

# DICIONÁRIO DE HISTORIADORES PORTUGUESES

DA ACADEMIA REAL DAS CIÊNCIAS AO FINAL DO ESTADO NOVO

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**Barros, Henrique da Gama<sup>1</sup>** (Lisbon, 1832- Lisbon, 1925)

Jurist, magistrate, politician, and historian, a key figure in our historiography at the turn of the 20<sup>th</sup> century. Born in Lisbon, HGB studied Law at the University of Coimbra between 1848 and 1853. Professionally, he practised law (1855-57) and was also Administrator of the municipality of Sintra (1857-62), Neighbourhood Administrator in Lisbon (1862-69), and Secretary of the Civil Government of the Capital, holding the title of Civil Governor on two occasions (1876-77 and 1878-79). A member of the Supreme Administrative Court between 1877 and 1879, he became a Counsellor of the Court of Auditors in the same year, presiding over it from 1900 to 1910. The final years of the Monarchy saw him briefly become involved in politics as a supporter of João Franco and the Partido Regenerador-Liberal [Regenerative-Liberal Party], being appointed Peer of the Realm in 1906. With the proclamation of the Republic, he ceased all professional activity and political intervention.

As a jurist by training and a magistrate by profession, HGB made his 'literary' debut in 1860 with a compilation of the administrative law of his time. This work (*Reportório Administrativo...*[Administrative Repertoire]) is usually considered the starting point for the project of a 'General History of Administration', which would deal with the background to the 1842 Code. In other words, HGB would present himself from the outset as a jurist who 'made History', writing a preamble to a treatise on 'Portuguese Administrative Law' (which would result from the expanded re-edition of the 1860 book), and not as a historian *tout court*. However, the completion of the work (of which the 12<sup>th</sup> and 15<sup>th</sup> centuries were only the first of three periods to be dealt with) ended up revealing the historian, and particularly the medievalist. Generationally close to authors such as Henry Thomas Buckle (1821-1862), Ernest Renan (1823-1892), Hippolyte Taine (1828-1893), Theodor Mommsen (1817-1903), and Numa-Denis Fustel de Coulanges (1830-1889), particularly influenced by the latter, HGB can be included in a 'constitutionalist' historiography of public law, with

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<sup>1</sup> Text from the 1990s, prepared as an entry for a Dictionary that never came to fruition. Updates HOMEM, Armando Luís de Carvalho - 'Gama Barros, historiador das instituições administrativas (No I Centenário do início da publicação da "Historia da Administração Publica em Portugal nos seculos XII a XV")', *Revista da Faculdade de Letras* [UP]. História, II series, II (1985): 235-248 (Separata, Porto, 1985, 16 pp); reed. in IDEM - *Portugal nos Finais da Idade Média: Estado, Instituições, Sociedade Política*, Lisboa, Horizonte, 1990: 35-47. Used as the basis for a lecture given at FL/UC on 2016/01/11.



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European representatives in Georg Waitz (1913-1886), William Stubbs (1825-1891), Frederick Pollock (1845-1937), Frederick William Maitland (1850-1906), and Eduardo de Hinojosa (1852-1919).

Domestically, it is not exactly easy to 'frame' HGB: firstly because of his unique position in the Portuguese 19<sup>th</sup> century; subsequently, because of all the vagueness of our historiography at the time, not least in terms of institutional framework – indeed, the historian of HGB's time in Portugal is no longer the typical scholar of the turn of the 19<sup>th</sup> century, producer of highly erudite *memoirs* (a model personified in António Caetano de Amaral (1747-1819), José Anastácio de Figueiredo (1776-1805), Francisco Aragão Morato (1777-1838) and above all João Pedro Ribeiro (1758-1839), authors whose solid information will moreover be one of HGB's major sources); but neither is he yet the history professional of today. HGB is no longer writing *memoirs* but a *book* with all that this transformation represents. *Historia da Administração Publica* [History of Public Administration] was originally intended to be a *synthesis* for an audience of *jurists*, especially the author's peers in the judicial and administrative professions. However, as the book progressed, he revealed a deep-rooted vocation as a historian, producing increasingly *erudite* (and, therefore, *analytical*) chapters. While the first volume of the original edition (volumes I and III of the 2<sup>nd</sup> edition) still seems relatively synthetic (and based eminently on printed documentary and chronological sources; hence, it is the section of the work most dated due to subsequent changes in the state of knowledge), the remaining chapters are increasingly more in-depth, preventing the author not only from chronologically going beyond the 15<sup>th</sup> century but also, within the Middle Ages, from fully fulfilling the plan he had drawn up. The chronology of the original edition is nonetheless instructive in this respect:

- 1<sup>st</sup> volume (vols. I and III of the 2<sup>nd</sup> edition): prepared since the mid-1960s, published in 1885;
- 2<sup>nd</sup> volume (vols. IV and V of the 2<sup>nd</sup> edition): published in 1896;
- 3<sup>rd</sup> volume (vols. VI to VIII of the 2<sup>nd</sup> edition): published in 1914;
- 4<sup>th</sup> volume (vols. IX and X of the 2<sup>nd</sup> edition): published in 1922;
- 5<sup>th</sup> volume (materials for ...; = vol. XI of the 2<sup>nd</sup> edition): in an advanced state of preparation at the time of HGB's death in 1925.

Bringing this growing depth of analysis a little more into focus: HGB devoted the inaugural volume to books I and II of the work ('Direito escripto e direito tradicional' [Written Law and Traditional Law] and 'Administração Central' [Central Administration], respectively); these would be followed by 'Administração Geral' [General Administration]; but the fact is that the author would end up inserting, as book III, a long section on the 'Situação economica do paiz' [Economic Situation of the Country] (which in the original plan was no more than an introductory title), spread over volumes II and IV. The 'General Administration', as book IV, ended up being the unfinished (and unpublished) 5<sup>th</sup> volume (volume XI of the 2<sup>nd</sup> edition).

Notwithstanding the unfinished sections, it is obvious that HGB produced a work that covers a wide range of topics and problems in its ('globalising', we might almost say) approach to Portuguese medieval society, especially the materials contained in the 2<sup>nd</sup> and subsequent volumes (which do reflect more systematic archival research, especially in the Torre do Tombo). And this is what explains the author's fortune, both in



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life and posthumously. In fact, the publication of the first two volumes opened the doors to the Academia das Ciências de Lisboa [Lisbon Academy of Sciences] (corresponding member in 1886, effective member in 1893, merit member in 1915, and emeritus member in 1920), the Instituto de Coimbra [Coimbra Institute] (1886, honorary member in 1899), and the Real Academia de la Historia [Royal Academy of History] of Madrid (1893).

HGB's medieval posterity quickly made his work indispensable in fields as diverse as property rights, social groups and political and legal institutions. In this respect, we must first highlight the influence exerted on Law Schools and on Legal Historiography in the process of renewal from the dawn of our century (Guilherme Moreira [1861-1922], Marnoco e Sousa [1860-1916], Joaquim Pedro Martins [1875-1939] and above all Paulo Merêa [1889-1977], Luís Cabral de Moncada [1888-1974] and, later, Marcello Caetano [1906-1980]). And then there was the reception by a historiographical community that in the 1940s-50s was beginning its long (and sometimes painful) process of institutionalising itself as a university: It was the 'Coimbra School' that collected HGB's library and estate, and it was one of its members (Torquato de Sousa Soares [1903-1988]) who proceeded, from 1945 to 1954, to re-edit the work, which was by then commonly used (unfortunately, the promised tables of contents were never printed; in this respect, we are reduced to the attempt made by Augusto Reis Machado in the 1930s on the original edition).

The medievalists at the dawn of the 21<sup>st</sup> century continue to have HGB as an unavoidable reference. The approach to any medieval subject almost presupposes, as a 'reflex act', a look at the *História da Administração Pública* [History of Public Administration] in order to find out what the author wrote and commented (or did not write or comment) on the subject. Through *word* or *silence*, HGB is therefore present in the work of today's researcher, not as 'our Bible' (an expression that oral tradition attributes to Virgínia Rau [1907-1973]), but as a kind of 'older colleague', unforgettable among the representatives of the academic medievalism that finally took shape in our historiography at the end of the 1970s.

'Le véritable patriotisme (...) c'est le respect pour les générations qui nous ont précédés' [True Patriotism (...) is respect for the generations that came before us] (Fustel de Coulanges, quoted by HG)

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