jobs where there should have been greater employment stability.

Five of the eight occupational groups in the sample fall into the "likely arrest" category. Day laborers and domestics are two segments of the modern Brazilian working population characterized by frequent job change. It is not unusual for day laborers to switch employers repeatedly and/or have lengthy periods of unemployment between jobs. Domestics may have somewhat more job stability than day laborers, but they still do a good deal of job switching.¹ The assumption is that nineteenth-century patterns were similar to current ones.

¹The criado law, enacted in 1887, suggests that domestics and other service workers were not dependable enough for employers. The law bound such workers to an employer with an agreement also signed by the Chief of Police.

Non-domestic service workers also fell into the likely arrest category. Most of the service workers in the sample transported goods by animal, boat, or on foot between the plantations and Recife. However, unemployment increased for transportation workers after the 1860's (Reis, n.d.a.:16-17) as the railroads broke into their monopoly over the carrying trade. Semi-skilled manual laborers are another segment of the working population that should have been easy prey for street sweeps. Many of these workers had specialized skills that should have guaranteed job stability. But a good number of the semi-skilled laborers in the sample were mill workers, many of them displaced from jobs when engenho expansion ground to a halt in the 1880s'; unemployment problems for these workers increased still more with the expansion of the labor-saving usina after the 1890s.

"Agriculturalists" are the final group of workers in the likely-arrest category.¹ After the cessation of the African slave trade, landless caboclos² who wanted to use engenho land had to give more of their labor to the export sector than they ever had before; those refusing the landowner's demands faced eviction. Many of the displaced agricultural

¹Although it is difficult to precisely characterize "agriculturalists" who appear in the casa logs, such agricultural workers clearly include lavradores, squatters, and agricultural day laborers, all of whom can be placed in the likely-arrest category.

²A rural Brazilian of low social status.

workers ended up in Recife without employment.¹

The workers most unlikely to be arrested on public order charges for labor recruitment were the more skilled urban workers such as artisans, business and clerical workers, and civil servants. The assumption is that the special skills of these workers made them valuable to employers, guaranteeing greater job stability. Public order arrests should be lower for these workers, if 'availability for arrest' influenced the probability of being picked up during street sweeps.

In general, arrest increases were greater for the likely arrest occupations than for the unlikely ones (Table 5). Among the likely arrest occupations, day laborers had the greatest increase in public order arrests between the labor scarcity and labor problems phases.² The figures for day laborers were really striking: between 1870 and 1880, the critical period for the labor recruitment hypothesis, public order arrests of day laborers increased by over 800 percent; between 1880 and 1885 their public order arrests went up by another 125 percent, a five-year increase that was almost as high as increases in the previous ten year period.

Between 1870 and 1880 the 'likely arrest' day laborers, semi-skilled manual workers, and agricultural laborers ranked

¹Migrants who left the plantations went directly to Recife. See footnote 1, page 144.

²Since occupationally-specific rates are unavailable percentage comparisons between the various occupations have been used.

Table 5: Number and Ranked Proportional Changes of Referrals for Public Order Crimes by Occupational Category (Likely and Unlikely to Commit Such Crimes). Recife House of Detention for Selected Years, 1860-1922 (Weighted Sample)

<u>Occupational Categories</u>															
<u>Most Likely to Commit Public Order Crimes</u>						<u>Least Likely to Commit Public Order Crimes</u>									
Day Laborers		Agricultural Workers		Semi-Skilled Manual Workers		Domestic Service Workers		Non-Domestic Service Workers		Artisan		Business/Clerical		Civil Service	
N	% Change* (Rank)	N	% Change (Rank)	N	% Change (Rank)	N	% Change (Rank)	N	% Change (Rank)	N	% Change (Rank)	N	% Change (Rank)	N	% Change (Rank)
1860	61 NA	25 NA		51 NA		49 NA		54 NA		117 NA		23 NA		41 NA	
1870	25 - 59.0 (6th)	38 + 52.0 (4th)		40 - 21.6 (5th)		125 +155.1 (1st)		94 +74.1 (3rd)		205 +75.2 (2nd)		21 - 87.0 (8th)		7 - 82.9 (7th)	
1880	242 +868.0 (1st)	88 +131.6 (4th)		191 +377.5 (2nd)		244 + 95.2 (6th)		76 +19.1 (8th)		204 - 0.5 (7th)		44 +109.5 (5th)		27 +285.7 (3rd)	
1885	545 +125.2 (1st)	186 +111.4 (2nd)		333 + 74.3 (3rd)		383 + 59.6 (5th)		65 -14.8 (8th)		264 +29.4 (6th)		76 72.1 (3rd)		7 - 74.1 (7th)	
1890	14	0				0		0		7		0		0	
1900	506	53		173		460		107		246		93		7	
1910	153	67		67		213		27		33		33		7	
1922	253	13		73		100		20		87		93		27	

*Percentage Change from number in previous selected year.
 NA: Data not available.
 Source: Livros de Entrados e Saídas da Casa de Detenção de Recife.

first, second, and fourth, respectively in percentage increases in number of public order arrests; one of the unlikely arrest occupations (civil servants) ranked third, the remaining two unlikely arrest occupations ranked fifth or lower. The likely arrest occupations had still greater proportional increases in public order arrests between 1880 and 1885 compared to the unlikely arrest category: three of the five likely arrest occupations ranked as the top three in proportional increases; one of the unlikely shared the third place. The other two ranked sixth and seventh. Table 5 suggests that there were notable exceptions to the occupational crime statistics. While the hypothesis on balance is supported by the occupational crime patterns, the evidence would have to be considered as mixed at this point.

Before concluding the analysis of the labor recruitment hypothesis, one apparent anomaly must be considered. In each of the previous analyses, public order arrests fell sharply in 1890, right at the mid-point of the labor problems phase. The decrease occurred when public order arrests should have been especially high if planters were using punitive arrests to secure low-cost labor for the export sector. However, it is plausible that there was a sharp decline in public order referrals because authorities sent law violators some place other than the house of detention in 1890.

The shift in referral practices is suggested by several statistics. In the first place, it seems dubious that an

arrest category that made up a high plurality of arrests in all other periods would suddenly drop to its lowest level in the eight sampled years. It is even more curious that the sharp decline in public order referrals occurred in the midst of two decades when the proportion of public order arrests were at the highest levels of the sampled periods (see Table 6).

Even more anomalous is the precipitousness of its decrease in actual numbers between 1885 and 1890: in 1885, more than 1,860 detainees were sent to the casa for public order violations, five years later less than twenty-five; this was far below the absolute number of arrests in any other crime category in 1890. Even if the public order arrests generated by the moral passage had declined in 1890, the true prevalence of public order violations alone should have been higher than twenty-five. This is especially so since 1890 was a period of fierce political turmoil: Brazil had become a Republic in the previous year, and various factions were fighting for a piece of the political pie.

One possible explanation for the sharp decline in public order referrals to the House of Detention in 1890 is that violators were taken somewhere else. In 1890 the governor recommended using the refugee compounds created during the great drought as agricultural correctional camps for vagabonds, drunks, beggars and others disturbing the

Table 6: Number and Proportion Detained
 For Public Order Crimes, Recife House of
 Detention for Selected Years, 1860-1922
 (Weighted Sample)

<u>Year</u>	<u>Number</u>	<u>Proportion of Public Order Crimes to all Arrests</u>
1860	440	39.5
1870	638	41.4
1880	1,126	57.8
1885	1,870	66.3
1890	20	2.1
1900	1,692	69.4
1910	619	31.5
1922	739	35.9
Total	7,144	47.7

Source: Livros de Entradas e Saídas da Casa de Detenção
 de Recife

public order (Mensagem, 1890).¹ Carrying out that recommendation should not have been difficult since a precedent had been set during the drought for moving masses of people from the city to outlying compounds (see Cuniff, 1970). Whether public officials actually implemented the Governor's recommendation and used refugee camps for public order violators cannot be established because records for the relocation camps are not available.

Yet several strands of evidence suggest that state agents used the drought camps for public order violators in 1890. First of all, police and politicians' reports indicate that vagrancy and public disorder were major concerns in the late eighties and nineties. It is clear that, despite vociferous complaints about public order violators, few were sent in 1890 to the House of Detention. By contrast, the number of detained in the casa for other crimes increased by fourteen percent over the previous five year period, which suggests an additional reason to suspect that officials sent public order violators to one of the drought refugee camps in 1890.

The persistent increases in public order violations could well have caused officials concerns about dangerously overcrowding the facility, particularly since arrests for other crimes were not decreasing. In fact, if the proportion of public order referrals in 1890 had been an average

¹One such camp had held over 9,000 people at the peak of the drought (Cuniff, 1970).

of their percentages in 1885 and 1900 (68 percent), the absolute number of public order violators in the Recife House of Detention facility would have been 3,348. This would have enlarged the population of the house of detention to 1890 to 4,425, far more than the total number sent there during any of the other years for which data were collected. Only at the peak of the forced army recruitment campaigns of the Paraguayan War had any number to that passed through the gates of the House of Detention.¹ Therefore, officials would have had every reason to divert people from the already overcrowded casa.

It does not affect this argument that the proportion of public order violators sent to the detention facility was higher in 1900 than before 1890. On the one hand, the administrators of the house of detention did not need to be concerned about a rising tide of public order arrests, for the absolute numbers were lower in 1900 (1,645) than in 1885 (1,859), as well as the total number of people detained², thus putting considerably less pressure on the facility (see Table 6). On the other hand, officials may still have sent some public order offenders to a drought

¹For example, President Castello Branco (Falla, 1865) reported that 4,240 people entered the casa during the first year of military recruitment.

²In 1900 there were 2,438, while in 1885 there had been 2,811.

refugee camp in 1900 (which would mean that public order arrests may have been even higher in 1900 than indicated by the arrest logs). However, it is quite likely that officials found that they could get along without the refugee camps after the turn of the century, as labor-saving technology had begun to reduce the labor requirements of the sugar industry.

The Place of Crime in the Moral Passage

During the Pernambucan transition from a slave-based to a quasi-capitalist mode of production social control shifted from traditional to legalistic. Traditional social control was informal and plantation based. Squatters in the planter's private militia helped keep the slaves in line, fight election battles, and resolve family feuds. Landowners extracted supplementary labor from squatters through feudal rent requirements: service to the landowner secured the squatter's use of plantation land. Much of the latent force of these land-lease demands was disguised by the pervasive structure of dependence in the rural zone.

In contrast to traditional social control, legalistic was formal and had its locus in organizational structures outside the plantation. Relief (Beggars' asylum) and taxation were legalistic strategies of social control. Law enactment was another form of legalistic social regulation. The national guard, police, jails and correctional

facilities added force to legal proscriptions.

During the labor scarcity phase of the transformation planters relinquished some of their power to the state in order to guarantee a slave force. However, for the most part, traditional mechanisms of labor recruitment predominated. When state intervention appeared it was generally not concerned with repression, being directed instead at limiting the slave drain and concentrating the remaining slaves in the export sector.

Taxation on slave sales and law guaranteeing gradual abolition were the dominant legalistic social control strategies during the transition's labor scarcity phase. So long as slaves were plentiful there was no need to correct the undesirable qualities of the rural poor, as the slave force declined being free and without work, having irregular work habits, or simply moving around too much became problems for the planters, and ultimately for the police and law makers.

During the labor problems phase of the transition, state-initiated repression replaced many traditional social control mechanisms. Politicians proposed forced labor laws, and the police called for additional correctional facilities to house idlers, drunks, and vagrants. The vagrancy statute and termo provided a potential solution to labor problems; arrest statistics indicate that officials made liberal use of these laws to secure a work force.

The shift from planter self-reliance to state

assistance, and from non-repression to repression illustrates Stanley Diamond's (1971) argument that law arises in the breach of prior customary order and increases in force with the conflicts that divide political societies. The Pernambucan transformation seems to support Diamond's contention that "law and order is the historical illusion, law versus order the historical reality".

CHAPTER V

SOCIAL STRUCTURE AND CRIME

Introduction

So far in this analysis, the mode of production has been a dependent variable. However, this study does not consider structural change as an outcome only, for such theoretically diverse scholars as Marx (1903) and Durkheim (1951) have pointed out the value of viewing socio-structural changes also as causal variables. Whether the theorist claims that a new mode of production simultaneously creates new superstructural elements (Marx, 1906) or that rapid social, economic, or political changes cause social disorganization and anomie (Durkheim, 1951), the message is that structural change produces new structures and new problems.

One such emergent problem in Pernambuco was crime. There is a tradition in sociology from Durkheim (1951) to Park (1924) suggesting a relationship between social disorganization and particular forms of deviance. Political scientists such as Olson (1971) and Fierabend (1971) have demonstrated a relationship between certain types of change and collective violence. More specifically, rapid economic change has been ascribed socially destabilizing effects (e.g., Wilbur, 1979); a relationship between unemployment and crime has been demonstrated by the Dutch criminologist, Bongers (1969).

In a different vein, radical criminologists such as

Quinney (1977) and Spitzer (1975) argue that it is particular forms of social organization, rather than disorganization, which produce crime. Most radical theories of crime begin with the mode of production, or the system of production that links human labor to the environment (Balkan, 1980:13). Class-based modes of production¹ exist where one group reaps a disproportionately large amount of wealth and control, while another group gains only a disproportionately small amount. Radical theory holds that this unequal structure of resource distribution generates problem populations. These become eligible for management as deviants when their behavior or personal qualities threaten the structure of production and distribution.²

Both approaches to crime causation provide guidelines for the research here. Radical theory hypothesizes a relationship between socially-structured inequality and crime. That relationship might appear difficult to test since both Pernambuco's dominant and secondary modes of production were class-based in the periods under examination. However, there are critical differences in workers' access to material resources even within these class-based modes of production. In fact, the compulsion continuum (Chapter I, Figure B)

¹Marxist theory holds that the primitive and socialist modes of production are not class-based (see Hindess and Hirst, 1975).

²Chapter III shows how Pernambuco's export-dependent sugar economy produced a problem population and describes the conditions that made the problem population a social expense, and thus deviant.

illustrated that access to the means of subsistence decreases with the transition from a feudal to a quasi-capitalist mode of production.

Pernambuco's transition is a case in point. There is no doubt that, in a legal sense, abolition meant greater freedom and equality for ex-slaves. However, the labor recruitment drives of the labor transition reduced the freedom of all rural workers. Furthermore, many rural dwellers lost even an informal claim to plantation land during the transition to wage labor. Finally, modernization of the forces of production (usinas) increased the consolidation of land holdings and, therefore, the inequality of resource distribution. Thus, if the predictions of radical criminology are correct, there should be more crime in the quasi-capitalist mode of production than in the slave/feudal one.

Social disorganization theory provides a complementary hypothesis because it proposes a relationship between social change and crime. The assumption is that change decreases normative predictability which increases the probability that at least some group's norms will be violated. If social disorganization theory is correct, criminality should increase during periods of rapid change both within a particular mode of production, and during the transition from one mode of production to another.

Once the theoretical links between social structure and crime have been hypothesized, we must find a way of

examining that association. Crime rates provide information about reported crime, and the rates, in conjunction with historical data, give clues to the socio-structural sources of criminality. If an association between social structure and crime is hypothesized, the researcher must show that the fluctuations in crime statistics are the product of real changes in criminality and not solely the result of social control activity.

The last chapter introduced the distinction between moral passage and true prevalence changes in crime rates. Rate fluctuations which are the product of real increases in criminality are called true prevalence changes, while rate fluctuations which result from shifts in social control activity are labeled moral passage increases. Since the analysis at this point attempts only to identify the socio-structural factors which promoted actual changes in criminal behavior, the true prevalence fluctuations will be examined here.

The methodological strategy for identifying true prevalence changes in crime rates is, first, to rule out a moral passage, then to identify the conditions that could have accounted for real increases in criminality. This analysis begins by examining the rate fluctuations for the four inclusive crime categories:¹ public order offenses;

¹The "other" category has been omitted from this analysis because the behaviors included under "other" were too vague to be analyzable, or the crimes were omitted altogether by house of detention recorders.

theft; interpersonal violence; and murder (Chart A).

The public order offenses can be eliminated from this analysis of true prevalence crime, since Chapter III demonstrated that those rate increases were mostly if not entirely due to changes in the definition and treatment of marginality. It is more difficult to isolate the causes of rate fluctuations in theft and in the various types of interpersonal violence.

The information gleaned from the provincial/state newspapers and official reports argues against a moral passage. That is to say, there do not seem to have been any significant changes in the official definition and treatment of violence and theft during the period of analysis. If the rate increases in theft and violence were not moral passage fluctuations, then they may have been the product of real increases in criminality. To examine that assumption, we must identify the conditions that could have caused real increases in theft and violence.

Data Analysis

We begin by dividing the sixty-two year period into the four points before abolition, and the four points after. During the pre-abolition period, a slave mode of production powered the export sector, with supplementary services provided by feudal work arrangements. After abolition, a quasi-capitalist mode of production structured rural work organization. The sixty-two year period is, of

course, split by the transformation of the mode of production.

The data on crime¹ form three general patterns (Chart A). Rates of interpersonal violence and murder vary together and increase during one period before abolition and at two points after. Two-thirds of the rate increases from 1860 to 1922 for all three crime categories occur during the post-abolition decades. Finally, the most steady increases in theft occur after the transformation of the mode of production.

Pre-Abolition Increases in Crime

Violence²

The pre-abolition increases in interpersonal violence came at the end of the Paraguayan War, Brazil's only nineteenth century participation in international conflict. Because military service was unpopular, Provincial Governments resorted to forced impressment to fill the ranks; in practice this meant that large numbers were treated as criminals even though they had broken no law.³ When the last day to volunteer for military service passed with the quota still unmet, the police would sweep through the streets picking up the unemployed,

¹The methods and sampling procedures are the same as described in Chapter IV.

²Violence refers only to interpersonal violence during this period, since murder rates did not increase markedly. However, all references to violence after 1870 are to both interpersonal violence and murder.

³Forced recruitment was used throughout the Colonial and Imperial periods to secure soldiers.

free Negroes,¹ vagabonds, and beggars, even taking incorrigible slaves contributed to the war effort by their masters (McBeth, 1977: McCann, 1977). After the roundup, the new recruits were secured in the House of Detention, or any other temporary holding facility, until the next ship arrived for the war zone.

Presidential reports indicate that the rural poor violently resisted the onerous burden of military service, going so far as to attack recruiters, troop convoys, and jails to free those forcibly recruited. Two separate Presidential reports (Fallas, 1867, 1868) listed fourteen different assaults on either jails or troop caravans by the families and friends of men taken forcibly as recruits. In 1867, 200 men in the city of Pau D'Alho attacked a jail and killed the guards, freeing thirty-four recruits (Falla, 1867). In that same year, outraged Pernambucans violently liberated eighteen recruits traveling under military guard between the cities of Bonito and Recife (Falla, 1867). In 1868, on the land of the Engehno Pepicú near the town of Nazareth, Jose lins, his wife and daughter, and other armed men and women attacked a troop convoy; they freed lins' son, who had been captured by military recruiters (Falla, 1868). The Presidential reports between 1866 and 1870 leave little doubt that the rural poor put up a good deal of resistance to recruiters, and it is possible that many of those apprehended ended up in the House of Detention for

¹Correspondence between Provincial Presidents, Chiefs of Police, and slave owners suggests that recruiters frequently captured slaves assuming or pretending they were free Negroes (A.S.S.P., 1865-70).

their "violent crime".

Theft

One of the worst droughts in Northeastern Brazilian history struck between 1877 and 1880. It drove thousands of starving backlands refugees into the provincial capital of Recife. Along the way, migrants sacked sugar plantations and robbed regional markets of food.¹ Government officials attempted to defuse the threat to property and relieve the population pressure by transferring migrants from the city to relocation camps in the plantation zone.² But in spite of such population shifts, Provincial President Luna Freire (Falla, 1878) complained in 1878 that as many as 60,000 destitute refugees remained in the provincial capital.

Provincial presidents into the eighties continued to bemoan the problems of hunger and crowding in the city. They warned that strict measures had to be taken to solve the refugee problem, because impoverished migrants posed a serious threat to property (Falla, 1880). The elevated theft rates suggest that the officials' fears were well founded.

As the eighties commenced, Pernambucan sugar producers

¹See Roger Cuniff (1970) for a discussion of drought conditions. Provincial Reports (Fallas) from 1878 through 1880 give a picture of the widespread suffering produced by the great drought.

²Chapters III and IV pointed out that such population redistribution helped combat the labor shortages of the sugar industry.

were facing decreased revenues and were searching for new sugar markets. Since the Pernambucan economy survived by supplying international buyers with sugar, decreases in world sugar prices and changes in world purchasing habits had a negative impact on the entire province. However, planters could still hope to recapture a portion of the world market if sugar could be produced more cheaply. Subsidized mill modernization offered a way of cutting costs and increasing output.

The modern sugar refineries represented more than a change in technology; they had a profound impact on rural social organization. Usinas eroded traditional settlement patterns and social relations in the zona da mata by replacing slow-paced, labor-intensive agriculture with capitalistically-oriented agrobusinesses (Pang, 1979). Almost every segment of the rural work force was downwardly mobile with modernization; some workers were totally stripped of their means of subsistence by labor-saving technology.

Post-Abolition Increases in Crime

Theft

A comparison of the pre and post abolition fluctuations in theft rates shows the increase in thefts in the decades after the transformation. Between 1860 and 1885 theft rates ranged between 1.2 and 2.3 per ten thousand population. In the first period after abolition, theft rates were only 1.2 per ten thousand population. However, they rose in 1900

to 3.2, falling slightly in 1910 to 2.9 per ten thousand population. In the last sampled period (1922), theft rates rose to 3.9 per ten thousand population (Chart A).

It is significant that theft rates increased most steadily after the 1890's when the economic health of the region made its sharpest decline. There were several reasons for this regional economic decline. By the turn of the century, Brazilian sugar had neither the European nor North American market, and modernization had done little more than eliminate jobs for rural workers. The workers who remained in the sugar industry after 1890 toiled at a wage below the 1860's level (Eisenberg, 1974:186). Worse yet, a large segment of the free plantation population was totally marginalized¹ during usina expansion, since many of these squatters lost both farming rights and occasional plantation work, due to the introduction of labor-saving technology.

Social and economic conditions in the city of Recife were no better than in the plantation zone. Beside the economic problems that beset a city whose well-being was linked to a sugar industry that was failing, urban density was growing and migrants were pouring into Recife to escape

¹Marginalization is the "destruction of a class or class fragments' relation to the means of sustaining and reproducing social life" (Humphries, 1979:229).

the extreme poverty of the rural zone.¹ Migrants quickly learned that Recife did not hold the answer to their problems. Urban employers did not need their particular job skills. The twentieth-century Nordeste author, João Cabral de Melo Neto, describes the fate that awaited migrants, in his play, *Morte e Vida Severina* (1976:84-87).

Migrant: Very good day, Senhora,
in the window, over there.
Can you say if it's possible
to find work here?

Senhora: There is no lack of work
for those who know how to work.
What did you do Compadre,
on your land out there?

Migrant: I was always an agricultural worker,
a worker on bad soil.
There isn't any kind of earth that I
can't cultivate.

Senhora: That is of no worth, very little exists
to till; but tell me, migrant, what else
did you do there?

Migrant: I can cultivate all of the crops that this
soil can produce: cotton, papaya, century
plant, corn...

Senhora: No bank will finance these crops. But
tell me, migrant, what else did you do
there?

¹According to Levine (1979:23-24), the single greatest impulse to cityward migration after 1885 was the arrival of the usinas. Migrants' usual adjustment problems were compounded by the fact that in the late 19th century they began going directly to Recife, rather than settling temporarily in the towns along the way.

Migrant: I can run any of the five sugar mill boilers, or operate the sugar grinder in the purging house of the engenho.

Senhora: With the spread of the usinas there are few engenhos left. Didn't the migrant learn to do anything else there?

Migrant: There, no one learned any other trade, nor will they...

Although most rural and some urban workers found life more difficult from the 1880s on, it was the cane transporters, sugar mill workers, and seasonal agricultural laborers who experienced the most serious assault on their economic well-being, particularly after 1890. In all three cases, a combination of modernization and export stagnation dealt the death blow to their means of subsistence.

After engenho expansion came to a halt in the late eighties, there was a sharp reduction in demand for sugar mill workers of all sorts. But it was usina expansion in the nineties that thoroughly undermined job prospects, because labor-saving technology halved the size of the mill workforce (Reis, n.d.a.: 10,23). A portion of the more highly skilled displaced laborers may have secured work as usina operatives, but with the international market for Brazilian sugar contracting, a good number of the unskilled faced permanent unemployment.

The cane transporters were victims of an earlier period of modernization; it was the railroads rather than improvements in milling that wiped out their jobs. The pack horse drivers (almocreves) were especially hard hit, because they had conducted most of the carrying trade

between the plantations and Recife prior to the railroads; by the 1880s, only nine percent of the sugar brought to the capital came by almocreve (Reis, n.d.a :15). A British Consul reported that while some of the displaced packhorse drivers had entered agriculture, the majority had been stripped of their work by the railroads (Reis, n.d.a :17).

Finally, agricultural and day laborers did not escape dislocation. The new sugar refineries made it possible to cut field labor by a third, since they could extract the same amount of sugar from a third less cane (Reis, n.d.a. :10). It is difficult to assess the breadth of disruption experienced by agricultural workers; some probably retained their squatting rights even though they were no longer required in sugar production. However, the severest dislocation hit that portion of the agricultural workforce that had lost both squatting rights and occasional wages from day labor.

It would be interesting to see how the workers most directly affected by techno-economic changes reacted to their displacement. One way of finding out is to compare thefts among the various occupations. If it is true that property crimes are committed out of a need to survive (Quinney, 1977:129), then marginalized workers should be proportionately more active in theft than those retaining some claim to their means of subsistence.

That prediction can be examined by comparing a group

V

of economically marginalized workers with the economically less marginalized.¹ Included under the marginalized label are: transportation workers;² mill workers;³ day laborers;⁴ and agricultural workers. The non-marginalized occupations are: artisan; business/clerical and domestic service.⁵ The prediction is that the proportion of theft arrests to total arrests will be higher and rise faster for displaced workers than for those still functioning within the new occupational structure.

Between 1860 and 1885 there was a decrease in the proportion⁶ of theft arrests for non-marginalized workers,

¹A good number of workers in both categories were unemployed, but unemployment is not the crucial variable that explains structural unemployment; it is marginalization. This cuts much deeper than cyclical unemployment because it completely destroys the worker's means of subsistence. People can be unemployed and yet still be employable if the means by which they support themselves have not been eliminated from the occupational structure.

²Only transportation workers are considered here. These are included in "non-domestic service" elsewhere in this study.

³The mill workers were a part of the "semi-skilled manual worker" category in previous analysis.

⁴Day laborers are included because many of the marginalized rural workers may have labeled themselves day laborers.

⁵"Civil service" and "without occupation" have been omitted because the number of inmates in each category is very small.

⁶It would be ideal to use rates in this analysis but data on the number of workers in each occupation are unobtainable.

while between 1860 and 1880 the marginalized workers' participation in theft increased (Table 7). With the exception of a decline in 1885, and a leveling off from 1900 through 1910, both the proportion and absolute numbers marginalized workers detained for theft increased across the sixty-two years. Whereas it declined from the non-marginalized at least until 1890. After 1890, the proportion of theft arrests to the total increased for both categories, but advances generally were most marked for marginalized workers. The gap between the two groups shows up most clearly by 1922 when nearly half of all marginalized workers' arrests were for theft, while these were only a fourth of the unmarginalized workers' total.

Furthermore, shifting crime patterns are as important as increases within a particular category of crime. In all years considered, except 1922, both marginalized and non-marginalized workers had more inmates at the casa for public order violations than theft (excluding 1890 from consideration on the assumption that the public order offenders were sent elsewhere). However, the proportion of theft arrests to public order detentions among marginalized workers increased steadily after 1885, finally surpassing their disorder arrests in 1922, while the proportion of non-marginalized workers' theft arrests rose slowly after 1885 toward the public order proportion, but never surpassed it. (see Table 7.)

A closer look at the non-marginal occupations lends

Table 7: Proportion of Theft and Public Order Crimes
Among Economically Marginalized and Non-Marginalized Inmates
Recife House of Detention, for Selected Years, 1860-1922
(Weighted Sample)

Year	Theft Economically		Public Order Economically	
	Marginalized N=1376 %	Non-Marginalized 980 %	Marginalized 3270 %	Non-Marginalized 3387 %
1860	4	11	37	41
1870	13	9	13	48
1880	16	9	52	65
1885	5	4	66	67
1890	13	12	--	--
1900	22	14	66	72
1910	21	21	27	38
1922	45	27	32	41
Average	18	13	44	52

Source: Livros de Entradas e Saídas da Casa de Detenção de Recife

additional support to the supposition that theft was associated with marginalization. Non-marginalized workers were clerks, business people, artisans, and household workers: all had a good deal of opportunity to steal. A solid tradition in North American criminology (Cressey, 1953; Cloward and Ohlin, 1960) suggests the hypothesis that workers coming into daily contact with money and valuables will have comparatively more arrests for theft than those relatively divorced from commercial exchange and from portable and valuable private property. While extremely plausible, however, that supposition is not upheld by these data. In all periods except 1860, the marginalized segments of the population had proportionately more arrests for theft than workers with greater opportunity to steal. This suggests that something more than opportunity was behind their increases in arrests for theft.

Marginalization offers a more plausible explanation, because theft became more and more prevalent among workers who were increasingly stripped of their means of support, in contrast to those retaining their modes of subsistence. It seems an appropriate conclusion that thievery was the most immediate means of survival in an environment totally lacking economic and social supports for the unemployed.

Violence

Rates of interpersonal violence and murder rose in the period (1890) immediately after the 1889 coup that

established Brazil's Republican Government, and again in 1910, (See Chart A). These increases in violence occurred during the years of turmoil that followed Brazil's political independence from Portugal.

Recife was strife-torn in the nineties, as various factions vied for the political positions vacated or created by the 1889 coup. Some of the political infighting was in fact an outgrowth of certain aspects of colonial and neo-colonial rule. For example, one divisive strategy used in the nineteenth century by Emperor Dom Pedro II was to appoint a Province's President and its Chief of Police from rival political parties (See Hoffnagel, 1975). This created fierce factionalism at the provincial level, which facilitated rule from afar. By the time Brazil gained its Republican form of government, there was a well-established tradition of violent political factionalism, rekindled each time political offices opened up.

Political violence stretched into the first decades of the twentieth century. Levine (1979:82), reports that there was extensive political terror during the heated 1910-1911 gubernatorial campaign. The struggle became so pervasive that Recife was placed under martial law for several days, businesses closed, the port was shut down and federal reinforcements entered the city. Social and political disorganization seems to have spawned violence during this, as in the first period of political turmoil.

Only the millers, transportation workers, cyclically-employed day laborers, and artisans had increased arrests

for interpersonal violence during these periods of social and political unrest. Two, or perhaps even three, of these segments of the Pernambucan population were the rural workers displaced by changes in the technology of sugar production. It is possible that such uprooted workers were the most vulnerable to the political unrest of the late nineteenth and early twentieth centuries.¹

However, the turbulence of the late nineties and early twentieth century was not restricted to the urban area; it also escalated in the rural zone.² Much of this rural

¹Many of these rural workers migrated to Recife in search of work. Instead of employment they found a city embroiled in political turmoil. One way to guarantee survival in a city torn apart by strife over political office was to join the private army of one of the political parties. However, one of the political factions had to face the fact that the police force was under the control of its political rival. It is likely that the losers in these battles over political office ended up on the house of detention for their attacks on political foes.

²Two bursts of millenarianism occurred at this time. The one ("Canudos") in Bahia, Pernambuco's neighbor to the south, formed around Antonio Conselheiro. The Canudos settlement posed such a threat (followers refused to acknowledge the authority of the new Republican Government) that federal troops were finally sent to destroy it. At about the same time, another social movement, led by Padre Cicero, began in Ceará, Pernambuco's neighbor to the north. By the first decade of the twentieth century, Padre Cicero had become an important political force and the entire state of Ceara had come under his control.

While these were broad-based, grass-roots social movements that mobilized thousands, it would be difficult to argue that the conflict generated by them is reflected in the House of Detention data. An examination of the arrest locations listed in the house of detention referrals for 1890, the only sample period that would have captured these movements, showed only two arrests from the high sertão of Pernambuco near Crato-Joaseiro of Ceará, or near the Canudos encampment of Bahia. Such arrests were clearly possible in the case of Canudos since Pernambuco sent a provisional police force to protect the cities along the Pernambucan border near Canudos (Mansagem, 1889). Perhaps, those arrested near Canudos never went as far as the Recife House of Detention (approximately 830 Km.).

violence could have been linked to the broad changes in rural social organization.

In 1890, two elements of the mode of production were undergoing change: slavery had been abolished and the new social relations of production between free laborers and employers were being worked out; during the same period, the second stage of mill modernization began.

Some Pernambucans gained from mill modernization, while others lost. Many of the free rural poor paid for modernization, through their impressment into the export sector. Eviction from plantation land was the price paid by others for the change in rural work organization. However, the price exacted from free people was not without personal cost to landowners. According to Levine (1979: 30), many plantation dwellers did not passively accept eviction: landowners seldom left their houses without a bodyguard for protection from angry squatters seeking to avenge personal dishonor for their indiscriminate eviction from plantation land.

It is possible that the 1890 increase in murder rates reflects this resistance to eviction and to forced labor arrests. It is notable that agricultural workers had a greater proportion of their arrests for murder than any other occupational group. Perhaps, some of the agricultural laborers detained for murder were angry plantaion dwellers stripped of land in the modernization process and/or forcibly impressed into the export sector workforce.

Social Structure and Crime

Social Organization and Crime

Radical criminologists assume that crime is linked to class-based forms of social organization. It is a central premise of the radical perspective that the greater the inequality, the more prevalent is crime ("inequality hypothesis"). The assumption is that those deprived of the means of subsistence will use deviant means to secure them.

The Pernambucan transformation to a quasi-capitalist mode of production provides an opportunity to test the inequality hypothesis. With the transition to wage labor, many rural dwellers lost the right to farm on plantation land. Modernization of the instruments of production eliminated work altogether for another segment of the rural work force. Technological changes also brought a consolidation of land holdings.

Looking back at the house of detention referrals, we see that the people most likely to be referred for economic crime after the transformation came from the segments of the rural work force that had been marginalized in the modernization process.

However, we can also examine the inequality hypothesis by comparing crime rates and their peaks in the slave/feudal mode of production, with crime rates and their peaks

under the quasi-capitalist system.¹ If the predictions of radical criminology are correct, rate increases should be steeper and there should be more rate peaks in the quasi-capitalist period than in the slave feudal.

Chart A shows that theft rates were higher and climbed steadily after the transformation to a quasi-capitalist mode of production; thefts peaked at only one point during the slave-feudal period.² Rates of violence increased sharply two times after the transformation, raising at only one point during the slave/feudal period and then more gradually.

Social Disorganization and Crime

A review of the true prevalence crime waves illustrates that all of the rate increases occurred during periods of social, economic, and/or political turmoil.

Violence rose during the forced military recruitment campaigns that disrupted the social organization of the countryside. Violence again increased immediately after

¹Such a comparison is, of course, predicted on the assumption that rate increases are true prevalence fluctuations.

²The inequality hypothesis gains further substantive support from the one pre-transformation increase in theft. The only time that thefts were high before the transformation was during the great drought, a period when thousands of backlands dwellers' were suddenly thrown into a fierce struggle for survival by a climatic disaster.

the coup that ushered in Brazil's Republic, and during the factional fighting of the 1910-1911 election campaign.

Thefts rose during (Cuniff, 1970) and after the great drought which uprooted thousands of rural Pernambucans. Theft rates climbed again during the transformation which modified the centuries-old structure of plantation organization.

Conclusions

This study used elements of both social organization and disorganization theory to understand the relationship between social structure and crime in Pernambuco. The data lent support to both approaches. Deep-cutting, disruptive changes produced crime in both the slave/feudal and quasi-capitalist modes of production. At the same time, crime increased with the increases in socially-structured inequality.

This research suggests that economic crime is somewhat more sensitive to changes in the distribution and control of material resources than is violent crime. However, further research should attempt to more clearly delineate the crimes most sensitive to variations in resource distribution and control. It would also be interesting to know if rapid change affects criminality more than socially-structured inequality. A study which could differentiate between these two conditions would contribute a great deal to criminology theory.

CHAPTER VI

LESSONS FROM PERNAMBUCO FOR THE POLITICAL-ECONOMY OF SOCIAL CONTROL AND CRIME

This study makes three contributions to the literature on social control and crime. The first is to demonstrate two approaches to the analysis of social control. One approach seeks the material roots of social control, while the other isolates the function of social control in structural change. Both approaches use change as a central variable; however, they place it in opposite causal positions: the analysis of the material determinants of social control illustrates how changes in material resources affect the form and content of social regulation, while the description of the consequences of social control shows how social control promoted structural change.

From the examination of social control we move to an analysis of crime. The study of Pernambucan crime can contribute to criminology by its demonstration of two causes of fluctuations in crime rates. In one set of statistics, the rate fluctuations are an artifact of changing political priorities; in the other, they are the product of real increases in criminality.

Linsky (1979) labels the first of these two types of rate fluctuations "moral passage" changes and the second, "true prevalence" rate fluctuations. Linsky's distinction

is useful because it helps sensitize researchers to the problems of interpretation in using official crime statistics. Moreover, these different kinds of rate fluctuations suggest different theories about the socio-structural sources of crime.

The final contribution of this research is to stress the role of power and group conflict in crime and social control. By over-emphasizing the power of the dominant group, many studies of crime mask the intergroup conflict implicit in crime and its control. The struggles during Pernambuco's transition highlight the class tension inherent in crime and control, and suggest that crime is more than a simple process of powerful actors imposing deviant labels on less powerful ones. In fact, social control and at least some forms of criminality may suggest elite vulnerability in the face of direct and indirect challenges by less powerful segments of the population.

But Pernambuco's transition does provide insight into the role of power in crime and social control. In the first place, state-initiated social control functioned to promote the interests of the planter class. More specifically, law and public policy were deliberately enacted to serve the interests of those who controlled the principal economic resources.

Moreover, the Pernambucan data suggest an interesting

relationship between crime and the maximizing of elite interests. The chapters on moral passage crime argue that powerful actors created crime in order to promote their interests, while the chapter on true prevalence crime indicates that in pursuing their interests, powerful groups frequently induced others' criminal behavior.

These contributions will be elaborated in the following pages.

Two Sides of Social Control

Material Roots of Social Regulation

The best socio-historical studies of the material roots of social control are by Chambliss (1964) and Reusch and Kirkheimer (1968). Chambliss showed how shifts in labor supply and demand influenced the focus and content of vagrancy laws in Europe and North America, while Reusch and Kirkheimer related the changing types of penal punishment to such material factors as labor supply and the degree of impoverishment of the population.

Changing levels of material resources also influenced the amount and type of social control during Pernambuco's labor transition. Gusfield's concept of a moral passage captured the impact of this resource depletion on social control during the transition. There were two stages in Pernambuco's nineteenth century moral passage, each associated

with a different state of resource depletion and different ways of coping with it.

The labor scarcity phase of the moral passage began with the cessation of the African slave trade. At that time, planters equated labor scarcity with a shortage of slaves not an insufficiency of free workers. During this phase, informal plantation-based strategies of labor recruitment predominated. When state intervention appeared, it was directed at limiting the slave drain rather than pulling the free population into cash crop production. In order to guarantee a sufficient number of slaves for the plantation sector, the provincial government imposed taxes on slaves sold to the Center-south of Brazil, and applied pressure on slave owners to use their bondsmen in plantation agriculture rather than in urban occupations.

So long as slaves were still relatively plentiful, there was no need to pull the free marginal population into plantation agriculture. However, with the simultaneous decline of the slave population and fall in world sugar prices in the 1880's, planters could no longer afford to have free workers engage in activity that did not produce wealth. Consequently, being free and without work, having irregular work habits, or simply moving around too much became problems for the planters and therefore for the lawmakers and police.

Thus it was the combination of falling sugar prices and an insufficiency of cheap labor that created the labor problems

phase of the moral passage. During this period, state-initiated repression replaced many of the traditional mechanisms of labor recruitment and regulation. Punitive arrests became a central mechanism of labor recruitment, while forced labor laws and agricultural correctional facilities enforced work discipline.

Social Control and Structural Change

Pernambuco's transformation from a slave-based to a quasi-capitalist mode of production involved much more than the shift from slave to free labor. At the very least, such structural transformations include profound changes in the social organization of work, and in the instruments of production. Social control promoted one aspect of this larger transformation by restructuring the social relations of production between free workers and landowners.

In other words, the transformation did not just mean replacing slaves with free laborers; it meant turning feudally-organized free workers into cash-crop producers. Such a change in work organization could not be accomplished without altering the free populations' relationship to landowners and to the land. The long-run success of that operation turned on creating new structural mechanisms to extract surplus labor from free workers.

Feudal rent requirements had provided an excellent mechanism for extracting part-time labor from freeholders,

but such arrangements checked the landowners' power over this work force once free labor had become the dominant mode. As long as free people retained squatting rights through rent payments they had an alternative to wage labor on sugar plantations. By separating free plantation dwellers from the soil and making them dependent on wages for survival, planters could gain greater control over the plantation work force.

Such control strategies as eviction from plantation land, strict work contracts, and arrests for labor recruitment promoted the structural transformation by guaranteeing landowners an abundant supply of cheap labor. Agricultural correctional facilities and beggars' asylums helped redefine the social relations of production between free workers and the landowners.

However, in the last analysis, direct repression against a workforce is less efficient than the broader structural mechanisms of social control.¹ For example, the wage relationship coerces labor in a more subtle and lasting fashion (Chapter 1)

¹Historically, both the wage relationship and most technological innovations have been introduced as improvements in the workers' condition and, hence, have augmented the legitimacy of the elite and the state. Repression, on the other hand, has the potential of calling this legitimacy into question. Thus, the switch to wages and the implementation of labor-saving technology have served the directors of production by providing increased control over the workforce while adding legitimacy to the political structures that support and perpetuate their positions of power.

than daily police action against an unwilling squatter population. An equally efficient indirect structural mechanism of social control is labor-saving technology. When technology can perform human labor, workers who won't play by the employer's rules can be replaced by machines, or by more willing workers displaced from other jobs by technology.

Thus, direct forms of repression provided the initial force for the transformation, while the structural mechanisms of control cemented the new social relations of production between free workers and employers.

The Dual Nature of Crime

Social Control and Crime

Linsky argues that increases in crime rates can result from at least two factors. Variations can be due to changes in the definition and treatment of some behavior or condition, or crime rates can fluctuate in accordance with real changes in the behavior of the population. Moral passage crime is the label given to the fluctuations in the crime rates which result from shifts in social control priorities and strategies.

Pernambuco's moral passage crime grew out of a redefinition of marginality. Free marginals were not a creation of the nineteenth century; marginality had been endemic to free status as long as slaves were the dominant labor force in the export sector. Officials' original lack of attention to the free marginal population was due to the labor requirements of the sugar industry being met by slaves. Once slaves become scarce,

free people who were outside the export sector were recast as vagrants and idlers. The fluctuations in public order arrests ("moral passage" crime) reflect this change in the elite view of marginality.

Social Structure and Crime

Some of the data on true prevalence crime in Pernambuco suggest that in maximizing their interests, powerful groups created more crime. For example, the modern sugar refineries of the 1890's resolved some of the economic problems of the planters by reducing the costs of sugar production. At the same time, however, this labor-saving technology displaced a large segment of the plantation work force. The data on crime suggest that thefts increased most among those segments of the Pernambucan population that had been displaced by this labor-saving technology.

When variations in crime rates reflect real increases in criminality they are labeled true prevalence changes (Linsky, 1979). Such increases in crime are assumed to be the product of specifiable socio-structural conditions. Both the argument for social disorganization as a determinant of such crime, and the radical criminologists' perspective on social organization suggest general hypotheses on the more proximate conditions for such true prevalence changes in crime rates.

Radical criminology hypothesizes that the greater the inequality of resource distribution, the more prevalent is criminality. The data on Pernambucan crime suggest that, as the mode of production changed from slave/feudal to

quasi-capitalist, certain kinds of criminality increased. It appears that elevated crime rates for theft were associated with this increase in socially-structured inequality.

Social disorganization theory on the other hand; hypothesizes a relationship between social change and crime. The data indicate that deepcutting crises in Pernambuco were associated with increases in theft and violence in both the slave/feudal and quasi-capitalist modes of production, as well as during the transition from one mode of production to another.

Power and Conflict in Crime and Social Control

This research has emphasized repression against the Pernambucan population; however, the increases in repression suggest that free men and women did not passively submit to planters' demands. Such things as proposals for forced labor laws, arrests for vagrancy, agricultural correctional facilities, and beggars' asylums are indicative of conflict. They are a reminder that the labor transition did not pit a totally powerless free population against an all-powerful landed elite.

While it is true that the squatters' individual power was both much less and far more vulnerable than landowners', the troublemaking potential of the rural poor lay in many of them retaining squatting rights while landowners were trying to mold such free workers into a rural proletariat. Workers with land had an alternative to subsistence wages and were slow to become the kind of labor force planters demanded.

By refusing to participate in Pernambuco's export sector

as slavery declined, free people contributed to the erosion of planters' resources; without a large work force, production could not expand to compensate for low sugar prices. Those conditions turned the free population into a social expense. In Pernambuco, the threat to wealth accumulation was met by repressive social control: repression promoted the transition to free labor and turned the social debts back into assets.

Conclusions

Laws and coercive structures in the Pernambucan case have been shown to be the result of conflict between groups with opposing economic and political interests. These laws, and the correctional facilities which put teeth into them, helped landowners find a way to overcome the inhibitions that the feudal mode of production had placed on their power over the free labor force.

Thus, both crime and control grew out of attempts to resolve basic contradictions which were built into the political-economic organization of nineteenth-century Pernambuco. Chambliss (1964: 111) maintains that seeing crime as "a matter of dilemmas and resolutions makes the people who create the laws as well as those who violate them active participants in the social world that is both their doing and their undoing..."

APPENDIX A

Essay on Sources

Although a number of classic works on Brazil were used in this research, only studies of the Brazilian Northeast, Pernambuco, and Recife are discussed in this essay. The author hopes this summary of the available data sources will stimulate other research on Northeastern Brazil and Pernambuco.

The research model has six variables. Both primary and secondary sources provide data on the variables. Secondary data are the foundation for variables one (material resources) and variable three (technology). Primary sources illustrate variables two (social control), four and six (moral passage and true prevalence crime); both primary and secondary sources are used to describe the transformation of the mode of production (V-5).

The most useful secondary sources on life in nineteenth-century Pernambuco are by Peter Eisenberg, The Sugar Industry in Pernambuco (1974) and Robert Levine (1979), Pernambuco in the Brazilian Federation, 1889-1937. Eisenberg focuses on the sugar industry, rural social and political organization, and labor; Levine covers a broad range of subjects, placing special emphasis on Pernambucan politics. Periera da Costa's Anais Pernambucanos (1962) and Francisco Pacífico do Amaral's Escavações (1974) provide a brief introduction to a large number of subjects relevant to Pernambucan history.

Marc Hoffnagel's unpublished doctoral dissertation, "From Monarchy to Republic in Northeast Brazil: The case of Pernambuco, 1868-1895" (1975) provides an in depth study of nineteenth century Pernambucan politics. Also on the subject of politics, including interpersonal violence and sensational crimes in Pernambuco, is Oscar Melo's Recife Sangrento (1970). Roger Cuniff's study of the great drought, "The Great Drought in Northeast Brazil, 1877-1880" (1970) shows how Northeastern state and municipal governments responded to a large-scale nineteenth century disaster.

Jaime Reis' two unpublished manuscripts, "The Realm of the Hoe: Plantation Agriculture in Pernambuco Before and After the Abolition of Slavery" (n.d.a.) and "from Bangüê to Usina" (n.d.a.), and his published article, "Abolition and the Economics of Slave-Holding in North East Brazil" (1974), provide a wealth of information about Pernambucan slavery, and nineteenth and early twentieth century rural modernization. J. H. Galloway analyzes the Pernambucan sugar industry and its workers in his articles, "The Sugar Industry in Pernambuco During the Nineteenth Century" (1958) and "The Last Years of Slavery on The Sugar Plantations of Northeastern Brazil" (1971). Finally, David Denslow's unpublished doctoral dissertation, "Sugar Production in Northeastern Brazil and Cuba, 1858-1908" (1974) is an extremely useful complement to Peter Eisenberg's in-depth study of the Pernambucan sugar industry.

For a picture of more recent northeastern social

organization, especially with respect to labor, Manuel Correia de Andrade's A Terra e o Homem No Nordeste (1964) is excellent. Josue de Castro's Death in the Northeast (1966) and Joseph Page's, The Revolution That Never Was (1972) tell of the twentieth century northeastern's daily struggle to survive. Eisenberg (1974) is useful for nineteenth century rural society and work organization; Caio Prado's The Colonial Background of Modern Brazil (1967) describes colonial social organization.

Stuart Schwartz writes about rural workers in Pernambuco's neighbor to the south, Bahia, in "Free Labor in a Slave Economy: The Lavradores de Cana of Colonial Brazil" (1973a). Billy James Chandles describes nineteenth century rural social organization in Pernambuco's northern neighbor, Ceara, in his monograph The Feitosas and the Sertão dos Inhamuns: The History of A Family and A Community in Northeast Brazil, 1700-1930. (1972)

Finally, no picture of Brazilian life is complete without the works of the Nordestino author, Gilberto Freyre. However, the reader must be aware that Freyre's devotion to the Brazilian northeast is frequently translated into an idealized picture of life there. Several of Freyre's books were useful for background on the Northeast. The Masters and the Slaves (1946); The Mansions and the Shanties (1963); Nordeste: Aspectos de Influência da Cana Sobre a Vida e a Paizagem do Nordeste do Brazil (1937); and Brazil, An Interpretation (1945).

This study joins the fields of law, penology, and law

enforcement, besides dealing with Pernambucan labor history. The most useful secondary sources on Brazilian Penal law are the Brazilian penal codes Código Penal do Brasil (1830), (1890), and Ruy Rebello Pinho's A História de Direito Penal Brasileiro (1973). Evaristo de Moraes (1923) describes the development of Brazilian penal philosophy, criminal law, and the growth of prisons in Instituições Penitenciárias No Brasil. Jose Paes de Andrade's O Nosso 14 de Julho (1975) tells the history of the Recife House of Detention from construction to disestablishment in 1974. Stuart Schwartz (1973) describes the colonial court system in Sovereignty and Society in Colonial Brazil. The most thorough historical study of the Brazilian Police from Colonial times to the present is Heloisa Fernandes' Política e Segurança força Pública do Estado de São Paulo (1974). Fernandes writes about São Paulo, but Martha Huggins' unpublished historical study "Historical Development of the Police in Pernambuco" (1979) suggests that Fernandes' study is applicable to the Pernambucan context. The Huggins' study examines the political and economic factors precipitating the formation and disbanding of various Pernambucan Police Forces between 1850 and 1922.

Besides the secondary sources obtainable in the United States, this research utilized a number of manuscripts, governmental reports, criminal statistics, and law books found only in Brazil. Primary sources were the foundation for the social control and crime variables. The most original data sources in this research (from the standpoint of original

research on Pernambuco) is the entry logs of the Recife House of Detention (Casa de Detenção do Recife). The logs (Livros de Entradas e Saídas da Casa de Detenção) were used with the permission of the Secretary of Justice of the State of Pernambuco, Sergio Higênio Filho.

The logs were official entry registers for those committed to the casa. They contain information about each person detained in the house of detention.¹ Along with the inmate's name, physical description, and crime, the log lists the length of detention, inmate's occupation, birthplace, and other information about the prisoner's marital and family status.

Since the logs provide information about an incarcerated population, researchers might consider them comparable to prison statistics. Actually, however, the logs correspond more closely to arrest statistics than to prison records. The researcher's use of house of detention referrals as a type of arrest statistic is justified by certain facts concerning the operation of the criminal justice system of nineteenth century Pernambuco. In the first place, many cases of deviance did not even become public record, since problems were handled directly by the injured party. Aside from that, anyone considered by an appropriate official or powerful citizen sufficiently deviant to accuse of criminal activity was taken to the House of Detention; after being held, the inmate was usually released without trial.

¹Logs covering a sixty-two year period were sampled. The years sampled and the sampling framework are discussed in Chapter Four.

The logs of the House of Detention are stored in the archive of the Penitenciária Agrícola de Itamaracá, an agricultural prison located on the shore island of Itamaraca about one hour from Pernambuco's capital, Recife.¹

Casa logs provided one view of the formal social control apparatus and its criminals; the author obtained another while collecting data at the agricultural prison. The period spent at the prison gave opportunity for informal contact with prisoners, guards, and officials, and some observation of prison life. The data analysis will benefit from weaving impressions of the present with the archival record of the past.

Another phase of data collection took the researcher to the archive of the Recife branch of the Secretária de Segurança Pública (Security Police). Those visits turned up very little archival material of use in the study but provided invaluable insights into the operation of a twentieth century police force. Visits to jails in the interior of the state, and informal interviews with judges, prison officials, and police added to the researcher's sense of the formal and informal aspects of the state's twentieth century correctional philosophy. Finally, some idea of the original character of the former Casa de Detencao could still be obtained from a visit there, although it is now an historical

¹Two days a week were devoted to data collection; with the help of two paid prisoners, the data were collected in one year.

site, transformed into a series of gift shops and restaurants.

Casa logs provided a great deal of information about crime and criminals but they said very little about the plans, formal policies, and programs of Pernambucan politicians and social control agencies. Since the second variable looks at the role of social control in the labor transition, knowledge of social control strategies was essential. Some of the most useful information about social control came from the yearly reports of the President of the Province of Pernambuco¹ (Fallas). These reports (Falla, Mensagem, Relatório) contain information about the provincial/state budget, new correctional and charity facilities, educational reports, police problems and programs, yearly crime statistics, conditions of jails and prisons, and any other exceptional occurrences during the year. In order to capture yearly changes, I examined all the Fallas and Mensagens between 1850 and 1922.

The collection of the Presidential/Governors' reports in the Arquivo Público do Recife (Recife Public Archives) is fairly complete from the 1860's on; earlier volumes are at the Faculdade de direito do Recife (Recife Law School).

The news and editorials in the Jornal do Recife and Diário de Pernambuco (state newspapers) provided a wealth

¹After 1890 these were the reports of the Governor of the State (Mensagens).

of information about the transition from slave to free labor, and the plans and programs of planters and politicians. Bound volumes of both newspapers are housed in the Arquivo Público. The Archive's collection of both newspaper's is fairly complete for the nineteenth century.

Finally, a study of crime and social control is incomplete without penal codes and State Law books. The Recife Law School has a complete set of penal codes;¹ between the law school and the public archive all the annually published law books from the mid-nineteenth century can be obtained. Most students of Nineteenth Century Criminal law need only look at the 1830 and 1890 Penal Codes. In 1830, Brazil's first Penal Code went into effect; for 330 years (1500-1830) the laws of Portugal were the criminal law.² The Brazilian Penal Code went through its second major revision in 1890 with the birth of the Republic.

The Penal Codes are an invaluable source for criminal law, but they do not record changes at the regional level between revisions. The best place to look for yearly changes in criminal laws are the Provincial/State level is Leis do

¹The Harvard University Law Library also has the 1830 and 1890 Penal Codes.

²The Ordenações Alfonsinas were the law in Brazil after her discovery. The Ordenações Manolinas directed Brazilian Law for about ninety years. The Ordenações Filipinas for more than two centuries.

Estado de Pernambuco (Laws of the State of Pernambuco). Bound volumes of the Leis are in the Recife Law School and Public Archive. All volumes for the sampled period were consulted.

APPENDIX B

LISTED CAUSES FOR DETENTION IN
RECIFE HOUSE OF DETENTION DURING
SELECTED YEARS, 1860-1922
(CATEGORIZED BY OFFENSE TYPE)

Interpersonal Violence

1. amaeças, insultos (verbal threats, slander, verbal abuse)
2. defloramento, rapto, estupro (rape)
3. ferimentos, espancamento, ofensas físicas, violência, agressão (wounding with or without bloodshed, physical offenses, violence, aggression)
4. roubo (robbery, theft with violence)

Murder

1. homicídio, assassinato, crime de morte (homicide, murder)

Property Crimes

1. estellionato (swindles, fraud, embezzlement)
2. falência (bankruptcy)
3. furto, ladrão, larapio (theft/without violence)
4. gatuno (theft without violence)
5. modea falsa (counterfeiting)

Public Order Crimes

1. à moral pública (crimes against public order)
2. ajuntamento ilícito (disturbing public order)
3. armas defezas, usa de... (use of defensive or other prohibited weapons)
4. arrombamento (jail-breaking)
5. arrauceiro (rowdiness, street rioting)

6. briga (fighting)
7. capoeiragem (a type of marital art)
8. catimbozeiro (sorcery)
9. dano (destruction of public property)
10. desobediência (disobedience)
11. desordem (disorder)
12. devassidão (debauchery, loose morals, prostitution)
13. distúrbios (creating disturbances)
14. ebrio, embriaguez (drunkenness)
15. embriaguez e desordem (drunk and disorderly behavior)
16. fora d'horas, andar... (breaking curfew)
17. fugido (running away)
18. indiciplina (indiscipline)
19. jogos proibidos (prohibited forms of gambling)
20. prostituta, meretris (prostitution)
21. resistência (resisting authority)
22. turbulento, perturbacao da ordem publica (disturbing the peace)
23. vagabundo (vagabondage)

Miscellaneous Charges

1. a disposição do juiz (judicial order)
2. a requisição da polícia, consul, etc. (request of police, consul, or other public official)
3. a requisição do senhor (request of the owner)
4. até pode verificar verdade condição (verifying true slave/free status)
5. atestado ao poder (attempted assassination)
6. atestado falso (falsifying election credentials)

7. averiguações (police questioning)
8. a infracção da casa (breaking the casa regulations)
9. condenado (condemned)
10. correcção (corrective treatment)
11. criminoso (criminal behavior)
12. custódia (custody)
13. desertor (desertion from the army)
14. infracção de posturas (breaking city ordinances)
15. louco, alienado (insanity)
16. perjuria (perjury)
17. prisoner of war
18. recruta (army recruitment)
19. resistência (resist authority)
20. sedição (sedition)
21. sem delcaração do motivo (without declaration of cause)
22. sem parte (without formal complaint)
23. suspeita (suspicion)

APPENDIX C-1
Occupations of Inmates in the Recife House of Detention
For Selected Years, 1860-1922

I. ARTISAN	II. MANUAL (NON ARTISAN)	III. BUSINESS CLERICAL	IV. "CIVIL SERVICE"
001 encadernador	030 mestre de assucar	050 baracheiro	070 farmacéutico
002 assentador	031 typógrafo	051 guarda freio	071 guarda livros
003 ourives	032 purgador	053 fogueteiro	072 feitor
004 capinteiro	033 refinador	054 tintueiro	073 negociante
005 celleiro	034 caldeireiro	055 operario	074 comerciante/commercio
006 cartes	035 electricista	056 marítimo	075 negócio
007 ferreiro	036 marquinista	057 estivador	076 caxeiro/cacheiro
008 aflaita	037 padeiro	058 embarcadisso	077 datilógrapho
009 marcineiro	038 cunhador	059 foguista	078 bilheteiro
010 pedreiro	039 oleiro	060 servente de..	079 comerciário
011 litografia/litógrafo	040 funileiro	061 empregado	080 gazeteiro
012 marmorista	041 serrador	065 pescador/pescaria	081 barraqueiro
013 chapelão	042 tanoeiro	066 estudacor	082 quitandeira
014 entalhador	043 serralheiro	068 vaqueiro	083 mascate/neg. ambulante
015 charuteiro	044 ferrador		084 verdureiro
016 empalhador	045 cigarreiro		085 peixeiro/pombeiro
017 carpina	046 carvoeiro		086 vigia, garda
018 costureira	047 margarefe		088 horteleiro
019 cabelleiro	048 suineiro		
020 barbeiro	049 pintor		
021 sapateiro			
022 temaqueiro			
023 calafate			
024 violeiro/musico			
V. NON-DOMESTIC SERVICE	VI. AGRICULTURAL WORKER	VII. DOMESTIC SERVICE	VIII. DAY LABORERS
100 barcaceira	113 capinheiro	120 criado	062 ganhador
101 carreiro	114 cocheiro	121 criado de servir	063 jornaleiro
102 canoeiro	115 prostituta/meretris	122 copeiro	
103 boleiro		123 engomadeira	
104 catraiero		124 lavadeira	IX. WITHOUT OCCUPATION
105 remador		125 ama	
106 careiro		126 casiera	140 mendigo
107 carraceiro		127 servente	141 vagabundo
108 almocreve		128 servente domestico	142 sem officio
109 estribeiro/estriveiro		129 empregada	143 sem occupação
110 engrachate/engraxador		130 arrumador	
111 bagageiro		131 cosinheiro	
112 aguadeiro			

APPENDIX C.2
Occupations of Inmates in the Recife House of Detention
For Selected Years, 1860-1922
(Translated)

I. ARTISAN	II. MANUAL (NON ARTISAN)	III. BUSINESS CLERICAL	IV. CIVIL SERVICE
001 Book binder	030 Master sugar maker, processer	050 Boat rower	070 Pharmacist
002 Places mosiac on brick	031 Type setter	051 Lineman	071 Bookkeeper
003 Goldsmith	032 Sugar purger/refiner	053 Fireworks maker	072 Administrator/factor
004 Carpenter	033 Sugar refiner	054 Clothes dyer	073 Business person
005 Harness maker	034 Sugar boiler room worker	055 Operative	074 Merchant
006 Label maker	035 Electrician	056 Sailor/Mariner (non-military)	075 Small business person
007 Blacksmith	036 Locomotive Conductor/ Assistant	057 Stevedor	076 Counter Clerk
008 Tailor	037 Baker	058 Seafarer	077 Typist
009 Cabinet maker	038 Mintes/makes metal for saddles	059 Stoker of loco- motive or usina	078 Ticket seller/taker
010 Mason	039 Brick maker	060 Servant of (some skilled worker)	079 Merchant
011 Lithographer	040 Tin smith	061 Employee	080 Newspaper seller
012 Marbel cutter	041 Prepares wood for carpenter	065 Fisherman	081 Vender in a stall
013 Hat maker	042 Cooper	066 Plasterer	082 Green grocer
014 Wood carver/Engraver	043 Locksmith	068 Cowboy	083 Peddler
015 Cigar maker	044 Blacksmith		084 Vegetable seller
016 Chair seat stuffer	045 Cigarette maker/ worker		085 Fisherman
017 Assistant to carpenter	046 Charcoal maker		086 Guard, sentry
018 Seamstress	047 Butcher		087 Justice official
019 Hairdresser	048 Pig raiser		
020 Barber	049 Painter		
021 Shoemaker			
022 Maker of wooden shoes			
023 Chaulker (usually boats)			
024 Musician			
V. NON-DOMESTIC SERVICE	VI. AGRICULTURAL WORKER	VII. DOMESTIC SERVICE	VIII. DAY LABORERS
100 Boat rower	111 Bag carrier	120 Maid/man servant	062 Day laborer
101 Pack horse driver	112 Water carrier	121 Maid man servant	063 Day laborer
102 Canoeman	113 Can Field clearer	122 Butler/waiter	
103 Coachman	114 Coachman	123 Ironer	
104 Boatman	115 Prostitute	124 Laundress	
105 Boatrower		125 Nursemaid/wet nurse	
106 Boatrower		126 Housekeeper/caretaker	
107 Cart driver		127 Servant	
108 Muleteer		128 Maid	
109 Stablemaster		129 Mail	
110 Shoe shiner		130 Housecleaner	
		131 Cook	

APPENDIX D: CODE SHEET

Livros de Entradas e Saídas Dos Prezos Da
Casa De Detenção

1. O seu nome (_____)
2. Data de hoje (_____) (dia, mês, ano)
3. Var001: Título do livro (_____) (use o número 2)
4. Var002: Cidade onde o livro esta localizado (_____) (use número 2)
5. Os anos encontrados no livro (_____)
6. Var007: Condição (_____)
1=escravo
2=livre
7. O nome do proprietário(s) _____

8. O nome do criminoso (_____)
9. Filiação (_____
_____)
10. Var013: Naturalidade (_____)
11. Var0015: Idade (_____)
12. Var014: Estado (_____) 1=casado (a)
2=solteiro (a)
INDIQUE SE HOUVER OUTRA
RESPOSTA
13. Var003: Cór ou qualidade (_____) 1=branco (a)
2=preto (a)
3=pardo (a)
INDIQUE SE HOUVER OUTRA
RESPOSTA
14. Var015: Ocupação ou profissão (_____
_____)
15. Estatura (escreve no outro lado do papel)

16. Por quem foi conduzido (_____
 _____)
17. A ordem de quem foi preso e se acha a disposição (_____
 _____)
18. Var009: Nota da culpa ou motivo (_____
 _____)
19. Var010: Data de saídas (dia, mês, ano) (_____)
20. Var011: Data de entrada (dia, mês, ano) (_____)
 _____ // _____ // _____ // _____ // _____ //
21. Var012: length of time in prison (Var010-Var011) _____
 _____ // _____ // _____ // _____ // _____ //
22. Var016: O criminoso nasceu (_____) 1=Legítimo
 2=Illegítimo
 (natural)
23. Var0114: Sexo (_____) 1=M
 2=F
 _____ // _____ // _____ // _____ // _____ //

APPENDIX E

LIST OF CRIMES FOR WHICH PEOPLE WERE REFERRED TO
THE RECIFE HOUSE OF DETENTION¹

Crime	Number	Percent
Against Public Morality (Includes prostitution)	607	4.0
Breaking a City Ordinance (Unspecified)	47	.3
Breaking and Entering	7	0.0
Breaking Curfew (slave)	31	.2
Breaking the regulations of the House of Detention	7	0.0
Capoeiragem	81	.6
Correction	13	.1
Criminal	154	1.0
Deserter	21	.1
Destruction of Public Property	13	.1
Disobedience	47	.3
Disorder	1600	11.0
Disturbances	2519	18.0
Disturbing the Public Order	21	.1
Drunk and Disorderly	42	.3
Drunkenness	806	6.0
Embezzlement	94	.7
Falsifying an Election	13	.1
Fighting	323	2.0
Held as Army Recruit	180	1.0
Held for Custody	8	.1
Held for Questioning	31	.2
Held to Verify Slave/Free Status	14	.1
Homicide	789	6.0
Illegal Gambling	180	.2
Imprisoned at the request of the Consul, Police	112	.8
Imprisoned at the request of the Master	149	1.0
Imprisoned without formal complaint	991	7.0

¹Forty-six different categories are listed in Appendix E. However, only forty-five of these were used when the crimes were re-coded. The cases where no motives for arrest were given were put in the "other" category.

Crime	Number	Percent
Insanity	1094	8.0
Jail Breaking	33	.2
Making Counterfeit Money	13	.1
Motive Omitted	120	.8
Physical Aggression	725	5.0
Prisoner of war	33	.2
Rape	234	2.0
Resistance	14	.1
Robbery	147	1.0
Runaway (slave)	95	.7
Sedition	7	0.0
Sorcerer	33	.2
Suspect	33	.2
Suspected of Being a Slave	21	.1
Theft	2249	16.0
Using Defensive Arms	120	.8
Vagabond	319	2.0
Verbal Abuse	196	1.0
	<u>14,386</u> ¹	<u>99.7</u> ²

¹Total number of inmates less than Table 1, Chapter III because "other" category was omitted.

²Less than one hundred percent due to rounding errors.

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